AGENDA

REGULAR JOINT MEETING OF THE OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY/OAKLEY PUBLIC FINANCING AUTHORITY

Tuesday, July 09, 2024
6:30 PM

Oakley City Council Chambers located at 3231 Main Street, Oakley, California 94561. Unless stated otherwise on the agenda, every item on the agenda is exempt from CEQA Guidelines Sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

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 City Council and/or City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority meeting at Oakley City Hall, 3231 Main Street, Oakley, CA 94561. Any writings or documents provided to a majority of the Oakley City Council, Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency or Oakley Public Financing Authority 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.

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If you require special accommodation, please call the City Clerk's office at (925) 625-7000 before the

meeting or contact City staff at the meeting.

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

Information Regarding Public Comment

Members of the public may address the Council on items of interest that are within the City's jurisdiction. In compliance with State law, the council may not take action or have discussion on any item that is not specifically listed on the agenda. Public comment on items not listed on the agenda will be heard under the Public Comments section of the agenda. Public comments on items listed on the agenda will be heard as the Mayor calls the items. In compliance with State law, the Council 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 public speaker card available in the lobby and submit it to the City Clerk seated in the Council Chamber **prior to the agenda item being called.** The Mayor will call you by name to the podium to hear your comment. PUBLIC COMMENTS ARE LIMITED TO THREE (3) MINUTES. Online public comments are accepted until 5 p.m. the day of the meeting and can be submitted at https://www.ci.oakley.ca.us/online-public-comment-card/.

1.OPENING MATTERS

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

1.1 Call to Order and Roll Call of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

1.2 Pledge of Allegiance to the Flag

1.3 Proclamation Recognizing July as Parks and Recreation Month (Jesse Dela Cruz, Public Works Maintenance Manager and Troy Faulk, Recreation Manager)

Proclamation

1.4 Tri-Delta Transit Update (Toan Tran, COO, Tri-Delta Transit)

1.5 Update from Contra Costa Transportation Authority Citizens Advisory Committee (Kai-Christian Torf, Committee Member)

1.6 Presentation on Oakley Veterans' Needs (Roy Manning, Assistant Commander/Service Officer for American Legion Post 202)

2.PUBLIC COMMENTS

At this time, the public is permitted to address the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority on non-agendized items.

3.COUNCILMEMBER COMMENTS

4.CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority with one single action. Members of the audience, Staff or the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor 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 Mayor.

4.1 Approve the Minutes of the Special Oakley City Council Meeting held June 11, 2024 (Libby Vreonis, City Clerk)

Minutes 06-11-24Sp

4.2 Approve Minutes from the Regular Joint City Council/City Council Acting as the Successor Agency to the Redevelopment Agency/ Public Financing Authority Meeting held June 11, 2024 (Libby Vreonis, City Clerk)

Minutes 06-11-24Reg

4.3 Report Out of Closed Session Memo (Derek Cole, City Attorney)

Memo

4.4 Accept the Fiscal Year (FY) 2023/24 Fourth Quarter Report on the Capital Improvement Program (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report

4.5 Adopt a Resolution Awarding a Contract to Quality Sound for the Civic Center Amphitheater Sound System Project – CIP No. 319 (Troy Faulk, Recreation Manager)

Staff Report
1. Resolution
2. Proposal-Quality Sound

4.6 Adopt a Resolution Establishing Special Speed Zones for Specific City Streets (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Resolution
2. Engineering and Traffic Survey

4.7 Adopt a Resolution Approving a Consulting Services Agreement between the City of Oakley and TRB and Associates, Inc. for On-Call services Related to Code Compliance Plan Review and Inspection Services for Fiscal Year 2024-2025 (Ken Strelo, Community Development Director)

Staff Report
1. TRB Statement of Qualifications
2. Draft Agreement
3. Proposed Resolution

4.8 Adopt a Resolution Awarding a Contract to CivicPlus for the Design, Hosting and Maintenance of a New City Website (Danielle Navarro, Assistant City Manager)

Staff Report
1. Proposed Resolution
2. Proposed Agreement

4.9 Adopt a Resolution for the Award of a Construction Agreement with R&R Pacific Construction, Inc. for the construction of the Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project – Capital Improvement Project Number 280 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Resolution
2. Bid Summary Results

4.10 Adopt a Resolution Authorizing the City Manager to execute an amendment to the Consulting Services Agreement with BKF Engineers, Inc. to provide Additional Design and Construction Support Services for the Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project – Capital

Improvement Project Number 280 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. BKF Amendment Proposal
2. Resolution

4.11 Adopt a Resolution Authorizing the City Manager to Execute a Consulting Services Agreement with BSK Associates to Provide Materials Testing and Special Inspections for the East Cypress Road Widening (Knightsen Avenue to Jersey Island Road) Project – Capital Improvement Project Number 247 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Resolution
2. BSK Proposal

4.12 Creating Zone 192 within the Oakley Special Police Tax Area consisting of the Rosewood Estates project (Subdivision 8787) located at 4073 Rose Avenue (APN 035-220-035-6) (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Resolution
1A. Exhibit A - Diagram
2. Ordinance
1A. Exhibit A - Diagram
2B. Exhibit B - Rate Schedule

5.PUBLIC HEARINGS

5.1 Waive the First Reading and Introduce an Ordinance Amending Oakley Municipal Code Sections 9.1.404.c.9 and 9.1.1238.b.6 (Zoning Text Amendments – Winery-Related Uses and Carwash Highway Buffers) (RZ 02-24) (Ken Strelo, Community Development Director)

CEQA Determination: Find the project is categorically exempt under the "Common Sense" Exemption (14 Cal. Code Regs./CEQA Guideline § 15061(b)(3))
Suggested Action: Staff Recommendation: 1) Receive the Staff Report, 2) Receive Questions from the City Council, 3) Open the Public Hearing, 4) Receive Public Testimony, 5) Close the Public Hearing, 6) Deliberate, 7) Summarize the Deliberation 8) Waive the First Reading and Introduce the Ordinance
Staff Report
1. Notice of Public Hearing
2. Planning Commission Resolution 9-24

3. Draft Ordinance

5.2 Waive the First Reading and Introduce an Ordinance recommending the City Council approve the project titled, "Bernard Corners Rezone (RZ 01-24)" (Evan Gorman, Associate Planner)

CEQA Determination: Find that the project is categorically exempt under the CEQA "Common Sense" Exemption (14 Cal. Code Regs./CEQA Guidelines § 15061(b)(3))

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) Waive the First Reading and Introduce the Ordinance

Staff Report
1. Vicinity Map
2. Notice of Public Hearing
3. Planning Commission Resolution 11-24
4. Draft Ordinance

5.3 Adopt a resolution approving the project titled Oakley Village Subdivision 9577 Tentative Map Extension (TME 01-24) (Evan Gorman, Associate Planner)

CEQA Determination: Find that the project is within the scope of the previously conducted environmental review for the approved tentative map and that no further review is necessary.

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. Approved Tentative Map
4. Planning Commission Resolution 13-24
5. Draft Resolution

5.4 Waive the First Reading and Introduce an Ordinance Approving the Burroughs Subdivision 9557 Development Agreement Amendment (DA 01-24) and Adopt a Resolution approving the Burroughs Subdivision 9557 Tentative Map Extension (TME 02-24) (Ken Strelo, Community Development Director)

CEQA Determination: Find that the project is within the scope of the previously conducted environmental review for the approved tentative map and that no further review is necessary.
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) Waive the First Reading and Introduce the Ordinance, 10) Adopt the Resolution
Staff Report
1. Vicinity Map
2. Notice of Public Hearing
3. Approved Tentative Map 9557
4. Proposed Resolution
5. Proposed Ordinance
5a. Proposed Development Agreement (Second) Amendment

6.REGULAR CALENDAR

6.1 Adopt a Resolution to Establish an Oakley Senior Center Specific Sub-Committee (Joshua McMurray, City Manager)
Staff Report
1. Draft Resolution

7.REPORTS

7.1 CITY MANAGER
(a) City Manager
(b) Business License Update
(c) Report from the Oaks Apartments
(d) Tyler ERP Conversion Update (Holly Sitton Orognen, Senior Project Manager, KOA Hills Consulting)

(b) June New Business Licenses
(c) Report from the Oaks Apartments

7.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY

(a) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

(b) Requests for Future Agendas

8.WORK SESSIONS

9.ADJOURN

Proclamation

Park and Recreation Month

WHEREAS, parks and recreation is an integral part of communities throughout this country, including Oakley; and

WHEREAS, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS, parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, parks and recreation is a leading provider of healthy meals, nutrition services and education; and

WHEREAS, park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS, parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS, parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate chance; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as parks and Recreation Month; and

WHEREAS, Oakley recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, BE IT RESOLVED, that I, Anissa Williams, Mayor of the City of Oakley along with the members of the Oakley City Council, recognize July as Park and Recreation month in the City of Oakley.

July 9, 2024

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Anissa Williams, Mayor

Minutes the Special Meeting of the Oakley City Council held June 11, 2024

1) Call to Order and Roll Call

Mayor Anissa Williams called the special meeting to order at 5:30 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Vice Mayor Shannon Shaw and Councilmembers Dr. George Fuller, Hugh Henderson and Aaron Meadows were also present.

2) Pledge of Allegiance to the Flag

Mayor Williams led the Pledge of Allegiance to the Flag.

3) Public Comments

None.

4) Closed Session

4.1 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)

Schaefers v. BNSF Railway Company et. al. (and City of Oakley), Contra Costa Sup. Ct. Case Nos. C22-01552 and C22-01555

Mayor Williams announced the closed session item and indicated that after closed session, the meeting will adjourn. She announced the Regular Joint Meeting of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority will be held here this evening beginning at 6:30 p.m.

There being no further business, the meeting was adjourned at 6:16 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk

Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority held June 11, 2024

1) OPENING MATTERS

1.1 Call to Order and Roll Call of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

Mayor Anissa Williams called the regular meeting to order at 6:30 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Vice Mayor Shannon Shaw and Councilmembers Dr. George Fuller, Hugh Henderson and Aaron Meadows were also present.

1.2 Pledge of Allegiance to the Flag (Boy Scout Troop 152)

Four members of Troop 152 led the Pledge of Allegiance to the Flag.

1.3 Presentation of Proclamations

1. Juneteenth (Odessa LeFrancois and Michael Dupray, East Contra Costa County NAACP)

The proclamation was mailed to the recipients as they were unable to attend the meeting.

2. LGBTQ+ Pride Month (Jeanette Ruddick, East Bay LGBTQIA Teen and Family Support Group)

Mayor Williams presented the proclamation for LGBTQ+ Pride Month to Jeanette Ruddick and members of the East Bay LGBTQIA Teen and Family Support Group.

Ms. Ruddick shared information regarding the history of Pride Month and the importance of this month to honor the impact of events and advocate for rights. She thanked the Council for its support.

1.4 Update from Contra Costa Transportation Authority Citizens Advisory Committee (Kai-Christian Torf)

Mayor Williams announced this update has been rescheduled to July 9.

2) PUBLIC COMMENTS

Roger Mammon provided information on the Delta including that the site reservoir project has been fast tracked, ignoring CEQA, and in speaking with Barbara at Protect the Delta, things will be happening to protect the Delta. He mentioned a lot of the meetings regarding the Delta occur on Tuesdays; the Delta Heritage Authority Area Management Plan Advisory Committee will meet Tuesday, June 18, 1:30pm-3:30pm, at the Rio Vista Senior Center, and today there was a meeting at the Big Break Center Just Transitions in the Delta to discuss what people feel about the Delta and what can be done to address various things going on. He mentioned he noticed that they didn't talk about reducing exports; they talked about what could be done to spend more money to fix it. He mentioned the next meeting will be in about 9-10 months in Rio Vista or Walnut Grove.

Roxanne Warner commented that as a licensed psychiatric technician and single mother of two successful adult children, we all know life is challenging and even more challenging today. She requested the Council highly consider the needs of heroic veterans and seniors of our community who have taught others, raised children, and fought for our freedom in wars to provide quality of life for all of us. She mentioned that the Older Americans Act places high regard with communities that cater to its seniors by utilizing widely used senior centers, services such as social and health benefits, resources, building of increased friendship, increases in healthier meal planning, nutrition availability, fitness, transportation services, integrational programs, and being of service to all in the community. She explained that all of this incorporates renewal of sense of purpose for veterans and seniors, decreases isolation, lowers depression, and decreases substance abuse, for overall quality of life and longevity. She shared that many veterans and seniors have minimum availability to skills available to children and teens. She commented that veterans and seniors deserve to have a face with a concrete structure and dependability to build a better sense of purpose to hand down as an example to future generations. She mentioned seniors need less chaos, less interruptions, and more structure, so they too can continue to thrive. She explained intimacy gets lost in large, bureaucratic, government-run buildings where everything is shared. She mentioned the only investment she brings is a heart for service so seniors and veterans can exude their duty to be the best examples for future generations. She asked the Council to please consider all avenues to the decision-making process of an adequate, well thought out plan for them so they may relocate appropriately to do their jobs well for the community. She inquired if their name is good for funding and if they do not deserve adequate space with their needs met. She mentioned that better purpose, thriving, and quality of life lived, is the best example they can give to children today.

Allan Perry commented that he has 35 signatures on a petition from people that wish to have the food program at the Senior Center continue. He shared that every week they see new faces in their line, some avoid contact because they are embarrassed to be in a food line, some come as early as 5:30am to get in line for tickets they distribute at 9am, and at 8am, there is not a parking space available and the line is around the building, often with 75-80 people in line, serving 300 families; they don't want to stand in line with walkers and canes, but need to stand in line as that might be the only food they get for the week. He added that many walk from the area because they don't have a car and to end the program would put a lot of those in the neighborhood around the Senior Center in hardship. He mentioned there are more than 11,000 senior centers in the United States with 586 in California. He shared information regarding cities that have smaller populations than Oakley that have senior centers.

Mike Castro commented that on May 1, they had meeting and Donna Baker asked about where seniors are going to be and City Manager Joshua McMurray said this is not time or place to talk

about it, and again on May 15, he asked Mr. McMurray, and the same thing was said to him. He mentioned he told Mr. McMurray if seniors are asked to park across the street that it is an accident waiting to happen to which Mr. McMurray said it wasn't. He commented that he obviously doesn't know seniors because it is. He mentioned this was on May 21 and he believes Mr. McMurray mentioned this was the first he had heard of it so the seniors can't believe what comes out of his mouth anymore; they feel he is not for the seniors but just for the library and funds, so they feel he should be replaced with a better person that is for the seniors also which they don't believe he is.

Chris Paloma, Field Representative with Carpenters Local Union 152 in Martinez covering Contra Costa County, requested the Council implement labor standards in Oakley. He mentioned there is tax fraud across the city, county, and state amounting to $8.4 billion per year. He explained that workers are building the homes we live in, yet they are being taken advantage of, they are not receiving livable wages, not receiving health care, and not able to join an apprenticeship program to better their situation. He mentioned there is no compliance, even prevailing wage projects still do not provide health care; those contractors are putting it on the check and health care is still project to project. He shared that this is back-breaking work, with shifts sometimes 12-hours in the heat, for minimum wage. He explained that tax fraud hurts all of us as taxes go toward things such as building bridges and schools in our communities. He mentioned having pre-qualification language to require contractors not only to pay prevailing wage, but also provide health care to workers, and to help enforce the provisions, as the DIR is spread too thin for enforcement. He added he would love to sit down and discuss these things with any Councilmembers.

William Carpenter commented that soon, the City will demolish the current Senior Center building to build more low-income housing. He mentioned as a disabled veteran and more senior than the average, he appreciates the opportunity to visit the senior center which is geared toward his generation. He mentioned living alone and independently, he welcomes the opportunity to visit and socialize with those of his generation as they share the same experiences and interests. He mentioned it is a place he can go once a week to share a balanced meal with others and swap stories. He agreed the new library and community center are needed but asked if it should it be at the expense of seniors. He suggested one of the proposed buildings be expanded to two stories to accommodate a separate Senior Center while keeping the other planned facilities. He mentioned that the City currently envisions the Senior Center as having a couple of office spaces housed either by the Recreation Center or proposed library/community center with no space for the functions and services conducted solely for the senior community, and in his opinion, adequate parking has not been proposed adjacent to the proposed library that would accommodate elderly and handicapped, especially if a Tri-Delta Transit stop is created there. He added that the City indicates that a parking lot located one or more blocks away isn't a problem for seniors with mobility issues. He mentioned the City says it has insufficient funding for seniors and that seniors and veterans are not involved in securing funding for the separate senior facility. He asked the public if this is not the function of City leadership that values their older citizens or are they just using the Senior Center and veterans as a ruse to get funding. He mentioned seniors still have value and want to share; they still have meaning and worth. He urged the Oakley public to get involved as they too will be seniors some day; their needs and wants are being cast aside and they can see what is happening to the seniors, know it can happen to them, say it is not right, and support their fathers, grandfathers, and as in his case, great-grandfathers, many whom helped build this community. He mentioned they need a facility large enough to accommodate the functions of the senior community, run by seniors who understand the issues of growing old and the special needs they have, a facility that provides services geared for the older is what is needed to be called an Oakley Senior Center. He mentioned they do not need a small office space in a corner of a library just as many young folks want to hide old things or no longer use or value.

Donna Baker commented that she appreciates the hard work that has gone in so far for our community and she applauds the effort that has gone in so far for the library/Senior Center building. She mentioned she understands that for the City to qualify for grants it needs to include seniors and veterans. She suggested the seniors keep the current location of the Senior Center and the lot adjacent to it that has already been given to the City, and together they apply for the grants so the seniors may continue to use the property, and depending upon the funding, the seniors may or may not have to use a small portion of that $7.5 million set aside just for the library. She mentioned available state and federal grants include grants for senior centers, for Older Americans Act, for veteran groups, and transportation. She added that meanwhile, they can temporarily move library items to temporary classroom portables already owned by the library to a City property of the City's choice, to allow Freedom High School their space and have temporary space for the library, a win for the Liberty Union High School District, for Freedom High School, for the Oakley Seniors, for the veterans, for 4-H, for the Food Bank to continue meeting needs of citizens, for Meals on Wheels that operates out of the Senior Center building, for CoCo Café which eventually wants to expand its program to 5 days a week, for public transportation, and most of all for the Friends of the Oakley Library because it will give them the gift of time to continue to put out a wide net for funding for an entire 28,000 square foot library.

An online comment was submitted by Jenifer Johnson who requested her comment be read into the meeting record which Mayor Williams read. Her comment was regarding the lack of available spots for summer camps. She suggested instead of using grant money for one free week, to put the money toward additional spots all summer long, utilize 6 elementary sites and 2 middle school sites to run smaller camps in the multi-purpose room to accommodate capacity that the Recreation Center cannot hold, and soon when there is an open building (library) on the Freedom High School campus they can solve two problems, staff (high schoolers) and location.

An online comment was submitted by Juliana Williams who expressed she is unhappy with the City approval of apartment complexes. She urged the Council to stop allowing unchecked building and expressed that she and her neighbors want Oakley to remain a small town.

Claudia Correia submitted a written comment mentioning that the Senior Center is a place to meet and socialize and to deactivate it is criminal in her opinion.

Laura Collins submitted a written comment that seniors need livelihood too and their wisdom and experience can help the younger generation.

Eleanor Railey submitted a written comment that she is not an Oakley resident but has attended various functions at the Senior Center and finds the volunteers helpful and friendly. She mentioned she agrees they need a place to adequately continue all functions offered. She asked the Council to put their parents, grandmother, etc. in their place.

Donna Baker submitted a written comment to apologize on behalf of the Oakley Senior Center for comments made by Mike Castro regarding Mr. McMurray.

Maria Reyes mailed a comment to the Council regarding the Senior Center, explaining the many services offered at the Senior Center and requesting the City Council consider providing a building that can accommodate all the services offered, rather than considering low-income housing. She mentioned it feels like the City is throwing the seniors out onto the streets and asked the Council to consider that one day they will be seniors too and would like a place to go to meet people, learn different things, eat lunch and play bingo.

3) COUNCILMEMBER COMMENTS

Councilmember Meadows suggested scheduling with Mr. Mammon once a month to allow him more than three minutes to speak to update the Council on Delta matters.

Dr. Fuller commented that he thinks they need to recognize the trades in terms of what has been going on with construction. He mentioned that California Attorney General Bonta recently gave $3 million to Bay Area district attorneys to investigate wage theft/wage fraud throughout the Bay Area; Contra Costa County has received over $750k so it is a problem. He shared that on 1/1/1863, President Lincoln signed the Emancipation Proclamation to free every slave in the Confederacy; it had to be carried throughout the Confederacy to be heard by Union soldiers. He mentioned on April 9, 1865, the Civil War ended and on June 19, 1865, Union soldiers arrived in Galveston, Texas to provide word of the Proclamation and the end of the Civil War. He shared that he had the privilege to work with Dr. Bernie Roy in the Watts area for the first magnet school because if you were a BIPOC person you had to ride the bus to go to school in the San Fernando Valley, and he brought it in. He mentioned in working there, he got to know about Juneteenth and the Black National Anthem written by James Weldon Johnson in 1900 to celebrate liberty. He commented that when he arrived in the City of Oakley, the City was not very friendly in terms of BIPOC, so he pushed for a Juneteenth celebration, and thanks to his colleagues, it has been approved. He announced that on June 15 in the Civic Center, the City of Oakley will have a Juneteenth celebration and he is happy to bring cultures together. He also commented that seniors are a demographic minority and he understands that seniors need their own senior center.

4) CONSENT CALENDAR

4.1 Approve Minutes from the Regular Joint City Council/City Council Acting as the Successor Agency to the Redevelopment Agency and Special Public Financing Authority Meeting held May 28, 2024 (Libby Vreonis, City Clerk)

4.2 Approve Minutes from the Special Joint City Council and Planning Commission Meeting held May 21, 2024 (Libby Vreonis, City Clerk)

4.3 Report Out of Closed Session Memo (Derek Cole, City Attorney)

4.4 Adopt a Resolution recognizing the 150-Year Anniversary of the Town of Byron, California (Libby Vreonis, City Clerk)

4.5 Waive the Second Reading and adopt Ordinance No. 8-24 Adding Oakley Municipal Code Section 9.1.1230(d) to Address Outdoor and Indoor Marijuana Cultivation Exceeding Six Plants as Separate Offense (Libby Vreonis, City Clerk)

4.6 Waive the Second Reading and adopt Ordinance No. 9-24 Adding Oakley Municipal Code Section 4.41.120 to Include an Administrative Hearing Process Related to Unlicensed Commercial Cannabis Activity (Libby Vreonis, City Clerk)

4.7 Adopt a Resolution Ordering Specifications of the Election Order Regarding the November 5, 2024 City of Oakley General Municipal Election for Districts 1, 3 and 5 (Libby Vreonis, City Clerk)

4.8 Adopt a Resolution Designating Election Officials for the November 5, 2024 General Municipal Election (Libby Vreonis, City Clerk)

4.9 Adopt a Resolution accepting the work associated with Capital Improvement Project Number (CIP) 205-Downtown Gateway Plaza and Infrastructure Improvement Project (Kevin Rohani, P.E., Public Works Director/City Engineer)

4.10 Adopt a Resolution Authorizing the City Manager to Execute an Agreement for Landscape Architectural Services with Dutchover & Associates to provide contract landscape and irrigation plan review and inspection services for the City of Oakley related to projects for Fiscal Years (FY) 2024/25 and 2025/26 (Kevin Rohani, P.E., Public Works Director/City Engineer)

4.11 Adopt a Resolution Accepting the Work Associated with Capital Improvement Project Number (CIP) 255 -Cypress Grove Subdivision Pump Station Building Project (Kevin Rohani, P.E., Public Works Director/City Engineer)

4.12 Adopt a Resolution Approving a list of projects for Fiscal Year 2024/25 Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017 (Kevin Rohani, P.E., Public Works Director/City Engineer)

4.13 Adopt a Resolution Awarding a Contract to DC Electric Group, Inc. for Traffic Signal, Street Light Maintenance and Repair and USA Ticket Marking Services for Fiscal Years (FY) 2024/25 and 2025/26 (Kevin Rohani, P.E., Public Works Director/City Engineer)

4.14 Adopt a Resolution Authorizing the City Manager to Execute an Agreement with AireSpring for City Telephone and Internet Services for Fiscal Year (FY) 2024/2025 through 2027/2028 (Danielle Navarro, Assistant City Manager)

4.15 Adopt a Resolution Authorizing the Amendment for the Irrigation Well Installation at the City's Freedom Basin Project--Capital Improvement Project (CIP) Number 265 to cover the cost for the PG&E Electric Service Application and Amendment No. 1 to the contract with Martell Water Systems, Inc. for additional costs for the well construction (Kevin Rohani, P.E., Public Works Director/City Engineer)

4.16 (Continued from May 14, 2024) Adopt a Resolution Accepting a Grant Deed Conveying to the City of Oakley Certain Real Property Interests (portions of APN 034-090-022, located at Laurel Road and O'Hara Avenue) (Derek Cole, City Attorney)

4.17 Request Approval of a Proclamation for a Future Agenda (Wound Care Awareness Month) (Libby Vreonis, City Clerk)

Mayor Williams announced that items 4.1, 4.4 and 4.16 would be pulled.

Dr. Fuller requested items 4.9 and 4.13 be pulled.

It was moved by Councilmember Henderson and seconded by Dr. Fuller to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered. (5-0)

Item 4.1

City Clerk Libby Vreonis noted revisions to the minutes within items 7.2 and 8.1.

It was moved by Dr. Fuller and seconded by Vice Mayor Shaw to approve the minutes as corrected. Motion was unanimous and so ordered. (5-0)

Item 4.4

Mayor Anissa Williams called upon Linda Thuman, Chair of the Byron Municipal Authority, who thanked the City for recognizing the Town of Byron.

Claire Alaura, District Representative for County Board Supervisor Burgis' Office, submitted a comment card, in support of recognition of the Town of Byron.

It was moved by Councilmember Meadows and seconded by Councilmember Henderson to adopt the resolution. Motion was unanimous and so ordered. (5-0)

Item 4.9

Dr. Fuller commented that when he drives westbound on Main Street from Rose Avenue, he does not see a disabled parking space until he arrives in front of Grocery Outlet. He mentioned there used to be disabled parking but now there is two-hour parking in front of the Bistro, all diagonal parking, but no parking for someone in a wheelchair if they want to go to the Bistro because the nearest place he can find is the dental office or Guanatos where there are two disabled spaces in the parking lot. He mentioned Mr. Rohani is asking for approval and they will address it further with the budget; they have been told that projects include ADA, not just what is allocated for ADA within the budget, yet this project reduces the number of places to park on Main Street for handicapped people. He shared that he had to park at Guanatos to go to Chrome and he was able to walk but to consider a person that may be in a wheelchair to have to roll in the heat for that distance. He inquired why there were promises to add more ADA and now there is less.

Public Works Director/City Engineer Kevin Rohani commented that he does not recall the specifics of the promises Dr. Fuller mentioned, but this project is not on Main Street; this is the backside of Main Street from Second Street to Newman Way. He explained that it is a brand-new roadway, there is an abundance of ADA accessible parking for vehicles and vans in the parking lot that will service customers of all the businesses along Main Street, it exceeds the building requirements for ADA accessibility, it included ten EV charging stations with some for ADA accessibility in the back of the building, and he would be happy to provide a tour at his convenience. He mentioned the ADA along Main Street Dr. Fuller is referring to is a separate project, constructed in 2017, and generally they do not place ADA parking spaces along the streets; they are in the parking lots.

Dr. Fuller commented that there is no way to access that parking lot and it requires people who need ADA access to go through the back door, something that is never pleasant to contemplate. He mentioned he can't approve it; the vicinity map shows Main Street and the parking lot. He mentioned when it is open and accessible, they can look at it again, but there was handicapped parking taken from the front of the Bistro and replaced with two-hour parking and now there is no handicapped parking in front and you can't access it from the rear due to the chain link fence and barricades, unless maybe someone can drive to Guanatos and drive all the way back. He mentioned right now, he doesn't see access from Main Street so he will not vote to approve it,

but would look at it again when there is accessibility and people can park and with dignity, get out of their vehicles and go into the restaurant.

Mr. Rohani mentioned that the construction fences will come out after the finishing touches are completed for Summerfest. He mentioned the parking lot can be accessed through Journey Way, next to the Bistro, opposite Second Street, and on O'Hara Avenue all the barricades will come out and the parking lot will open, and also through Newman Way, so there is full accessibility throughout the campus that will open in a couple of weeks. He mentioned regarding the ADA parking spaces along Main Street, that Downtown Oakley didn't look this way eight years ago; there was no curb, gutter or sidewalk, and while businesses may have painted handicapped parking, it may not have been up to code, and as part of the City's projects, everything must meet the latest ADA and Building codes which staff has done.

Mayor Williams inquired where the closest ADA parking space is located for someone going to the Bistro.

Mr. Rohani mentioned the closest space is in the parking lot west of O'Hara Avenue; it has sidewalks that someone can easily use to go to the Bistro as well as handicapped ramps, with all street intersections visibly marked. He offered to take anyone on a tour and mentioned it is fully accessible, it has not opened yet because they are getting it ready for Summerfest.

Mayor Williams inquired if a vehicle can drive through to access everything once inside the parking lot.

Mr. Rohani mentioned east of the Bistro, Journey Way runs parallel to the railway right-of-way and connects to Norcross, the intersection at O'Hara will open and barricades will be removed, all of the parking lots are looped together, and will be fully accessible, including ADA parking spots for EV chargers.

Dr. Fuller inquired if there is a street sign or any sign at the entrance to the parking lot from Main Street indicating there is handicapped parking, besides having to drive it, which he does not prefer to do because the driveways are narrow. He commented that now handicapped persons have to drive further than anyone else going to the Bistro to access a marked parking space. He inquired if there are any signs on Main Street that indicate there is handicapped parking and once in the parking lot, if there are any signs showing which way to go to find handicapped parking.

Mr. Rohani mentioned these are referred to as wayfinding signs and currently they do not exist; it is taken that once everyone gets into circulation with the parking lots, everyone finds their way. He mentioned they can add a sign for anyone driving on Main Street to find parking in the back.

Dr. Fuller asked him to try and imagine if the only way you can go any place is through a wheelchair, and to do that, you have to hook the wheelchair to the back of your van, drive it down, pull down the wheelchair, get in it, and wheel yourself to the Bistro and back, so for anyone disabled, it is just not a matter of "go on your way".

Mr. Rohani mentioned he understands. He commented that the parking lot even has van ADA parking spaces.

Mayor Williams commented that she assumes that municipalities must meet the highest standards and requirements for ADA, including how close spaces must be to entrances and exits, to make it the most user-friendly and accessible. She mentioned she realizes there are

some old ADA issues that they must get caught up on that seem different from this item. She inquired if audits are conducted on each project to show that they are meeting the highest standards of ADA accessibility because she assumes they would be subject to a lawsuit otherwise.

Mr. Rohani responded that all the new buildings in the Downtown must meet the CA Building Code and ADA code as part of the permit process, including how many parking spaces to include, and how many ADA parking spaces to include; these are designed as part of the project before construction begins, and get approved throughout the course of the project, get inspected, and at the end of the project when the building owner returns to get their occupancy permit, gets inspected again, including the ADA accessibility, to the most recent state codes.

Mayor Williams inquired if a building permit must be issued, and inspection performed, for a parking lot like that, which Mr. Rohani confirmed is correct.

Dr. Fuller commented that is called compliance in disability culture; you're not really welcome, but if it must be built, build it as cheaply as possible. He mentioned the City has been audited and are $100 million in arrear with ADA services which they are aware of and which staff says they will take care of in construction, and staff is now asking him to approve construction that after all is said, you cannot just pull into a handicapped parking space on the street without a lot of trouble. He added while this may be compliant, he doesn't think it is compliant, and therefore will vote 'no'.

It was moved by Councilmember Meadows and seconded by Vice Mayor Shaw to adopt the resolution. AYES: Henderson, Meadows, Shaw, Williams. NOES: Fuller. (4-1)

Item 4.13

Dr. Fuller mentioned he wishes to address the same thing with this item. He mentioned from what he can tell from the budget, the City wants to keep expenses down and there is a traffic signal division to handle maintenance. He expressed he is unhappy that the City is contracting out a large number of services and would much rather see a 'meet and confer' with workers to see if they can handle this work, if they can be trained, if they would be willing to be trained, and what the compensation would be. He suggested if nothing else, they could hire retired people to come in and work at the regular rate.

Mr. Rohani mentioned they try to provide the best service to the community including in-house and contracted work depending on the project. He explained that traffic signal maintenance is highly specialized work and not something they can send staff to a junior college for a few months to become a signal technician; it takes about 4 years of education and 8,000 hours of actual training to become a certified traffic signal electrician and technician in California. He mentioned that cities much larger than Oakley contract services because it is impractical to have these in-house resources. He added that staff wants to be smart about how they deploy their resources and funding for their services. He further explained that traffic signals are a critical part of their infrastructure and there are liability issues if they malfunction; he wants to ensure the safety of residents. He mentioned there are currently over 40 signals with 4 more to be added in the near future. He added that even if they had trained people, they don't have space for physical operations of a separate division, e.g., a bucket truck alone is over $200k, a warehouse would be needed to store parts, and the required specialized parts cannot just be obtained through local hardware stores. He mentioned all traffic signals in Oakley are serviced by contractor monthly, quarterly and annually on different maintenance schedules to ensure they are functioning as they should.

Mayor Williams inquired if there is an indemnity agreement for contracted services.

Mr. Rohani responded that they do not have a maintenance division specialized for traffic; the work is contracted, all contracts have indemnity clauses, and contracted work is documented with reports provided. He mentioned when accidents happen at intersections and lawsuits follow, parties want to see the records when the signal was last maintained; there is a lot that goes into maintenance and documentation to ensure the City is protected.

Mayor Williams inquired if retired people, as suggested, could take this on. She mentioned she assumed they would have to maintain a license and have a warehouse.

Mr. Rohani mentioned the issue is not retired or non-retired persons; it takes several years of school and over 8,000 hours in the field to become certified so when there is a service call, the person can respond to the maintenance box that holds electronics and knows how each controller box works, much like a computer; it is specialized work.

Mayor Williams mentioned it does not look like this went out to RFP. She inquired if staff went out to companies they know, but potentially, if there was a member in the community that specializes in this type of work, if they could have bid on this job.

Mr. Rohani explained an RFP was done 4-5 years ago when this firm was selected and prior to that other RFP's were conducted for other projects. He mentioned that DC Electric has done excellent work for the City and staff would like to continue using their services.

It was moved by Councilmember Meadows and seconded by Vice Mayor Shaw to adopt the resolution. AYES: Henderson, Meadows, Shaw, Williams. NOES: Fuller. (4-1)

Item 4.16

City Clerk Libby Vreonis thanked the Councilmembers for their patience to consider the item as it had been continued several times. She mentioned corrective deeds were required of the sellers to ultimately prepare the grant deed of the property to the City which is now available.

It was moved by Councilmember Meadows and seconded by Vice Mayor Shaw to adopt the resolution. Motion was unanimous and so ordered. (5-0)

5) PUBLIC HEARINGS

5.1 Live Oak Industrial Park (TM 09-23, DR 07-23) Request for approval of a Tentative Map (TM 09-23) for condominium purposes and Design Review (DR 07-23) for the construction of eight warehouses. APN -037-100-065. (Ken Strelo, Community Development Director)

California Environmental Quality Act (CEQA) Determination: Find the project is categorically exempt under the Infill Exemption (14 Cal. Code Regs./CEQA Guideline § 15332)

Mayor Williams announced the item.

Councilmember Henderson recused himself and left the room.

Community Development Director Ken Strelo presented the staff report and provided a PowerPoint presentation.

Councilmember Meadows inquired if a semitruck can get around the driveway.

Mr. Strelo confirmed it can and that all plans go through truck turning radius analysis.

Mayor Williams inquired if there could potentially be 16 separate uses in this plan. She also inquired if there is an option to not subdivide, such as the end two suites.

Mr. Strelo confirmed there could potentially be 16 separate uses in the building and as it is proposed when the final map is submitted, it would include those suites as needed; the applicant may wish to answer, but if before the final map is submitted and a user wanted to talk about the entire building or purchase those two suites, they could.

Mayor Williams inquired if the City's consultants for economic development had identified this site as one of the sights to keep as light industrial.

Mr. Strelo responded that he does not have that answer off the top of his head.

Mayor Williams opened the public hearing.

Public Comment

Rich Ladeira commented that he owns the facility south of this project and he is 100% for it. He inquired if it is possible to delete the word "condominium". He mentioned he sees no need for it; it scares him if some of these spaces are for sale that someone may purchase it and change it to something like an ADU.

Paul Seger commented that the staff report refers to this project as fitting into the infill exemption to CEQA. He pointed out that the project is smack dab in the middle of a California Office of Environmental Health Hazard Assessment, SB 535 disadvantaged communities census tract. He mentioned this is the only one in the City of Oakley, census tract 601330205. He mentioned SB 535 stems from California Proposition 65 which requires businesses to provide warnings to Californians about significant exposures to chemicals that cause cancer, birth defects, or other reproductive harm; many of these items would fit into the light industrial nature of the zoning. He mentioned these chemicals can be products that Californians have purchased and have in their homes or work places, or that are released into the environment. He mentioned by requiring that this information be provided Prop 65 enables Californians to make informed decisions about their exposures to these chemicals. He shared that SB 535 reports that this project census tract is an officially designated disadvantaged community and requires this project to address how the project will improve the health and quality of life for the community. He mentioned that more than 7,000 people live in this census tract and the percent of people living below twice the poverty level in this census tract is higher than 69% of the census tracts in California, cardiovascular disease in this census tract is 85.97% higher than the census tracts in California, and asthma rates in this census tract are 84% higher than census tracts in California. He mentioned the added environmental justice component to the General Plan, he hopes the City takes it seriously, and the Sierra Club will be looking at it and tracking it.

Mayor Williams closed the public hearing.

Councilmember Meadows commented that he likes the project, they worked on it on OMAC 30+ years ago and are finally seeing it come into existence, and it is needed in Oakley. To address

the comment made about use of the word “condominium”, he mentioned if there is concern that people will be living there, you’re not going to get that. He mentioned it is a great project and he supports it.

Vice Mayor Shaw agreed. She mentioned this is a different type of product than what the City currently has and there was some potential housing that was looked at for this location and was turned down, and by doing so, it provide this opportunity to do something different. She mentioned it brings to the community jobs and a different product that they do not have currently in the community, so she supports it. She commented that she can see how the word “condominiums” could be scary in terms of housing, but here because they are split buildings, it is the term that is used in real estate, but that doesn't mean people can live there.

Councilmember Meadows commented that it not only brings jobs but also small spaces for our local businesses to work out of which we don’t have, and this offers.

Mayor Williams commented that based on the comment received regarding CEQA, she assumes that to use the infill exemption to CEQA that all potential uses of light industrial were considered. She inquired what the stance on that is with there being no current tenants.

Mr. Strelo explained that when staff does a CEQA analysis to determine whether it requires an initial study or meets any of the CEQA exemptions, they look at the proposal, the application being submitted, and the project being proposed at that time; staff is examining any of the categorical exemptions that may apply and any statutory exemptions and if none apply, the project moves on to an initial study phase which is when negative declarations, mitigated negative declarations, or environmental impact reports may apply. He mentioned that with this type of project for light industrial, there are permitted by right uses, uses that are not expected to emit noise, dust, smoke etc., and then there are conditionally permitted uses, uses that may be listed with a catch all provision that sets forth that these types of uses may emit these types of things. He mentioned that conditional use permits are another type of discretionary approval; they go through their own type of analysis. He added that when a shell building comes in, staff is not looking at the worst-case scenario of what use may occupy it in the future; they are looking at the proposal in front of them.

Mayor Williams inquired if any of these concerns were brought forth to the Planning Commission.

Mr. Strelo responded that tonight is the first that he has heard of these concerns.

It was moved by Councilmember Meadows and seconded by Vice Mayor Shaw to adopt the resolution as conditioned. AYES: Fuller, Meadows, Shaw, Williams. ABSTENTIONS: Henderson. (4-0-1)

Councilmember Henderson returned to the room.

5.2 Adopt the Resolution Confirming the Diagrams and Assessments and Ordering the Levy and Collection of the Annual Assessments for Fiscal Year 2024/25 for the City of Oakley Street Lighting and Landscape Assessment District No. 1 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Public Works Director/City Engineer Kevin Rohani presented the staff report.

Mayor Williams called for questions and there being none, she opened the public hearing.

Mayor Williams inquired if there were any property owners that wanted to turn in a written protest regarding the levy of Street Lighting and Landscape Assessment District No. 1 Assessments for Fiscal Year 2024-25. There being none, she asked the City Clerk to report if there is a majority protest regarding the levy of street lighting and landscape assessment district No. 1 assessments for fiscal year 2024-25.

City Clerk Libby Vreonis confirmed there were no written protests submitted, declared there is no majority protest, and indicated proceedings may continue.

It was moved by Councilmember Meadows and seconded by Councilmember Henderson to adopt the resolution. Motion was unanimous and so ordered. (5-0)

6) REGULAR CALENDAR

6.1 Consideration of Resolutions Adopting the Fiscal Year 2024/25 Proposed Operating Budget, Statement of Financial Policies, Appropriations Limit, Adopting the Fiscal Year 2024/25 Capital Budget and Five-Year Capital Improvement Program (CIP) for Fiscal Years 2024/25 through 2028/29 and Making Findings Related Thereto, and Approving Additional Sworn Police Positions on a Temporary Basis and the Master Salary Schedule. (Jeri Tejeda, Administrative Services Director)

Administrative Services Director Jeri Tejeda presented the staff report and a PowerPoint presentation. A handout was provided with corrections to pages 247 and 257 of the budget.

Councilmember Meadows commented that he likes what staff put together, it is clearer than what he has seen in past, and he likes over hiring two officers.

Dr. Fuller commented that the presentation on the budget was exemplary and easy to follow for expenditures and allocations. He mentioned he would like to address each resolution separately. He mentioned the operating budget, financial policies, and appropriations budget look good. He commented that there was nothing in the Creekside 115 expenditure fund. He mentioned that he was bewildered by the City Clerk section of the General Outlay, pages 102-105, as there is no metric included for Public Records Act requests (PRAs) which would seem to be a large part of the City Clerk's responsibilities and he is hopeful that someday the State will reimburse for the requirement, but if there is no data on it, he is not sure how to assess it. He commented that on Page 95, he is very happy to see an IT help person that can be called, and the Council can receive assistance. He requested clarification regarding the 2% and 3% increases.

Ms. Tejeda responded that 3% is for the POA and 2% is for all other general non-sworn staff. She mentioned these were adopted in 2022 for a five-year term, with a 9% increase for both units; one unit chose to go two years without and three years with 3% and the other chose to go 1 year without with 3% in the first year, and 2% in each additional year, so overall, everyone received 9%.

Dr. Fuller inquired why PRAs are not being assessed for the City Clerk's Office as they seem like a lot of work.

Ms. Tejeda mentioned performance measures are newer, having been added to the budget a couple of budget cycles ago, and staff is still figuring out what to include and provide those numbers so they can take note and figure something out.

City Clerk Libby Vreonis agreed with Ms. Tejeda and added that on average, the City processes about 100 PRAs each year; however, this past year, the City switched to an online records request system and has seen a substantial increase in the number of requests. She explained at this time, staff is still examining the increase because before the electronic system, departments were handling some of those requests directly, whereas now most requests are being funneled through the system, so staff is tying to get a more accurate read on the numbers, and she anticipates that information will be included in future years.

Dr. Fuller commented that he would like to see it included in the matrix in the future. He mentioned in 2023, there was a report that addressed three significant budget deficiencies, including a deficiency regarding monthly investment reports. He inquired if the deficiencies have been resolved.

Ms. Tejeda mentioned the significant deficiencies that Dr. Fuller is referring to are from the annual audit, not from the budget document, and staff has worked very hard this year to resolve those. She mentioned one deficiency was the fee schedule and that has been corrected, and staff is aware of it to apply correct charges. She asked Dr. Fuller to restate which deficiency he brought up earlier.

Dr. Fuller commented that he mentioned earlier the investment reports but specifically related to budget, the report indicated the City should get away from incremental budgets but it is still being done. He inquired if they will be moving away from looking at a prior budget and trying to envision something new or if they will continue with incremental budget and trying to figure out how much it will increase.

Ms. Tejeda explained that she does not necessarily think that they follow an incremental budget in the sense of increasing the budget by a certain percentage each time. She mentioned every department spends time reviewing their budget by line item and determines what is needed and necessary, and the amount of increase may vary for each department based on needs.

Dr. Fuller inquired if the City Clerk's Office wanted to invest in AI to prepare the minutes, for example (he is not advocating for it), and it will take a substantial initial investment, if it would be considered for an outlay to increase that amount beyond a COLA.

Ms. Tejeda explained that anything that would be a large add to the budget, currently over $50k, would require a form to be completed by the department listing the need and all the reasons why it is needed, and all departments' requests are submitted at the same time for review by her and the City Manager and are discussed with the department directors to review what the budget can hold, and then they determine what provides the biggest benefit to the citizens of Oakley. She mentioned they are submitted annually on a form, so they are not just buried in a line item on the budget somewhere.

Mayor Williams inquired if ARPA funds could be considered if there is something moving around in the budget for some of the things they have received public comments for such as additional staffing for summer camp. She mentioned she referred the commenter to the schools as well. She mentioned they have heard from the seniors as well. She inquired if some of the money does not come through, if they could decide as a Council, where they might be able to reallocate ARPA funds. She referred to page 152.

Ms. Tejeda mentioned ARPA reallocations were done mid-year. She suggested they bring it back again mid-year and discuss where funding is and any reallocations at that time. She mentioned page 152 provides where ARPA funding has been allocated but it doesn't show how

much has been spent. She added that much of it is being spent, the largest portion, $3 million, going toward the library. She mentioned the only other funding that has some potential wiggle room is the amount allocated to technology enhancements. She shared as staff completes upcoming phases of the new EERP system in the next weeks, they will have a better understanding of their needs and what funding would be additional.

Mayor Williams mentioned people ask all the time why they can't just shift money and she wanted to be able to identify any buckets of money that may be flexible should the majority of the Council decide something is important to pursue and ARPA funds seem to her the easiest place to get it from, but it sounds like it is down to the penny to pay for some of these things. She added that she just wanted to have some thought as to reallocation if it is possible.

Ms. Tejeda mentioned pages 247 and 257 had errors that have been corrected and added to the budget.

Resolution #1: Approve a Resolution to Adopt the Fiscal Year 2024/25 Proposed Operating Budget, Statement of Financial Policies and Appropriations Limit

It was moved by Dr. Fuller and seconded by Councilmember Meadows to adopt the Fiscal Year 2024/25 proposed Operating Budget, Statement of Financial Policies and Appropriations Limit. Motion was unanimous and so ordered. (5-0)

Resolution #2: Approve a Resolution to Adopt a Fiscal Year 2024/25 Recommended Capital Budget and Five-Year Capital Improvement Plan for Fiscal Years 2024/25 through 2028/29.

Dr. Fuller inquired why we submit bids in the manner that we do with the CIP budget; how it gets to the bid trays.

Public Works Director/City Engineer Kevin Rohani explained that when staff prepares a project it is advertised by publishing in the newspaper and provided to all plan rooms in the Bay Area (where contractors go to get information on which projects are being offered in cities); notification gets sent to all of them. He mentioned that CIP 280 is currently being advertised and that at the July 9 Council meeting, he will present an award of contract for the Council's consideration. He mentioned bids will be opened June 27.

Dr. Fuller mentioned during the last meeting Mr. Rohani addressed contract specifications and he went through a list of certain items to meet the standard. He inquired why they can't do that for labor and meet with labor. He mentioned they just received a public comment regarding wage theft and the California Attorney General is concerned about wage theft and labor violations. He inquired why they can't come up with a project labor agreement before projects go out to bid to make sure we're getting the specifications involved.

Mr. Rohani mentioned that is a policy decision for the Council and discussion would be needed to review the impact of that on the projects that go to bid. He explained that all projects are bid to state requirements, including prevailing wage, and staff runs a tight ship on the bid process, records, payment records, and certified payrolls. He shared that the Council may recall that the Downtown project was brought forth to the Council in the fall of 2022 for award and Dr. Fuller had concern about his perspective and as a result, the Council requested staff bring a peer reviewer to peer review all the payrolls that staff reviews so they hired a consultant to perform that peer review for all certified payrolls and he is pleased to report that was done with a clean bill of health without any irregularities. He mentioned he is not naïve to those things happening with construction contracts but anything under the City's purview, he will make sure that is not going on.

Dr. Fuller commented he will take that answer as a 'yes' if we so want to. He mentioned that he thinks staff already knows his position on $50k for a $100 million ADA deficit. He added that an audit was needed, the audit was conducted and showed $100 million in arrears, and he bets if another audit was conducted, it would now show $150 million in arrears. He mentioned he understands that there will always be 4 votes and there is going to have to be another way to bring this city up to speed with ADA because the City is "just plain ignoring us and he gets it. He mentioned he doesn't see anything for art and the community, and the seniors are correct; we need a library. He mentioned he hesitates with approving CIPs when they haven't even looked at the County's Las Dunes building. He commented that he will be voting 'no' and also would like to look into changing the policy for bids involving labor.

Mr. Rohani commented that aside from labor, Dr. Fuller was part of the process, including the Planning Commission, and the CIP program was fully discussed, and Dr. Fuller is well aware of the City's resource structure; the City does not have unlimited funds and there are always competing interests. He mentioned if the Council wants E. Cypress Road to be done, something will have to give. He agreed that $50k is a drop in the bucket for a $150 million shortfall; they are doing what they can with the resources available while focusing on the highest priority projects that the Council had directed for the benefit of the community. He mentioned that the seniors may be another discussion, but the City has made substantial investments at the current Senior Center including a new roof, new HVAC, fixed the kitchen floor and doors, replaced the freezer, etc. so it is disingenuous to say the City does not do anything for the seniors when Public Works staff pretty much maintains the building. He mentioned that art would have to be a broader discussion by the Council and priorities if they wish to include art as part of CIPs, but right now staff has been focused on top projects of priority, E. Cypress Road (under construction) and Laurel Road (he will bring forth an award of contract July 9 for consideration).

It was moved by Councilmember Meadows and seconded by Vice Mayor Shaw to adopt the resolution. AYES: Henderson, Meadows, Shaw, Williams. NOES: Fuller. (4-1)

Resolution #3: Approve a Resolution to Adopt the Proposed Salary Schedule Effective July 7, 2024, Including the Approval of the Senior Planner Classification

It was moved by Councilmember Meadows and seconded by Councilmember Henderson to adopt the resolution. Motion was unanimous and so ordered. (5-0)

Resolution #4: Approve a Resolution Authorizing Two Additional Sworn Police Positions on a Temporary Basis

It was moved by Councilmember Meadows and seconded by Vice Mayor Shaw to adopt the resolution. Motion was unanimous and so ordered. (5-0)

6.2 Adopt a Resolution Approving the Third Amendment to Employment Agreement Between the City of Oakley and Joshua McMurray (Derek Cole, City Attorney)

Assistant City Attorney Elizabeth Fratarcangeli presented the staff report, mentioning that this amendment provides a 5% increase in the City Manager's annual base salary to $291,375 and increases his severance to a 9-month period with a right to earn 3 additional months, up to 12 months of severance, based on his time with the City. She mentioned that the total fiscal impact for a 5% pay increase is $17,808 annually, a 3% increase was assumed in the FY 24/25 budget document, so if this item is approved, staff would request a budget amendment to reconcile the 3% anticipated increase to the proposed 5% increase in the amount of $7,125 for FY 24/25

funded by the General Fund, and these are the only substantive changes to the City Manager's employment contract.

It was moved by Councilmember Henderson and seconded by Councilmember Meadows to adopt the resolution. AYES: Henderson, Meadows, Shaw, Williams. NOES: Fuller. (4-1)

Mayor Williams called for a 5-minute break at 8:39 p.m. The Council reconvened 8:47 p.m.

6.3 Adopt a Resolution Authorizing the City Manager to execute the Sixth Amendment to the Agreement with Cole Huber LLP for City Attorney Services (Joshua McMurray, City Manager)

City Manager Joshua McMurray presented the staff report. He mentioned approval of this item would allow for a 3-year term and the fiscal impact for general retainer services would be $192,000 in the first year, FY 24/25 (11% increase), $198,000 in the second year, FY 25/26 (3% increase) and $204,000 in the third year, FY 26/27 (3% increase).

Dr. Fuller requested clarification if the fiscal year impact for the first year will be an increase of $20k which Mr. McMurray confirmed is correct, approximately.

It was moved by Vice Mayor Shaw and seconded by Councilmember Henderson to adopt the resolution. AYES: Henderson, Meadows, Shaw, Williams. NOES: Fuller. (4-1)

6.4 Adopt a Resolution Authorizing the City Manager to Execute a Joint Use Agreement and Side Agreement between the City of Oakley and the Oakley Union Elementary School District (Joshua McMurray, City Manager)

City Manager Joshua McMurray presented the staff report.

Vice Mayor Shaw commented that besides E. Cypress Road, parks are probably the next biggest things she hears about from residents, especially regarding Vintage Park which is in her district. She added that Mr. McMurray mentioned in his report that it will be discussed during mid-year budget review, but she would like him to address the timeline as right now the park is unsafe and she understands that it would need to go out for bid, but she would like the public to have an idea when it may happen.

Mr. McMurray mentioned that demolition of certain playgrounds outlined in the agreement is the first step and the City has agreed to use its Public Works staff to do the demolition; it gives staff experience and is more cost effective for both the City and School District. He mentioned demolition will happen this summer/fall, staff will bring the mid-year budget to Council in February 2025, and with the Council's approval, staff will add a project into the CIP to address the play structure at Vintage and the deficiencies at the O'Hara Park Middle School structure. He added that if approved into the CIP, staff would have to look at design, bid the project, Council would consider award of the contract, and work would commence probably mid-2025.

Vice Mayor Shaw inquired if the $75,000 reimbursement would still work the same; they would have to provide the work and submit receipts to get reimbursed which Mr. McMurray confirmed is correct.

Dr. Fuller asked Mr. McMurray if he could go over again what he mentioned about raising prices and bids.

Mr. McMurray responded that the School District is making a one-time contribution to the City to address deficiencies with playgrounds; it is not enough to address community parks. He mentioned Vintage Parkway does not have a City park and the City needs to deliver a playground to that community that is appropriate to the number of residents that live there, similar to what the City did here at Civic Center Plaza. He added that staff's plan is to add a CIP at mid-year to the FY 24/25 budget, staff will bring that to the Council in February 2025 for consideration, and if approved, staff would have to design, bid, award, and construct the project.

Dr. Fuller inquired if he was saying they can repair what is there now.

Mr. McMurray responded 'no' and explained that there is nothing that the City can use or re-use at the Vintage Parkway playground so it will be a scrape, as will be the Oakley Elementary playground. He mentioned that the O'Hara Park Middle School playground is still in good condition, there are pieces of the play structure that need replacement, a bench that needs to be replaced, and some other site furnishings that can be replaced.

Dr. Fuller inquired what is the discussion; if they go along with it, if Vintage Parkway will be all taken care of with a cheaper price and everybody over there will have a park, and that is it, or if they will still need to go through the CIP process.

Mr. McMurray explained that the CIP process still needs to ensue. He explained that this agreement gives the City a path forward from the current agreement and it outlines how the City gets to a new playground at Vintage Parkway, how they fix the playground at O'Hara, what happens in terms of maintenance obligations, and reimbursement from the City to the District for maintenance.

Dr. Fuller commented that it seems like irreconcilable differences; it has been a thorn in the City's side for a long time and the City has spent a lot of time and effort to get compliance it never received. He mentioned that he is thankful for Lynelle Fuller (no relation to him) and Sherry Seat sitting down and for people here working out the agreement, but the bottom line is he would like to know why the City can't buy the property from the School District if they would be willing to sell so the City can build a playground and not have to worry about Vintage Parkway anymore, whether the School District is going to or not going to comply, and whether a contract is going to or not going to work.

Mr. McMurray commented that he can't answer those questions because they haven't had those discussions with the School District. He mentioned it is possible, but he would not allude to the fact that it is something they could do or want to do; it is a discussion for the Council to provide direction if it wants to explore that. He explained that they looked at the agreement in place now as something the City can't live with because unfortunately, the way it was structured is that it automatically renews. He explained further that if no action is taken now, the current term would automatically extend another 25 years with the City having to pay the School District $150k each year and right now there are several facilities that are deficient that the community relies on for use. He mentioned they worked collaboratively with the School District for well over a year to get to this agreement and it is a good agreement that places the burden of playgrounds with the City which it is good at and allows the School District to address their field issues specifically, so those two pieces of the puzzle are separated and specifically defined. He added that it reduces the City's overall burden of the financial structure of the agreement, but it also places the burden of constructing projects, specifically the Vintage Parkway park site, on the City so there is give and take and he believes it is a mutually beneficial agreement to both parties. He mentioned they have never been at the point they are at now in agreement in principle to what is now on paper. He also mentioned that the School Board will consider it tomorrow night and he doesn't expect any issues as the sub-committee consisting of Mayor

Williams and Councilmember Meadows as well as the School District's two Board members have been engaged and there is buy-in from both sides.

Dr. Fuller inquired what happens if the City does not choose for the agreement to automatically renew, if it were to convey that they are done.

Mr. McMurray explained that the agreement is not something he would ever recommend entering as the term is 25 years and a lot can change during that time and it has as they have discussed; auto-renewal is unique as usually the parties want to meet and confirm that the agreement is working for both. He mentioned they are recommending a 5-year term upfront, with a 2-year automatic extension; if they do nothing, the current agreement will automatically extend and the City is on the hook so they have to do something in his opinion.

Dr. Fuller commented that there is nobody here that he can sit and talk about, so he won't.

Councilmember Henderson mentioned he believes his question was answered but inquired if the agreement is agendized for the School Board meeting tomorrow night, which Mr. McMurray confirmed is correct.

Vice Mayor Shaw mentioned Mr. McMurray answered one of her questions as well in that it is not just playgrounds, but playgrounds and hardscapes and the bench was what she wanted to bring up. She inquired if anything that is not turf, not just the play structure, would be the City's responsibility, which Mr. McMurray confirmed is correct.

Vice Mayor Shaw shared that she had someone inquire about the City purchasing the property as Dr. Fuller has mentioned, and she believes that this is an alternative to buying the property that will give residents now City maintained play structures in areas where residents don't currently have play structures in those areas. She mentioned to buy it and build play structures would be way more than this agreement. She also mentioned that the residents in Vintage Parkway use the park a lot. She expressed that she is in favor of it.

Mayor Williams commented that the timeline Mr. McMurray mentioned would provide completion around mid-2025 and that would be fine for something completely gated off or demolished, but she receives emails all the time regarding the bench at O'Hara Park ripping clothing and would like to know if there is a way to update or remove the bench before February 2025.

Mr. McMurray responded that staff can revisit critical pieces of infrastructure that may need to be replaced much sooner.

Mayor Williams mentioned once the City maintains the equipment with this agreement, residents could use the City's app to report any issues as with other parks the City currently maintains so they can assume it would have a much quicker response time.

Mr. McMurray confirmed that is correct; residents can report an issue through the Oakley OnDemand app, it goes to staff immediately, and staff would address it.

Mayor Williams commented that she is very excited about this and very happy with people that came to the table. She expressed gratitude for their effort and for people who want to make it right for residents.

Councilmember Meadows agreed they had positive conversations with the representatives from the School District Board.

Mayor Williams called for public comment; there were none.

It was moved by Councilmember Meadows and seconded by Councilmember Henderson to adopt the resolution. Motion was unanimous and so ordered. (5-0)

6.5 Adopt a Resolution Authorizing the City Manager to Execute an Agreement between the City of Oakley and the Oakley Union Elementary School District for School Resource Officer Services (Joshua McMurray, City Manager)

Mr. McMurray presented staff report. He mentioned after the draft agreement had been prepared and the agenda was published, he had an additional conversation with the School District Superintendent and he requested a revision to the organization term of the agreement. In addition to the last sentence which they worded together, the following language is proposed: "To ensure collaboration, OUESD may request a personnel change in the SRO from the City of Oakley. That change may or may not be accommodated depending on staffing levels at the Police Department." He explained that if they do not feel the SRO is a good fit, they can have a mutual discussion and if the City is able to make that change, it will, otherwise, there is language to protect the City.

Vice Mayor Shaw commented that Mr. McMurray mentioned this agreement is modeled after the high school SRO agreement. She inquired if staff is happy with that agreement and when that agreements will be renewed.

Mr. McMurray commented that in his opinion, it has been a good agreement. He asked Chief of Police Paul Beard to comment. Mr. McMurray mentioned the high school agreement is out of term and he has been actively discussing it with LUHSD Superintendent Eric Volta who is leaving soon to a new position, but he will continue to work with LUHSD to get it up to date for a new cost share and new term.

Vice Mayor Shaw commented she was just curious if it is similar.

Mr. McMurray commented that he has had previous discussions with the Superintendent and he wouldn’t expect the District to have any issue with what has been discussed.

Chief Beard mentioned that during his tenure in Oakley, even prior to being Chief, he has seen how the SRO is modeled and the high school has changed over the past few years. He mentioned the SRO used to be treated a juvenile detective and the SRO would be pulled to work at the Police Department to investigate cases. He explained that responsibility has been taken away from the SRO to allow the SRO to be at the school 100% of the time. He mentioned that has been good modeling and the high school is happy with that arrangement. He added that the proposed SRO would follow the same modeling and would be at the schools 100% of the time, ideally 50% at each school. He mentioned that the SRO will need to make decisions which campus needs more of his or her time. He concluded by mentioning that he believes it is a good model that they have in place right now.

Mayor Williams inquired how many middle schools do this around the area.

Chief Beard mentioned that Pittsburg and Brentwood have them at the middle schools.

Mayor Williams inquired if they have a split or dedicated SRO in Brentwood for the three middle schools.

Chief Beard mentioned he is not certain but knows that they have more than one SRO.

Mayor Williams inquired if both schools equally need an SRO, if they could add an SRO under this agreement or if it would be a new agreement.

Mr. McMurray mentioned this agreement could be amended.

Councilmember Henderson inquired if this item is on the School Board agenda tomorrow night which Mr. McMurray confirmed it is.

Councilmember Henderson commented that the City is out in front of them on both.

Mr. McMurray confirmed that is correct; it is the way their meeting dates lined up.

Dr. Fuller commented that he likes the agreement. He mentioned on the second page under purpose, he wonders why it comes out so strong when the agreement speaks to collaboration all the way through. He mentioned there will be a decision made regarding the atmosphere that it will create but it doesn't mention anything about collaboration. He suggested the first part of the sentence begin with "In collaboration with OUESD and OPD, an atmosphere will be created…" He mentioned he likes the idea of collaboration. He shared that he just happened to go through an American Educational Research Association webinar not about this, but they mentioned SROs, and he doesn't know what their measurements are or how they address the study, but there are a few studies out that say the SROs are not working as they are supposed to work and there are some difficulties. He mentioned he would like to see the City's work; it has a lot to offer. He commented that he sees it as the School District's responsibility to address ongoing behavior and discipline problems, and the SRO can work with them, but it is not the City's responsibility; it is the School District's responsibility. He mentioned if the School District believes it is a crime, they can contact the SRO and the SRO can make a decision, and the City and School District will work collaboratively, but OUESD has the credential for an educational atmosphere and should not rely on the City to address discipline.

Chief Beard responded that regardless of the wording of the agreement, it has been a very collaborative effort thus far to ensure this agreement is just right to ensure there is a collaborative relationship between both parties. He shared the ultimate desire is for the middle schools to receive law enforcement services at both campuses. He mentioned the SRO is not assigned to be the disciplinarian for the school; the SRO is to prevent crime and provide a law enforcement service.

Dr. Fuller mentioned he would be glad to move it with that in there.

Mr. McMurray commented that if any amendments are proposed, they have not been discussed with School District, so he would need to provide those to them. He added in the event they are substantive, and the School District doesn't agree with those amendments, staff would need to come back with the agreement.

Dr. Fuller mentioned he doesn't see why they would disagree, but he would like to propose to include that OUESD and OPD will work collaboratively to create that atmosphere in the section of the agreement that addresses "Purpose."

Mr. McMurray inquired if Dr. Fuller is requesting to add it to the beginning of that paragraph.

Dr. Fuller confirmed that is correct; he would like the paragraph to begin by including that, "Working collaboratively, both agencies agree to…" He moved to approve the item with that amendment.

Mayor Williams inquired what would be the process as this is going before the School Board tomorrow.

Mr. McMurray explained that if the Council approves the item with this amendment, staff would provide the amended agreement to the Superintendent to present to the School District Board and they would vote.

Councilmember Meadows requested clarification on the wording to be added at the beginning of the paragraph.

Dr. Fuller responded that he is proposing, “In collaboration with OUESD and OPD, the purpose is to create and encourage through every useful purpose…”

Vice Mayor Shaw commented that she believes it addressed in the middle where it includes “students, parents, OUESD employees, and Police Officers, so it is even more inclusive than just OUESD and OPD, and she feels like it addresses that collaborative effort and even more parties in that collaboration.

Dr. Fuller mentioned communication is nice and encouraged, but decision-making involves a collaboration between the Chief of Police, the principals, and the School District.

Chief Beard commented that he doesn’t have the agreement in front of him, but it sounds like a minor change that he wishes to have included and that is what needs to be ironed out.

Mr. McMurray mentioned staff has notes on what Dr. Fuller just mentioned so if there is a motion, it is seconded, and there is a vote to approve, staff will present that to the School District, otherwise staff will present it to the School District ‘as is’.

Mayor Williams mentioned there was a first to include that amendment. She called for a second on the amendment. The motion died for lack of a second.

It was moved by Councilmember Henderson and seconded by Councilmember Meadows to adopt the resolution as written. Motion was unanimous and so ordered. (5-0)

7) REPORTS

7.1 CITY MANAGER

(a) City Manager

City Manager Joshua McMurray announced that the 2nd Annual Juneteenth Celebration will be held June 15 at Civic Center Plaza, 10am-1pm, and Summerfest will be held at Civic Center Plaza June 29, with a parade on Main Street, 9am-10am, and event, 11am-4pm. He mentioned with the heat and longer days, splash pads hours have been extended 10am-8pm until Labor Day and are open at Creekside and NunnWilson parks.

(b) Business License Update

Mr. McMurray mentioned the list for May is provided in the agenda packet.

(c) Report from the Oaks Apartments

Mr. McMurray mentioned that The Oaks Apartments representative is present from WinnResidential.

Vice Mayor Shaw inquired how residents that were displaced have been adjusting. She thanked them for providing the work order real page print out.

Katie with WinnResidential mentioned she is the regional manager and supervisor for the property (not on site).

Mayor Williams inquired if she is the same Katie as in “Coffee with Katie”.

Katie responded that is correct, residents are glad to be home, staff helped with cleaning out refrigerators due to the power outages, and residents received a stipend for food and rent reduction for the days they were out. She mentioned site staff did a great job coordinating the move; they had shuttles to ensure residents returned safely as quickly as they could. She mentioned a few people had to stay a few days longer because they need the elevator and it took a little longer to have repaired.

Vice Mayor Shaw shared that she was on site as residents were moving back and the community room was full of residents happy to be home. She mentioned that many of the seniors asked her questions about programming, the difference between Section 8 housing and tax credit housing, and many told her they don’t know how to apply for Section 8. She inquired if they provide that type of education through their social services or activity coordinator, and if not, can they bring someone in to provide that education so residents, especially seniors, know how to apply for services, including utilities; i.e., CARE program, or Section 8 where they can keep their apartment but where their rent would be determined on their income rather than market rate.

Katie mentioned they do provide utility and food assistance and have a lot of information that is provided from their office. Regarding Section 8 housing, she mentioned they usually direct residents to Section 8 for the County and any temporary rental assistance programs they are aware of.

Vice Mayor Shaw commented that is great, but they are waiting until there is a need; if management provides information upfront to residents of available options, then residents can come privately to staff to discuss.

Katie mentioned she wrote down the suggestion and will take it to their next meeting.

Dr. Fuller mentioned he previously inquired about the purpose of senior housing and management couldn’t provide an answer from what he could see. He mentioned in reading the letter from HUD, you can put seniors into one area as long as they know they are going into one area, but it is designed to facilitate elderly people is what is meant if he remembers correctly and what he is not hearing from management is why it is advantageous to be living in that apartment. He mentioned he is hearing from people living in that area that they are being maltreated, they are angry, they do not feel they are being addressed, the staff is discourteous, and management can’t answer what is the advantage to live in senior housing. He asked Katie what the advantage is and how is it being carried out for 55+ years old in the senior housing versus being inclusive throughout the complex.

Katie commented that the entire complex is open to all seniors and they can apply and would qualify for any of the buildings. She mentioned the benefit to the senior building is that it is more quiet and less disruptive without kids and guests, and it is more exclusive for them so they may relax in the community room without anyone underage intruding on their time and space; it is voluntary for them.

Dr. Fuller commented that he is hearing management and residents, and he would like to hear residents say it is so nice to be living there.

Katie mentioned when family housing was built on the same lot, a couple of the seniors were residents then and were upset that they had to now share space with family housing.

Dr. Fuller mentioned as Vice Mayor Shaw pointed out, that many seniors do not know what the advantage is for them. He provided an example such as having a doctor note for a CPAP machine could reduce an electric bill. He mentioned maybe they can include in programming an event such as a senior dance.

Katie commented that they had a sock hop last year.

Vice Mayor Shaw commented that the CPAP machine reduced utility bill is available to all, not just senior housing. She mentioned that some seniors indicated after the last meeting that they don't want to live in the family housing buildings; those that choose to live in senior housing want to be with same age group with whom they share the same interests. She mentioned some have taken a unit in a family housing as a placeholder until a senior building apartment becomes available; where she works, it can take 3-4 years (62+ years old). She mentioned seniors want their own aging in place space where they can stay out on congregate living but still have some independence within a community of people their own age.

Dr. Fuller commend that is called inclusion.

Mayor Williams inquired when seniors apply if it meets the different buildings, i.e., Oak Forest Senior Villas, Oak Place Senior Villas, or Oak Grove Terrace.

Katie mentioned one of the first questions they ask applicants if they are over 55 years of age is if they prefer a senior or family building.

Mayor Williams inquired if management does not force residents into senior building just because they are over the age of 55.

Katie confirmed that is correct and mentioned that it takes 1.5 times rent to qualify for one of the senior buildings which is a benefit to them because of fixed income, and it 2.5 times rent to qualify for family housing, so it is a benefit to seniors to live in the senior building.

Mayor Williams commented on the real page report, the average days to complete, there are discrepancies in how quickly things are taken care of between buildings. She inquired if that is due to the complexity of the work orders because it seems like a long time.

Katie mentioned that she knows Oke Johnson with WinnResidential spoke about it during the last meeting, but it is different to see the chart. She explained that when residents put in work orders, they can be held in the system for various reasons, i.e., working with vendors, it may be lower priority than other work orders, or it could be a preventative maintenance situation that they put in the system, all of which tend to throw off the numbers for response time. She mentioned their maintenance director is working with the site right now to have the numbers be

more accurate; they are moving preventative maintenance items to a schedule, so it doesn't throw off those numbers and they are checking older work orders to see why they were stalled and to make sure they are completed timely.

Mayor Williams commented that she has heard there is some frustration with how long work orders take so residents are saying they are not even putting in work orders, so she is telling them that if they want things fixed, there has to be a record that the problem exists. She mentioned she would appreciate refining the report to call out any health and safety situations, i.e., elevators and trash chutes, and for people to still place work orders for these. She mentioned people seem to like using the carts if they can provide an update on that and also the progress on posting the emergency evacuation plan and having drills.

Katie mentioned they are discussing the plan and getting it in place; they will include it in the next report.

Mayor Williams requested that they involve all agencies, i.e., fire, so they understand what the plan is.

Vice Mayor Shaw inquired with the continued completion of backlog on workorders and changing items to a preventative maintenance schedule, if Katie sees improvement in the number of days to complete.

Katie confirmed that is correct.

Vice Mayor Shaw mentioned she understands with a red tag emergency that work orders will be delayed. She inquired if management ever included the common areas, i.e., elevators, laundry rooms, in the app where residents can submit work orders. She mentioned that Oke Johnson discussed putting that in during the ad-hoc meetings and she think it might help people to feel comfortable to place work orders.

Katie mentioned their software is RealPage and Oke was working with them for a fix on that, but if it is a common area issue, residents can call site staff and staff can enter work orders into the system. She shared that the app is specific to units for work orders, payments, etc.; there is not an option to place work orders for common areas.

Vice Mayor Shaw inquired for residents who don't like to use tech if they can call in work orders which Katie confirmed is correct.

7.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY

(a) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

Mayor Meadows reported that he attended the CCTA Planning Committee meeting last Thursday.

Vice Mayor Shaw reported that she attended the Contra Costa Mayors Conference and the Freedom High School graduation ceremony.

Councilmember Henderson reported that he attended the Ironhouse Sanitary District Board meeting ISD on June 4 which involved mostly closed session as they try to fill the General

Manager position. He also reported attending Supervisor Burgis' Bay Area Affordable Housing Bond discussion on June 5; it was a good discussion with about 7 people in the audience.

Mayor Williams reported that on June 5, she attended the Hijas Del Campo casita move-in; they worked with Carondelet High School to put tiny homes on a farm in Brentwood for farm workers and have future plans to do the same in Oakley. She also reported that she attended a BAFHA work session, where there was an explanation about BAHFA and the different things ABAG is trying to bring; there is additional literature for anyone interested. She also reported attending the Mayors Conference where the County Library provided a presentation on its locations, and they got to see more from the County's perspective about the increase in usage and physical check outs, and they received information regarding plans and resources they have been working on as well as a self-service pilot program. She mentioned ABAG received the HCD report on the 7th RHNA cycle and they have asked for transparency on how the numbers are derived, and how vacant units and unhoused are calculated. She also mentioned that BART has extensive repairs coming up requiring bus bridges through 2025. She announced that Port Chicago Weekend is coming up with more information available on its website. She also announced that there will be workshops for people who wish to run for office in Lafayette on June 22, in Antioch on June 24, and in El Cerrito on June 26. She also reported attending the Meals on Wheels Gala and she got to see the impact they have out here.

(b) Requests for Future Agendas

There were no requests for future agenda items.

8) WORK SESSIONS

None.

9) CLOSED SESSION

None.

10) ADJOURN

There being no further business, the meeting was adjourned at 9:57 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk

MEMORANDUM

OAKLEY
CALIFORNIA

Date: June 24, 2024
To: Mayor and City Councilmembers
From: Derek P. Cole, City Attorney
CC: Joshua McMurray, City Manager
Subject: Closed Session Report-Out Memo

For Consideration at the City Council Meeting of July 9, 2024

Background and Analysis

The City Council considered the following closed session item during its special meeting held June 11, 2024:

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Schaefers v. BNSF Railway Company et al. (and City of Oakley), Contra Costa Sup. Ct. Case Nos. C22-01552 and C22-01555

Direction was provided to staff. There was no reportable action.

Fiscal Impact

None.

Recommendation

Receive and file this report.

Attachments

None.

DATE: July 9, 2024

Approved and Forwarded to the City Council

TO: Joshua McMurray, City Manager

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

SUBJECT: Accept the Fiscal Year (FY) 2023/24 Fourth Quarter Report on the Capital Improvement Program

Background and Analysis

This report summarizes the status of the various projects in the City of Oakley Capital Improvement Program (CIP) at the end of the Fourth Quarter for Fiscal Year (FY) 2023/24.

The City's CIP is a multi-year forecast of capital needs that includes new construction projects and planned improvements to existing facilities. The CIP establishes structure by identifying, prioritizing, approving, and the funding of capital improvement projects. Since the demand for capital projects typically exceeds the amount of available funds, projects are prioritized based on the City Council's Strategic Goals.

The following highlights some of the projects and their progress in the Fourth Quarter of FY 2023/24 (April-June 2024):

1. Oakley Regional Community Park Project

Project # 176
Schedule: Project Master Planning is underway
Budget: $3,502,609
Funding Source: Community Park Fund, and Park Impact Fee

This project transforms a 55-acre site at the end of Sellers Avenue that was given to the City as part of the development agreements with the Emerson, Gilbert, and Burroughs development projects. This site had several deteriorated structures related to a dairy farm that had been closed for decades. The first phase of this project was to demolish and remove the abandoned structures, which were a safety concern, and to clean up the site. This task was accomplished in the summer of 2019. In March of 2021, the City applied for a State Proposition 68 grant to fund the first phase of this project and did not qualify for the grant. The construction of the Oakley Regional Park will span several years as funding is secured through a combination of Grants and local funds. A new Master Planning study of this site was prepared and approved by the City Council in spring 2024. The study outlined the community and City Council preferences on the features that this park would have and will be used to pursue grant funding for the implementation of this park master plan.

2. East Cypress Road Widening (Knightsen Avenue to Jersey Island Road) Project

Project # 247
Schedule: Construction is underway
Budget: $11,180,000
Funding Source: Traffic Impact Fee Fund, Gas Tax, RMRA, Measure J

The growth and development of new subdivision projects along the East Cypress Road corridor has necessitated various infrastructure improvements to accommodate the increased traffic volumes on this road. This project will widen and improve East Cypress Road from Knightsen Avenue to west of Jersey Island Road. The improvements will include curb, gutter, sidewalk and a median island. The construction of this project is underway, and it is anticipated to be completed by summer 2025.

3. Cypress Grove Subdivision Pump Station Building Project

Project # 255
Schedule: Construction is completed
Budget: $1,732,944
Funding Source: CFD Fund

At the Cypress Grove Subdivision, the pump station, emergency generator, and its associated electrical components are housed in a building with only a half roof and are exposed to the environmental elements. The components degrade much quicker when exposed to the elements and require more frequent service and costly replacement. This project constructed a full roof and new walls on the existing building to enclose and protect the valuable mechanical components and promote their longevity. In addition, this project upgraded the electrical and mechanical parts of this pump station. The construction of this project has been successfully completed.

4. Irrigation Well Installation at City's Freedom Basin Project

Project # 265
Schedule: Construction is underway
Budget: $400,000
Funding Source: Public Facilities and Park Impact Fee Fund

This project will install a new irrigation well adjacent to O'Hara Avenue next to the City owned storm drain basin, more commonly known as Freedom basin. This new well will provide the City with an independent, stable, and continuous source of water to irrigate the large field that is used by an assortment of leagues for sporting activities. The existing well used to irrigate the field is owned and operated by the High School District, and due to its continuous breakdowns, this well is not a reliable source to provide the massive amount of irrigation water needed for this field. It is anticipated that the construction work will be completed by fall 2024.

5. Laurel Road Extension Project (Teton Road to Sellers Avenue)

Project # 273
Schedule: Design is underway
Budget: $360,000
Funding Source: Traffic Impact Fee Fund

This Project will extend Laurel Road from Teton Road to Sellers Avenue, providing an alternate and much needed secondary route for the residents of far east Oakley along East Cypress Road. Currently, the only major access in and out of far east Oakley is via East Cypress Road. This current route along East Cypress Road passes by an elementary and middle school and crosses the Burlington Northern Santa Fe (BNSF) railroad tracks. Traffic volumes have increased over the years and continue to grow with the new housing developments in far east Oakley. Extending Laurel Road from Teton Road to Sellers Avenue will provide much-needed direct access to Highway 4 and job centers in the Bay Area and reduce traffic congestion from East Cypress Road. This project will construct a new bridge across the BNSF railroad tracks and construct a new 4-lane roadway with curb, gutter, sidewalk, medians, and streetlights. In addition, a new traffic signal will be constructed at the intersection of Laurel Road and Sellers Avenue. The preliminary design of this project is completed. Staff will be working on the Right of Way acquisition process and securing funding for the construction of this project, which is estimated to be nearly $40M.

6. Laurel Road Widening Project (O'Hara Avenue to Cloverbrook Avenue)

Project # 280
Schedule: Bidding is underway
Budget: $1,227,000
Funding Source: Traffic Impact Fee Fund, ARPA

Laurel Road from O'Hara Avenue to Cloverbrook Avenue is the last section of Laurel Road that needs to be widened and improved. Laurel Road is a major Arterial Road

and the City's designated truck route with a direct connection to Highway 4. This section of Laurel Road has not been widened or improved due to the lack of Right of Way and is starting to deteriorate due to the large volume of vehicles that use Laurel Road every day. Staff worked for the past few years with the property owners at the intersection of Laurel Road and O'Hara Avenue and secured the necessary right of way for the roadway widening. The design of this project is currently underway and will require major utility relocation of the Western Area Power Administration (WAPA) utility poles. WAPA has informed the City that they will be relocating their utility poles by July 2024 and the actual construction of all roadway widening and improvements is anticipated to start in summer 2024 and be completed by summer 2025.

7. Enrico Cinquini Park Construction Project

Project # 281
Schedule: Design is underway
Budget: $4,200,000
Funding Source: Park Impact Fee Fund

The developer of the Stonewood Subdivision, a collection of 262 lots, was conditioned to construct a new park (Enrico Cinquini Park) at the intersection of Rose Avenue and Carpenter Road. The obligation of the developer is the total amount of their Park Impact Fee ($2.1M), which would not be sufficient to construct this park and its associated facilities and features. As a result, the City will design and construct this park by utilizing the Park Impact Fee obligation of the developer, as well as supplementing it with additional City Park Impact fees. This beautiful and feature packed park for the community will include a new natural turf field, site grading, landscaping and irrigation, a half basketball court, a bocce ball court, a cornhole court, a splashpad water feature, a playground, restroom, and a covered picnic area. The design of the project is currently underway, and project bidding is anticipated to take place in fall 2024.

8. Pedestrian Crossing Lighting System Installation at O'Hara Avenue and Trail Crossing Project

Project # 294
Schedule: Construction is completed
Budget: $75,000
Funding Source: Street Maintenance & Rehab Fund and RMRA State Grant

The City had been able to secure State grant funding to install new lighted crosswalk systems on O'Hara Avenue at the trail crossing. This project will improve the safety for

pedestrians and bicyclists who ride on the trail as they cross O'Hara Avenue. The construction of this project has been successfully completed.

9. FY 2023/24 Curb, Gutter and Sidewalk Reconstruction Project

Project # 295
Schedule: Construction is completed
Budget: $100,000
Funding Source: RMRA Fund

This project repaired and replaced damaged concrete curb, gutter, and sidewalk in the community as part of the 50-50 cost sharing program between the City and property owners. This project has been successfully implemented for the past few years and has continued into FY 2023/24. This project has helped to provide safe pedestrian facilities and reduce liability and claims for trip and fall accidents. The construction of this project has been successfully completed.

10. East Cypress Road Widening (Jersey Island Road to Bethel Island Road) Project

Project # 302
Schedule: Design is underway
Budget: $20,000,000
Funding Source: To Be Determined

The growth and development of new subdivision projects along the East Cypress Road corridor has necessitated various infrastructure improvements to accommodate the increased traffic volumes on this road. This project will widen and improve East Cypress Road from Jersey Island Road to Bethel Island Road. The improvements will include roadway widening, bicycle lanes, curb and gutter, sidewalks, traffic signals, underground utilities, and median landscaping. The widening will complement the similar improvements that are being constructed on East Cypress Road from Knightsen Avenue to west of Jersey Island Road. The design of this project is underway, and construction is anticipated to start in 2026.

11. Public Works Operations Building Remodeling Project

Project # 303
Schedule: Construction is underway
Budget: $260,000
Funding Source: Public Facilities Fund, General Capital Project

The Public Works Operations Building used to be the suite of the former ACE Hardware Store. Since the City purchased this building, there have not been any major improvements related to the office spaces in the building. With the growth of the Public Works Department and increased demands for services from the community, this project will remodel the inside of the building to make a better functional workspace for the staff and their operations. The construction of this project is currently underway.

14. East Cypress Road Widening at CCWD Canal Crossing Project

Project # 310
Schedule: Design is underway
Budget: $9,500,000
Funding Source: Traffic Impact Fee, General Capital Project Fund, Gas Tax, and Streets Maintenance and Rehab Fund

CCWD has undertaken the process of replacing the open canal in Oakley from the canal crossing near Main Street and has extended eastwards behind the Cypress Grove, Emerson, Delaney, and Burroughs subdivisions up to east Cypress Road. CCWD has also undergrounded the remainder of this canal from south of East Cypress Road to its connection point at Rock Slough. The existing canal crosses East Cypress Road and will have to be replaced as part of the City's East Cypress Road widening project. The City is collaborating with CCWD in all phases of the canal undergrounding project and at the East Cypress Road. The City will take the lead in undergrounding the canal and construction of the new and widened roadway. This project will not only underground approximately 600' of the open canal, but also widen East Cypress Road to City standards to complement and connect to the improvements that are being constructed on this roadway as part of CIP 247. It is anticipated that the construction of CIP 310 work will start in early 2025.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community Health and Safety goals.

Fiscal Impact

Each project listed in this report has a budgeted source of funds which have been approved by the City Council. These sources include Grants, Gas Tax, Measure J Sales Tax, Traffic Impact Fees, General Fund, Main Street Fund, and other Special Use funds. There is no fiscal impact associated with this CIP Update, this report is solely for informational purposes and no funding allocations are requested.

Staff Recommendation

The Oakley City Council should provide comments and input to staff on the CIP report for the Fourth Quarter of FY 2023/24.

DATE: June 24, 2024

Approved and Forwarded to the City Council

TO: Joshua McMurray, City Manager

FROM: Troy Faulk, Recreation Manager

SUBJECT: Adopt a Resolution Awarding a Contract to Quality Sound for the Civic Center Amphitheater Sound System Project – CIP No. 319

Background and Analysis

Throughout each year the Recreation Division hosts special events that are designed to bring residents and visitors to Oakley and activate our downtown area. A key component to these events is the performances that take place on the Civic Center Plaza Stage. Events that utilize the stage for live performances include:

- Concerts in the Park
- Movies in the Park
- Memorial Day Ceremony
- Juneteenth Celebration
- Summer Fest
- Heart of Oakley
- Oaktober Fest
- Veteran's Day Ceremony
- Holiday Tree Lighting

Currently, each event requires a different sound system set up. For events with live music, the bands bring their own comprehensive, portable sound system and set it up on stage. For smaller events such as the Movie in the Park Series, Recreation Staff will set up a simple portable sound system. For events such as Veteran's Day and Holiday Tree Lighting the City hires a sound technician to provide and operate a sound system.

In order to address the inconsistent quality of sound that the portable sound system provides, staff is recommending the installation of a professional and permanent sound system that will provide much better sound quality to all events.

Quality Sound is a premiere firm with headquarters in Stockton who specialize in commercial grade Audio/Video systems that are used by government agencies and private institutions. The City has used the services of Quality Sound for design and installation of Audio/Video systems for Council Chambers, Recreation Center, and City Hall for the past years and has been very happy with the products and customer services. Staff had on-site meetings with Quality Sound and discussed the needs for the new Audio system for the Civic Center Park Amphitheater. After the detailed

evaluation of several Audio systems, the design team of staff at Quality Sound settled on the proposed Audio system that will address the needs of the Amphitheater during various events and festivals and also provide it in a cost-effective solution.

Consistency with Oakley Strategic Plan 27+

The Oakley Strategic Plan 27+ highlights upgrading and developing parks and open space as Primary Goals. The plan also includes the Sub-Goal of serving our diverse people, parks and programs by providing inclusive activities and access to engage the City's family and friends in culture. This investment to the sound system would leave a lasting impact on Civic Center Plaza, allowing the City to offer the highest quality of events and bring more residents and visitors together in the heart of the downtown corridor.

Fiscal Impact

Funding for this project is included in the FY 2024/25 budget under CIP 319 and fully covers the $90,000 cost of this project.

Staff Recommendation

Staff recommends adopting a resolution awarding a contract to Quality Sound for CIP 319 Amphitheater Sound System Project.

Attachments

1. Resolution
2. Proposal-Quality Sound

RESOLUTION NO. X-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AWARDING A CONTRACT TO QUALITY SOUND FOR THE CIVIC CENTER AMPHITHEATER SOUND SYSTEM PROJECT – CIP NO. 319

WHEREAS, the City has a need for a professional and permanent sound system at the City Hall Amphitheater; and

WHEREAS, Quality Sound has provided services for the City for the Council Chambers, Recreation Center and City Hall and knows the City's systems; and

WHEREAS, Quality Sound has provided a bid or $90,000 for a professional audio system for the Civic Center Amphitheater;

BE IT RESOLVED that the City Council of the City of Oakley hereby approves the Agreement with Quality Sound for the construction of the Amphitheater Speaker Project- CIP Number 319 is approved for an amount not to exceed $90,000, and the City Manager is authorized to execute an Agreement.

PASSED, APPROVED AND ADOPTED this 9th day of July 2024 by the following vote.

AYES:
NOES:
ABSTENTION:
ABSENT:

APPROVED:

_____
Anissa Williams, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date



Quality Sound
2010 E. Fremont St.
Stockton, CA 95205

QUOTE

14567

CA 496881 C-7, C-10
DIR 1000000115
ACO 6020

BILL TO		JOB LOCATION			
Company:	City of Oakley	**Company:**	City of Oakley	**Date:**	2024-04-17
Address:	3231 Main Street, Oakley, CA 94561	**Address:**	3231 Main Street, Oakley, CA 94561	**Sales Rep:**	Gary Roda, CTS
	Oakley, CA 94561		Oakley, CA 94561	**Phone:**	(209) 948 2104 EXT 1074
Contact:	Kevin Rohani	**Contact:**	Kevin Rohani		
Phone:	(925) 675 7042	**Phone:**	(925) 625 7003		

TITLE

Oakley Civic Center Park Sound System - JBL CBT

Quality Sound
2010 E. Fremont St.
Stockton, CA 95205

QUOTE

14567

CA 496881 C-7, C-10
DIR 1000000115
ACO 6020

SCOPE OF WORK

Quality Sound shall provide (furnish and install) a complete sound system for the Civic Park Amphitheater.

The sound system head-end equipment shall all be contained in a **LOWELL** locking steel wall rack cabinet with fully vented front door installed in the Snack Shack. A **SYMETRIX** digital signal processor (DSP) shall provide system protection and consistent operation with minimal user training required. On the platform, a custom interface panel mounted in a weatherproof wall box (via conduit provided by others) shall provide XLR inputs for one wired microphone, Left and Right Main and Subwoofer line-level connections for an auxiliary sound mixer, and stereo consumer-level inputs to accept playback of wired sources such as a laptop, smartphone or other music player. Two **SHURE** handheld digital wireless microphones shall be provided, complete with rechargeable batteries and drop-in recharger dock. A **LISTEN TECHNOLGIES** Assistive-Listening System Wi-Fi server shall allow broadcast of program material to audience member's personal smart phones over the park's existing Wi-Fi system (network drop to equipment rack by others). The rack shall be provided with a 20A **FURMAN** AC power sequencer/distribution unit with Master switch, and a simple **SYMETRIX** menu-driven control panel for system preset recall and limited-range adjustment of specific volume levels.

The main sound system shall include eight (8) **JBL** loudspeakers and all required hardware. These loudspeakers shall be securely mounted to the steel pillars at either side other stage platform, configured as two columns of two cabinets per side. Each speaker column shall be provided with an **UNDER COVER** custom weather cover with removable front panel (black or white in color) for additional protection from the elements. For additional low-frequency support, two (2) portable self-powered **JBL** dual 18" subwoofers shall be provided, and shall include slip covers and caster kits for protection and ease of portability. Two (2) **JBL** AWC compact loudspeakers shall be mounted at the shade structure ceiling for foldback monitoring onstage. The main and monitor loudspeakers shall be driven by **CROWN** power amplifiers. New install-grade wire shall be pulled (in conduits and j-boxes provided by others) between the head-end and loudspeakers. The entire system shall be fully installed and commissioned, and an In-Service session provided to acquaint staff with operation and maintenance of the new system.

Quality Sound's Scope of work:
Provide all equipment for systems quoted.
Provide specialty wire and cable for systems quoted only.
Provide specialty back boxes for systems quoted only.
Provide fully-engineered system documentation package.
Final connect at terminal cans and head-end for systems quoted.
Submittals and Drawings in a timely manner as not to impact the schedule.
Tax and normal freight included in price.

Work to be done by others: (Exclusions from Quality Sound's scope of work):
Provide and Install all conduit, non-specialty back boxes, and terminal cans per Approved prints.
Provide required electrical service at proposed locations.
Provide IT assistance and network drop to rack location for integration of Wi-Fi Assistive-Listening System
Any associated fees and permits cost is excluded.
Any coring, saw cutting or structural work is excluded.
Installation of all back boxes including specialty back boxes is excluded.
Patch/Paint, weatherproof penetrations and moving of existing fixtures is excluded.
Providing and Installing, Cable Trays, Wire Baskets, and back boards is excluded.
Providing and installing access doors, fire stop sleeves and fire caulking is excluded.



Quality Sound
2010 E. Fremont St.
Stockton, CA 95205

CA 496881 C-7, C-10
DIR 1000000115
ACO 6020

QUOTE

14567

MANUFACTURER	DESCRIPTION	QTY
Lowell	Wall Rack 16Ux23D	1.00
Lowell	Vented Door 16U	1.00
Furman	20A Advanced Remote Smart Sequencer W/SMP & EVS, 9 Outlets 10Ft Cord	1.00
Ace Backstage	Quality Sound Service Panel W/Rj-45	1.00
Netgear	8-Port Gigabit Ethernet Unmanaged Switch	1.00
Symetrix	Programmable DSP, 8 mic/line in, 8 line out, ARC	1.00
Symetrix	ARC Remote with 2 capacitive buttons, capacitve fader, OLED display	1.00
Ace Backstage	Custom 3Ru Panel W/ 1-Gang Switch Cutout (ARC-3)	1.00
Crown	Four-channel, 2400W @ 4 Power Amplifier with BLU link, 70V/100V (Mains)	1.00
Crown	Two-channel, 300W @ 4 Analog Power Amplifier, 70V/100V (Monitors)	1.00
Shure	Dual Wireless Vocal System With Sm58 Handheld transmitters	1.00
Listen	Listen EVERYWHERE 2 Channel Wi-Fi Audio Server (ALS)	1.00
RF Venue	Diversity Fin Antenna	1.00
RF Venue	DFIN Cover	1.00
RDL	Consumer Input Jacks Stereo	1.00
FSR	Outdoor Wall Box & Cover w/ 2 & 3 Gang Mounting Plate - White	1.00
Ace Backstage	Custom Interface Plate for Outdoor Wall Box	1.00
JBL	High-Output Two-Way Line Array Column With Highly Adjustable Vertical Coverage	4.00
JBL	High-Output Column Extension Speaker	4.00
JBL	All-Weather Co-Ax, 8" 2-Way, Black (Monitors)	2.00
	Under Cover NY Custom Weather Cover	4.00
	Under Cover NY Removable Front Panel	4.00
JBL	Sealed Panel Cover (1=2 Pcs)	4.00
JBL	2000 Watt Powered Dual 18" Subwoofer Featuring Crown Amplification	2.00
	Deluxe Padded Cover for Subwoofer w/ Casters	2.00
JBL	Caster Set Of 4 Swivel Casters	2.00
Shure	Dual Docking Station For Slx-D Transmitters And Sb903 Battery	1.00
Shure	Lithium-Ion Battery For Slx-D	2.00
West Penn	1P 22G STRD SHLD PVC JKT	1.00
Graybar	THHN Building Wire, 12 AWG Stranded Copper Conductor, Black, 500 ft. Spool	1.00
Graybar	THHN Building Wire, 12 AWG Stranded Copper Conductor, Red, 500 ft. Spool	1.00
Quality Sound	Miscellaneous Hardware, cables, connectors	1.00
Quality Sound	Use Tax Included in this LUMP SUM quote	1.00
Quality Sound	Freight (non-taxable)	1.00
Quality Sound	1 Year Workmanship Warranty	1.00

Professional Services Total:	$27,550.01
Subtotal:	$90,000.00
Tax:	$0.00
Total:	$90,000.00

QUALITY SOUND
DIVISION OF BI-JAMAR, INC.

Quality Sound
2010 E. Fremont St.
Stockton, CA 95205

CA 496881 C-7, C-10
DIR 1000000115
ACO 6020

QUOTE

14567

TERMS AND CONDITIONS:
Pricing is only good for forty-five days. A signed quote, contract, or P.O. shall be delivered to Quality Sound before any work is started or materials ordered. Quality Sound is not responsible for delays caused by product availability. Quality Sound's on-site staff will require the work area to be free of obstructions prior to the commencement of any work. In addition, our staff will need unrestricted access to and from the work area and access to the nearest loading area. During service, the work areas should be considered a construction zone. In the interest of public safety, our staff must have priority use of the work areas until the services are complete. Our staff is scheduled to perform only the work included in this quote. If anyone with authority wishes to change or modify the scope of work, please get in touch with our office. If scheduling problems arise, Quality Sound will try to work around those needs. Quality Sound provides a one-year warranty against materials and workmanship defects on the newly installed equipment; manufacturer's component warranties vary, but many extend past this point. All invoices shall be paid within forty-five days; after forty-five days, interest will be charged at 1.5% per month. Payments are accepted via check, electronic transfer, or cash. A service fee of 3.5% will be charged when paying with a credit card. **Thank you again for choosing Quality Sound.**

IF YOU WISH TO ACCEPT THIS PROPOSAL AND RELATED STATEMENT OF WORK, PLEASE SIGN AND RETURN

BUYER:_____ SIGNATURE:_____ DATE:_____
(Print Name)

DATE: July 9, 2024

TO: Joshua McMurray, City Manager

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

Approved and Forwarded to the City Council

SUBJECT: Adoption of a Resolution to Establish Special Speed Zones for Specific City Streets

Background and Analysis

The California Vehicle Code (CVC) requires that all speed limits in excess of 25 miles per hour be established on the basis of an engineering and traffic survey conducted in accordance with procedures adopted by Caltrans if they are to be enforceable by the use of police radar. These special speed zone surveys are required to be updated every seven (7) years to continue the use of radar enforcement by police officers. Speed survey data was collected in April 2024 for preparation of the special speed zone surveys used to establish the speed limits recommended in the attached resolution.

In general, the speed limit of a roadway is set at the nearest five mile per hour interval where eighty-five percent of the vehicles travel at or below the speed, known as the 85th percentile or critical speed. Based on the engineering survey the speed limit can be adjusted downward depending on the physical characteristics of the road, such as abrupt changes in horizontal and/or vertical alignment, and pavement width, so as to enhance its safety. In order for speeding violations to be enforceable in court the Police Department must have current speed zone certifications on file at the courthouse.

The recommended speed limits contained in the attached resolution reflect the current traffic conditions on Bridgehead Road, Empire Avenue, Laurel Road, Live Oak Avenue, Neroly Road, Oakley Road, O'Hara Avenue, Rose Avenue, and Sellers Avenue. The recommended speed limits include maintaining the existing posted speed limits on Bridgehead Road, two segments on Empire Avenue, three segments on Laurel Road, two segments on Live Oak Avenue, three segments on Neroly Road, two segments on Oakley Road and two segments on O'Hara Avenue and Rose Avenue. Sellers Avenue (East Cypress Road to Delta Road) is recommended to have a speed limit reduction of 5 MPH from the existing speed limit. Adoption of these speed limits will allow enforcement by the use of Police radar.

The recommended speed limits shown in the attached resolution are based on an analysis of the traffic survey data and engineering and traffic studies. Adoption of the attached resolution will approve the recommendations and traffic order of the City

Engineer establishing the speed limits on the listed streets consistent with the California Vehicle Code and the City's Municipal Code.

All traffic surveys used for development of the traffic order were prepared in accordance with the standards adopted by Caltrans. A copy of the surveys, along with a copy of the approved resolution, will be maintained in the Public Works and Engineering files, with a copy in the Police Department and a copy delivered to the Contra Costa County Traffic Court.

Consistency with the Oakley Strategic Plan 27+

This action is consistent with the Oakley Strategic Plan 27+ under the Community Health and Safety goal to provide safe streets. The adopted speed limits for these roadway sections allow the Police Department's Traffic Enforcement Team to enhance enforcement by having an approved Engineering and Traffic Survey Report to enforce the required speed limits in our roadway network.

Fiscal Impact

Existing speed limit signs will be replaced for the new speed limits, and additional signs will be installed as needed to increase motorist's awareness of the speed limit and to advise about radar enforcement. The cost of the replacement and additional signs is included in the current Public Works operations budget.

Staff Recommendation

Staff is recommending that the City Council adopt a resolution to approve the speed zones being recommended by the City Engineer as a result of the 2024 Engineering & Traffic Survey prepared by TJKM Transportation Consultants. All segments studied will remain at the current posted speed limit except for Sellers Avenue between East Cypress Road to Delta Road which is recommended for a 5 mile per hour speed reduction based on the current 85th percentile of speeds on this roadway.

Attachments

1. Resolution
2. Engineering and Traffic Survey

RESOLUTION NO. ____-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING A TRAFFIC ORDER OF THE CITY ENGINEER ESTABLISHING SPEED LIMITS

WHEREAS, in April of 2024, the City Engineer had engineering and traffic surveys conducted for purposes of establishing prima facie speed limits on specific Oakley City streets; and

WHEREAS, on June 27, 2024, a final Engineering and Traffic Survey Report was prepared by TJKM Transportation Consultants outlining the findings of the speed surveys and the recommendations to speed limits on certain roadway segments; and

WHEREAS, based on the Engineering and Traffic Survey report, the following listed streets and speed limits are recommended by the City Engineer.

Street	Limits	Speed Limit (mph)	Study Date
Bridgehead Road	Main Street to Wilbur Avenue	45	4/5/2024
Empire Avenue	Main Street to Laurel Road	40	4/5/2024
Empire Avenue	Laurel Road to Southern City Limits	45	4/5/2024
Laurel Road	O'Hara Avenue to Rose Avenue	40	4/4/2024
Laurel Road	Rose Avenue to Main Street	40	4/9/2024
Laurel Road	Main Street to Teton Road	35	4/9/2024
Live Oak Avenue	Main Street to Oakley Road	35	4/5/2024
Live Oak Avenue	Oakley Road to Neroly Road/Live Oak Avenue	40	4/4/2024
Neroly Road	Main Street to Oakley Road	40	4/5/2024
Neroly Road	Oakley Road to Live Oak Avenue	45	4/4/2024
Neroly Road	Laurel Road to Empire Avenue	50	4/5/2024

Oakley Road	Empire Avenue to Live Oak Avenue	35	4/5/2024
Oakley Road	Live Oak Avenue to Western City Limits	45	4/9/2024
O'Hara Avenue	West Cypress Road to Laurel Road	35	4/5/2024
O'Hara Avenue	Laurel Road to Neroly Road	40	4/5/2024
Rose Avenue	Laurel Road to Simoni Ranch Road	40	4/5/2024
Sellers Avenue	East Cypress Road to Delta Road	45	4/9/2024

NOW THEREFORE, the City Council of the City of Oakley hereby resolves to approve the recommendations and Traffic Order of the City Engineer as listed above.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 9th day of July 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Anissa Williams, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

2024 Engineering & Traffic Survey
City of Oakley, CA



June 27, 2024

TJKM

Engineering and Traffic Survey

City of Oakley, California

June 27, 2024

TJKM

This Citywide Engineering and Traffic Survey has been prepared under the direction of a licensed Civil Engineer. The licensed Civil Engineer attests to the technical information contained therein, and has judged the qualifications of any technical specialists providing engineering data, which recommendations, conclusions and decisions are based. These surveys conform to Sections 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommend speed limits appropriate to facilitate the safe and orderly movement of traffic.

Prepared By:



_____

Anna Vickroy, PE, TE
Senior Transportation Engineer, TJKM
4305 Hacienda Drive, Suite 550
Pleasanton, CA 94588-2798
Tel: 925.463.0611
Fax: 925.463.3691



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APPENDICES

Appendix – Recommended Speed Limit Certifications and Supporting Data (Speed Survey Collection Forms and Average Daily Traffic Volumes)

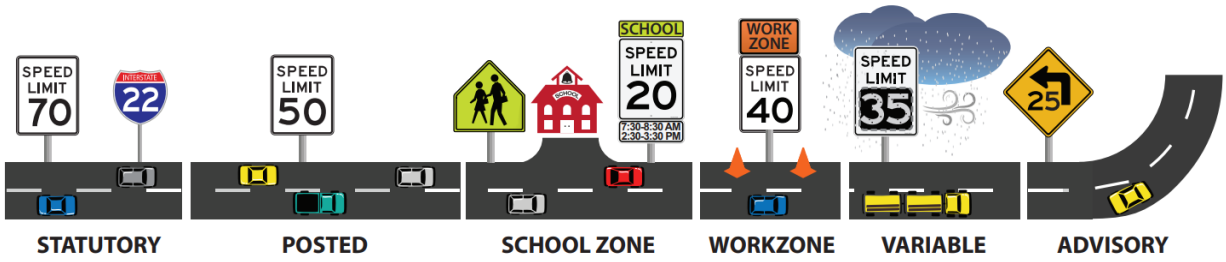
1.0 INTRODUCTION

The purpose of this survey is to evaluate the posted speed limits for 17 segments within the City of Oakley and recommend speed limit changes, if any, in accordance with the State of California regulations and guidelines. CVC Section 40802 requires that Engineering and Traffic Survey (E&TS) for speed limits should be conducted at least once every seven or 14 years based on established criteria. State and local agencies re-evaluate non-statutory speed limits on their street segments that have undergone a significant change in roadway characteristics or surrounding land uses since the speed limits were last reviewed.

The California State Legislature sets in place the regulations for California speed limits and the California Vehicle Code (CVC) places these regulations into language used primarily for enforcement purposes. Various jurisdictions have responsibility for roadways throughout California, including the responsibility to set speed limits on these roadways according to the standards and procedures established by Caltrans. The guidelines from the *California Manual for Setting Speed Limits published by Caltrans (Rev. February, 2020)* are used in this study. These guidelines help in establishing speed limits that are uniform throughout the state and avoid influence from political pressure or emotional perceptions.

Speed limits are established primarily for protecting the public from the behavior of reckless, unreliable, or dangerous drivers. Speed limits are generally established at or near the 85th percentile speed. The 85th percentile speed, also referred to as the critical speed, is defined as the speed at or below which 85 percent of traffic is moving in free flow conditions. Speed limits established on this basis conform to the consensus of those who drive on the roadways as to what speed is reasonable and safe under normal driving conditions. **Figure 1** illustrates the various speed limit signs for different zones and roadways.

Figure 1: Types of Speed Limits



Source: FHWA

Many factors influence drivers and their perception of the safe speed at which to operate a vehicle. These factors should be considered as a whole because it is not practical to consider each individually. The design and physical characteristics of the roadway place limitations on the safe operating speed of vehicles. These characteristics include:

- Roadway geometrics, shoulder condition, grade, alignment, and sight distance

- Roadside development, zoning, and environment
- Parking practices
- Bicycle and pedestrian activity
- Driveway density
- Signalized or stop-controlled intersections
- Rural, residential or developed areas

The study follows the goals and visions set in the *2022 City of Oakley General Plan*. The City of Oakley aims to guide the City's transportation system and address issues related to mobility and access. Some of the goals outlined in the Circulation Element include:

- Prioritization and construction of complete streets that improve circulation and access for all modes of travel
- Provision of measures necessary to enhance pedestrian and bicycle safety and mobility
- Support for increased public transit usage
- Encourage increased bicycle usage
- Enforcement of traffic laws.

The recommendations made in this study comply with the vision and goals identified in the General Plan.

This report presents the results of the E&TS conducted from March 2024 to May 2024 for 17 street segments throughout the City of Oakley, and incorporates input from radar speed surveys, average daily traffic counts, segment collision analyses, and analyses of roadway characteristics. The 17 survey segments included in the study are listed in **Table 1**, are shown in **Figure 2**, and are categorized below by roadway type:

- Three segments are designated as 'Collectors'
- 10 segments are designated as 'Major Arterials'
- Four segments are designated as 'Minor Arterials'

The existing speed limits for the survey segments are illustrated in **Figure 3**.

Table 1: Survey Segments

No.	Street	Survey Limits	Roadway Classification	Roadway Type	No. of Lanes	Width (feet)	Length (miles)	Existing Speed Limit (mph)
1	Bridgehead Road	Main Street to Wilbur Avenue	Major Arterial	Undivided	2	26	0.41	45
2	Empire Avenue	Main Street to Laurel Road	Major Arterial	Divided	4	70	1.08	40
3	Empire Avenue	Laurel Road to Southern City limits	Major Arterial	Divided	4	80	0.82	45
4	Laurel Road	O'Hara Avenue to Rose Avenue	Major Arterial	Divided	4	80	0.49	40
5	Laurel Road	Rose Avenue to Main Street	Major Arterial	Divided	4	80	0.50	40
6	Laurel Road	Main Street to Teton Road	Major Arterial	Undivided	2	40	0.50	35
7	Live Oak Avenue	Main Street to Oakley Road	Major Arterial	Undivided	2	20	0.50	35
8	Live Oak Avenue	Oakley Road to Neroly Road/Live Oak Road	Collector	Undivided	2	26	1.12	40
9	Neroly Road	Main Street to Oakley Road	Major Arterial	Undivided	2	22	0.50	40
10	Neroly Road	Oakley Road to Live Oak Avenue	Minor Arterial	Undivided	2	36	1.31	45
11	Neroly Road	Laurel Road to Empire Avenue	Minor Arterial	Undivided	2	30	0.69	50
12	Oakley Road	Empire Avenue to Live Oak Avenue	Major Arterial	Divided	3	62	0.53	35
13	Oakley Road	Live Oak Avenue to Western City limits	Minor Arterial	Undivided	2	20	0.74	45
14	O'Hara Avenue	West Cypress Road to Laurel Road	Collector	Divided	4	78	1.00	35
15	O'Hara Avenue	Laurel Road to Neroly Road	Major Arterial	Undivided	3	50	1.00	40
16	Rose Avenue	Laurel Road to Simoni Ranch Road	Collector	Undivided	2	40	0.50	40
17	Sellers Avenue	East Cypress Road to Delta Road	Minor Arterial	Undivided	2	24	1.51	50

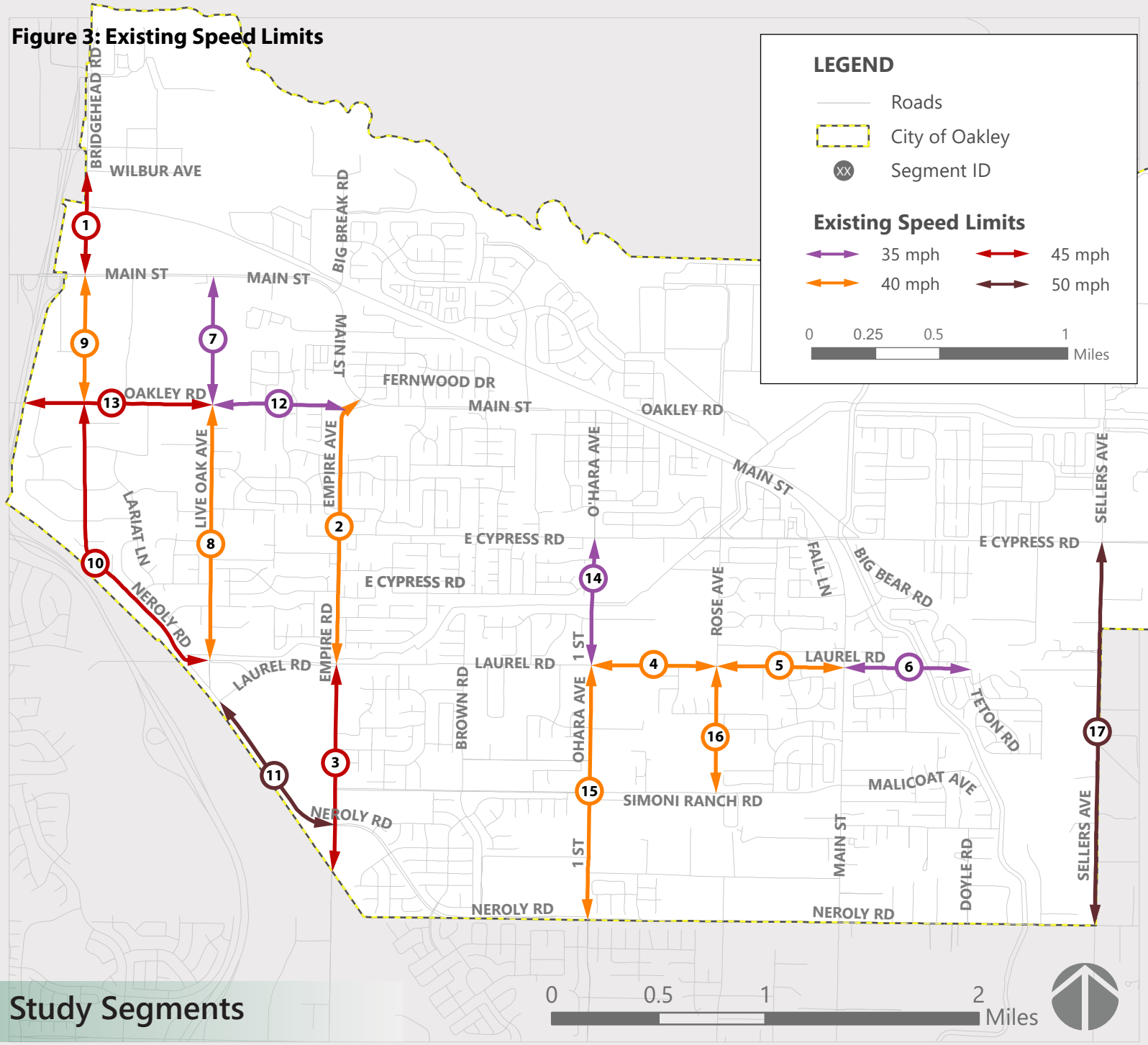
Figure 2: Study Segments



Study Segments

1. Bridgehead Road - Main St. to Wilbur Ave.
2. Empire Avenue - Main St. to Laurel Rd.
3. Empire Avenue - Laurel Rd. to South City Limits
4. Laurel Road - O'Hara Ave. to Rose Ave.
5. Laurel Road - Rose Ave. to Main St.
6. Laurel Road - Main St. to Teton Rd.
7. Live Oak Avenue - Main St. to Oakley Rd.
8. Live Oak Avenue - Oakley Rd. to Neroly Rd.
9. Neroly Road - Main St. to Oakley Rd.
10. Neroly Road - Oakley Rd. to Live Oak Ave.
11. Neroly Road - Laurel Rd. to Empire Ave.
12. Oakley Road - Empire Ave. to Live Oak Ave.
13. Oakley Road - Live Oak Ave. to West City Limits
14. O'Hara Avenue - W. Cypress Rd. to Laurel Rd.
15. O'Hara Avenue - Laurel Rd. to Neroly Rd.
16. Rose Avenue - Laurel Rd. to Simoni Ranch Rd.
17. Sellers Avenue - E. Cypress Rd. to Delta Rd.

Figure 3: Existing Speed Limits



Study Segments

1. Bridgehead Road - Main St. to Wilbur Ave.
2. Empire Avenue - Main St. to Laurel Rd.
3. Empire Avenue - Laurel Rd. to South City Limits
4. Laurel Road - O'Hara Ave. to Rose Ave.
5. Laurel Road - Rose Ave. to Main St.
6. Laurel Road - Main St. to Teton Rd.
7. Live Oak Avenue - Main St. to Oakley Rd.
8. Live Oak Avenue - Oakley Rd. to Neroly Rd.
9. Neroly Road - Main St. to Oakley Rd.
10. Neroly Road - Oakley Rd. to Live Oak Ave.
11. Neroly Road - Laurel Rd. to Empire Ave.
12. Oakley Road - Empire Ave. to Live Oak Ave.
13. Oakley Road - Live Oak Ave. to West City Limits
14. O'Hara Avenue - W. Cypress Rd. to Laurel Rd.
15. O'Hara Avenue - Laurel Rd. to Neroly Rd.
16. Rose Avenue - Laurel Rd. to Simoni Ranch Rd.
17. Sellers Avenue - E. Cypress Rd. to Delta Rd.

1.1 Relevant California Vehicle Code Sections

Applicable California Vehicle Code (CVC) Code sections for conducting an E&TS are summarized below:

CVC SECTION 235 – BUSINESS DISTRICT: An area in which at least 50 percent of the properties are used for business for a minimum distance of 400 feet on one side or 300 feet on both sides of a highway.

CVC SECTION 515 – RESIDENCE DISTRICT: An area outside of the Business District along a highway that has a minimum of 13 separate dwelling units on one side, or 16 on both sides within a distance of a quarter mile.

CVC SECTION 627 – ENGINEERING AND TRAFFIC SURVEY: A survey of highway and traffic conditions in accordance with methods determined by the California Department of Transportation (Caltrans) for use by state and local authorities, which shall include consideration of prevailing speeds as determined by traffic engineering measurements, collision records, and highway, traffic, and roadside conditions not readily apparent to the driver. Local authorities may also consider residential district density (as defined in Section 515) and pedestrian and bicyclist safety.

CVC SECTION 22349 – MAXIMUM SPEED LIMITS: Provides that no person shall drive a vehicle upon a highway at a speed greater than 65 mph. An exception to this, as stated in CVC Section 22356, is that Caltrans may increase the speed and these increases can only be made after consultation with the California Highway Patrol (CHP) and based on an engineering and traffic survey. Even if the maximum speed is raised, certain vehicles are still not permitted to be driven over 55 mph. These are listed below:

- Motor trucks having three or more axles or any truck towing another vehicle
- Passenger vehicles towing other vehicles
- School buses transporting school pupils
- Farm labor vehicles transporting passengers
- Vehicles transporting explosives

CVC SECTION 22350 – BASIC SPEED LAW: Provides that no person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property. In other words, a driver violates the basic speed law if he or she is driving at unsafe speeds, even if that speed is lower than the posted regulatory speed limit sign.

CVC SECTION 22351 – SPEED LAW VIOLATIONS: States that the speed of any vehicle upon a highway not in excess of the limits specified in CVC Section 22352 or established as authorized in the CVC is lawful unless clearly proved to be in violation of the Basic Speed Law. This same section also states that the speed of any vehicle upon a highway in excess of the prima facie speed limits in CVC Section 22352 or established as authorized in the CVC is unlawful unless the defendant establishes by competent evidence

that the speed in excess of said limits did not constitute a violation of the Basic Speed Law at the time, place and under the conditions then existing.

CVC SECTION 22352 – PRIMA FACIE SPEED LIMITS: Establishes prima facie speed limits for local roads and streets. The term "prima facie", as used in the CVC, is a speed limit that applies when no other specific speed limit is posted. It is a Latin term meaning "at first face" or "at first appearance". It is also defined as "first view" and "before investigation". Prima facie evidence is evidence sufficient to establish fact, or to raise presumption of fact, unless rebutted. These speed limits shall be applicable unless changed as authorized in the CVC and, if so changed, only when signs have been erected giving notice thereof. It sets two speed limits covering six classes of location.

A speed limit of 15 mph applies at railroad crossings, at uncontrolled highway intersections with obstructed view, and on alleys. A speed limit of 25 mph applies on any highway other than State highways in any business or residence district, unless a different limit is established by procedures described in the CVC. The 25 mph limit also applies in school zones.

CVC SECTION 22357 (INCREASE OF LOCAL SPEED LIMITS TO 65 MPH) AND CVC SECTION 22358 (DECREASE OF LOCAL SPEED LIMITS): Authorizes local authorities to establish prima facie speed limits on streets and roads under their jurisdiction, on the basis of an engineering and traffic survey.

CVC SECTION 22358.3 (DECREASE ON NARROW STREETS) AND CVC SECTION 22358.4 (DECREASE OF LOCAL LIMITS NEAR SCHOOLS OR SENIOR CENTERS): Authorizes local agencies to reduce prima facie speed limits to 20 or 15 mph on narrow streets (with roadway width less than 25 feet), school zones, or senior centers on the basis of engineering and traffic surveys.

CVC SECTION 22358.5 – DOWNWARD SPEED ZONING: Physical conditions such as width, curvature, grade, and surface conditions, or any other condition readily apparent to a driver, in the absence of other factors, would not require special downward speed zoning.

CVC SECTION 22358.6 – ROUNDING OF SPEED LIMITS: Authorizes local agencies to round speed limits to the nearest five miles per hour of the 85th percentile speed of the free-flowing traffic. In cases where the 85th percentile speed results in rounding up to the nearest five-mile per hour increment, the local authority may round the speed limit down to the lower five-mile per hour increment. Local authorities may additionally lower the speed limit as provided by CVC Section 22358.7 and CVC Section 22358.8.

CVC SECTION 22358.7 – 5 MPH SPEED LIMIT REDUCTION: Authorizes local agencies to reduce the speed limit by an additional 5 mph if the portion of highway has been designated as a "safety corridor," as defined in the *California Manual on Uniform Traffic Control Devices* (CA MUTCD) and in **Table 3**, or if the portion of highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians, especially those from vulnerable groups such as children, senior, persons with disabilities, and the unhoused.

The procedure of rounding speed limits according to CVC Section 22358.6 and CVC Section 22358.7 is tabulated in **Table 2**.

Table 2: Examples of Applicability of Rounding and Speed Limit Reductions on Local Agency Roadways

85th-Percentile Speed (mph)	Rounding to nearest 5 mph increment (CVC 22358.6(a))	If rounding to nearest is up, may round down (CVC 22358.6(c))	If rounding to nearest is down, may additionally lower by 5 mph (CVC 22358.6(b))	If safety corridor or adjacent to high concentration of bicyclists & pedestrians, may additionally lower by 5 mph (CVC 22358.7)
47.5-50.0	50	45	No	40
45.1-47.4	45	No	40	35
42.5-45.0	45	40	No	35
40.1-42.4	40	No	35	30

Source: 2014 CA MUTCD, Revision 7, Table 2B-104(CA)

Table 3: Safety Corridor Definition Requirements

Category	Factors
Crash Weighting Factors to Develop One Serious/Fatal Injury Safety Corridor	Crash weighting can be developed using fatal and serious injury crash data and other factors to prioritize safety corridors. Suggested weighting factors are as follows: • Crash severity: Fatal Crashes, Serious Injury Crashes • Mode: Pedestrian-bicycle related crashes, vehicle/other • Disadvantaged Community Status: MPO/RTPA or locally defined disadvantaged community status based on most current version of CalEnviroScreen • Vulnerable Populations: Seniors (age 65 and older) and Youth (under age 15) based on the American Community Survey • School proximity (within 0.25 miles) based on the California School Campus Database
Crash Density	Each roadway segment block can be converted into ~ 0.25 mile overlapping "corridor" segments to create a consistent unit of measurement and assess the concentration of linear patterns of injuries within a define[d] distance. The highest scoring (i.e. most fatal and serious injury crashes per mile) "corridor" segments within a street needs to be identified and an appropriate threshold set to determine safety corridor eligibility.
Maintenance	The jurisdiction can establish a review and re-evaluation frequency for safety corridors. However, such frequency need not exceed seven years.

Source: 2014 CA MUTCD, Revision 7, Table 2B-105(CA)

Table 4: Land Uses and Facilities that Generate High Concentrations of Bicyclists and/or Pedestrians

Category	Generator
Land Use	Employment centers Presence of retail Parks, multi-use trails, and recreational destinations Schools/universities Senior Centers Cultural areas, entertainment space areas, or areas of community significance Religious facilities Health/medical facilities
Transit Factors	Transit stops Transit Oriented Developments/Transit Priority Areas
Presence of Pedestrian/Bicyclist Infrastructure	Sidewalk presence Crosswalk presence Bikeway presence Nearby signalized intersections on four-way intersections Presence of micromobility devices such as bicycles or scooters
Demographic Factors	Presence of vulnerable groups including children, seniors, persons with disabilities, users of personal assistive mobility devices, and the unhoused MPO/RTPA or locally defined disadvantaged community status Presence of students (all levels)
Local Data	Need identified in a safety analysis such as a road safety audit or formalized planning document such as a local road safety plan

Source: 2014 CA MUTCD, Revision 7, Table 2B-106(CA)

CVC SECTION 22358.8 – RETAINMENT OF LOCAL SPEED LIMIT: Authorizes local agencies to retain an existing speed limit on a portion of highway if it was established in a previous E&TS with a speed limit certification sheet and if a registered traffic engineer has determined that no additional general purpose lanes have been added to the portion of highway since completion of the previous E&TS.

CVC SECTION 40802 (A)(2) – PRIMA FACIE SPEED LIMITS: Provides that prima facie speed limits established under CVC Sections 22352(b)(1), 22354, 22357, 22358, and 22358.3 may not be enforced by radar unless the speed limit has been justified by an engineering and traffic survey within the last five years. This CVC section does not apply to a local street, road or school zone.

CVC SECTION 40802 (B) – PRIMA FACIE SPEED LIMITS: For purposes of this section, a local street or road is one that is functionally classified as "local" on the "California Road System Maps," that are approved by the Federal Highway Administration and maintained by the Department of Transportation. When a street or road does not appear on the "California Road System Maps," it may be defined as a "local street or road" if it primarily provides access to abutting residential property and meets the following three conditions:

- Roadway width of not more than 40 feet.
- Not more than one-half of a mile of uninterrupted length. Interruptions shall include official traffic control signals as defined in CVC Section 445.
- Not more than one traffic lane in each direction.

2.0 DATA COLLECTION AND ANALYSIS

The basic purpose of this study is to evaluate selected arterial, collector, and local streets within the City of Oakley limits and to recommend appropriate speed limit revisions consistent with current laws and practices of California. The TJKM team, in coordination with the City of Oakley staff, coordinated the E&TS. The data collection procedure and speed survey analysis methodology is briefly discussed below.

2.1 Radar Speed Surveys and Analysis

The speed surveys involve the use of radar guns to collect sample speeds on selected street segments. A key aspect for conducting the surveys is to ensure that street segments with unique characteristics are individually surveyed. The most crucial component of a speed zone survey is the selection of locations for the data collection task. The prevailing speed at the data collection point was selected to be representative of the entire speed zone area.

The project team worked with the City of Oakley staff and finalized the 17 street segments to be analyzed in this E&TS. Radar speed surveys were conducted in spring 2024 on days with fair weather, clear visibility, and dry pavement conditions. The survey locations were selected where the prevailing speeds were representative of the entire street segment and were not too close to any traffic control device. The selected locations were situated beyond the influence of stops, dips, curves, parked vehicles, and any other condition that may affect the normal rate of travel. An effort was made to ensure that the presence of radar survey equipment did not affect the speed of the traffic being surveyed.

The radar speed surveys were conducted for all study segments, using calibrated radar equipment by certified technicians. Most samples sizes for a particular segment include around 100 vehicles. In the case of low volume roadways, surveys were conducted for a minimum of a 90 minute period.

A Speed Survey Form was used to collect and summarize the following attributes:

- Street surveyed
- Precise location
- Street direction
- Date/day of the survey
- Start time & end time of survey
- Number of vehicles surveyed
- 85th percentile speed, 50th percentile speed, 10 mile pace
- Percent and number of vehicles observed within the 10 mph pace speed
- Percent and number of vehicles observed below pace
- Percent and number of vehicles observed above pace
- Range of speeds observed and standard deviation

A description of some of the attributes is provided below:

50TH PERCENTILE SPEED (MEDIAN SPEED): The speed above and below which 50 percent of the sample speeds were observed. This value indicates the speed that a driver may choose to drive without the influence of any speed limits, speed signs, or enforcement.

85TH PERCENTILE SPEED (CRITICAL SPEED): The speed at or below which 85 percent of the sample speeds were observed. The 85th percentile speed of a spot speed survey is the primary indicator of the appropriate speed limit for a section of the roadway.

10 MPH PACE SPEED: The 10 mph increment (range) of speeds containing the greatest number of vehicles. In most cases, the 85th percentile speed and the recommended speed lie within the range, frequently in the middle to upper range of the interval. The percent of vehicles that fall within the pace speed is an indicator of the bunching of vehicular speeds. The number of observed vehicles within the 10 mph pace is often between 40 and 80 percent of the entire sample.

AVERAGE SPEED: The average speed is simply the cumulative speed divided by the number of observed vehicles.

SPEED RANGE: The range of speed is simply the difference in speeds of the fastest and slowest vehicles observed. A large range of speeds (in excess of 30 mph, for example) indicates less favorable conditions than a smaller range. The greater the range, the more inconsistency in travel speeds with a greater likelihood of traffic collisions. In general, uniform speeds result in a smooth progression of traffic.

The radar speed survey data was compiled and analyzed to determine the 50th percentile speed, the 85th percentile speed, the average speed, the speed range, the 10 mph pace speed, and the percent of vehicles observed within the 10 mph pace.

Table 5 presents the speed survey summary with existing speed limits, median speed, critical speed, 10 mile pace speed, and the percent of vehicles observed within pace. The completed speed survey forms for all 17 study segments are included in the **Appendix**.

2.2 Average Daily Traffic (ADT) Volumes

The TJKM team collected average daily traffic (ADT) counts for all study segments by conducting tube counts along the segments. These counts were used to determine the collision rates for each segment, which in turn was used as a factor in determining the appropriate speed limit for each segment. **Table 6** summarizes the roadway classification and ADT volumes for each study segment. The existing ADT volumes for the survey segments are illustrated in **Figure 4.** The ADT counts are available in the **Appendix**.

2.3 Field Observations

A final field check was conducted by driving each study segment while "floating" with prevailing traffic to determine the speed of traffic that is reasonable from the engineer's viewpoint. The traffic engineer evaluates the appropriateness of the 85th percentile speed and adds the perspective of human judgment to set the appropriate speed limit. Factors such as roadside development, the number and location of driveways, parked vehicles; emergency shoulder areas, schools and playgrounds, areas frequented by pedestrians, horizontal and vertical alignment of the roadway, intersection spacing, visibility and control, landscaping, street fixtures, and other less tangible factors, all contribute to finalizing the recommended speed limits.

Table 5: Speed Survey Summary

No.	Street	Survey Limits	Existing Speed Limit (mph)	No. Speed Data Collected	Median (mph)	85th Percentile (mph)	10-Mile Pace (mph)	Percent w/in Pace
1	Bridgehead Road	Main Street to Wilbur Avenue	45	159	40	45	34-43	74%
2	Empire Avenue	Main Street to Laurel Road	40	130	39	44	35-44	79%
3	Empire Avenue	Laurel Road to Southern City limits	45	202	43	49	37-46	66%
4	Laurel Road	O'Hara Avenue to Rose Avenue	40	156	42	44	36-45	90%
5	Laurel Road	Rose Avenue to Main Street	40	112	37	40	32-41	87%
6	Laurel Road	Main Street to Teton Road	35	118	35	41	30-39	69%
7	Live Oak Avenue	Main Street to Oakley Road	35	138	35	41	29-38	64%
8	Live Oak Avenue	Oakley Road to Neroly Road/Live Oak Road	40	172	39	43	35-44	92%
9	Neroly Road	Main Street to Oakley Road	40	175	38	43	32-41	67%
10	Neroly Road	Oakley Road to Live Oak Avenue	45	168	41	46	35-44	76%
11	Neroly Road	Laurel Road to Empire Avenue	50	141	48	52	43-52	84%
12	Oakley Road	Empire Avenue to Live Oak Avenue	35	126	35	40	31-40	68%
13	Oakley Road	Live Oak Avenue to Western City limits	45	153	41	48	38-47	61%
14	O'Hara Avenue	West Cypress Road to Laurel Road	35	121	36	40	32-41	82%
15	O'Hara Avenue	Laurel Road to Neroly Road	40	125	41	46	35-44	75%
16	Rose Avenue	Laurel Road to Simoni Ranch Road	40	125	38	42	34-43	74%
17	Sellers Avenue	East Cypress Road to Delta Road	50	120	43	47	38-47	74%

Table 6: Average Daily Traffic Volumes

No.	Street	Survey Limits	Direction	Roadway Classification	No. of Lanes	Average Daily Traffic Volumes		
						NB/EB	SB/WB	Two Way Total
1	Bridgehead Road	Main Street to Wilbur Avenue	NB/SB	Major Arterial	2	4,441	4,589	9,030
2	Empire Avenue	Main Street to Laurel Road	NB/SB	Major Arterial	4	9,726	10,702	20,428
3	Empire Avenue	Laurel Road to Southern City limits	NB/SB	Major Arterial	4	6,701	8,016	14,717
4	Laurel Road	O'Hara Avenue to Rose Avenue	EB/WB	Major Arterial	4	9,620	10,432	20,052
5	Laurel Road	Rose Avenue to Main Street	EB/WB	Major Arterial	4	7,855	7,937	15,792
6	Laurel Road	Main Street to Teton Road	EB/WB	Major Arterial	2	3,455	3,421	6,876
7	Live Oak Avenue	Main Street to Oakley Road	NB/SB	Major Arterial	2	1,632	1,201	2,833
8	Live Oak Avenue	Oakley Road to Neroly Road/Live Oak Road	NB/SB	Collector	2	2,269	2,110	4,379
9	Neroly Road	Main Street to Oakley Road	NB/SB	Major Arterial	2	2,802	2,924	5,726
10	Neroly Road	Oakley Road to Live Oak Avenue	NB/SB	Minor Arterial	2	1,593	1,960	3,553
11	Neroly Road	Laurel Road to Empire Avenue	NB/SB	Minor Arterial	2	2,363	2,947	5,310
12	Oakley Road	Empire Avenue to Live Oak Avenue	EB/WB	Major Arterial	3	2,106	2,095	4,201
13	Oakley Road	Live Oak Avenue to Western City limits	EB/WB	Minor Arterial	2	1,657	1,383	3,040
14	O'Hara Avenue	West Cypress Road to Laurel Road	NB/SB	Collector	4	4,073	4,173	8,246
15	O'Hara Avenue	Laurel Road to Neroly Road	NB/SB	Major Arterial	3	4,570	5,035	9,605
16	Rose Avenue	Laurel Road to Simoni Ranch Road	NB/SB	Collector	2	840	914	1,754
17	Sellers Avenue	East Cypress Road to Delta Road	NB/SB	Minor Arterial	2	2,705	2,761	5,466

Figure 4: Daily Traffic Count



Study Segments

1. Bridgehead Road - Main St. to Wilbur Ave.
2. Empire Avenue - Main St. to Laurel Rd.
3. Empire Avenue - Laurel Rd. to South City Limits
4. Laurel Road - O'Hara Ave. to Rose Ave.
5. Laurel Road - Rose Ave. to Main St.
6. Laurel Road - Main St. to Teton Rd.
7. Live Oak Avenue - Main St. to Oakley Rd.
8. Live Oak Avenue - Oakley Rd. to Neroly Rd.
9. Neroly Road - Main St. to Oakley Rd.
10. Neroly Road - Oakley Rd. to Live Oak Ave.
11. Neroly Road - Laurel Rd. to Empire Ave.
12. Oakley Road - Empire Ave. to Live Oak Ave.
13. Oakley Road - Live Oak Ave. to West City Limits
14. O'Hara Avenue - W. Cypress Rd. to Laurel Rd.
15. O'Hara Avenue - Laurel Rd. to Neroly Rd.
16. Rose Avenue - Laurel Rd. to Simoni Ranch Rd.
17. Sellers Avenue - E. Cypress Rd. to Delta Rd.

2.4 Traffic Collision Data

Collisions reported at study segments were obtained from the Statewide Integrated Traffic Records System (SWITRS) database for a period of five years from January 2018 to December 2022. Collision rates are a significant factor in determining the appropriate speed limits.

Table 7 summarizes the type and the total number of collisions for all study segments. **Table 8** and **Figure 5** summarize the collision rates for the study segments in comparison with the statewide averages.

Live Oak Avenue from Main Street to Oakley Road (Study Segment 7) had a particularly high collision rate that was over three times the statewide average collision rate for a comparable roadway. One contributing factor to the high collision rate may be the relatively low traffic volume on Study Segment 7. Another contributing factor is that all of the collisions identified for Study Segment 7 are located at the intersection with Main Street, which has higher traffic volumes and speeds compared to Live Oak Avenue. Therefore, this collision rate is artificially high and not indicative of speed related issues on the Live Oak Avenue segment.

Definitions for Collision Types: The types of collisions and their definitions are defined by CHP and are listed below:

	**Head-On:** Two motor vehicles, approaching from opposite directions, make direct contact. For example, the front of one vehicle collides with the front of another, or prior to impact, one vehicle skids sideways, causing the side of the skidding vehicle to collide with the front of the other.
	**Sideswipe:** One motor vehicle strikes the side of another with a glancing blow. For example, two vehicles are proceeding in the same direction or from opposite directions, and the side of one vehicle strikes the side of the other.
	**Rear End:** Two motor vehicles, traveling in the same direction, make direct contact. For example, the front of one vehicle strikes the rear of another vehicle, or Vehicle #1 approaches Vehicle #2 from the rear and skids sideways during a braking action, causing the side of Vehicle #1 to strike the rear of Vehicle #2.
	**Broadside:** One motor vehicle strikes another vehicle at an angle greater than that of a sideswipe.
	**Hit Object:** A motor vehicle strikes a fixed object or other object.
	**Overturned:** A motor vehicle overturns and no prior collision or hitting an object caused the overturning. This would include a motorcyclist losing control, causing the vehicle to lie down on its side.
	**Auto/Ped:** A vehicle strikes a pedestrian.

Other: A collision not covered in the preceding elements. This entry shall be explained in the narrative, such as a vehicle involved with - a bicycle, train, or animal; an automobile fire; passengers falling or jumping from a vehicle; a vehicle backing; a bicycle involved with a pedestrian or another bicycle, etc.

Table 7: Collision History Summary (Jan. 2018 – Dec. 2022)

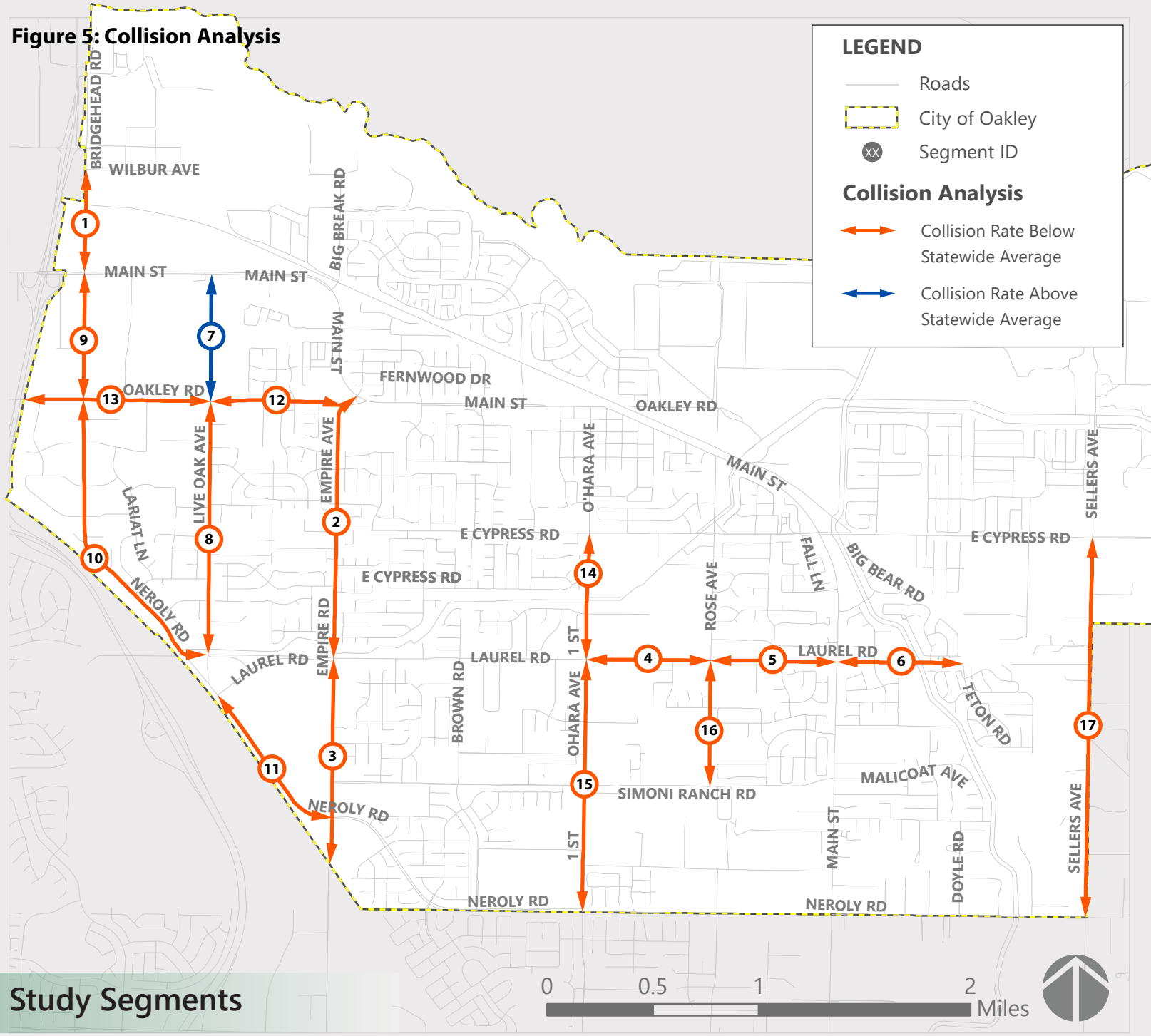
No.	Street	Survey Limits	Total No. of Collisions	Collision Type								Collision Severity				
				Head-On	Sideswipe	Rear End	Broadside	Hit Object	Overturned	Auto/Ped	Other	Fatal	Severe Injury	Other Visible Injury	Injury: Complaint of Pain	Property Damage Only
1	Bridgehead Road	Main Street to Wilbur Avenue	4	0	1	2	1	0	0	0	0	0	0	0	1	3
2	Empire Avenue	Main Street to Laurel Road	39	2	2	12	13	8	1	1	0	0	1	3	10	25
3	Empire Avenue	Laurel Road to Southern City limits	5	0	1	2	2	0	0	0	0	0	0	1	1	3
4	Laurel Road	O'Hara Avenue to Rose Avenue	15	0	1	9	1	3	0	1	0	0	0	1	4	10
5	Laurel Road	Rose Avenue to Main Street	9	0	0	3	4	1	0	0	1	1	0	0	0	8
6	Laurel Road	Main Street to Teton Road	4	0	1	1	1	1	0	0	0	0	0	1	0	3
7	Live Oak Avenue	Main Street to Oakley Road	9	0	1	3	2	3	0	0	0	0	1	0	1	7
8	Live Oak Avenue	Oakley Road to Neroly Road/Live Oak Road	6	0	2	0	2	2	0	0	0	0	0	0	0	6
9	Neroly Road	Main Street to Oakley Road	3	1	0	0	2	0	0	0	0	0	0	0	1	2
10	Neroly Road	Oakley Road to Live Oak Avenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11	Neroly Road	Laurel Road to Empire Avenue	2	0	0	0	0	2	0	0	0	0	0	0	0	2
12	Oakley Road	Empire Avenue to Live Oak Avenue	2	0	0	0	0	1	0	0	1	0	0	0	0	2
13	Oakley Road	Live Oak Avenue to Western City limits	3	0	0	1	1	1	0	0	0	0	0	0	1	2
14	O'Hara Avenue	West Cypress Road to Laurel Road	6	0	0	1	3	2	0	0	0	0	0	0	1	5
15	O'Hara Avenue	Laurel Road to Neroly Road	15	0	1	5	5	4	0	0	0	1	0	0	3	11
16	Rose Avenue	Laurel Road to Simoni Ranch Road	1	0	0	0	1	0	0	0	0	0	0	0	0	1

No.	Street	Survey Limits	Total No. of Collisions	Collision Type								Collision Severity				
				Head-On	Sideswipe	Rear End	Broadside	Hit Object	Overturned	Auto/Ped	Other	Fatal	Severe Injury	Other Visible Injury	Injury: Complaint of Pain	Property Damage Only
17	Sellers Avenue	East Cypress Road to Delta Road	5	0	0	2	2	0	0	0	1	0	0	0	0	5

Table 8: Collision History Comparison with Statewide Averages

No.	Street	Survey Limits	No. of Collisions (Jan 1, 2018 - Dec 31, 2022)	Collision Rate	State Average Collision Rate (2021)	Less than State Average?
1	Bridgehead Road	Main Street to Wilbur Avenue	4	0.60	1.11	Yes
2	Empire Avenue	Main Street to Laurel Road	39	0.97	1.04	Yes
3	Empire Avenue	Laurel Road to Southern City limits	5	0.23	1.04	Yes
4	Laurel Road	O'Hara Avenue to Rose Avenue	15	0.83	1.04	Yes
5	Laurel Road	Rose Avenue to Main Street	9	0.63	1.04	Yes
6	Laurel Road	Main Street to Teton Road	4	0.64	1.11	Yes
7	Live Oak Avenue	Main Street to Oakley Road	9	3.48	1.11	**No**
8	Live Oak Avenue	Oakley Road to Neroly Road/Live Oak Road	6	0.67	1.11	Yes
9	Neroly Road	Main Street to Oakley Road	3	0.57	1.11	Yes
10	Neroly Road	Oakley Road to Live Oak Avenue	0	0.00	1.11	Yes
11	Neroly Road	Laurel Road to Empire Avenue	2	0.30	1.11	Yes
12	Oakley Road	Empire Avenue to Live Oak Avenue	2	0.49	1.11	Yes
13	Oakley Road	Live Oak Avenue to Western City limits	3	0.73	1.11	Yes
14	O'Hara Avenue	West Cypress Road to Laurel Road	6	0.40	1.04	Yes
15	O'Hara Avenue	Laurel Road to Neroly Road	15	0.86	1.11	Yes
16	Rose Avenue	Laurel Road to Simoni Ranch Road	1	0.62	1.11	Yes
17	Sellers Avenue	East Cypress Road to Delta Road	5	0.33	1.11	Yes

Figure 5: Collision Analysis



Study Segments

1. Bridgehead Road - Main St. to Wilbur Ave.
2. Empire Avenue - Main St. to Laurel Rd.
3. Empire Avenue - Laurel Rd. to South City Limits
4. Laurel Road - O'Hara Ave. to Rose Ave.
5. Laurel Road - Rose Ave. to Main St.
6. Laurel Road - Main St. to Teton Rd.
7. Live Oak Avenue - Main St. to Oakley Rd.
8. Live Oak Avenue - Oakley Rd. to Neroly Rd.
9. Neroly Road - Main St. to Oakley Rd.
10. Neroly Road - Oakley Rd. to Live Oak Ave.
11. Neroly Road - Laurel Rd. to Empire Ave.
12. Oakley Road - Empire Ave. to Live Oak Ave.
13. Oakley Road - Live Oak Ave. to West City Limits
14. O'Hara Avenue - W. Cypress Rd. to Laurel Rd.
15. O'Hara Avenue - Laurel Rd. to Neroly Rd.
16. Rose Avenue - Laurel Rd. to Simoni Ranch Rd.
17. Sellers Avenue - E. Cypress Rd. to Delta Rd.

3.0 SPEED LIMIT RECOMMENDATIONS

The setting of speed limits requires a rational and defensible procedure to maintain the confidence of the public and legal systems. Speed limit determinations rely on the premise that a reasonable speed limit is one that conforms to the actual behavior of the majority of drivers; one will be able to select a speed limit that is both reasonable and effective by measuring drivers' speeds.

The speed zoning section of the CA MUTCD was changed in 2004 to require rounding the 85th percentile to the nearest 5 mph increment rather than to the lower 5 mph increment in order to better conform to the standards established in the Federal Highway Administration's (FHWA's) *Manual on Uniform Traffic Control Devices* (MUTCD). This specific guideline revision resulted in raising certain street speed limits and had become a challenge to state and local jurisdictions.

In 2007, the California Traffic Control Devices Committee (CTCDC) ruled to approve a language change in the CA MUTCD to clarify how local speed limits should be set. Caltrans ultimately issued a Traffic Operations Policy Directive (No. 09-04), effective July 1, 2009, which clearly defined these changes and incorporated new requirements into the CA MUTCD. The changes are summarized below:

- Posted speed limits will be set "rounded to the nearest" 5 mph increment of the 85th percentile speed.
- Jurisdictions can lower this speed by an additional 5 mph based on and justified by conditions and factors cited in the California Vehicle Code.

Studies of the effects of establishing, raising, and lowering speed limits include federal studies such as FHWA-RD-92-084 and FHWA-RD-98-154. These studies demonstrate that the most effective attribute in establishing the speed limit is to determine the 85th percentile speed and to set the posted speed close to that value. The empirical data in these studies demonstrates that setting the speed limit too high or too low can increase collisions. Speed limits that are set near the 85th percentile speed of free flowing traffic are safer and produce less variance in vehicle speeds. Because of this, the 85th percentile is used to establish the upper limit of operating speeds that are considered reasonable and prudent. In addition, setting the speed limit arbitrarily low often makes violators of a disproportionate number of drivers, does not facilitate the orderly movement of traffic, and requires constant enforcement to maintain compliance.

The 2014 Edition of the CA MUTCD requires as a standard that a speed limit shall be established at the nearest 5 mph increment of the 85th percentile speed, except that the posted speed may be reduced by 5 mph from the nearest 5 mph increment of the 85th percentile speed in compliance with CVC Sections 627 and CVC 22358.5. According to CVC 21400, for cases in which the nearest 5 mph increment of the 85th percentile speed would require rounding up, the speed limit may be rounded down to the nearest 5 mph increment below the 85th percentile speed if no further reduction is used. The following examples are provided to explain the application of these speed limit criteria:

- If the 85th percentile speed in a speed survey for a location was 37 mph, then the speed limit would be established at 35 mph since it is the closest 5 mph increment to the 37 mph speed. The 35 mph established speed limit can be reduced by additional 5 mph to 30 mph if the conditions and justification for using this lower speed limit are documented in the E&TS and approved by a registered Civil or Traffic Engineer.
- If the 85th percentile speed in a speed survey for a location was 33 mph, then the speed limit would be established at 35 mph since it is the closest 5 mph increment to the 33 mph speed. The 35 mph established speed limit can be reduced by 5 mph to 30 mph if the conditions and justification for using this lower speed limit are documented in the E&TS and are approved by a registered Civil or Traffic Engineer.

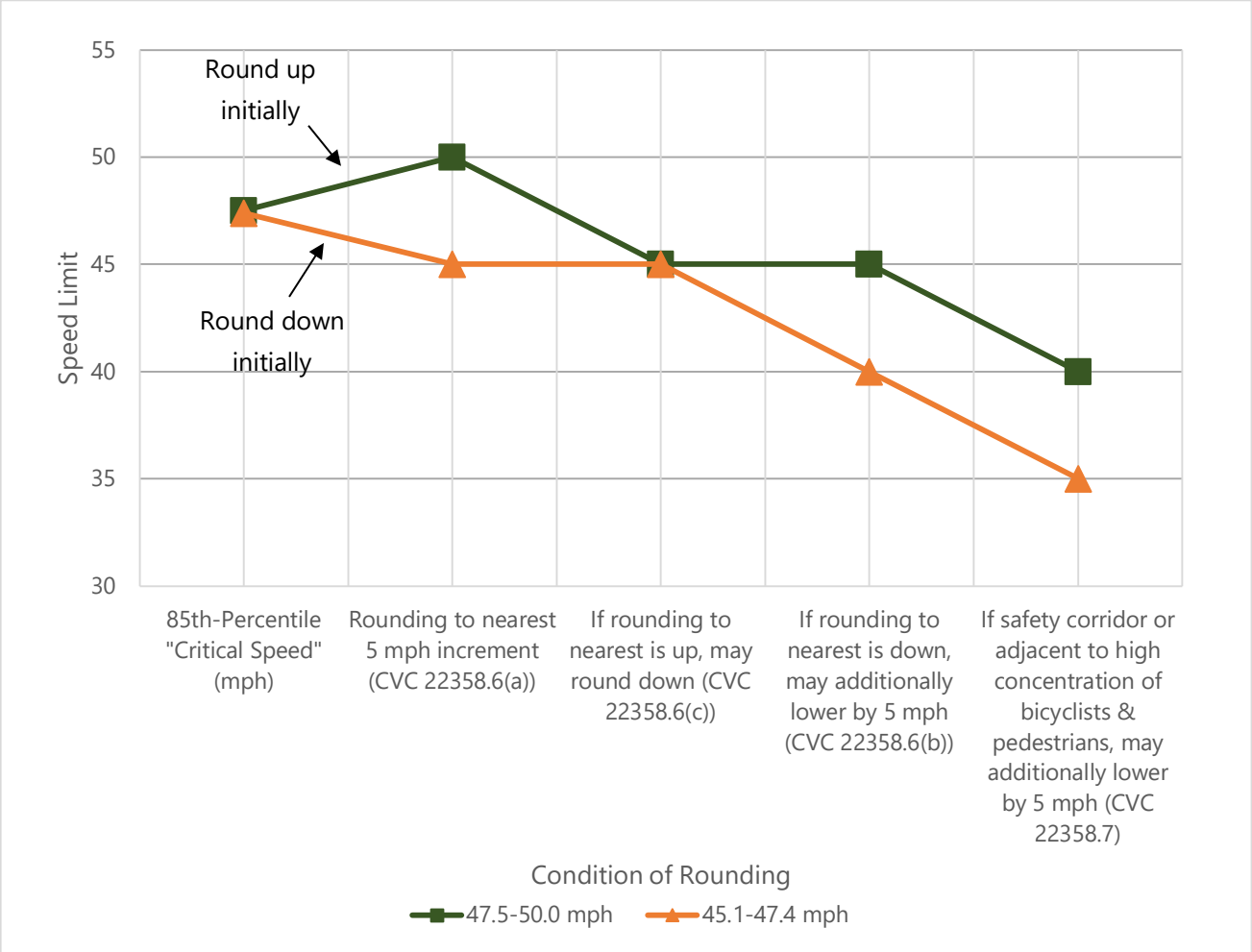
Section 2B.13 of the 2014 CA MUTCD further states that justification for reducing speed limits can be based on residential density, pedestrian/bicyclist safety and other factors not readily apparent to drivers but essential to meet the traffic safety needs of the community. The following factors may be considered to adjust and determine the final speed limits:

- Road characteristics, shoulder condition, grade, alignment, and sight distance
- 10 mph pace speed (a 10 mile range in which the highest number of data is recorded)
- Roadside development and environment
- Parking practices and bicycle/pedestrian activity
- Reported crash experience for at least a 12-month period

On October 8, 2021, the procedure for establishing local speed limits was changed once again with Assembly Bill No. 43 (AB 43) being signed into law (and later clarified by Assembly Bill 1938 in 2022). Whereas the previous procedure required no further action be taken after rounding down to the nearest 5 mph increment below the 85th percentile speed, AB 43 allows a local authority to use an additional 5 mph reduction if a portion of highway has been designated as a "safety corridor" as is defined by Caltrans in the CA MUTCD or if a portion of highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians, particularly those from vulnerable groups such as children, seniors, persons with disabilities, and the unhoused. The procedure is shown in **Figure 6**.

The existing speed limit may also be retained if it was established in a previous E&TS and if a registered traffic engineer has determined that no additional general purpose lanes have been added to the portion of highway since completion of the previous E&TS.

Figure 6: Illustration of Examples of Applicability of Rounding and Speed Limit Reductions on Local Agency Roadways



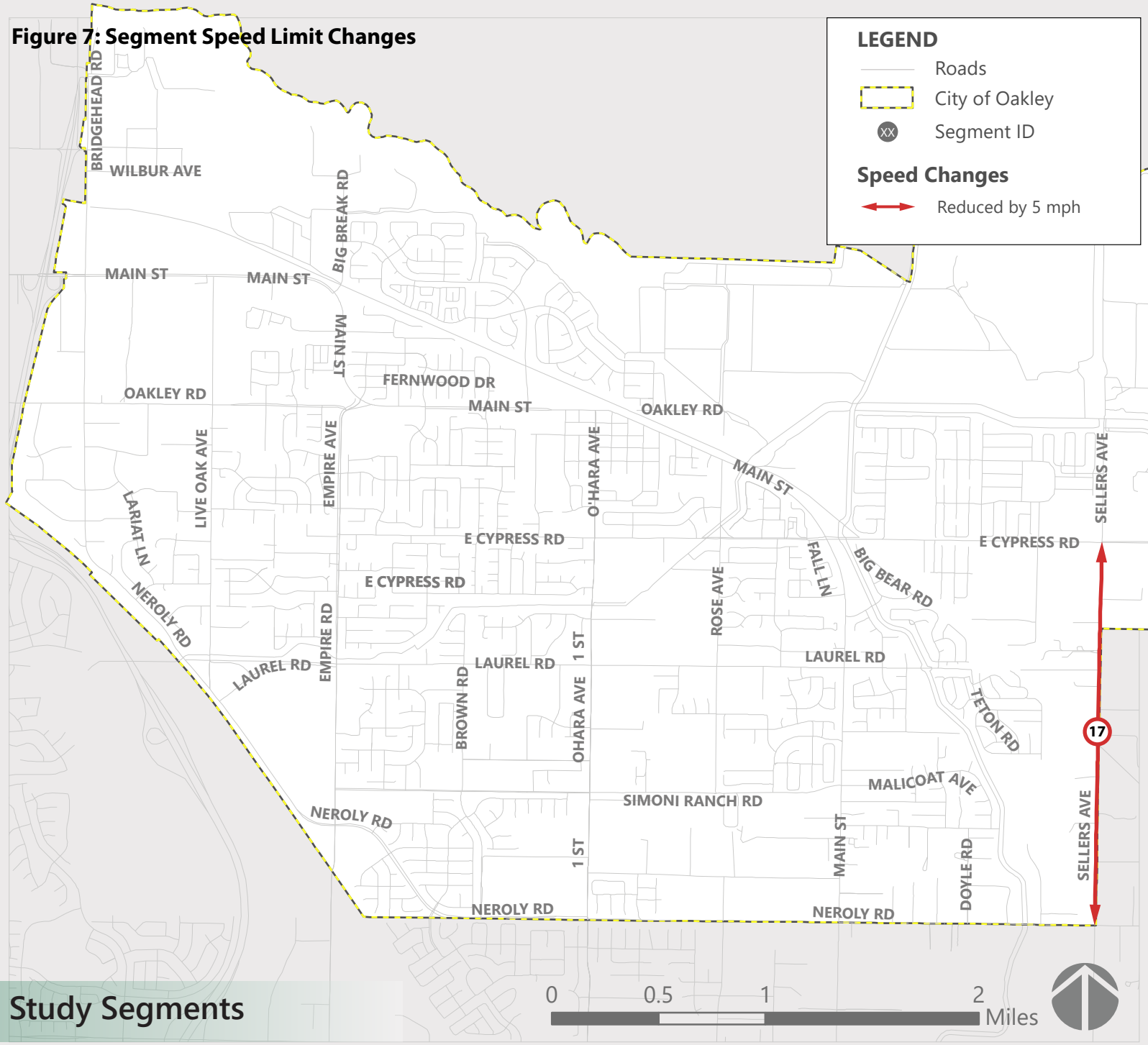
Source: 2014 CA MUTCD, Revision 7, Table 2B-104(CA)

The guidelines from the *California Manual for Setting Speed Limits* published by Caltrans (Rev. January 2024) were followed in this study. The speed limit recommendations are proposed for 17 street segments in the study based on the above discussed guidelines and speed data analysis. The speed limit for each study segment was recommended after determining the average speed, the 85th percentile speed, the pace speed, and considering other significant factors such as existing land use, roadway design characteristics and collision rates. The **Appendix** presents the recommended speed limit certifications of the traffic survey analyses, which include prevailing speed data, collision history, traffic factors, and roadway conditions. The recommended speed limit for each street segment is also shown with a comment on the rationale for the recommendation. **Figure 7** illustrates the segments where speed limit changes are recommended. **Figure 8** illustrates the recommended speed limits at the respective study segments.

Table 9: Recommended Speed Limits Summary

No.	Street	Survey Limits	Existing Speed Limit (mph)	85th Percentile Speed (mph)	Recommended Speed Limit (mph)	Changes to Existing Speed Limit (mph)
1	Bridgehead Road	Main Street to Wilbur Avenue	45	45	45	0
2	Empire Avenue	Main Street to Laurel Road	40	44	40	0
3	Empire Avenue	Laurel Road to Southern City limits	45	49	45	0
4	Laurel Road	O'Hara Avenue to Rose Avenue	40	44	40	0
5	Laurel Road	Rose Avenue to Main Street	40	40	40	0
6	Laurel Road	Main Street to Teton Road	35	41	35	0
7	Live Oak Avenue	Main Street to Oakley Road	35	41	35	0
8	Live Oak Avenue	Oakley Road to Neroly Road/Live Oak Road	40	43	40	0
9	Neroly Road	Main Street to Oakley Road	40	43	40	0
10	Neroly Road	Oakley Road to Live Oak Avenue	45	46	45	0
11	Neroly Road	Laurel Road to Empire Avenue	50	52	50	0
12	Oakley Road	Empire Avenue to Live Oak Avenue	35	40	35	0
13	Oakley Road	Live Oak Avenue to Western City limits	45	48	45	0
14	O'Hara Avenue	West Cypress Road to Laurel Road	35	40	35	0
15	O'Hara Avenue	Laurel Road to Neroly Road	40	46	40	0
16	Rose Avenue	Laurel Road to Simoni Ranch Road	40	42	40	0
17	Sellers Avenue	East Cypress Road to Delta Road	50	47	45	**-5**

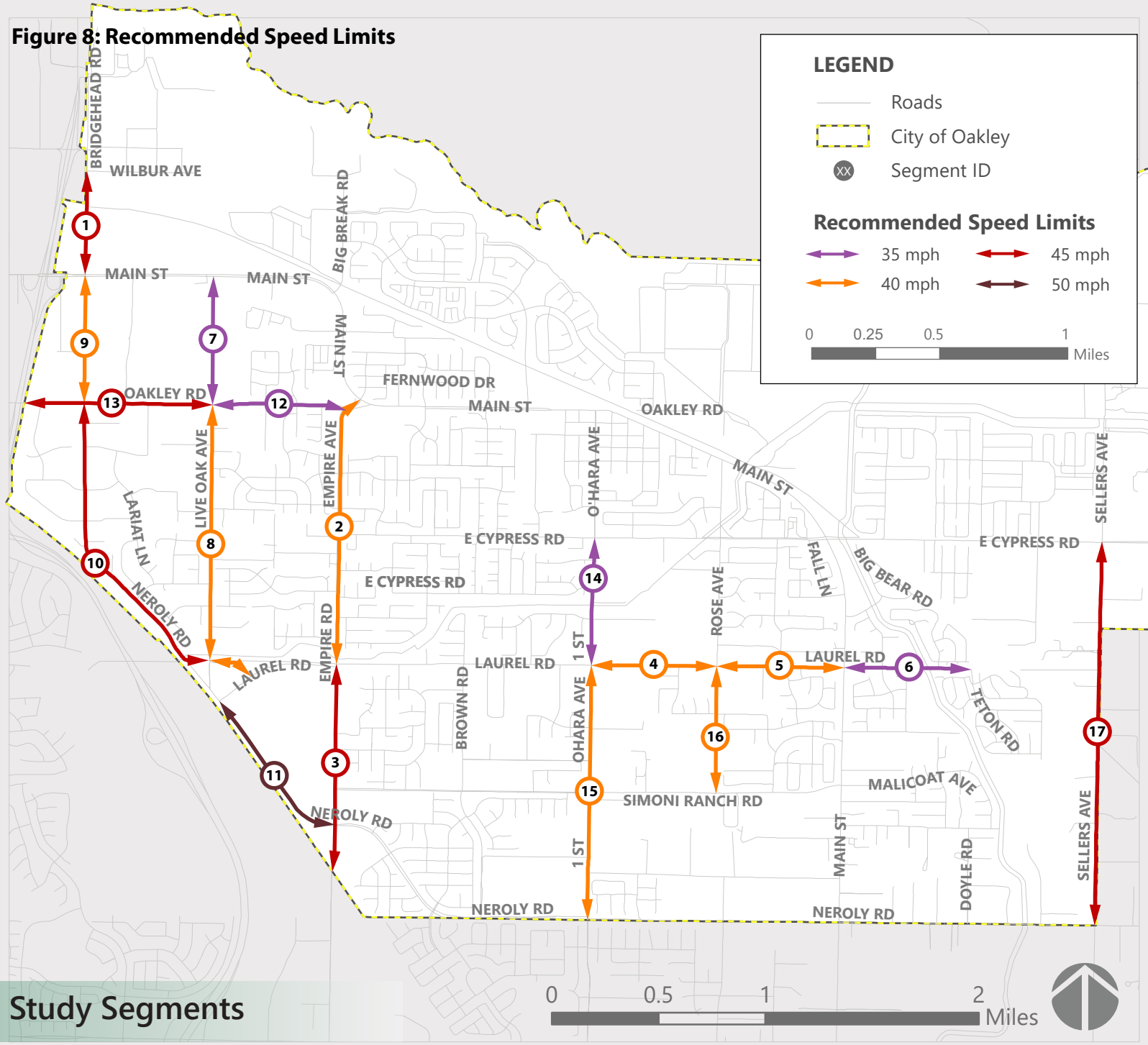
Figure 7: Segment Speed Limit Changes



Study Segments

1. *Bridgehead Road - Main St. to Wilbur Ave.*
2. *Empire Avenue - Main St. to Laurel Rd.*
3. *Empire Avenue - Laurel Rd. to South City Limits*
4. *Laurel Road - O'Hara Ave. to Rose Ave.*
5. *Laurel Road - Rose Ave. to Main St.*
6. *Laurel Road - Main St. to Teton Rd.*
7. *Live Oak Avenue - Main St. to Oakley Rd.*
8. *Live Oak Avenue - Oakley Rd. to Neroly Rd.*
9. *Neroly Road - Main St. to Oakley Rd.*
10. *Neroly Road - Oakley Rd. to Live Oak Ave.*
11. *Neroly Road - Laurel Rd. to Empire Ave.*
12. *Oakley Road - Empire Ave. to Live Oak Ave.*
13. *Oakley Road - Live Oak Ave. to West City Limits*
14. *O'Hara Avenue - W. Cypress Rd. to Laurel Rd.*
15. *O'Hara Avenue - Laurel Rd. to Neroly Rd.*
16. *Rose Avenue - Laurel Rd. to Simoni Ranch Rd.*
17. Sellers Avenue - E. Cypress Rd. to Delta Rd.

Figure 8: Recommended Speed Limits



Study Segments

1. Bridgehead Road - Main St. to Wilbur Ave.
2. Empire Avenue - Main St. to Laurel Rd.
3. Empire Avenue - Laurel Rd. to South City Limits
4. Laurel Road - O'Hara Ave. to Rose Ave.
5. Laurel Road - Rose Ave. to Main St.
6. Laurel Road - Main St. to Teton Rd.
7. Live Oak Avenue - Main St. to Oakley Rd.
8. Live Oak Avenue - Oakley Rd. to Neroly Rd.
9. Neroly Road - Main St. to Oakley Rd.
10. Neroly Road - Oakley Rd. to Live Oak Ave.
11. Neroly Road - Laurel Rd. to Empire Ave.
12. Oakley Road - Empire Ave. to Live Oak Ave.
13. Oakley Road - Live Oak Ave. to West City Limits
14. O'Hara Avenue - W. Cypress Rd. to Laurel Rd.
15. O'Hara Avenue - Laurel Rd. to Neroly Rd.
16. Rose Avenue - Laurel Rd. to Simoni Ranch Rd.
17. Sellers Avenue - E. Cypress Rd. to Delta Rd.

APPENDIX – RECOMMENDED SPEED LIMIT CERTIFICATIONS AND SUPPORTING DATA (SPEED SURVEY COLLECTION FORMS AND AVERAGE DAILY TRAFFIC VOLUMES)

Street: Bridgehead Road
Limits: Main Street to Wilbur Avenue
Direction: NB/SB

Factors

A. Prevailing Speed Data

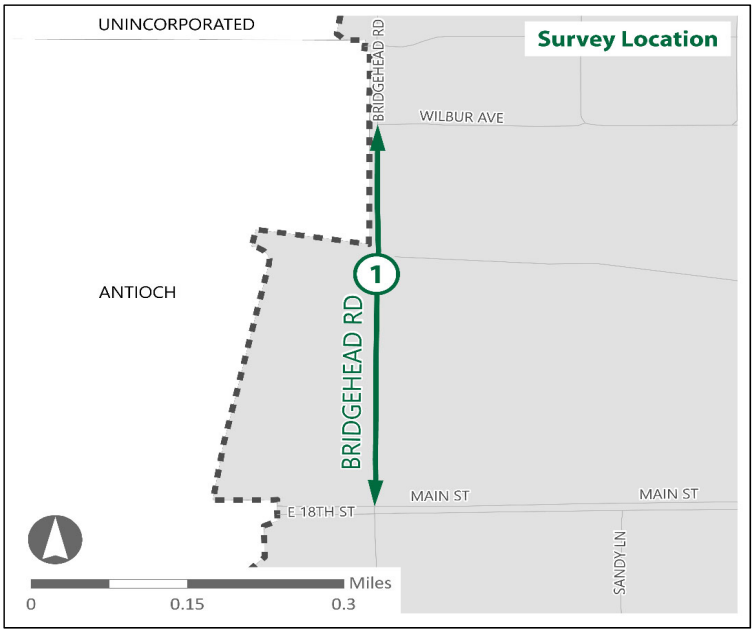
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	45
# Speed Data Collected	159
85th Percentile (mph)	45
10 mph Pace	34-43
Percent in Pace	74%

B. Traffic Factors

Average Daily Traffic (ADT)	9,030
Length of Segment (mi.)	0.41
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	4
Accident Rate (Acc/MVM)	0.60
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Mix of residential (mobile home park), commercial (hotel, gas stations, convenience stores, fast food establishments), industrial (junk yard, utility yard), and open space (agriculture and unused lot) land uses.

Roadway Geometrics
An undivided 2-lane major arterial. Double yellow lines serve as median. Concrete sidewalks present on easterly side and westerly side for approximately 375 feet and 576 feet north of Main Street, respectively. Class II bike lane on westerly side from approximately 247 feet north of Main Street to approximately 576 feet north of Main Street. Signal at intersection with Main St. Remaining side streets are stop controlled. Left-turn lane and right-turn lane pockets present on segment at intersection with Main St. Marked crosswalk present at intersection with Main St. No on-street parking present. No school zone is present. No horizontal curves present. Vertical curves present on approaches to railroad right-of-way. Roadway slopes positively in southerly direction. Low driveway density on both sides. Railroad underpass present approximately 1,350 feet north of Main St.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 45 --> 45

Speed Limit Change?	**No**
Existing Speed Limit: 45	**Recommended Speed Limit: 45**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

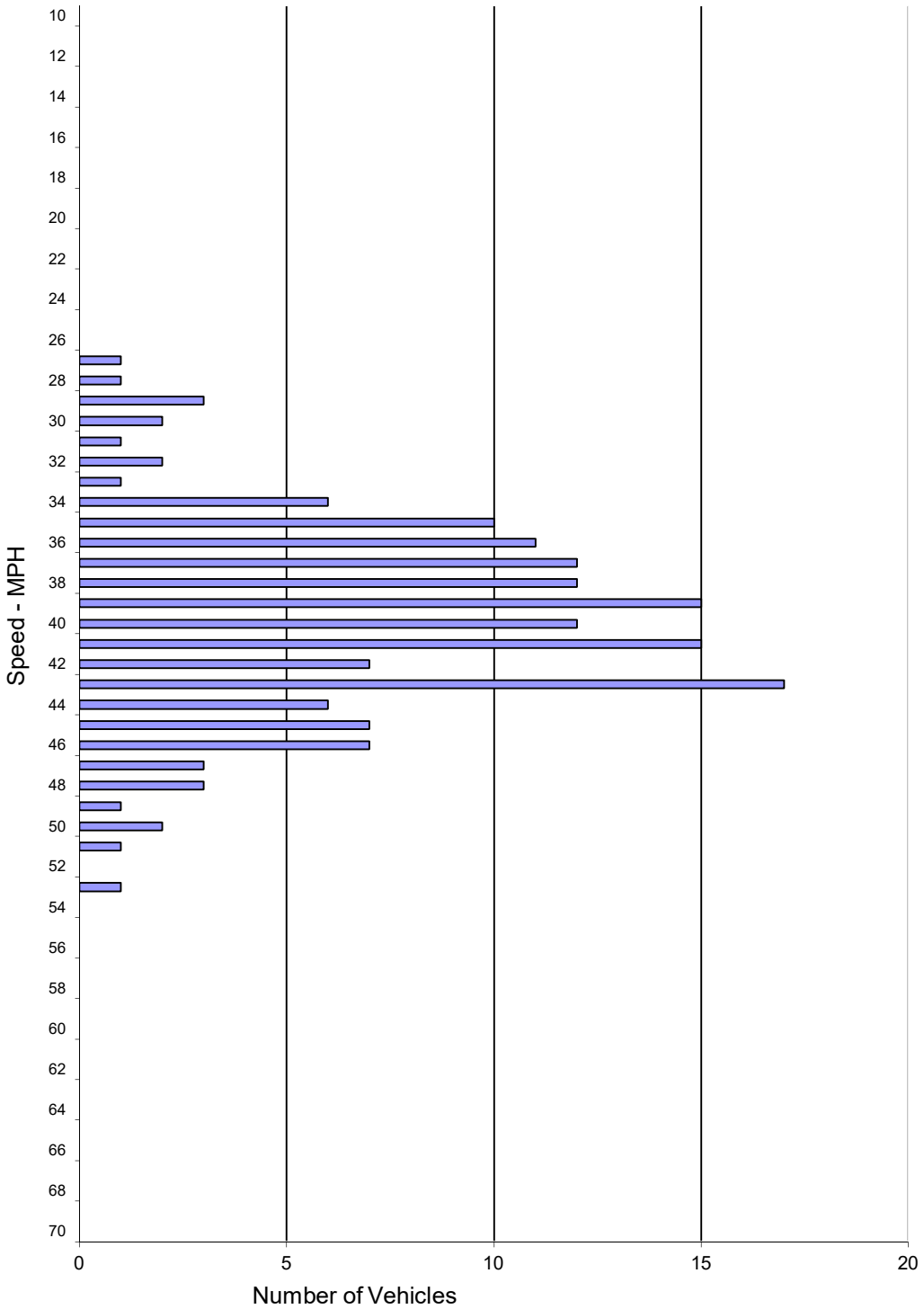
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #1 - Bridgehead Rd Bet Main St & Wilbur Ave
TIME: 09:00-10:00 **Posted Speed:** 45 MPH Clear/Dry **Project #: 24-080067-001**

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	1
28	1
29	3
30	2
31	1
32	2
33	1
34	6
35	10
36	11
37	12
38	12
39	15
40	12
41	15
42	7
43	17
44	6
45	7
46	7
47	3
48	3
49	1
50	2
51	1
52	
53	1
54	
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56	
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58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	159	27 - 53	40 mph	45 mph	34 - 43	117	74%	6% / 11	20% / 31

Spot Speed Study

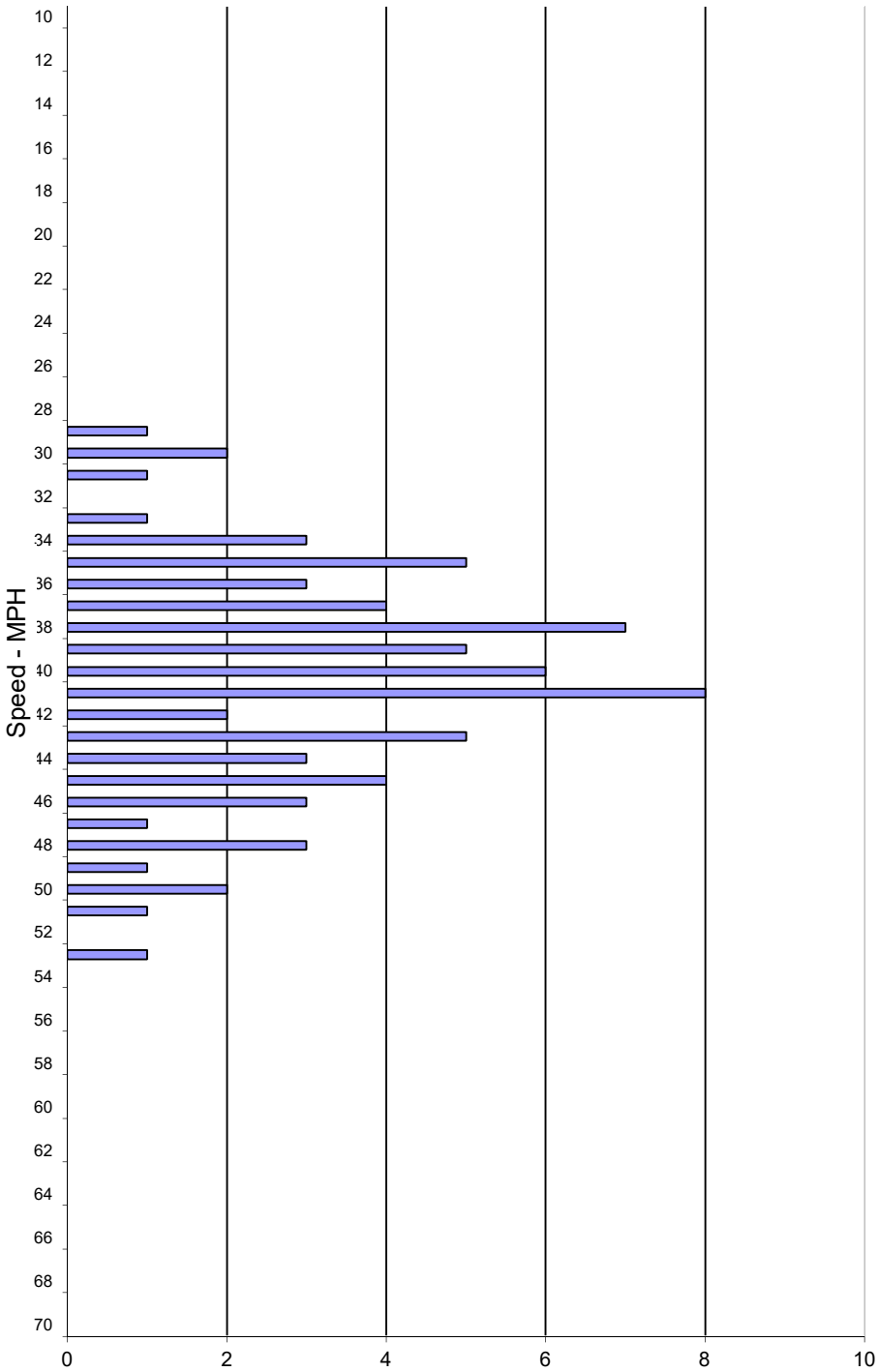
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #1 - Bridgehead Rd Bet Main St & Wilbur Ave
TIME: 09:00-10:00 **Posted Speed:** 45 MPH Clear/Dry **Project #: 24-080067-001**

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	1
30	2
31	1
32	
33	1
34	3
35	5
36	3
37	4
38	7
39	5
40	6
41	8
42	2
43	5
44	3
45	4
46	3
47	1
48	3
49	1
50	2
51	1
52	
53	1
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56	
57	
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67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	72	29 - 53	40 mph	46 mph	34 - 43	48	67%	6% / 5	27% / 19

Spot Speed Study

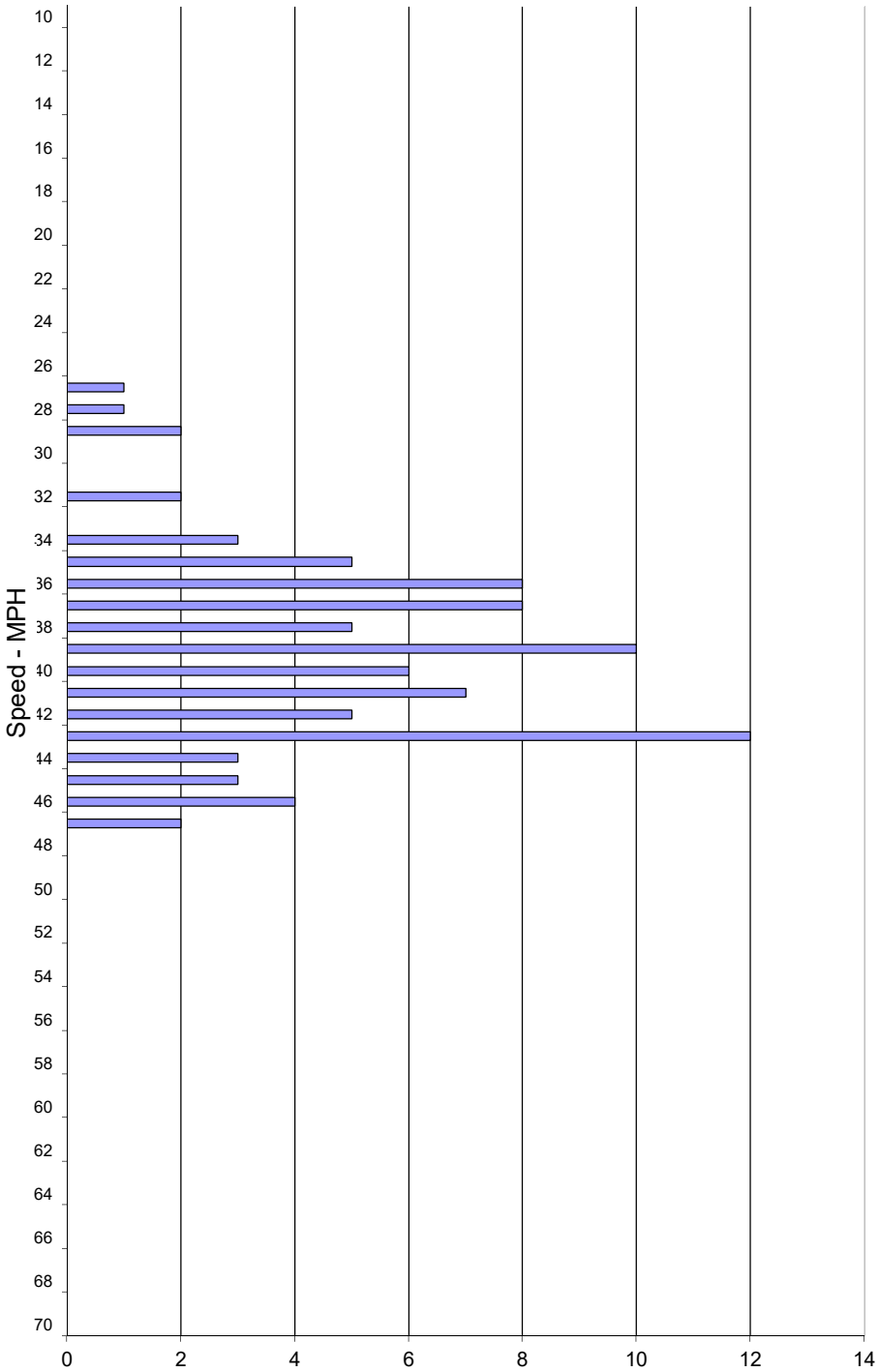
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #1 - Bridgehead Rd Bet Main St & Wilbur Ave
TIME: 09:00-10:00 **Posted Speed:** 45 MPH Clear/Dry **Project #: 24-080067-001**

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	1
28	1
29	2
30	
31	
32	2
33	
34	3
35	5
36	8
37	8
38	5
39	10
40	6
41	7
42	5
43	12
44	3
45	3
46	4
47	2
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	87	27 - 47	39 mph	43 mph	34 - 43	69	79%	6% / 6	14% / 12

Prepared by National Data & Surveying Services

VOLUME

#1 - Bridgehead Rd Bet Main St & Wilbur Ave

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_001

DAILY TOTALS	NB	SB	EB	WB	Total
	4,441	4,589	0	0	9,030

DAILY TOTALS

15-Minutes Interval

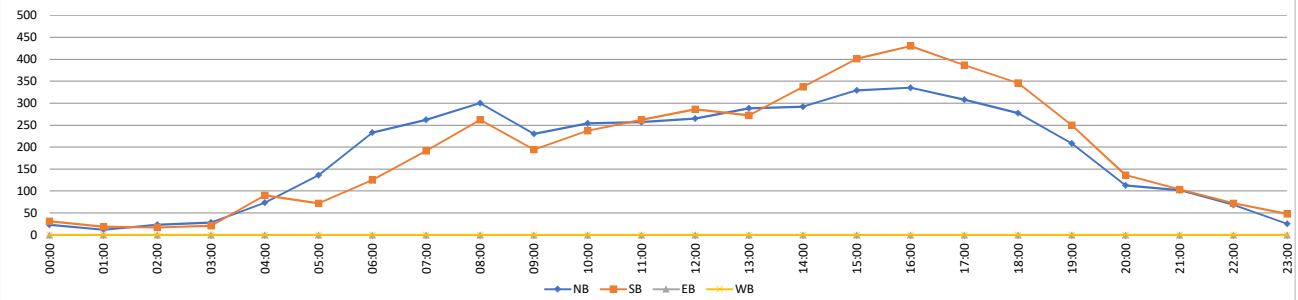
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	4	2			6	12:00	62	86			148
0:15	3	5			8	12:15	61	51			112
0:30	6	15			21	12:30	65	76			141
0:45	10	9			19	12:45	77	73			150
1:00	1	7			8	13:00	73	67			140
1:15	4	4			8	13:15	66	74			140
1:30	1	6			7	13:30	76	66			142
1:45	6	2			8	13:45	73	65			138
2:00	5	4			9	14:00	68	90			158
2:15	2	5			7	14:15	71	75			146
2:30	9	5			14	14:30	73	80			153
2:45	7	3			10	14:45	80	92			172
3:00	6	5			11	15:00	79	105			184
3:15	7	3			10	15:15	74	90			164
3:30	5	7			12	15:30	93	100			193
3:45	10	6			16	15:45	83	106			189
4:00	14	18			32	16:00	71	108			179
4:15	14	11			25	16:15	98	101			199
4:30	20	40			60	16:30	93	99			192
4:45	25	21			46	16:45	73	122			195
5:00	25	18			43	17:00	74	91			165
5:15	34	16			50	17:15	65	95			160
5:30	32	23			55	17:30	73	105			178
5:45	45	15			60	17:45	96	96			192
6:00	45	33			78	18:00	89	97			186
6:15	49	18			67	18:15	79	96			175
6:30	68	37			105	18:30	63	72			135
6:45	71	37			108	18:45	46	81			127
7:00	60	52			112	19:00	75	69			144
7:15	74	33			107	19:15	55	72			127
7:30	61	43			104	19:30	40	61			101
7:45	67	63			130	19:45	38	48			86
8:00	65	61			126	20:00	31	42			73
8:15	86	69			155	20:15	26	38			64
8:30	84	52			136	20:30	31	28			59
8:45	65	80			145	20:45	25	28			53
9:00	64	46			110	21:00	23	27			50
9:15	52	47			99	21:15	22	21			43
9:30	58	49			107	21:30	25	24			49
9:45	56	52			108	21:45	32	31			63
10:00	66	60			126	22:00	19	16			35
10:15	52	50			102	22:15	14	23			37
10:30	58	50			108	22:30	20	15			35
10:45	78	77			155	22:45	15	18			33
11:00	66	78			144	23:00	10	15			25
11:15	63	67			130	23:15	2	13			15
11:30	63	58			121	23:30	7	13			20
11:45	65	59			124	23:45	6	7			13
TOTALS	1831	1521	0	0	3352	TOTALS	2610	3068	0	0	5678
SPLIT %	55%	45%	0%	0%	37%	SPLIT %	46%	54%	0%	0%	63%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	23	31			54
01:00	02:00	12	19			31
02:00	03:00	23	17			40
03:00	04:00	28	21			49
04:00	05:00	73	90			163
05:00	06:00	136	72			208
06:00	07:00	233	125			358
07:00	08:00	262	191			453
08:00	09:00	300	262			562
09:00	10:00	230	194			424
10:00	11:00	254	237			491
11:00	12:00	257	262			519
12:00	13:00	265	286			551
13:00	14:00	288	272			560
14:00	15:00	292	337			629
15:00	16:00	329	401			730
16:00	17:00	335	430			765
17:00	18:00	308	387			695
18:00	19:00	277	346			623
19:00	20:00	208	250			458
20:00	21:00	113	136			249
21:00	22:00	102	103			205
22:00	23:00	68	72			140
23:00	00:00	25	48			73

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	1831	1521			3352
Peak Hour	7:45	10:45			8:00
Peak Volume	302	280			562
Peak Hour Factor	0.878	0.897			0.906
Peak Period	12:00	to	00:00		
Volume	2610	3068			5678
Peak Hour	15:30	16:00			16:00
Peak Volume	345	430			765
Peak Hour Factor	0.880	0.881			0.961
Peak Period	07:00	to	09:00		
Volume	562	453			1015
Peak Hour	7:45	8:00			8:00
Peak Volume	302	262			562
Peak Hour Factor	0.878	0.819			0.906
Peak Period	16:00	to	18:00		
Volume	643	817			1460
Peak Hour	16:15	16:00			16:00
Peak Volume	338	430			765
Peak Hour Factor	0.862	0.881			0.961



Street: Empire Avenue
Limits: Main Street to Laurel Road
Direction: NB/SB

Factors

A. Prevailing Speed Data

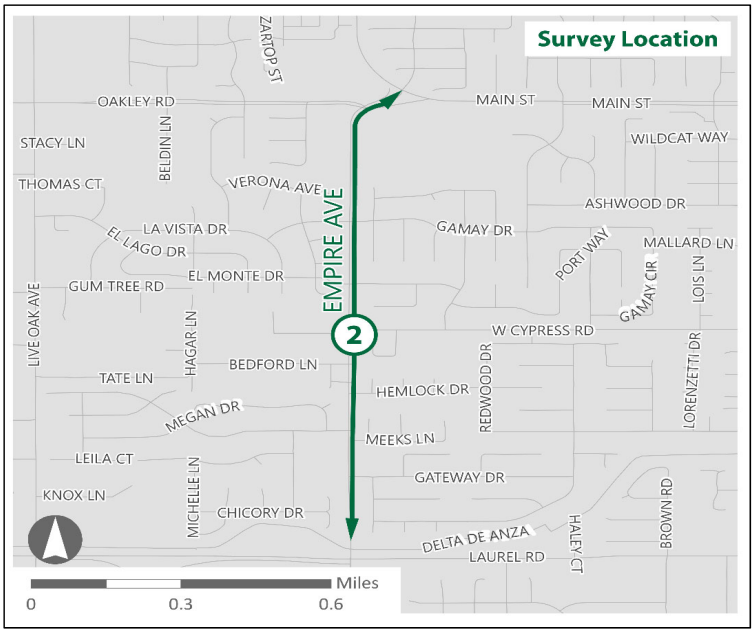
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	40
# Speed Data Collected	130
85th Percentile (mph)	44
10 mph Pace	35-44
Percent in Pace	79%

B. Traffic Factors

Average Daily Traffic (ADT)	20,428
Length of Segment (mi.)	1.08
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	39
Accident Rate (Acc/MVM)	0.97
Statewide Average Accident Rate	1.04



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), commercial (mall), and open space land uses (park and agriculture).

Roadway Geometrics
A divided 4-lane major arterial. Raised median serves as median. Concrete sidewalks present on both sides except for portion of westerly side from Oakley Rd. to approximately 813 feet south of Oakley Rd. Class III sharrows present on both sides along full length of segment. Signals present at intersections with Main St., Oakley Rd., W. Cypress Rd., Gateway Dr., and Laurel Rd. Remaining intersections include side steet stop control. Left-turn lane pockets present along segment at all intersections. Right-turn lane pockets present along segment at all signalized intersections except at Gateway Dr. Marked crosswalks present at intersections with Main St., Oakley Rd., W. Cypress Rd., Truman Ln., Gateway Dr., and Laurel Rd. No on-street parking present. No school zone is present. Broad horizontal curves present at north end of segment. Gentle vertical curves all along segment. Segment slopes positively in southerly direction. Low driveway density on both sides for most of segment. North end of segment as medium driveway density on easterly side. Ped-bike trail present along canal at southern end of segment.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 44 --> 45
§22358.6(b) - Not applicable
§22358.6(c) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded up from the 85th percentile speed: 45 --> 40

Speed Limit Change?	**No**
Existing Speed Limit: 40	**Recommended Speed Limit: 40**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

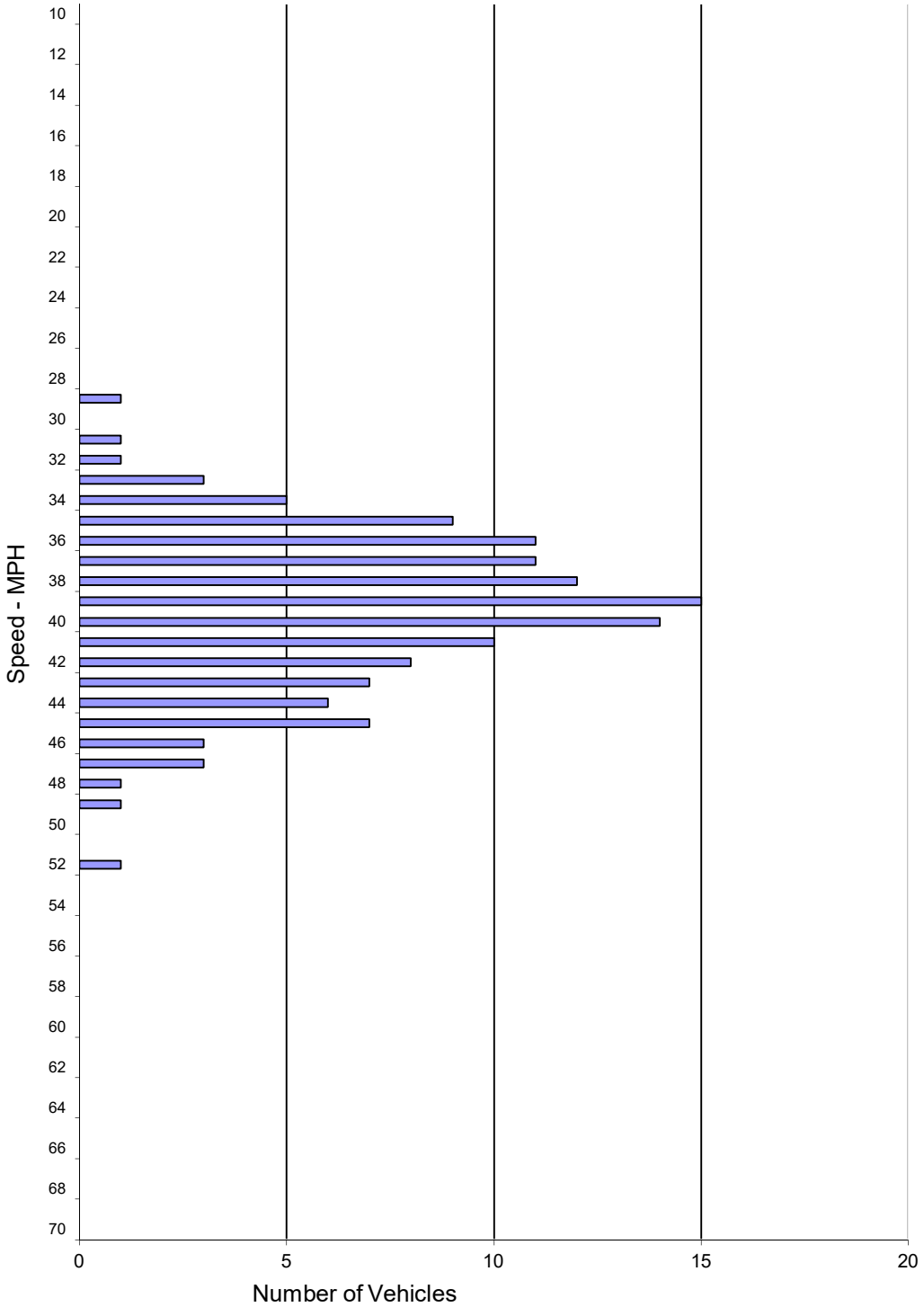
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #2 - Empire Ave Bet Laurel Rd & Main St
TIME: 12:15-13:00 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-002**

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	1
30	
31	1
32	1
33	3
34	5
35	9
36	11
37	11
38	12
39	15
40	14
41	10
42	8
43	7
44	6
45	7
46	3
47	3
48	1
49	1
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51	
52	1
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	130	29 - 52	39 mph	44 mph	35 - 44	103	79%	8% / 11	13% / 16

Spot Speed Study

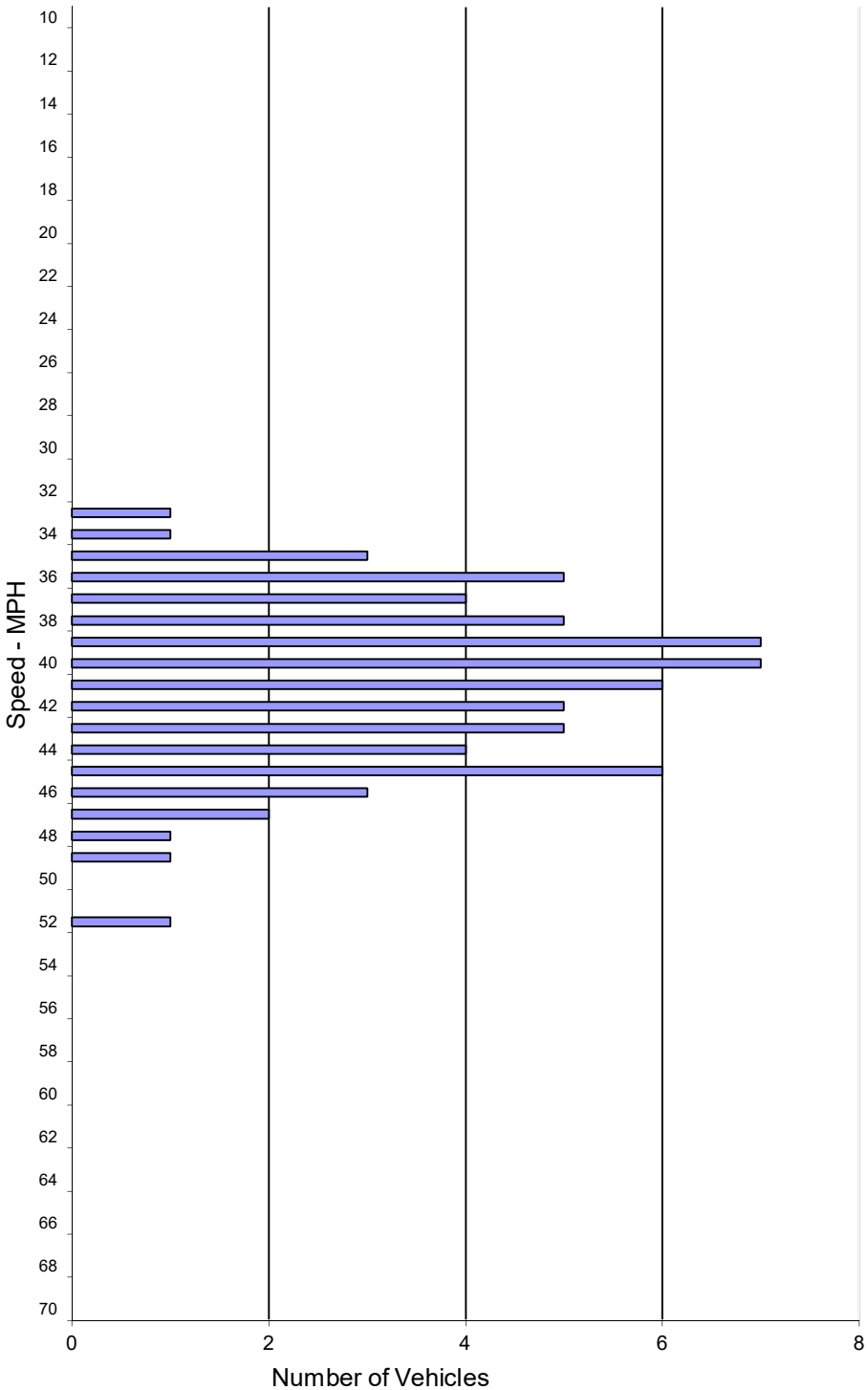
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #2 - Empire Ave Bet Laurel Rd & Main St
TIME: 12:15-13:00 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-002**

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
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33	1
34	1
35	3
36	5
37	4
38	5
39	7
40	7
41	6
42	5
43	5
44	4
45	6
46	3
47	2
48	1
49	1
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51	
52	1
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67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	67	33 - 52	41 mph	45 mph	36 - 45	54	81%	7% / 5	12% / 8

Spot Speed Study

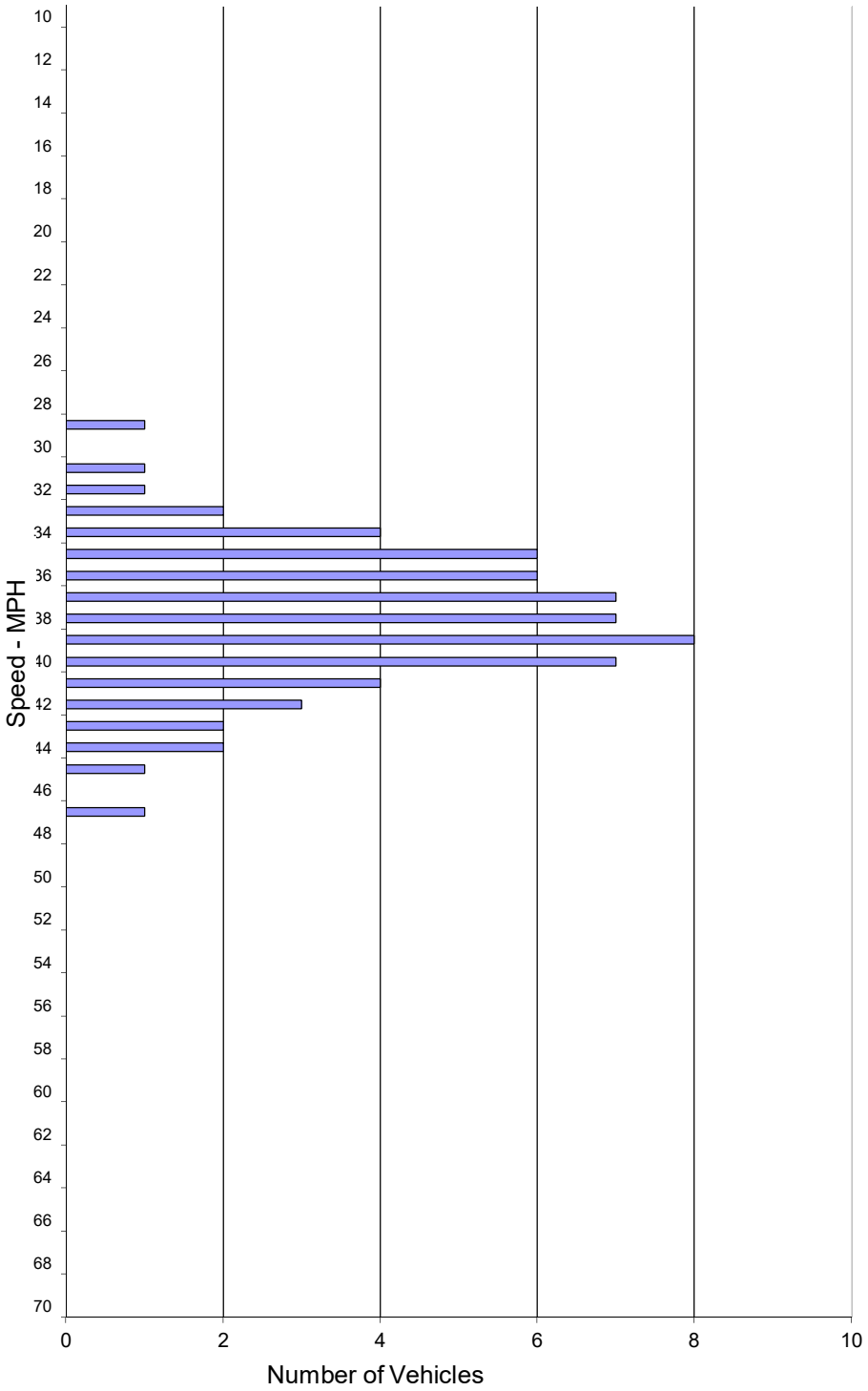
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #2 - Empire Ave Bet Laurel Rd & Main St
TIME: 12:15-13:00 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-002**

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
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14	
15	
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22	
23	
24	
25	
26	
27	
28	
29	1
30	
31	1
32	1
33	2
34	4
35	6
36	6
37	7
38	7
39	8
40	7
41	4
42	3
43	2
44	2
45	1
46	
47	1
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	63	29 - 47	38 mph	41 mph	33 - 42	54	86%	4% / 3	10% / 6

Prepared by National Data & Surveying Services

VOLUME

#2 - Empire Ave Bet Laurel Rd & Main St

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_002

DAILY TOTALS	NB	SB	EB	WB	Total
	9,726	10,702	0	0	20,428

DAILY TOTALS

15-Minutes Interval

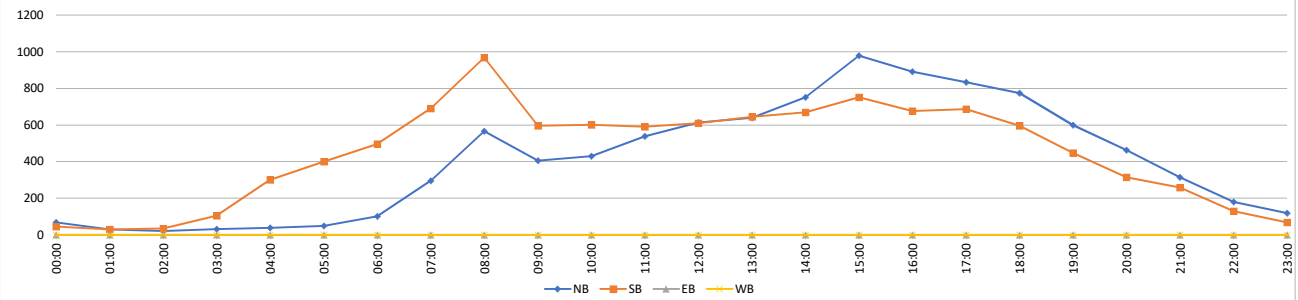
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	27	16			43	12:00	154	156			310
0:15	15	8			23	12:15	159	150			309
0:30	16	15			31	12:30	165	143			308
0:45	10	6			16	12:45	136	161			297
1:00	11	3			14	13:00	144	153			297
1:15	7	13			20	13:15	171	163			334
1:30	5	9			14	13:30	151	191			342
1:45	6	4			10	13:45	173	137			310
2:00	6	6			12	14:00	168	164			332
2:15	5	7			12	14:15	199	156			355
2:30	4	10			14	14:30	172	170			342
2:45	5	11			16	14:45	213	179			392
3:00	6	20			26	15:00	164	194			358
3:15	8	22			30	15:15	244	174			418
3:30	9	25			34	15:30	310	200			510
3:45	8	37			45	15:45	260	183			443
4:00	9	36			45	16:00	225	157			382
4:15	8	67			75	16:15	212	186			398
4:30	9	95			104	16:30	244	171			415
4:45	12	102			114	16:45	210	162			372
5:00	9	109			118	17:00	217	185			402
5:15	11	91			102	17:15	203	178			381
5:30	10	91			101	17:30	200	155			355
5:45	19	109			128	17:45	214	169			383
6:00	21	123			144	18:00	220	159			379
6:15	15	119			134	18:15	225	142			367
6:30	25	122			147	18:30	163	149			312
6:45	40	132			172	18:45	166	146			312
7:00	59	112			171	19:00	178	130			308
7:15	57	165			222	19:15	152	105			257
7:30	77	191			268	19:30	139	111			250
7:45	102	222			324	19:45	131	101			232
8:00	139	298			437	20:00	132	93			225
8:15	179	290			469	20:15	130	91			221
8:30	141	222			363	20:30	106	81			187
8:45	107	159			266	20:45	94	49			143
9:00	93	143			236	21:00	87	75			162
9:15	86	144			230	21:15	90	74			164
9:30	106	166			272	21:30	79	62			141
9:45	120	142			262	21:45	58	47			105
10:00	106	152			258	22:00	63	44			107
10:15	108	171			279	22:15	46	32			78
10:30	110	125			235	22:30	37	30			67
10:45	105	153			258	22:45	34	23			57
11:00	132	154			286	23:00	43	24			67
11:15	126	148			274	23:15	18	17			35
11:30	140	141			281	23:30	28	11			39
11:45	140	148			288	23:45	30	15			45
TOTALS	2569	4854	0	0	7423	TOTALS	7157	5848	0	0	13005
SPLIT %	35%	65%	0%	0%	36%	SPLIT %	55%	45%	0%	0%	64%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	68	45			113
01:00	02:00	29	29			58
02:00	03:00	20	34			54
03:00	04:00	31	104			135
04:00	05:00	38	300			338
05:00	06:00	49	400			449
06:00	07:00	101	496			597
07:00	08:00	295	690			985
08:00	09:00	566	969			1535
09:00	10:00	405	595			1000
10:00	11:00	429	601			1030
11:00	12:00	538	591			1129
12:00	13:00	614	610			1224
13:00	14:00	639	644			1283
14:00	15:00	752	669			1421
15:00	16:00	978	751			1729
16:00	17:00	891	676			1567
17:00	18:00	834	687			1521
18:00	19:00	774	596			1370
19:00	20:00	600	447			1047
20:00	21:00	462	314			776
21:00	22:00	314	258			572
22:00	23:00	180	129			309
23:00	00:00	119	67			186

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	2569	4854			7423
Peak Hour	8:00	7:45			7:45
Peak Volume	566	1032			1593
Peak Hour Factor	0.791	0.866			0.849
Peak Period	12:00	to	00:00		
Volume	7157	5848			13005
Peak Hour	15:15	15:00			15:15
Peak Volume	1039	751			1753
Peak Hour Factor	0.838	0.939			0.859
Peak Period	07:00	to	09:00		
Volume	861	1659			2520
Peak Hour	8:00	7:45			7:45
Peak Volume	566	1032			1593
Peak Hour Factor	0.791	0.866			0.849
Peak Period	16:00	to	18:00		
Volume	1725	1363			3088
Peak Hour	16:00	16:15			16:15
Peak Volume	891	704			1587
Peak Hour Factor	0.913	0.946			0.956



Street: Empire Avenue
Limits: Laurel Road to Southern City limits
Direction: NB/SB

Factors

A. Prevailing Speed Data

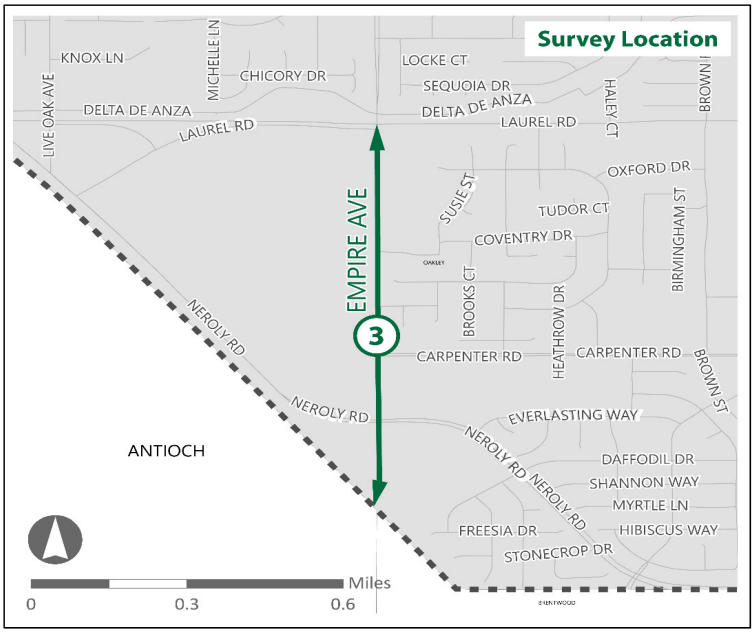
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	45
# Speed Data Collected	202
85th Percentile (mph)	49
10 mph Pace	37-46
Percent in Pace	66%

B. Traffic Factors

Average Daily Traffic (ADT)	14,717
Length of Segment (mi.)	0.82
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	5
Accident Rate (Acc/MVM)	0.23
Statewide Average Accident Rate	1.04



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), commercial (gas station and convenience store), industrial, (utilities), recreation (fitness center), and open space (agriculture) land uses.

Roadway Geometrics
A divided 4-lane major arterial. Raised median serves as median. Concrete sidewalks present on easterly side for length of segment and on westerly side from Laurel Rd. to approximately 291 feet south of Laurel Rd. Class II bike lanes on both sides from Laurel Rd. to Neroly Rd. Class II bike lane on easterly side from Neroly Rd. to railroad right-of-way. Signals present at intersections with Laurel Rd., Carpenter Rd., and Neroly Rd. Remaining intersections include side steet stop control. Left-turn lane pockets present along segment at approximately all intersections. Right-turn lane pocket present at intersection with Neroly Rd. Marked crosswalks present at virtually all intersections. No on-street parking present. No school zone is present. Horizontal curves present at south end of segment at at-grade railroad crossing. Gentle vertical curves present along segment. Low driveway density on both sides.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 49 --> 50
§22358.6(b) - Not applicable
§22358.6(c) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded up from the 85th percentile speed: 50 --> 45

Speed Limit Change?	**No**
Existing Speed Limit: 45	**Recommended Speed Limit: 45**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

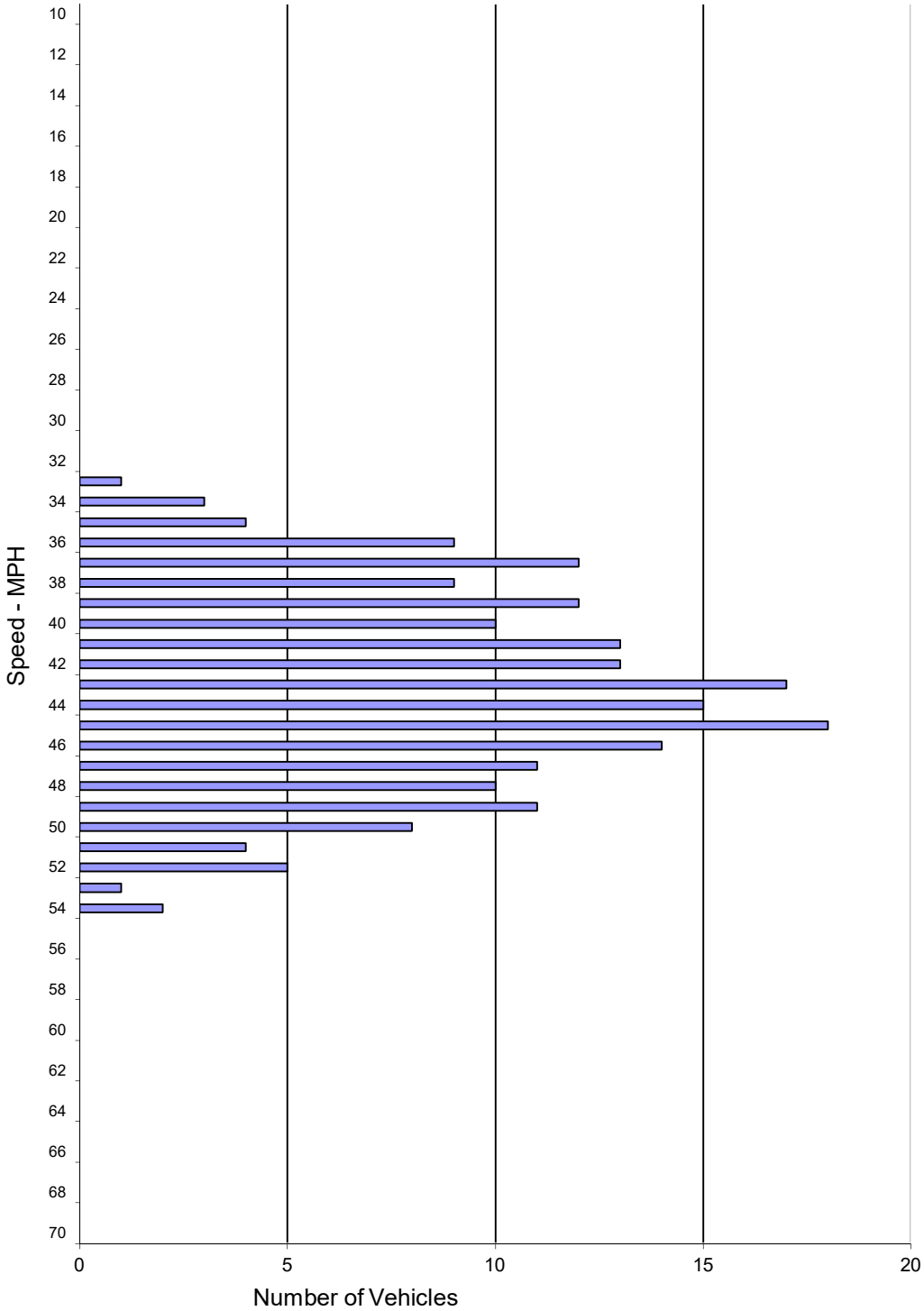
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #3 - Empire Ave Bet Laurel Rd & Southern City Limits
TIME: 09:00-10:00 **Posted Speed:** 45 MPH Clear/Dry **Project #: 24-080067-003**

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
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30	
31	
32	
33	1
34	3
35	4
36	9
37	12
38	9
39	12
40	10
41	13
42	13
43	17
44	15
45	18
46	14
47	11
48	10
49	11
50	8
51	4
52	5
53	1
54	2
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	202	33 - 54	43 mph	49 mph	37 - 46	133	66%	8% / 17	26% / 52

Spot Speed Study

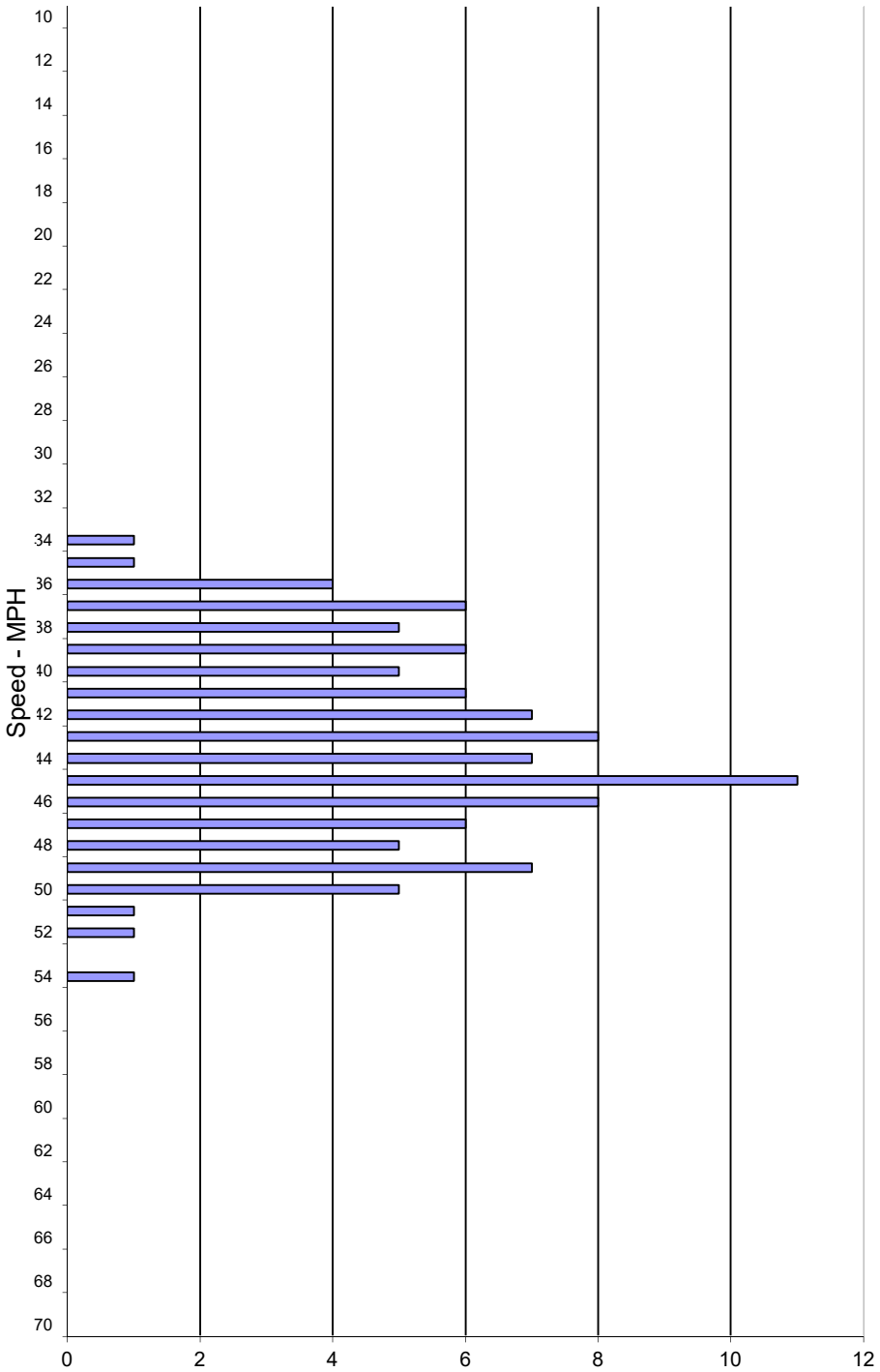
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #3 - Empire Ave Bet Laurel Rd & Southern City Limits
TIME: 09:00-10:00 **Posted Speed:** 45 MPH Clear/Dry **Project #: 24-080067-003**

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
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14	
15	
16	
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34	1
35	1
36	4
37	6
38	5
39	6
40	5
41	6
42	7
43	8
44	7
45	11
46	8
47	6
48	5
49	7
50	5
51	1
52	1
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54	1
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	101	34 - 54	44 mph	48 mph	40 - 49	70	69%	22% / 23	8% / 8

Spot Speed Study

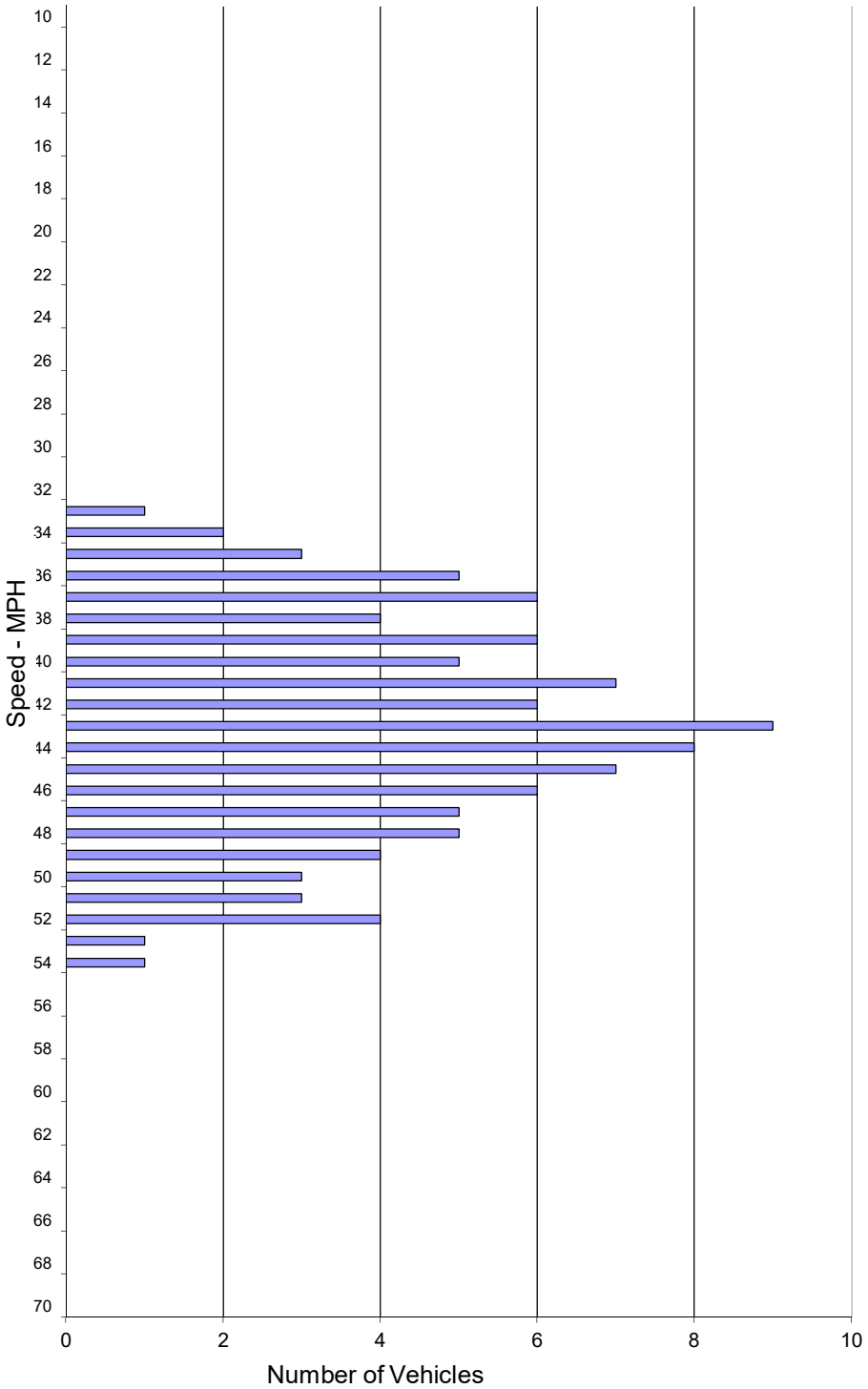
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #3 - Empire Ave Bet Laurel Rd & Southern City Limits
TIME: 09:00-10:00 **Posted Speed:** 45 MPH Clear/Dry **Project #: 24-080067-003**

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
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14	
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23	
24	
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31	
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33	1
34	2
35	3
36	5
37	6
38	4
39	6
40	5
41	7
42	6
43	9
44	8
45	7
46	6
47	5
48	5
49	4
50	3
51	3
52	4
53	1
54	1
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	101	33 - 54	43 mph	49 mph	37 - 46	64	63%	10% / 11	26% / 26

Prepared by National Data & Surveying Services

VOLUME

#3 - Empire Ave Bet Laurel Rd & Southern City Limits

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_003

DAILY TOTALS	NB	SB	EB	WB	Total
	6,701	8,016	0	0	14,717

15-Minutes Interval

TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	12	14			26	12:00	109	113			222
0:15	2	13			15	12:15	112	126			238
0:30	10	12			22	12:30	92	125			217
0:45	3	8			11	12:45	97	119			216
1:00	7	0			7	13:00	91	135			226
1:15	1	5			6	13:15	109	132			241
1:30	4	7			11	13:30	112	135			247
1:45	1	4			5	13:45	111	137			248
2:00	3	7			10	14:00	120	169			289
2:15	2	0			2	14:15	110	128			238
2:30	3	5			8	14:30	100	144			244
2:45	0	9			9	14:45	126	174			300
3:00	9	5			14	15:00	110	205			315
3:15	7	6			13	15:15	143	209			352
3:30	10	10			20	15:30	231	166			397
3:45	9	9			18	15:45	174	202			376
4:00	11	11			22	16:00	138	152			290
4:15	16	9			25	16:15	150	186			336
4:30	37	20			57	16:30	120	165			285
4:45	33	14			47	16:45	126	168			294
5:00	20	15			35	17:00	143	175			318
5:15	25	16			41	17:15	109	194			303
5:30	34	14			48	17:30	123	156			279
5:45	41	19			60	17:45	145	187			332
6:00	41	22			63	18:00	136	172			308
6:15	34	24			58	18:15	127	149			276
6:30	37	32			69	18:30	113	142			255
6:45	42	38			80	18:45	103	142			245
7:00	43	41			84	19:00	107	142			249
7:15	44	64			108	19:15	108	106			214
7:30	62	88			150	19:30	84	99			183
7:45	78	110			188	19:45	88	93			181
8:00	85	212			297	20:00	82	92			174
8:15	158	194			352	20:15	72	75			147
8:30	164	121			285	20:30	69	78			147
8:45	87	99			186	20:45	49	54			103
9:00	76	88			164	21:00	54	63			117
9:15	60	78			138	21:15	79	43			122
9:30	72	97			169	21:30	50	59			109
9:45	71	96			167	21:45	41	36			77
10:00	81	98			179	22:00	36	39			75
10:15	89	105			194	22:15	29	33			62
10:30	81	89			170	22:30	22	19			41
10:45	91	123			214	22:45	13	21			34
11:00	104	103			207	23:00	11	26			37
11:15	88	117			205	23:15	11	20			31
11:30	93	107			200	23:30	12	6			18
11:45	110	112			222	23:45	13	15			28
TOTALS	2191	2490	0	0	4681	TOTALS	4510	5526	0	0	10036
SPLIT %	47%	53%	0%	0%	32%	SPLIT %	45%	55%	0%	0%	68%

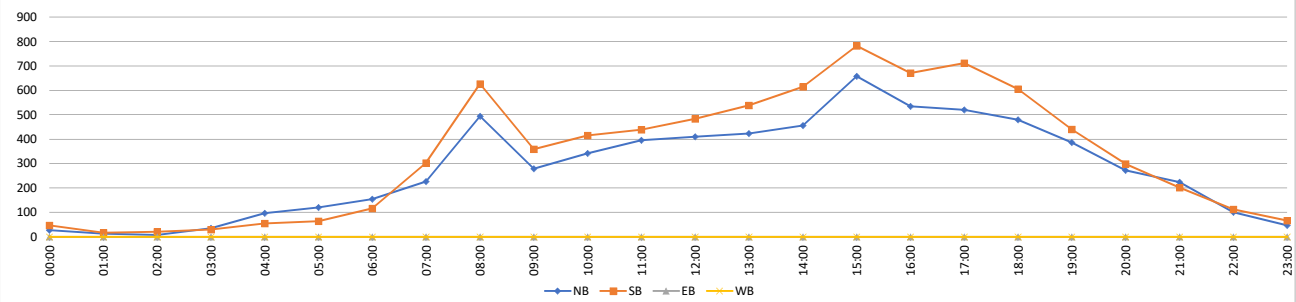
DAILY TOTALS

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	27	47			74
01:00	02:00	13	16			29
02:00	03:00	8	21			29
03:00	04:00	35	30			65
04:00	05:00	97	54			151
05:00	06:00	120	64			184
06:00	07:00	154	116			270
07:00	08:00	227	303			530
08:00	09:00	494	626			1120
09:00	10:00	279	359			638
10:00	11:00	342	415			757
11:00	12:00	395	439			834
12:00	13:00	410	483			893
13:00	14:00	423	539			962
14:00	15:00	456	615			1071
15:00	16:00	658	782			1440
16:00	17:00	534	671			1205
17:00	18:00	520	712			1232
18:00	19:00	479	605			1084
19:00	20:00	387	440			827
20:00	21:00	272	299			571
21:00	22:00	224	201			425
22:00	23:00	100	112			212
23:00	00:00	47	67			114

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	2191	2490			4681
Peak Hour	8:00	7:45			7:45
Peak Volume	494	637			1122
Peak Hour Factor	0.753	0.751			0.797
Peak Period	12:00	to	00:00		
Volume	4510	5526			10036
Peak Hour	15:30	15:00			15:00
Peak Volume	693	782			1440
Peak Hour Factor	0.750	0.935			0.907
Peak Period	07:00	to	09:00		
Volume	721	929			1650
Peak Hour	8:00	7:45			7:45
Peak Volume	494	637			1122
Peak Hour Factor	0.753	0.751			0.797
Peak Period	16:00	to	18:00		
Volume	1054	1383			2437
Peak Hour	16:15	17:00			16:15
Peak Volume	539	712			1233
Peak Hour Factor	0.898	0.918			0.917



Street: Laurel Road
Limits: O'Hara Avenue to Rose Avenue
Direction: EB/WB

Factors

A. Prevailing Speed Data

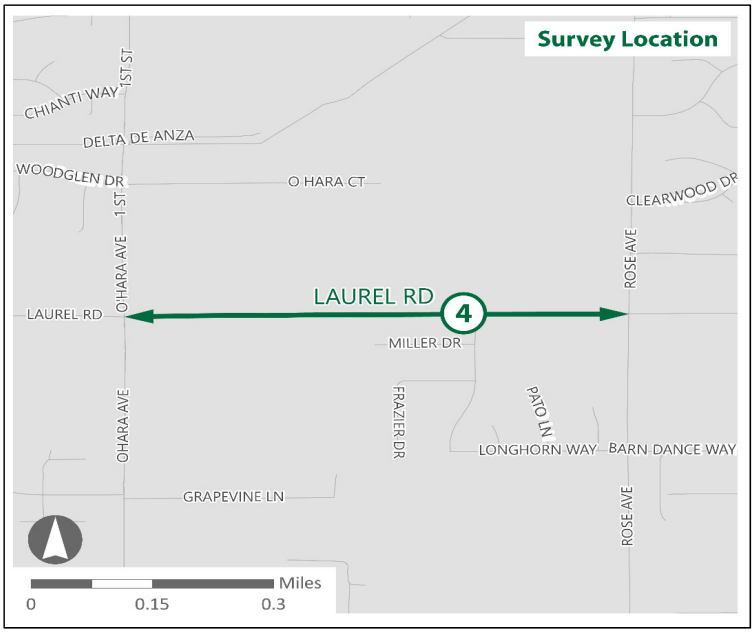
Date /Location of Survey	4/4/2024
Posted Speed Limit (mph)	40
# Speed Data Collected	156
85th Percentile (mph)	44
10 mph Pace	36-45
Percent in Pace	90%

B. Traffic Factors

Average Daily Traffic (ADT)	20,052
Length of Segment (mi.)	0.49
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	15
Accident Rate (Acc/MVM)	0.83
Statewide Average Accident Rate	1.04



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), and open space (park, agriculture, vacant plot) land uses.

Roadway Geometrics
A divided 4-lane major arterial. Raised median serves as median. Concrete sidewalks present on both sides except for portion of southerly side from O'Hara Ave. to approximately 1,241 feet east of O'Hara Ave. Class II bike lane on northerly side for length of segment and on southerly side from Rose Ave. to approximately 705 feet west of Rose Ave. Signals present at intersections with Rose Ave. and O'Hara Ave. Side street stop control at Cloverbrook Ave./Y St. Left-turn lane pockets at all intersection approaches on segment. Marked crosswalks present at virtually all intersections. No on-street parking present. No school zone is present. No horizontal curves present. Gentle vertical curves along segment. Low driveway density on both sides.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 44 --> 45
§22358.6(b) - Not applicable
§22358.6(c) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded up from the 85th percentile speed: 45 --> 40

Speed Limit Change?	**No**
Existing Speed Limit: 40	**Recommended Speed Limit: 40**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

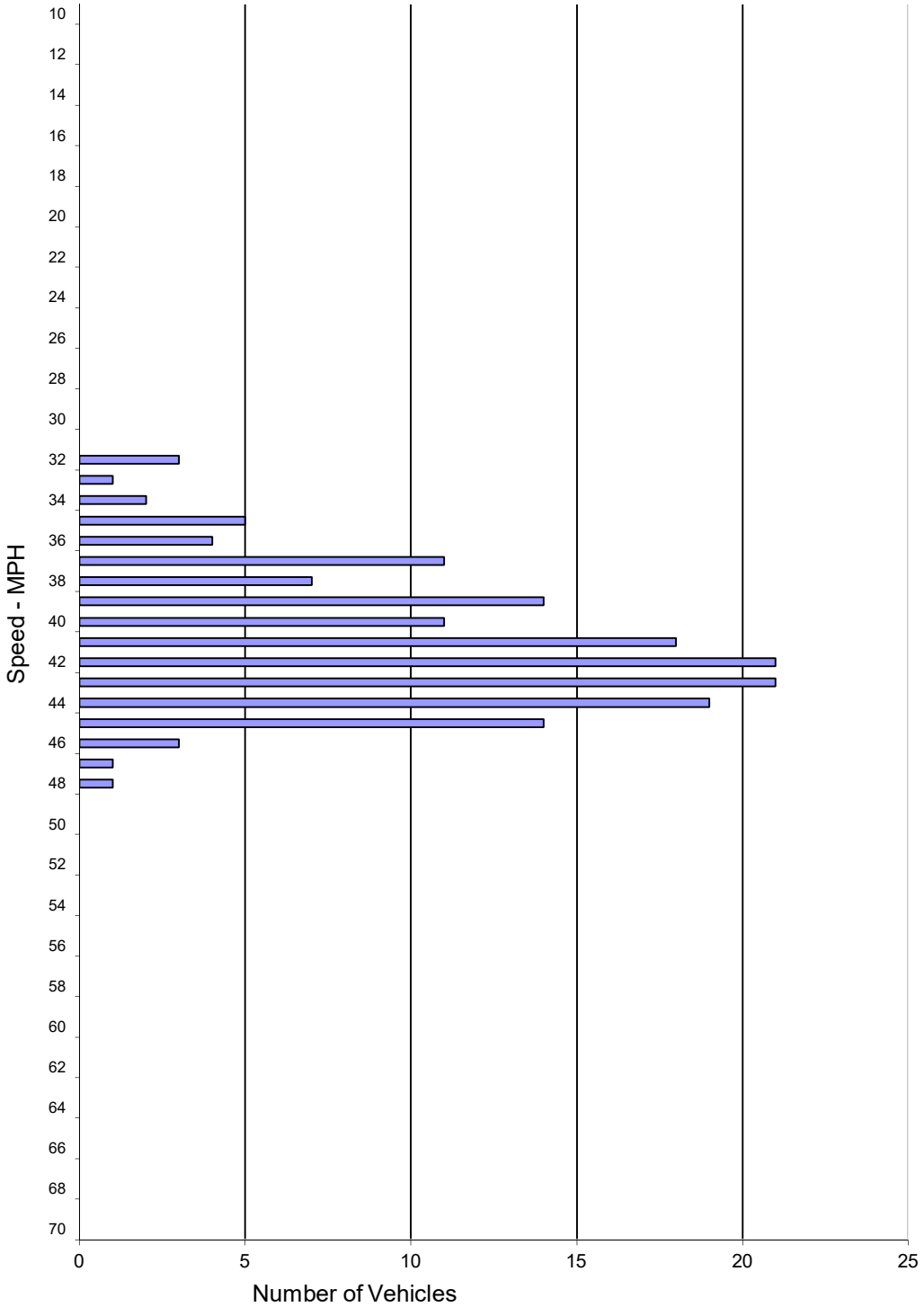
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #4 - Laurel Rd Bet O'Hara Ave & Rose Ave
TIME: 13:10-13:55 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-004

Eastbound & Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	3
33	1
34	2
35	5
36	4
37	11
38	7
39	14
40	11
41	18
42	21
43	21
44	19
45	14
46	3
47	1
48	1
49	
50	
51	
52	
53	
54	
55	
56	
57	
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59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	156	32 - 48	42 mph	44 mph	36 - 45	140	90%	7% / 11	4% / 5

Spot Speed Study

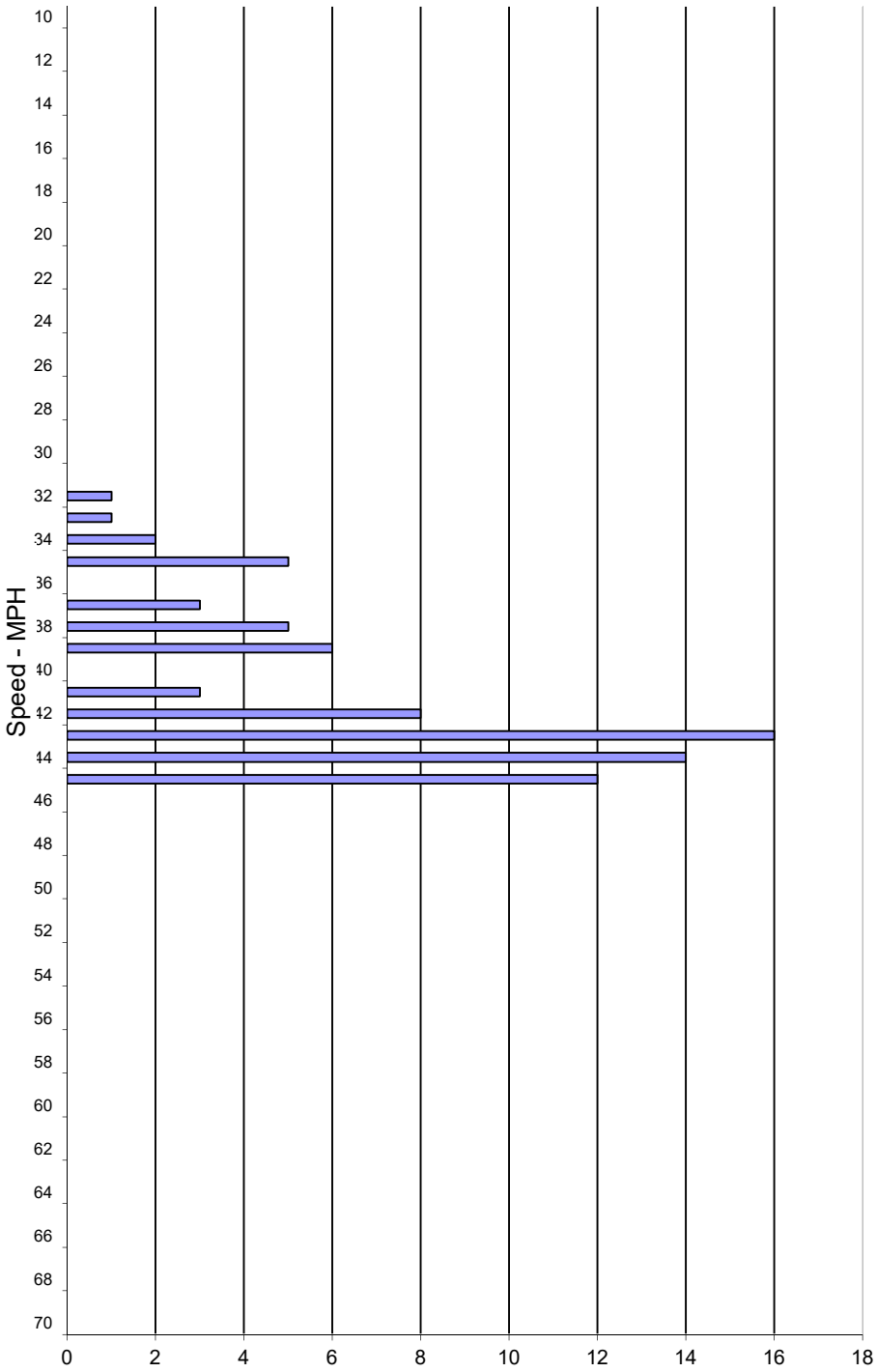
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #4 - Laurel Rd Bet O'Hara Ave & Rose Ave
TIME: 13:10-13:55 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-004

Eastbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
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14	
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22	
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24	
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29	
30	
31	
32	1
33	1
34	2
35	5
36	
37	3
38	5
39	6
40	
41	3
42	8
43	16
44	14
45	12
46	
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60	
61	
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63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	76	32 - 45	43 mph	45 mph	36 - 45	67	88%	11% / 9	0% / 0

Spot Speed Study

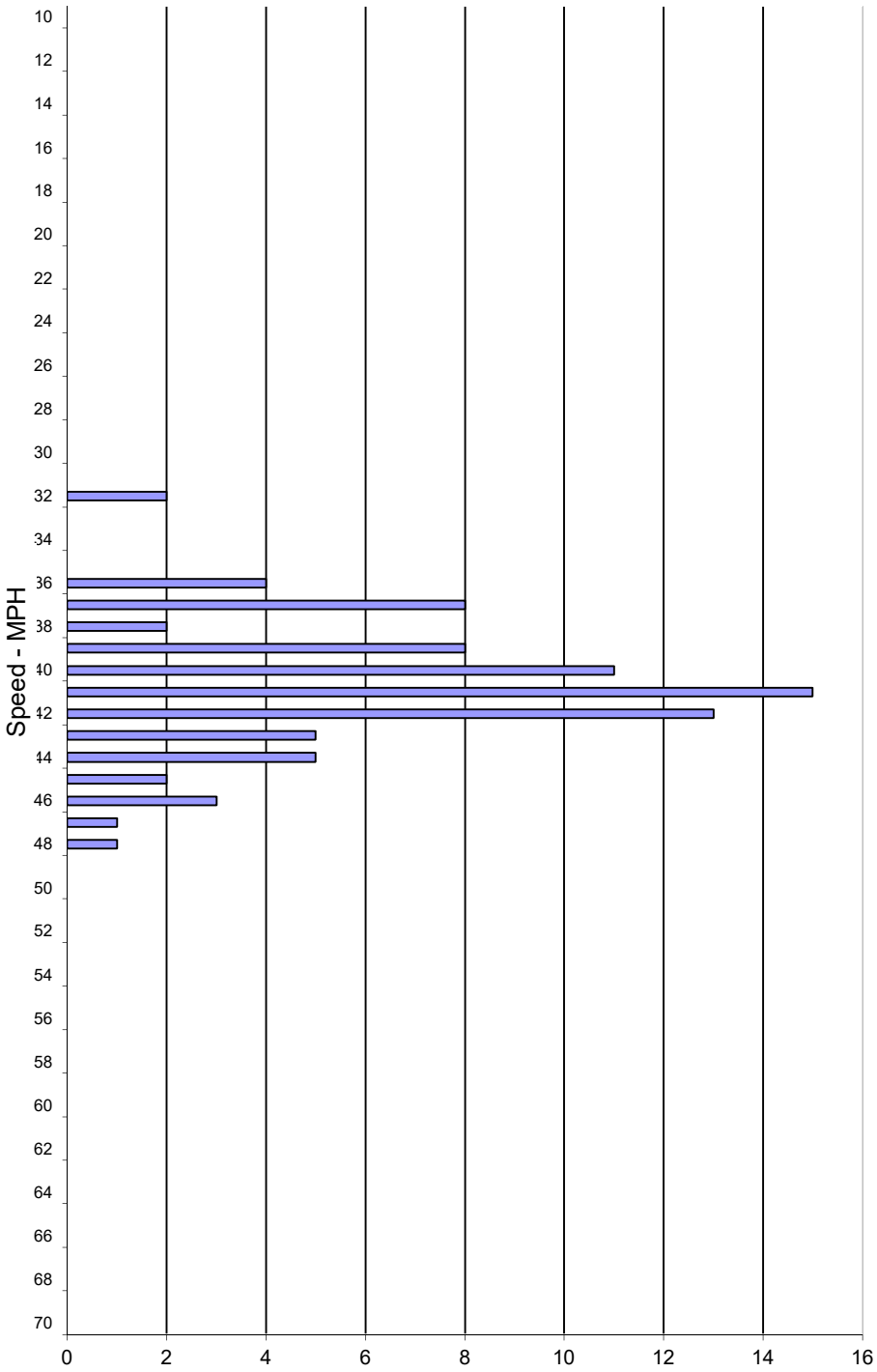
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #4 - Laurel Rd Bet O'Hara Ave & Rose Ave
TIME: 13:10-13:55 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-004

Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	2
33	
34	
35	
36	4
37	8
38	2
39	8
40	11
41	15
42	13
43	5
44	5
45	2
46	3
47	1
48	1
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	80	32 - 48	41 mph	43 mph	36 - 45	73	91%	2% / 2	7% / 5

Prepared by National Data & Surveying Services

VOLUME

#4 - Laurel Rd Bet O'Hara Ave & Rose Ave

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_004

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	9,620	10,432	20,052

DAILY TOTALS

15-Minutes Interval

TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00			44	6	50	12:00			112	128	240
0:15			32	9	41	12:15			118	104	222
0:30			21	10	31	12:30			133	115	248
0:45			34	7	41	12:45			144	136	280
1:00			16	11	27	13:00			142	129	271
1:15			22	4	26	13:15			131	133	264
1:30			9	8	17	13:30			125	138	263
1:45			9	8	17	13:45			172	119	291
2:00			11	10	21	14:00			182	152	334
2:15			7	10	17	14:15			153	154	307
2:30			10	16	26	14:30			161	153	314
2:45			5	13	18	14:45			204	155	359
3:00			5	12	17	15:00			154	180	334
3:15			9	33	42	15:15			229	189	418
3:30			6	32	38	15:30			276	199	475
3:45			5	42	47	15:45			231	175	406
4:00			8	67	75	16:00			205	174	379
4:15			7	95	102	16:15			226	135	361
4:30			11	113	124	16:30			234	184	418
4:45			17	132	149	16:45			188	160	348
5:00			19	164	183	17:00			228	167	395
5:15			26	124	150	17:15			242	125	367
5:30			23	160	183	17:30			209	166	375
5:45			19	150	169	17:45			240	150	390
6:00			39	166	205	18:00			219	139	358
6:15			42	144	186	18:15			194	136	330
6:30			39	180	219	18:30			178	147	325
6:45			42	147	189	18:45			153	110	263
7:00			53	140	193	19:00			167	109	276
7:15			81	188	269	19:15			141	108	249
7:30			104	198	302	19:30			126	96	222
7:45			108	241	349	19:45			159	129	288
8:00			131	270	401	20:00			123	84	207
8:15			161	262	423	20:15			141	62	203
8:30			139	204	343	20:30			132	77	209
8:45			109	189	298	20:45			114	76	190
9:00			96	158	254	21:00			103	50	153
9:15			88	159	247	21:15			94	43	137
9:30			79	160	239	21:30			89	50	139
9:45			93	154	247	21:45			75	35	110
10:00			88	121	209	22:00			66	30	96
10:15			97	120	217	22:15			61	33	94
10:30			83	135	218	22:30			68	31	99
10:45			87	113	200	22:45			56	22	78
11:00			118	117	235	23:00			42	24	66
11:15			103	138	241	23:15			31	17	48
11:30			120	115	235	23:30			38	14	52
11:45			97	124	221	23:45			39	11	50
TOTALS	0	0	2572	5179	7751	TOTALS	0	0	7048	5253	12301
SPLIT %	0%	0%	33%	67%	39%	SPLIT %	0%	0%	57%	43%	61%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00			131	32	163
01:00	02:00			56	31	87
02:00	03:00			33	49	82
03:00	04:00			25	119	144
04:00	05:00			43	407	450
05:00	06:00			87	598	685
06:00	07:00			162	637	799
07:00	08:00			346	767	1113
08:00	09:00			540	925	1465
09:00	10:00			356	631	987
10:00	11:00			355	489	844
11:00	12:00			438	494	932
12:00	13:00			507	483	990
13:00	14:00			570	519	1089
14:00	15:00			700	614	1314
15:00	16:00			890	743	1633
16:00	17:00			853	653	1506
17:00	18:00			919	608	1527
18:00	19:00			744	532	1276
19:00	20:00			593	442	1035
20:00	21:00			510	299	809
21:00	22:00			361	178	539
22:00	23:00			251	116	367
23:00	00:00			150	66	216

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume			2572	5179	7751
Peak Hour			8:00	7:45	7:45
Peak Volume			540	977	1516
Peak Hour Factor			0.839	0.905	0.896
Peak Period	12:00	to	00:00		
Volume			7048	5253	12301
Peak Hour			15:15	15:00	15:15
Peak Volume			941	743	1678
Peak Hour Factor			0.852	0.933	0.883
Peak Period	07:00	to	09:00		
Volume			886	1692	2578
Peak Hour			8:00	7:45	7:45
Peak Volume			540	977	1516
Peak Hour Factor			0.839	0.905	0.896
Peak Period	16:00	to	18:00		
Volume			1772	1261	3033
Peak Hour			17:00	16:00	16:30
Peak Volume			919	653	1528
Peak Hour Factor			0.949	0.887	0.914



Street: Laurel Road
Limits: Rose Avenue to Main Street
Direction: EB/WB

Factors

A. Prevailing Speed Data

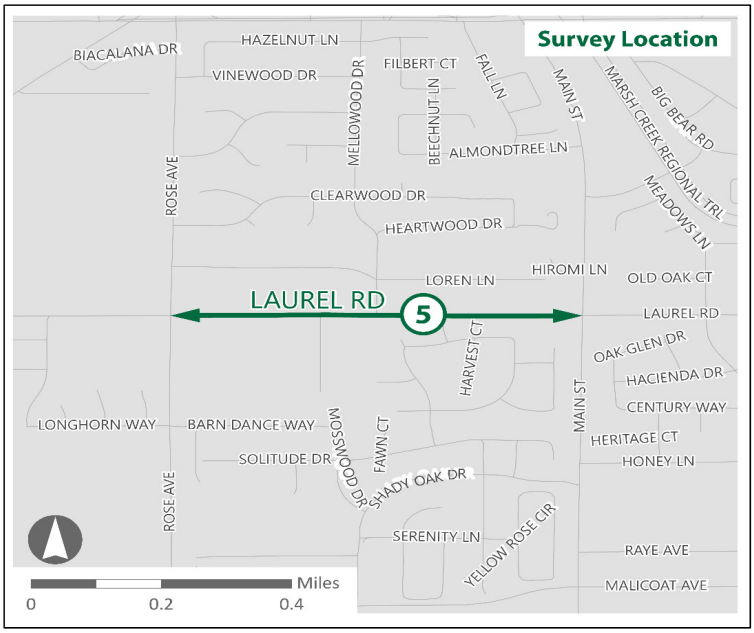
Date /Location of Survey	4/9/2024
Posted Speed Limit (mph)	40
# Speed Data Collected	112
85th Percentile (mph)	40
10 mph Pace	32-41
Percent in Pace	87%

B. Traffic Factors

Average Daily Traffic (ADT)	15,792
Length of Segment (mi.)	0.50
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	9
Accident Rate (Acc/MVM)	0.63
Statewide Average Accident Rate	1.04



D. Roadway Conditions

Adjacent Land Use: Residential (single-family homes), and open space (agriculture, vacant plot) land uses.

Roadway Geometrics: A divided 4-lane major arterial. Raised median serves as median. Concrete sidewalks on both sides for length of segment. Class II bike lanes on both sides for length of segment. Signals present at intersections with Rose Ave. and Main St. Side street stop control present at remaining intersections. Left-turn lane pockets at all intersection approaches on segment. Right-turn lane pocket at Main St. intersection approach on segment. Marked crosswalks present at virtually all intersections. No on-street parking present. No school zone is present. No horizontal curves present. Gentle vertical curves along segment. Low driveway density on both sides.

Comments: §22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 40 --> 40

Speed Limit Change?	**No**
Existing Speed Limit: 40	**Recommended Speed Limit: 40**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

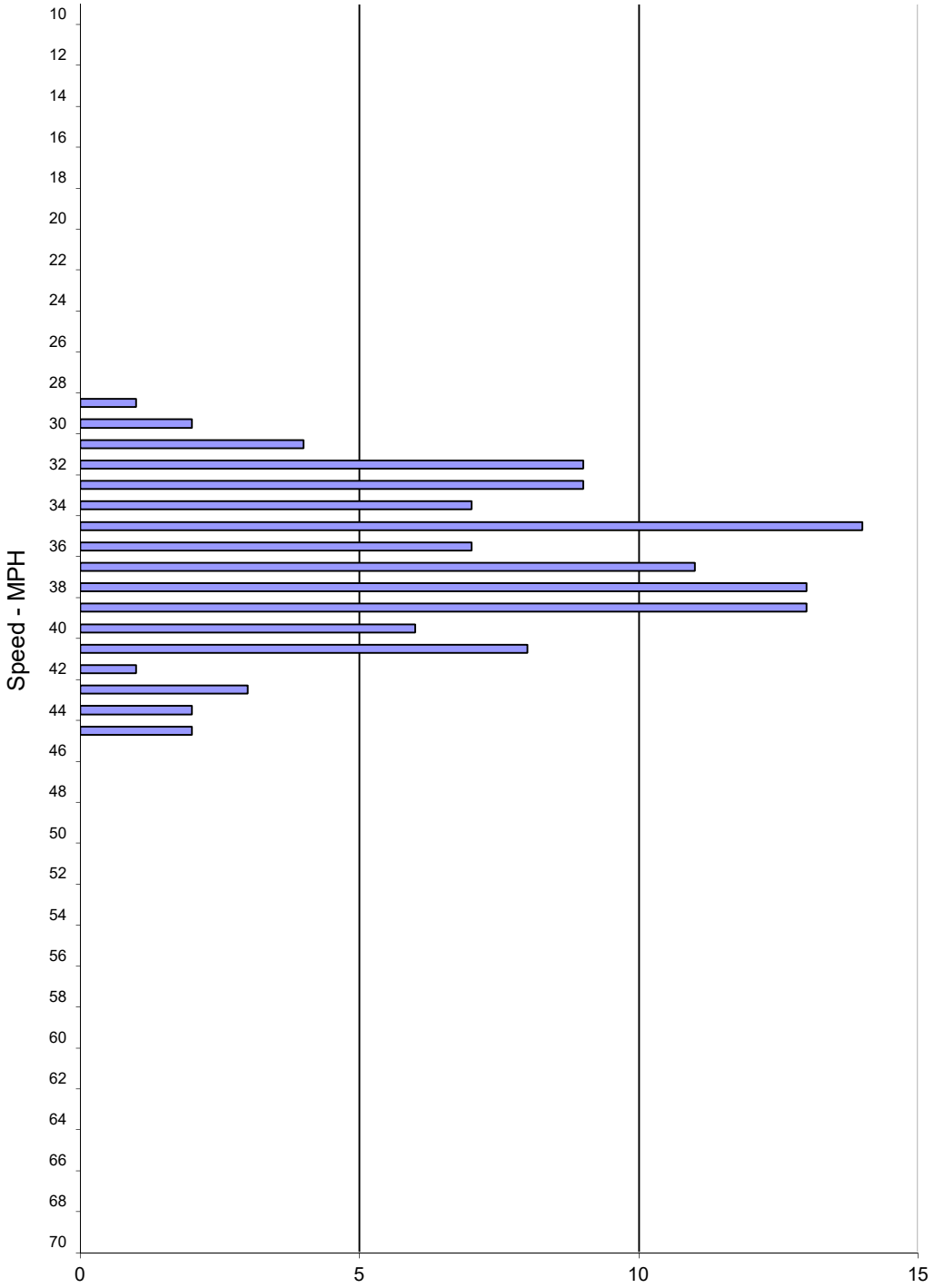
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #5 - Laurel Rd Bet Rose Ave & Main St
TIME: 09:15-10:15 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-005**

Eastbound & Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	1
30	2
31	4
32	9
33	9
34	7
35	14
36	7
37	11
38	13
39	13
40	6
41	8
42	1
43	3
44	2
45	2
46	
47	
48	
49	
50	
51	
52	
53	
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60	
61	
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63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	112	29 - 45	37 mph	40 mph	32 - 41	97	87%	6% / 7	8% / 8

Spot Speed Study

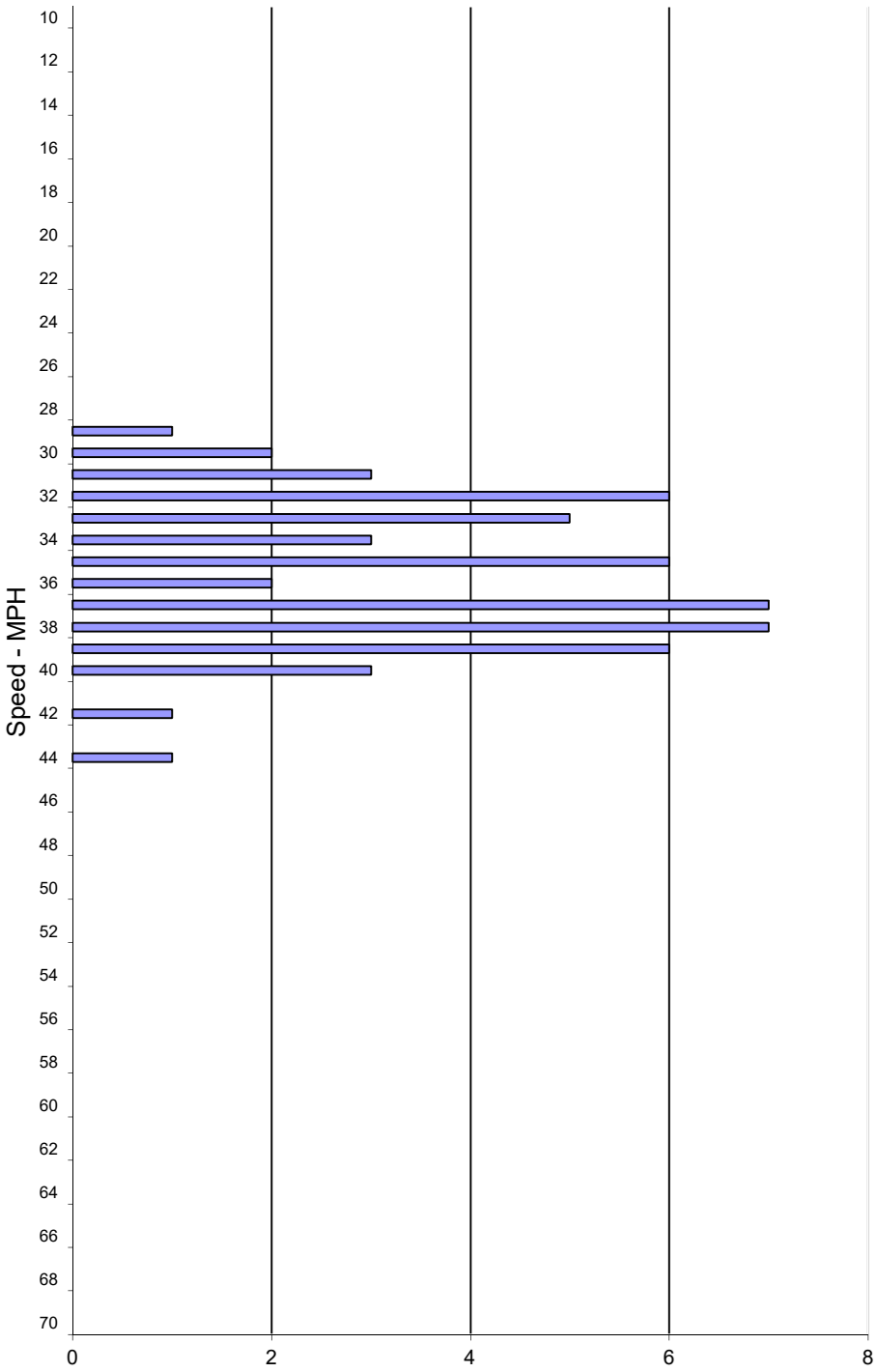
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #5 - Laurel Rd Bet Rose Ave & Main St
TIME: 09:15-10:15 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-005

Eastbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
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14	
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24	
25	
26	
27	
28	
29	1
30	2
31	3
32	6
33	5
34	3
35	6
36	2
37	7
38	7
39	6
40	3
41	
42	1
43	
44	1
45	
46	
47	
48	
49	
50	
51	
52	
53	
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58	
59	
60	
61	
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63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	53	29 - 44	36 mph	39 mph	31 - 40	48	91%	5% / 3	4% / 2

Spot Speed Study

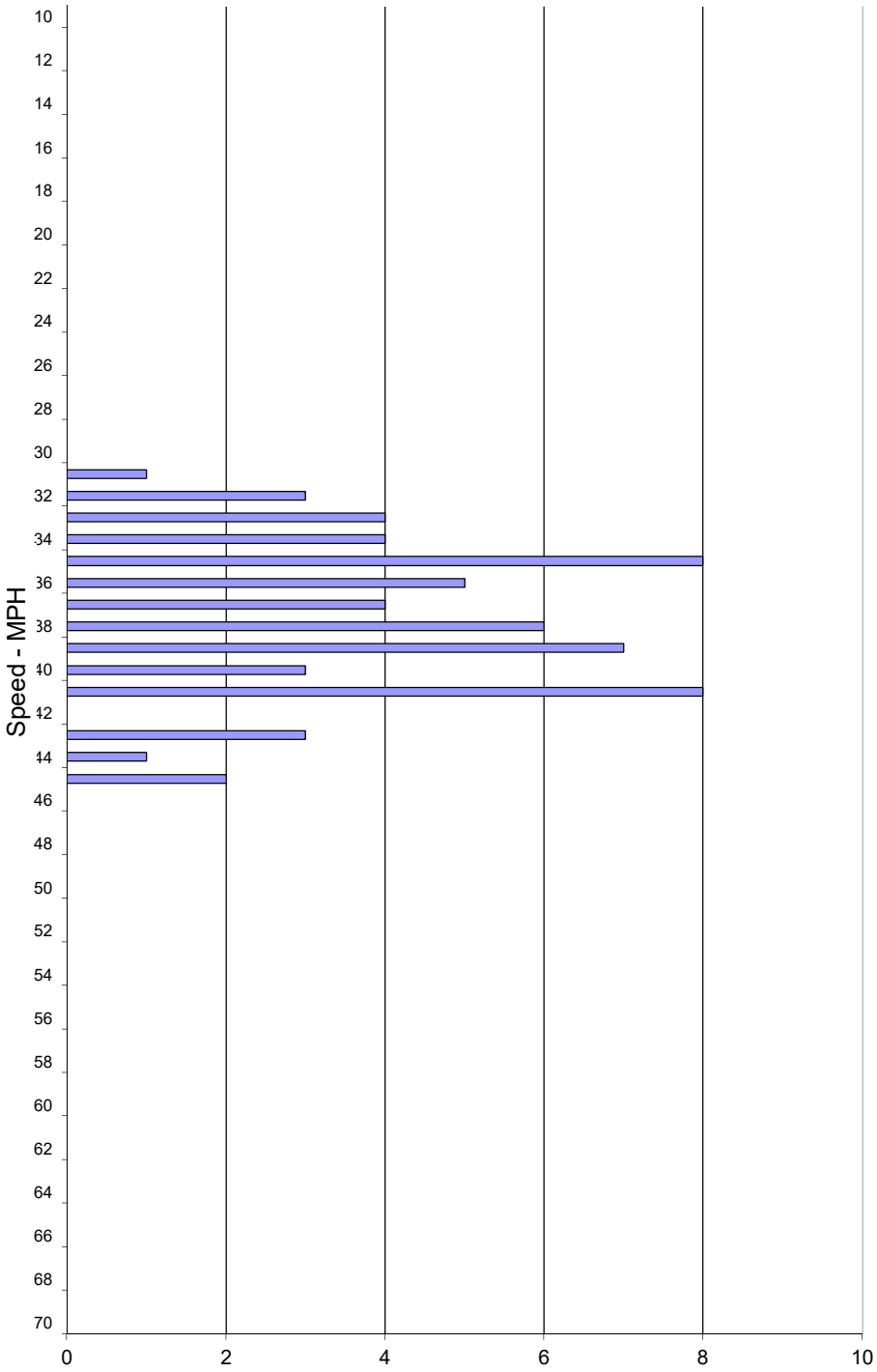
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #5 - Laurel Rd Bet Rose Ave & Main St
TIME: 09:15-10:15 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-005

Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	1
32	3
33	4
34	4
35	8
36	5
37	4
38	6
39	7
40	3
41	8
42	
43	3
44	1
45	2
46	
47	
48	
49	
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52	
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62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	59	31 - 45	38 mph	41 mph	32 - 41	52	88%	1% / 1	11% / 6

Prepared by National Data & Surveying Services

VOLUME

#5 - Laurel Rd Bet Rose Ave & Main St

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_005

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	7,855	7,937	15,792

DAILY TOTALS

15-Minutes Interval

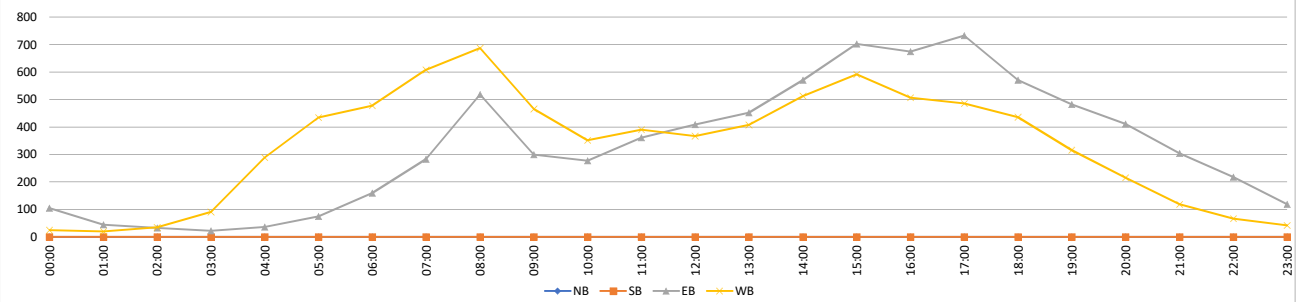
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00			41	3	44	12:00			92	96	188
0:15			27	8	35	12:15			110	74	184
0:30			16	8	24	12:30			104	97	201
0:45			20	5	25	12:45			103	100	203
1:00			16	6	22	13:00			98	93	191
1:15			15	3	18	13:15			111	104	215
1:30			8	6	14	13:30			105	113	218
1:45			5	4	9	13:45			138	98	236
2:00			11	7	18	14:00			147	115	262
2:15			6	7	13	14:15			128	134	262
2:30			9	11	20	14:30			126	123	249
2:45			6	10	16	14:45			170	141	311
3:00			5	6	11	15:00			141	151	292
3:15			7	25	32	15:15			161	136	297
3:30			7	26	33	15:30			203	141	344
3:45			3	33	36	15:45			198	164	362
4:00			6	49	55	16:00			160	145	305
4:15			5	59	64	16:15			161	102	263
4:30			9	83	92	16:30			178	133	311
4:45			16	98	114	16:45			176	127	303
5:00			11	119	130	17:00			163	132	295
5:15			27	85	112	17:15			175	116	291
5:30			19	118	137	17:30			194	117	311
5:45			17	112	129	17:45			201	121	322
6:00			42	118	160	18:00			152	107	259
6:15			31	99	130	18:15			166	117	283
6:30			42	131	173	18:30			153	121	274
6:45			44	129	173	18:45			100	91	191
7:00			37	111	148	19:00			124	95	219
7:15			52	150	202	19:15			125	77	202
7:30			99	148	247	19:30			111	76	187
7:45			95	199	294	19:45			122	68	190
8:00			138	228	366	20:00			106	56	162
8:15			148	182	330	20:15			120	57	177
8:30			136	149	285	20:30			107	54	161
8:45			96	128	224	20:45			78	48	126
9:00			80	132	212	21:00			95	34	129
9:15			76	118	194	21:15			76	36	112
9:30			81	109	190	21:30			68	28	96
9:45			62	107	169	21:45			65	21	86
10:00			61	83	144	22:00			64	27	91
10:15			84	92	176	22:15			48	18	66
10:30			72	92	164	22:30			54	12	66
10:45			60	85	145	22:45			51	9	60
11:00			88	98	186	23:00			32	17	49
11:15			93	92	185	23:15			26	9	35
11:30			87	91	178	23:30			32	9	41
11:45			93	109	202	23:45			28	6	34
TOTALS	0	0	2209	3871	6080	TOTALS	0	0	5646	4066	9712
SPLIT %	0%	0%	36%	64%	39%	SPLIT %	0%	0%	58%	42%	61%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00			104	24	128
01:00	02:00			44	19	63
02:00	03:00			32	35	67
03:00	04:00			22	90	112
04:00	05:00			36	289	325
05:00	06:00			74	434	508
06:00	07:00			159	477	636
07:00	08:00			283	608	891
08:00	09:00			518	687	1205
09:00	10:00			299	466	765
10:00	11:00			277	352	629
11:00	12:00			361	390	751
12:00	13:00			409	367	776
13:00	14:00			452	408	860
14:00	15:00			571	513	1084
15:00	16:00			703	592	1295
16:00	17:00			675	507	1182
17:00	18:00			733	486	1219
18:00	19:00			571	436	1007
19:00	20:00			482	316	798
20:00	21:00			411	215	626
21:00	22:00			304	119	423
22:00	23:00			217	66	283
23:00	00:00			118	41	159

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume			2209	3871	6080
Peak Hour			8:00	7:45	7:45
Peak Volume			518	758	1275
Peak Hour Factor			0.875	0.831	0.871
Peak Period	12:00	to	00:00		
Volume			5646	4066	9712
Peak Hour			17:00	15:00	15:15
Peak Volume			733	592	1308
Peak Hour Factor			0.912	0.902	0.903
Peak Period	07:00	to	09:00		
Volume			801	1295	2096
Peak Hour			8:00	7:45	7:45
Peak Volume			518	758	1275
Peak Hour Factor			0.875	0.831	0.871
Peak Period	16:00	to	18:00		
Volume			1408	993	2401
Peak Hour			17:00	16:30	17:00
Peak Volume			733	508	1219
Peak Hour Factor			0.912	0.955	0.946



Street: Laurel Road
Limits: Main Street to Teton Road
Direction: EB/WB

Factors

A. Prevailing Speed Data

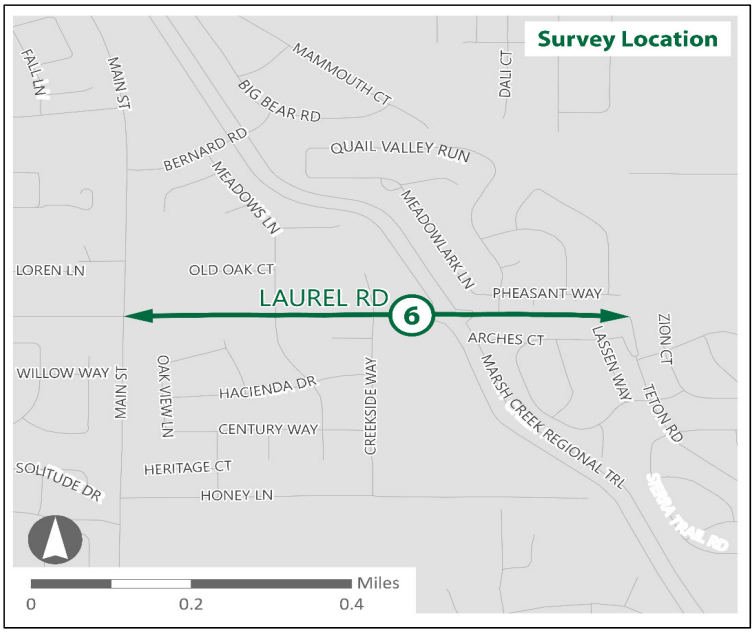
Date /Location of Survey	4/9/2024
Posted Speed Limit (mph)	35
# Speed Data Collected	118
85th Percentile (mph)	41
10 mph Pace	30-39
Percent in Pace	69%

B. Traffic Factors

Average Daily Traffic (ADT)	6,876
Length of Segment (mi.)	0.50
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	4
Accident Rate (Acc/MVM)	0.64
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), and open space (vacant plot) land uses.

Roadway Geometrics
An undivided 2-lane major arterial. Double yellow lines serve as median. Concrete sidewalk on northerly side from Teton Rd. to Marsh Creek Bridge. Concrete sidewalk on southerly side along length of segment except between Creekside Wy. and Marsh Creek Bridge. No bicycle facilities present along segment. Signal present at intersection with Main St. Side street stop control at remaining intersections. Left-turn lane pockets at intersection approaches to Quail Valley Run and to Main St. Marked crosswalks present at intersections with Main St. and at Marsh Creek Regional Trail approximately 115 feet west of intersection with Quail Valley Run. On-street parking present on southerly side from Marsh Creek Regional Trail to Teton Rd. No school zone is present. No horizontal curves present. Sharp vertical curves at Marsh Creek Regional Trail crossing. Low driveway density on both sides.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 41 --> 40
§22358.6(b) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded down from the 85th percentile speed: 40 --> 35

Speed Limit Change?	**No**
Existing Speed Limit: 35	**Recommended Speed Limit: 35**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

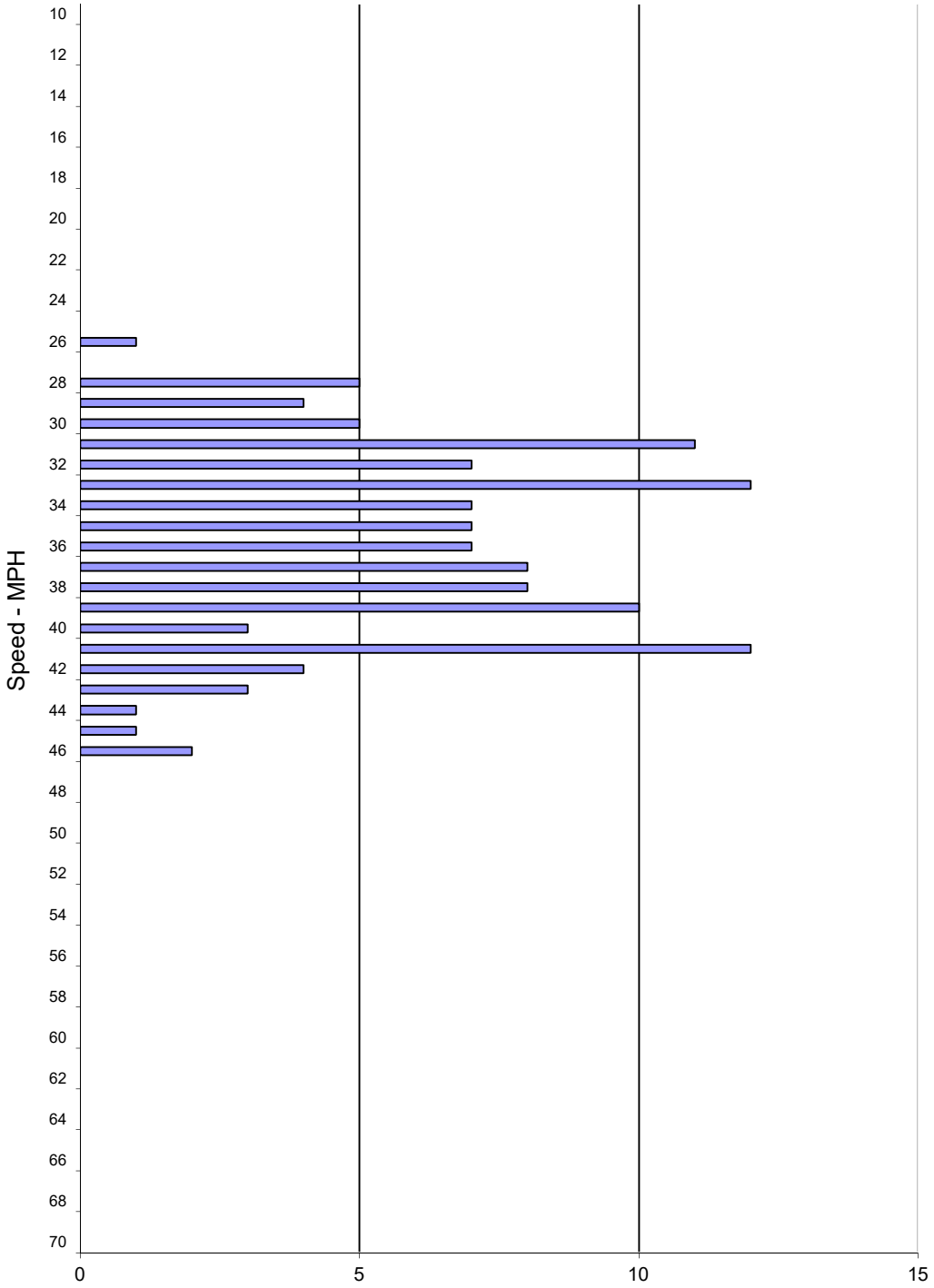
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #6 - Laurel Rd Bet Main St & Teton Rd
TIME: 10:20-11:20 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-006

Eastbound & Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	1
27	
28	5
29	4
30	5
31	11
32	7
33	12
34	7
35	7
36	7
37	8
38	8
39	10
40	3
41	12
42	4
43	3
44	1
45	1
46	2
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	118	26 - 46	35 mph	41 mph	30 - 39	82	69%	8% / 10	23% / 26

Spot Speed Study

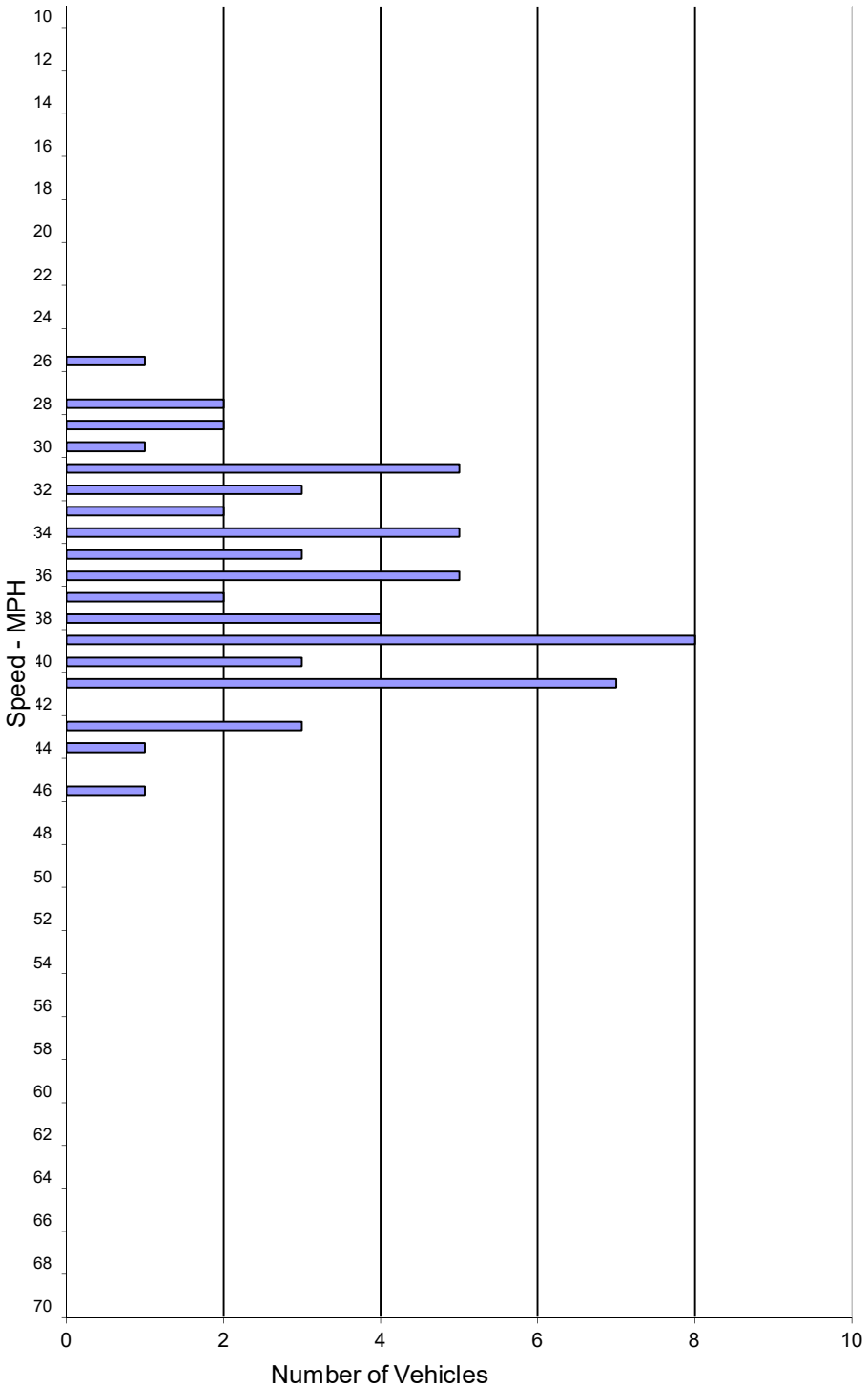
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #6 - Laurel Rd Bet Main St & Teton Rd
TIME: 10:20-11:20 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-006

Eastbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	1
27	
28	2
29	2
30	1
31	5
32	3
33	2
34	5
35	3
36	5
37	2
38	4
39	8
40	3
41	7
42	
43	3
44	1
45	
46	1
47	
48	
49	
50	
51	
52	
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54	
55	
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57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	58	26 - 46	36 mph	41 mph	32 - 41	42	72%	18% / 11	9% / 5

Spot Speed Study

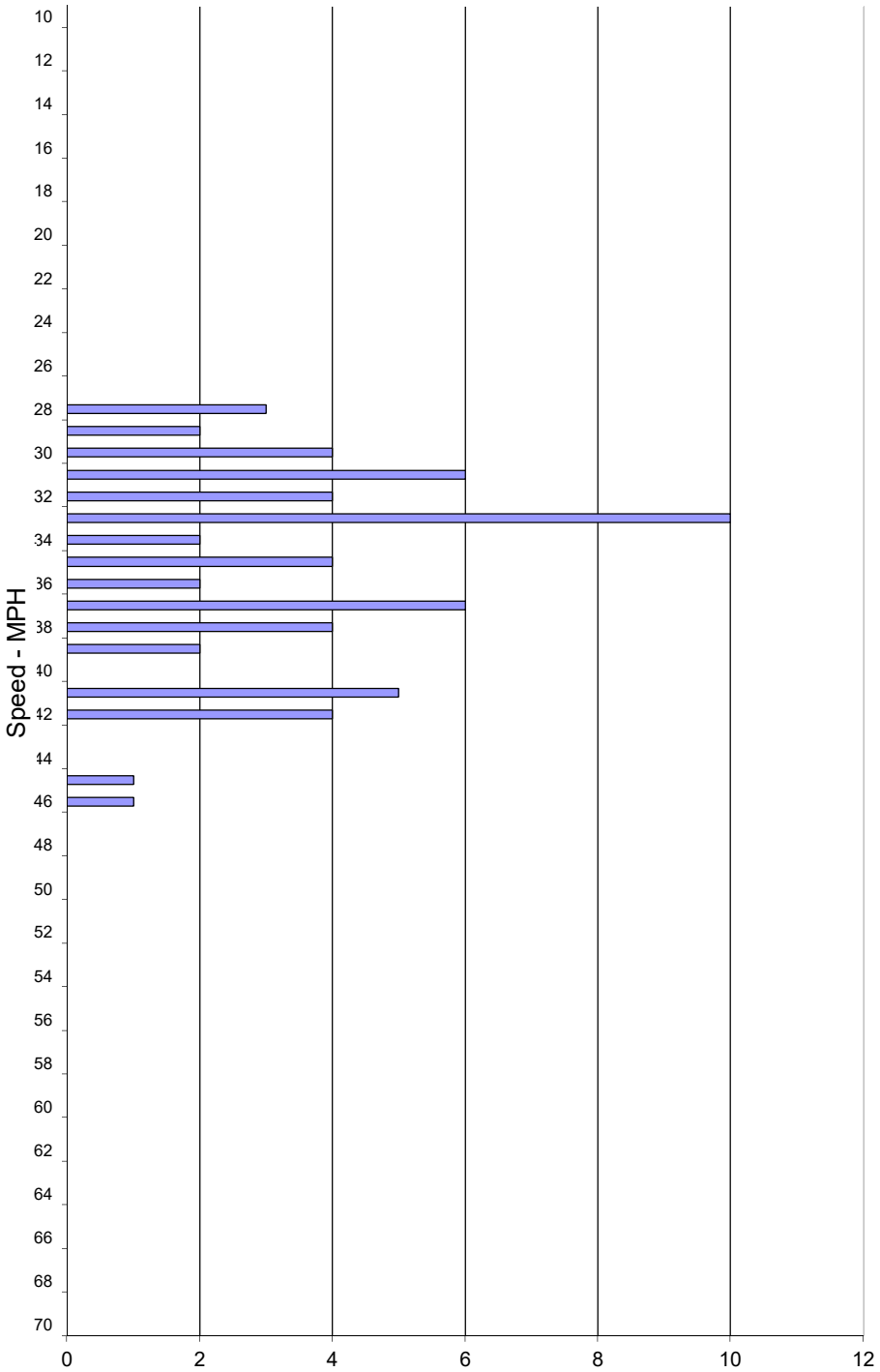
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #6 - Laurel Rd Bet Main St & Teton Rd
TIME: 10:20-11:20 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-006

Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	3
29	2
30	4
31	6
32	4
33	10
34	2
35	4
36	2
37	6
38	4
39	2
40	
41	5
42	4
43	
44	
45	1
46	1
47	
48	
49	
50	
51	
52	
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59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	60	28 - 46	34 mph	41 mph	29 - 38	44	73%	5% / 3	22% / 13

Prepared by National Data & Surveying Services

VOLUME

#6 - Laurel Rd Bet Main St & Teton Rd

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_006

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	3,455	3,421	6,876

DAILY TOTALS

15-Minutes Interval

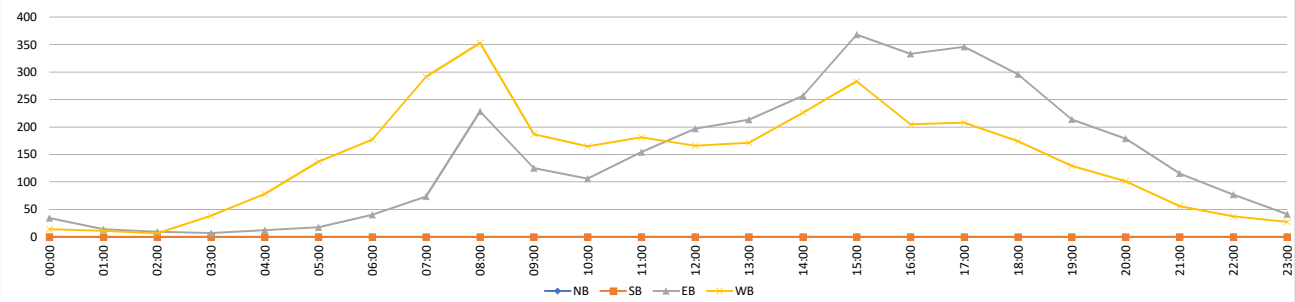
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00			16	7	23	12:00			55	34	89
0:15			8	2	10	12:15			42	43	85
0:30			5	4	9	12:30			46	50	96
0:45			5	1	6	12:45			54	39	93
1:00			3	4	7	13:00			43	45	88
1:15			6	3	9	13:15			55	40	95
1:30			4	3	7	13:30			69	42	111
1:45			1	1	2	13:45			46	44	90
2:00			1	1	2	14:00			55	53	108
2:15			2	1	3	14:15			52	48	100
2:30			2	3	5	14:30			78	58	136
2:45			4	1	5	14:45			72	67	139
3:00			2	3	5	15:00			66	86	152
3:15			2	11	13	15:15			89	69	158
3:30			2	10	12	15:30			125	77	202
3:45			1	14	15	15:45			88	51	139
4:00			3	9	12	16:00			88	67	155
4:15			1	17	18	16:15			81	44	125
4:30			3	18	21	16:30			83	49	132
4:45			5	34	39	16:45			81	45	126
5:00			2	42	44	17:00			82	44	126
5:15			4	24	28	17:15			74	53	127
5:30			6	33	39	17:30			86	61	147
5:45			5	38	43	17:45			104	50	154
6:00			8	51	59	18:00			73	54	127
6:15			8	36	44	18:15			83	44	127
6:30			12	45	57	18:30			78	40	118
6:45			12	45	57	18:45			62	36	98
7:00			10	41	51	19:00			62	39	101
7:15			13	64	77	19:15			63	39	102
7:30			18	88	106	19:30			46	28	74
7:45			32	98	130	19:45			43	23	66
8:00			47	146	193	20:00			49	29	78
8:15			73	91	164	20:15			37	26	63
8:30			71	59	130	20:30			53	17	70
8:45			37	57	94	20:45			40	29	69
9:00			34	52	86	21:00			28	14	42
9:15			35	44	79	21:15			24	16	40
9:30			35	47	82	21:30			35	14	49
9:45			21	44	65	21:45			28	12	40
10:00			23	30	53	22:00			26	14	40
10:15			29	44	73	22:15			15	8	23
10:30			31	58	89	22:30			21	8	29
10:45			23	33	56	22:45			15	7	22
11:00			30	37	67	23:00			14	10	24
11:15			43	43	86	23:15			9	6	15
11:30			43	54	97	23:30			11	10	21
11:45			38	47	85	23:45			7	1	8
TOTALS	0	0	819	1638	2457	TOTALS	0	0	2636	1783	4419
SPLIT %	0%	0%	33%	67%	36%	SPLIT %	0%	0%	60%	40%	64%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00			34	14	48
01:00	02:00			14	11	25
02:00	03:00			9	6	15
03:00	04:00			7	38	45
04:00	05:00			12	78	90
05:00	06:00			17	137	154
06:00	07:00			40	177	217
07:00	08:00			73	291	364
08:00	09:00			228	353	581
09:00	10:00			125	187	312
10:00	11:00			106	165	271
11:00	12:00			154	181	335
12:00	13:00			197	166	363
13:00	14:00			213	171	384
14:00	15:00			257	226	483
15:00	16:00			368	283	651
16:00	17:00			333	205	538
17:00	18:00			346	208	554
18:00	19:00			296	174	470
19:00	20:00			214	129	343
20:00	21:00			179	101	280
21:00	22:00			115	56	171
22:00	23:00			77	37	114
23:00	00:00			41	27	68

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume			819	1638	2457
Peak Hour			8:00	7:30	7:45
Peak Volume			228	423	617
Peak Hour Factor			0.781	0.724	0.799
Peak Period	12:00	to	00:00		
Volume			2636	1783	4419
Peak Hour			15:15	14:45	15:15
Peak Volume			390	299	654
Peak Hour Factor			0.780	0.869	0.809
Peak Period	07:00	to	09:00		
Volume			301	644	945
Peak Hour			8:00	7:30	7:45
Peak Volume			228	423	617
Peak Hour Factor			0.781	0.724	0.799
Peak Period	16:00	to	18:00		
Volume			679	413	1092
Peak Hour			17:00	17:00	17:00
Peak Volume			346	208	554
Peak Hour Factor			0.832	0.852	0.899



Street: Live Oak Avenue
Limits: Main Street to Oakley Road
Direction: NB/SB

Factors

A. Prevailing Speed Data

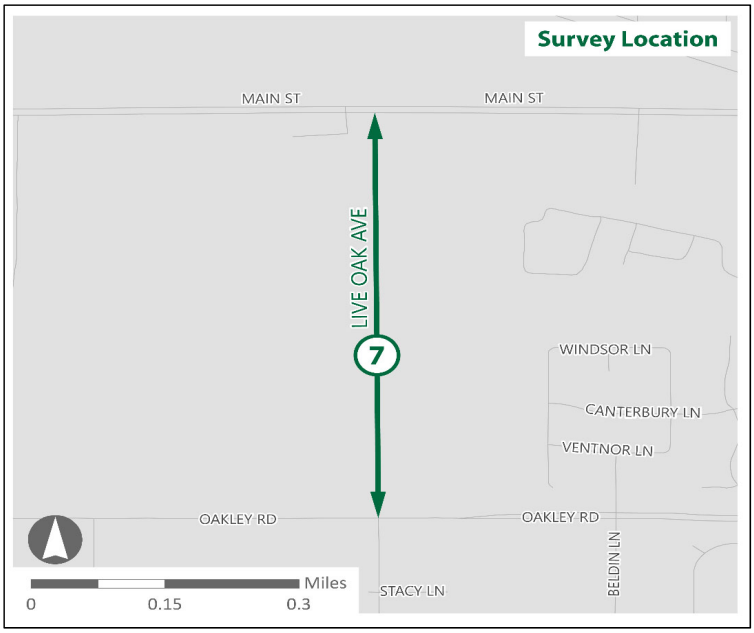
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	35
# Speed Data Collected	138
85th Percentile (mph)	41
10 mph Pace	29-38
Percent in Pace	64%

B. Traffic Factors

Average Daily Traffic (ADT)	2,833
Length of Segment (mi.)	0.50
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	9
Accident Rate (Acc/MVM)	3.48
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), industrial (distribution facility, construction yard, storage yards), and open space (agriculture) land uses.

Roadway Geometrics
An undivided 2-lane major arterial. Double yellow lines, single striped yellow line, and two-way left-turn lane serve as medians. Concrete sidewalks present on easterly side in front of Orchard Park School and UPS Brentwood Center. No bicycle facilities present along segment. Signal present at intersection with Main St. All-way stop control at Oakley Rd. Left-turn and right-turn lane pockets present at approach to intersection with Main St. Marked crosswalk present at intersection with Main St. On-street parking present on easterly side in front of Orchard Park School and UPS Brentwood Center. School zone is present. No horizontal curves present. Gentle vertical curves along segment. Medium driveway density on both sides. Two-way left-turn lane in front of Orchard Park School.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 41 --> 40
§22358.6(b) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded down from the 85th percentile speed: 40 --> 35

Speed Limit Change?	**No**
Existing Speed Limit: 35	**Recommended Speed Limit: 35**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

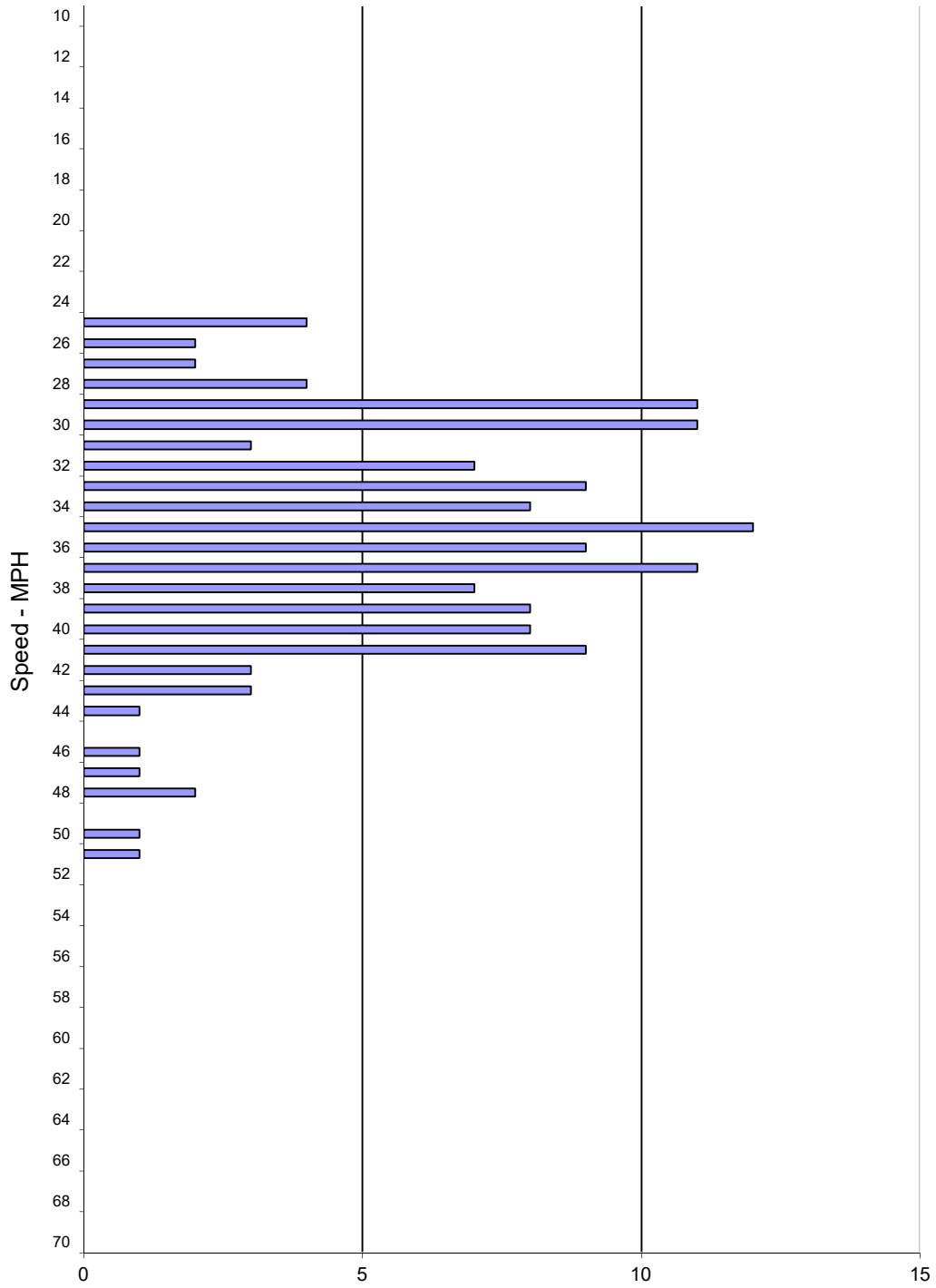
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #7 - Live Oak Ave Bet Oakley Rd & Main Ave
TIME: 10:10-11:35 **Posted Speed:** 35 MPH Clear/Dry **Project #: 24-080067-007**

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	4
26	2
27	2
28	4
29	11
30	11
31	3
32	7
33	9
34	8
35	12
36	9
37	11
38	7
39	8
40	8
41	9
42	3
43	3
44	1
45	
46	1
47	1
48	2
49	
50	1
51	1
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	138	25 - 51	35 mph	41 mph	29 - 38	88	64%	8% / 12	28% / 38

Spot Speed Study

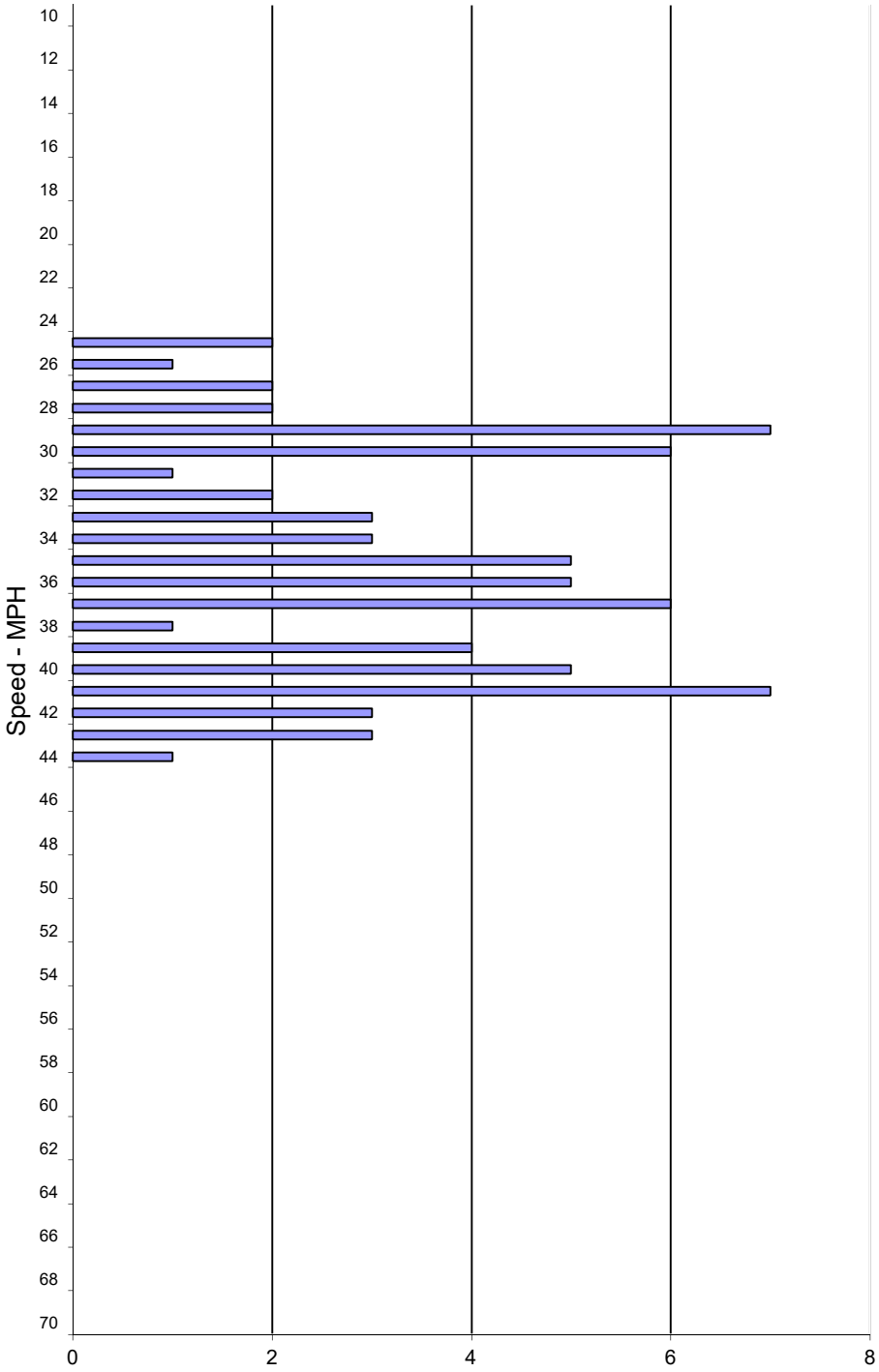
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #7 - Live Oak Ave Bet Oakley Rd & Main Ave
TIME: 10:10-11:35 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-007

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	2
26	1
27	2
28	2
29	7
30	6
31	1
32	2
33	3
34	3
35	5
36	5
37	6
38	1
39	4
40	5
41	7
42	3
43	3
44	1
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	69	25 - 44	36 mph	41 mph	33 - 42	42	61%	33% / 23	6% / 4

Spot Speed Study

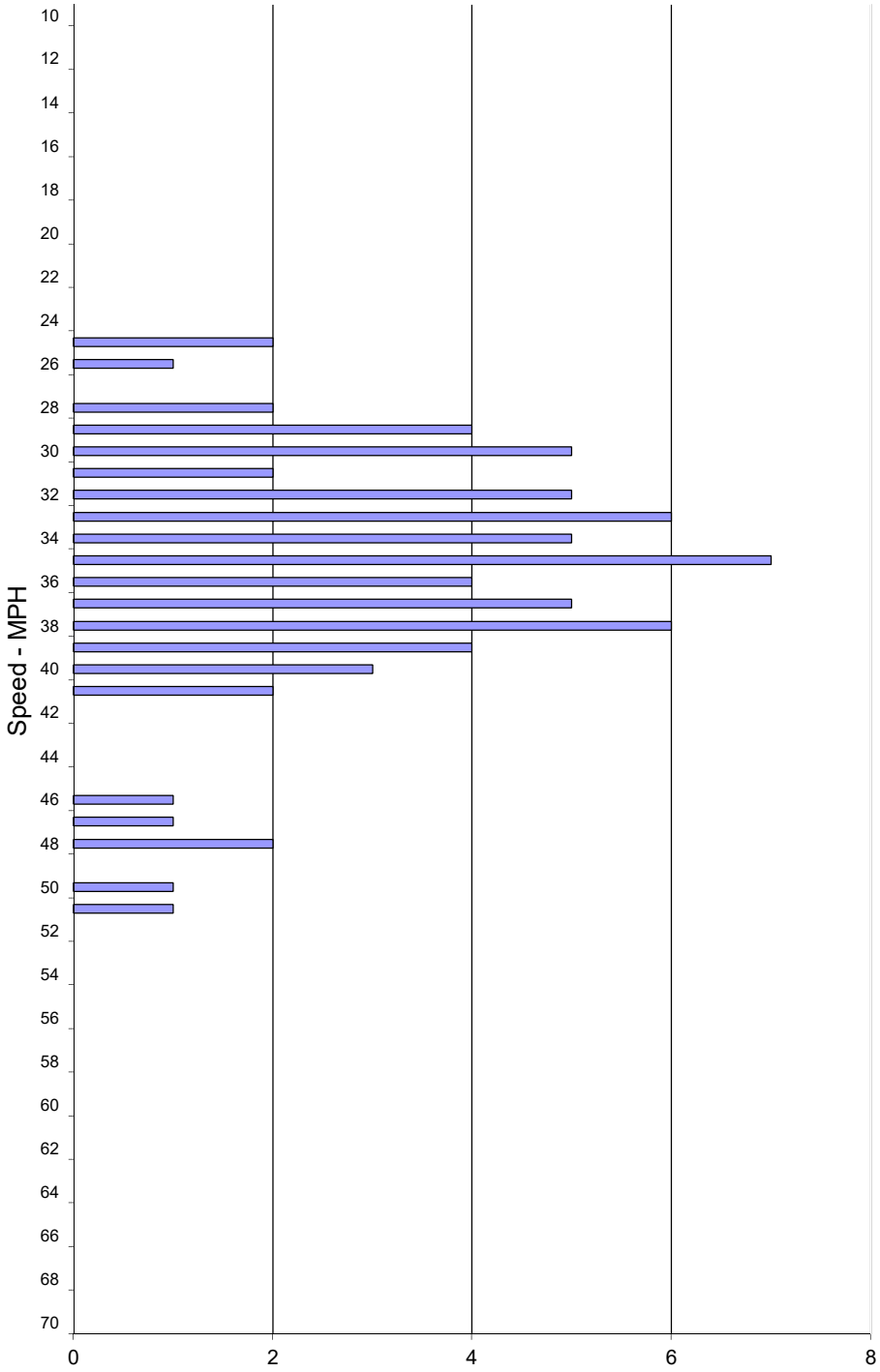
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #7 - Live Oak Ave Bet Oakley Rd & Main Ave
TIME: 10:10-11:35 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-007

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	2
26	1
27	
28	2
29	4
30	5
31	2
32	5
33	6
34	5
35	7
36	4
37	5
38	6
39	4
40	3
41	2
42	
43	
44	
45	
46	1
47	1
48	2
49	
50	1
51	1
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	69	25 - 51	35 mph	40 mph	29 - 38	49	71%	7% / 5	22% / 15

Prepared by National Data & Surveying Services

VOLUME

#7 - Live Oak Ave Bet Oakley Rd & Main Ave

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_007

DAILY TOTALS	NB	SB	EB	WB	Total
	1,632	1,201	0	0	2,833

DAILY TOTALS

15-Minutes Interval

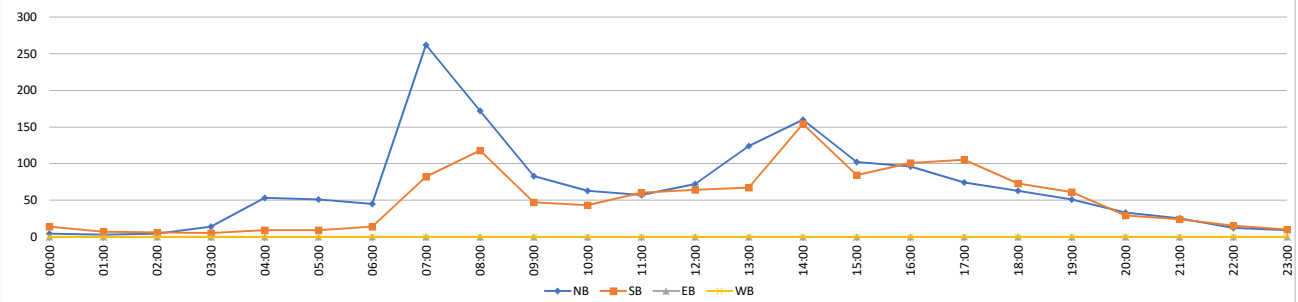
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	2	4			6	12:00	10	16			26
0:15	0	1			1	12:15	13	11			24
0:30	1	4			5	12:30	19	20			39
0:45	1	5			6	12:45	30	17			47
1:00	0	3			3	13:00	26	28			54
1:15	1	0			1	13:15	31	16			47
1:30	1	2			3	13:30	28	11			39
1:45	1	2			3	13:45	39	12			51
2:00	1	2			3	14:00	43	18			61
2:15	0	0			0	14:15	43	23			66
2:30	0	2			2	14:30	51	87			138
2:45	3	2			5	14:45	23	26			49
3:00	3	1			4	15:00	17	14			31
3:15	1	2			3	15:15	27	20			47
3:30	3	1			4	15:30	35	29			64
3:45	7	1			8	15:45	23	21			44
4:00	10	1			11	16:00	27	24			51
4:15	4	3			7	16:15	26	31			57
4:30	17	2			19	16:30	21	18			39
4:45	22	3			25	16:45	22	28			50
5:00	9	2			11	17:00	17	36			53
5:15	11	1			12	17:15	26	26			52
5:30	11	2			13	17:30	10	19			29
5:45	20	4			24	17:45	21	24			45
6:00	12	3			15	18:00	16	27			43
6:15	11	4			15	18:15	19	19			38
6:30	10	5			15	18:30	13	13			26
6:45	12	2			14	18:45	15	14			29
7:00	17	5			22	19:00	12	18			30
7:15	25	15			40	19:15	11	14			25
7:30	62	18			80	19:30	15	16			31
7:45	158	44			202	19:45	13	13			26
8:00	83	57			140	20:00	10	11			21
8:15	41	21			62	20:15	8	5			13
8:30	28	17			45	20:30	7	6			13
8:45	20	23			43	20:45	8	7			15
9:00	28	20			48	21:00	7	7			14
9:15	16	9			25	21:15	9	7			16
9:30	19	11			30	21:30	5	4			9
9:45	20	7			27	21:45	4	6			10
10:00	15	11			26	22:00	5	3			8
10:15	16	9			25	22:15	2	5			7
10:30	20	13			33	22:30	3	4			7
10:45	12	10			22	22:45	2	3			5
11:00	14	13			27	23:00	5	4			9
11:15	11	21			32	23:15	1	1			2
11:30	18	11			29	23:30	1	3			4
11:45	14	15			29	23:45	2	2			4
TOTALS	811	414	0	0	1225	TOTALS	821	787	0	0	1608
SPLIT %	66%	34%	0%	0%	43%	SPLIT %	51%	49%	0%	0%	57%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	4	14			18
01:00	02:00	3	7			10
02:00	03:00	4	6			10
03:00	04:00	14	5			19
04:00	05:00	53	9			62
05:00	06:00	51	9			60
06:00	07:00	45	14			59
07:00	08:00	262	82			344
08:00	09:00	172	118			290
09:00	10:00	83	47			130
10:00	11:00	63	43			106
11:00	12:00	57	60			117
12:00	13:00	72	64			136
13:00	14:00	124	67			191
14:00	15:00	160	154			314
15:00	16:00	102	84			186
16:00	17:00	96	101			197
17:00	18:00	74	105			179
18:00	19:00	63	73			136
19:00	20:00	51	61			112
20:00	21:00	33	29			62
21:00	22:00	25	24			49
22:00	23:00	12	15			27
23:00	00:00	9	10			19

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	811	414			1225
Peak Hour	7:30	7:30			7:30
Peak Volume	344	140			484
Peak Hour Factor	0.544	0.614			0.599
Peak Period	12:00	to	00:00		
Volume	821	787			1608
Peak Hour	13:45	14:00			13:45
Peak Volume	176	154			316
Peak Hour Factor	0.863	0.443			0.572
Peak Period	07:00	to	09:00		
Volume	434	200			634
Peak Hour	7:30	7:30			7:30
Peak Volume	344	140			484
Peak Hour Factor	0.544	0.614			0.599
Peak Period	16:00	to	18:00		
Volume	170	206			376
Peak Hour	16:00	16:15			16:15
Peak Volume	96	113			199
Peak Hour Factor	0.889	0.785			0.873



Street: Live Oak Avenue

Limits: Oakley Road to Neroly Road/Live Oak Road

Direction: NB/SB

Factors

A. Prevailing Speed Data

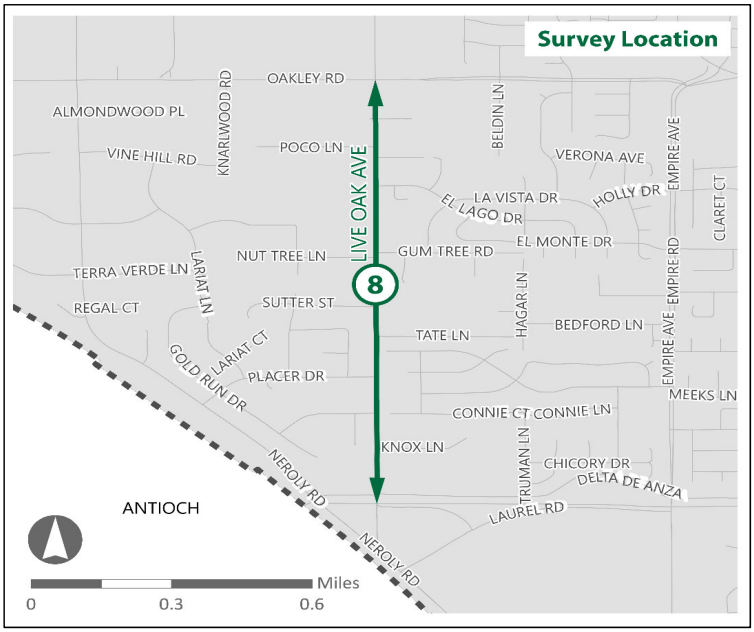
Date /Location of Survey	4/4/2024
Posted Speed Limit (mph)	40
# Speed Data Collected	172
85th Percentile (mph)	43
10 mph Pace	35-44
Percent in Pace	92%

B. Traffic Factors

Average Daily Traffic (ADT)	4,379
Length of Segment (mi.)	1.12
Street Classification	Collector

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	6
Accident Rate (Acc/MVM)	0.67
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use: Residential (single-family homes), institutional (church), and open space (agriculture and vacant lot) land uses.

Roadway Geometrics: An undivided 2-lane collector. Double yellow lines serve as median. Concrete sidewalks present on easterly side from Gum Tree Rd. to approximately 381 feet south of Gum Tree Rd. and from Jane Ln. to Tate Ln. Concrete sidewalks present on westerly side from approximately 136 feet south of Know Ln. to approximately 161 feet north of Jane Ln. Class II bike lanes on both sides south of Live Oak Ave. All-way stop control present at intersections with Oakley Rd. and Neroly Rd./Live Oak Ave. Side street stop control present at remaining intersections. Right-turn lane pockets at Jane Ln. and Tate Ln. Marked crosswalks present at intersection with Neroly Rd./Live Oak Ave. and Via Delta de Anza Trail. On-street parking present on easterly side from Jane Ln. to Tate Ln. No school zone is present. Horizontal curve present south of Neroly Rd./Live Oak Ave. Gentle vertical curves present along length of segment. Segment generally slopes positively in southerly direction. High driveway density on both sides. Ped-bike trail present along canal at southern end of segment.

Comments:
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 43 --> 45
§22358.6(b) - Not applicable
§22358.6(c) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded up from the 85th percentile speed: 45 --> 40

Speed Limit Change?	**No**
Existing Speed Limit: 40	**Recommended Speed Limit: 40**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:

Title:

Signed: Anna Vickroy, PE, TE

Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

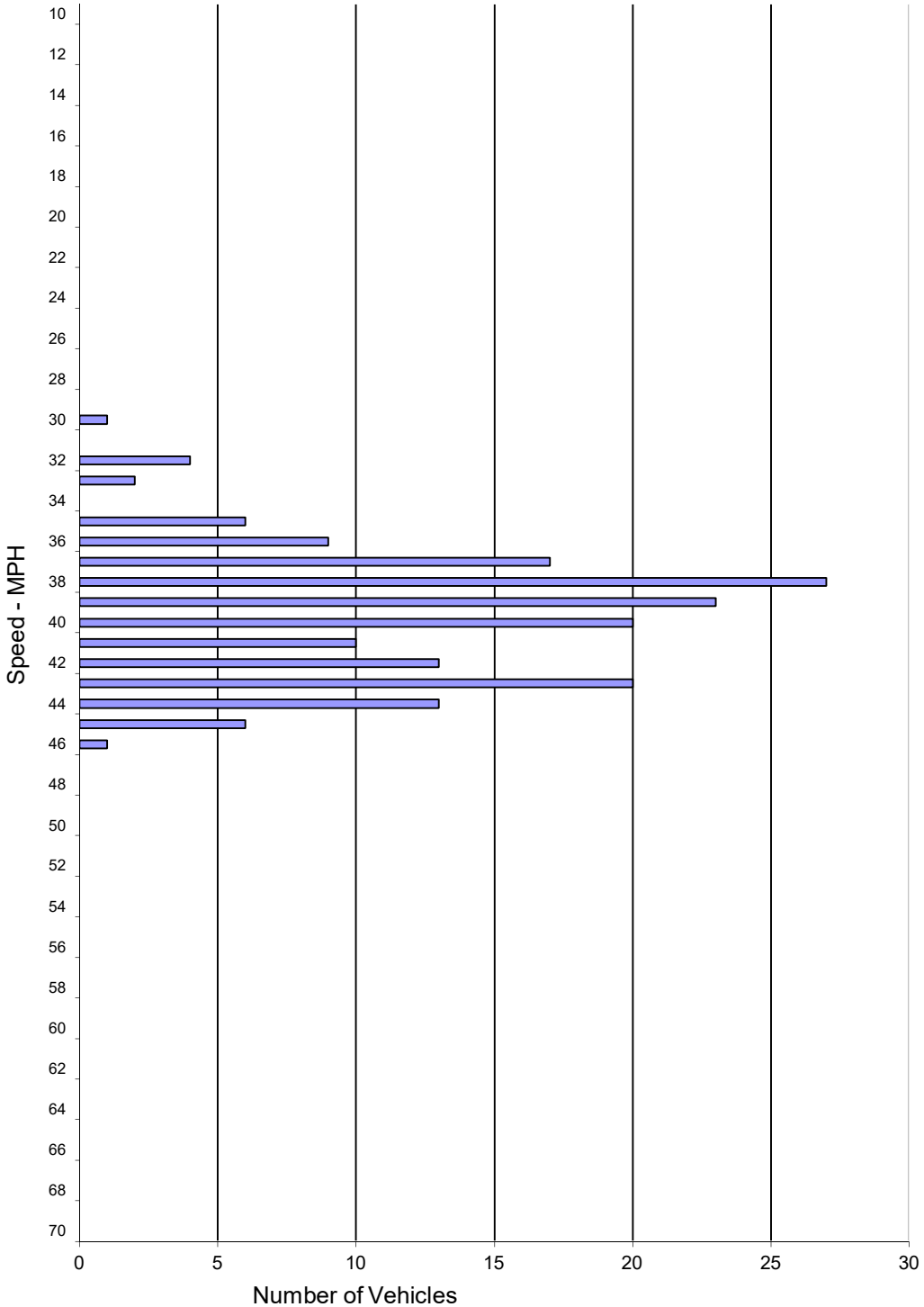
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #8 - Live Oak Ave Bet Neroly Rd & Oakley Rd
TIME: 12:00-13:00 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-008**

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	1
31	
32	4
33	2
34	
35	6
36	9
37	17
38	27
39	23
40	20
41	10
42	13
43	20
44	13
45	6
46	1
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	172	30 - 46	39 mph	43 mph	35 - 44	158	92%	4% / 7	5% / 7

Spot Speed Study

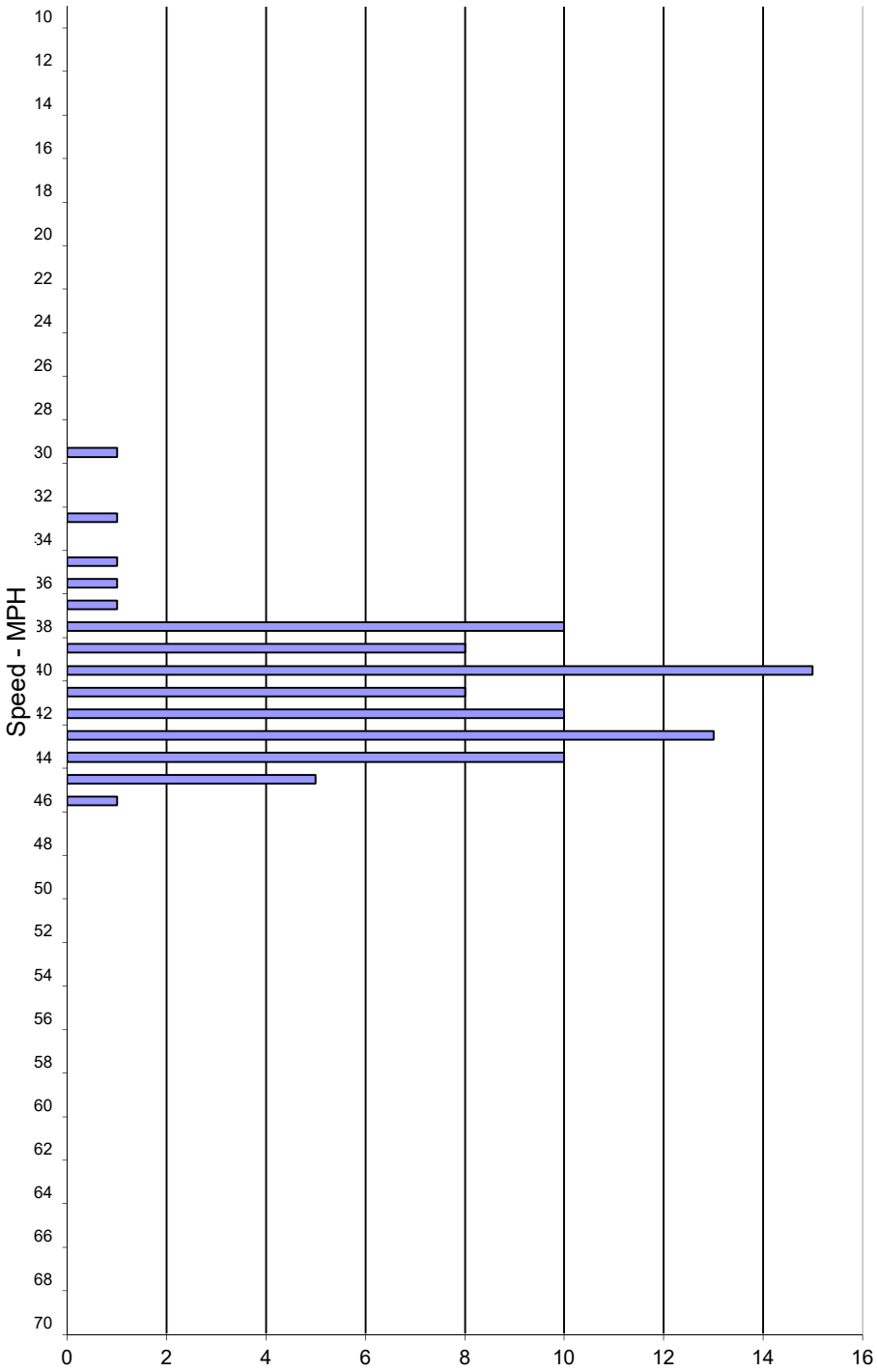
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #8 - Live Oak Ave Bet Neroly Rd & Oakley Rd
TIME: 12:00-13:00 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-008

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	1
31	
32	
33	1
34	
35	1
36	1
37	1
38	10
39	8
40	15
41	8
42	10
43	13
44	10
45	5
46	1
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	85	30 - 46	41 mph	44 mph	36 - 45	81	95%	3% / 3	2% / 1

Spot Speed Study

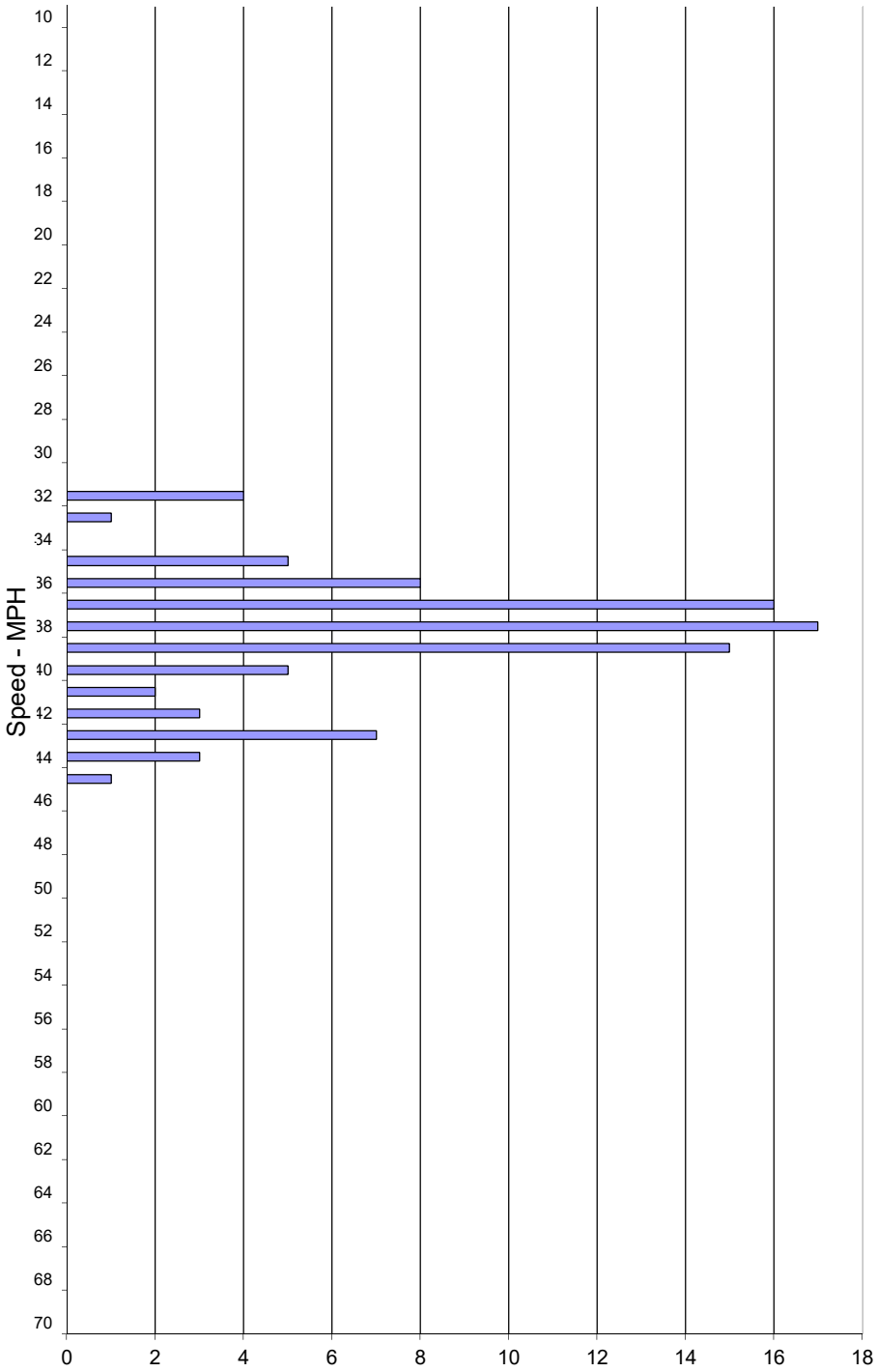
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #8 - Live Oak Ave Bet Neroly Rd & Oakley Rd
TIME: 12:00-13:00 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-008

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	4
33	1
34	
35	5
36	8
37	16
38	17
39	15
40	5
41	2
42	3
43	7
44	3
45	1
46	
47	
48	
49	
50	
51	
52	
53	
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56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	87	32 - 45	38 mph	42 mph	35 - 44	81	93%	5% / 5	2% / 1

Prepared by National Data & Surveying Services

VOLUME

8 - Live Oak Ave Bet Neroly Rd & Oakley Rd

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_008

DAILY TOTALS	NB	SB	EB	WB	Total
	2,269	2,110	0	0	4,379

DAILY TOTALS

15-Minutes Interval

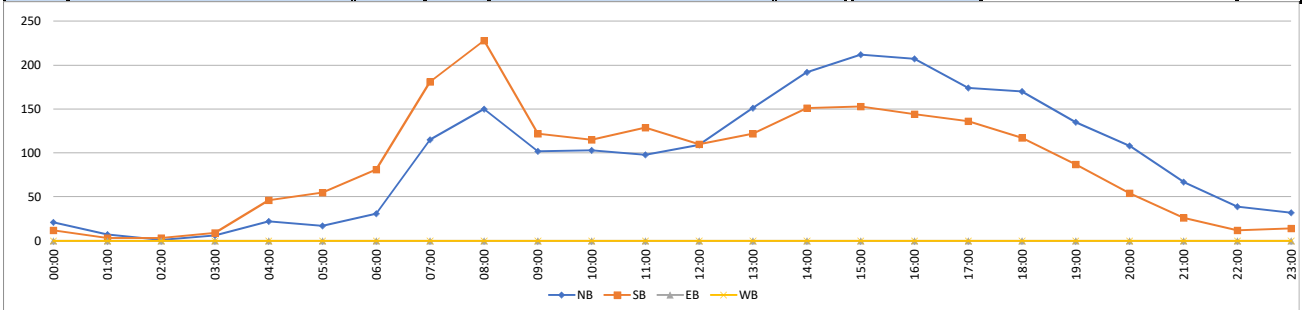
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	5	2			7	12:00	22	26			48
0:15	6	3			9	12:15	24	24			48
0:30	7	5			12	12:30	29	34			63
0:45	3	2			5	12:45	34	26			60
1:00	0	2			2	13:00	29	36			65
1:15	3	0			3	13:15	44	30			74
1:30	1	0			1	13:30	37	28			65
1:45	3	1			4	13:45	41	28			69
2:00	0	0			0	14:00	52	30			82
2:15	1	1			2	14:15	52	31			83
2:30	0	2			2	14:30	39	49			88
2:45	0	0			0	14:45	49	41			90
3:00	2	3			5	15:00	47	37			84
3:15	1	1			2	15:15	48	40			88
3:30	1	1			2	15:30	72	41			113
3:45	2	4			6	15:45	45	35			80
4:00	5	6			11	16:00	49	32			81
4:15	0	15			15	16:15	51	47			98
4:30	6	14			20	16:30	50	34			84
4:45	11	11			22	16:45	57	31			88
5:00	1	11			12	17:00	56	40			96
5:15	5	14			19	17:15	46	30			76
5:30	2	16			18	17:30	28	34			62
5:45	9	14			23	17:45	44	32			76
6:00	8	23			31	18:00	37	35			72
6:15	8	16			24	18:15	59	29			88
6:30	7	16			23	18:30	33	29			62
6:45	8	26			34	18:45	41	24			65
7:00	16	23			39	19:00	34	27			61
7:15	14	37			51	19:15	34	26			60
7:30	39	42			81	19:30	38	20			58
7:45	46	79			125	19:45	29	14			43
8:00	31	87			118	20:00	37	19			56
8:15	47	55			102	20:15	25	14			39
8:30	44	44			88	20:30	27	10			37
8:45	28	42			70	20:45	19	11			30
9:00	20	38			58	21:00	21	9			30
9:15	26	20			46	21:15	18	9			27
9:30	33	38			71	21:30	19	2			21
9:45	23	26			49	21:45	9	6			15
10:00	23	30			53	22:00	11	4			15
10:15	23	34			57	22:15	13	2			15
10:30	29	24			53	22:30	10	3			13
10:45	28	27			55	22:45	5	3			8
11:00	23	27			50	23:00	5	3			8
11:15	25	26			51	23:15	13	4			17
11:30	24	42			66	23:30	7	5			12
11:45	26	34			60	23:45	7	2			9
TOTALS	673	984	0	0	1657	TOTALS	1596	1126	0	0	2722
SPLIT %	41%	59%	0%	0%	38%	SPLIT %	59%	41%	0%	0%	62%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	21	12			33
01:00	02:00	7	3			10
02:00	03:00	1	3			4
03:00	04:00	6	9			15
04:00	05:00	22	46			68
05:00	06:00	17	55			72
06:00	07:00	31	81			112
07:00	08:00	115	181			296
08:00	09:00	150	228			378
09:00	10:00	102	122			224
10:00	11:00	103	115			218
11:00	12:00	98	129			227
12:00	13:00	109	110			219
13:00	14:00	151	122			273
14:00	15:00	192	151			343
15:00	16:00	212	153			365
16:00	17:00	207	144			351
17:00	18:00	174	136			310
18:00	19:00	170	117			287
19:00	20:00	135	87			222
20:00	21:00	108	54			162
21:00	22:00	67	26			93
22:00	23:00	39	12			51
23:00	00:00	32	14			46

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	673	984			1657
Peak Hour	7:45	7:45			7:45
Peak Volume	168	265			433
Peak Hour Factor	0.894	0.761			0.866
Peak Period	12:00	to	00:00		
Volume	1596	1126			2722
Peak Hour	15:30	14:30			14:45
Peak Volume	217	167			375
Peak Hour Factor	0.753	0.852			0.830
Peak Period	07:00	to	09:00		
Volume	265	409			674
Peak Hour	7:45	7:45			7:45
Peak Volume	168	265			433
Peak Hour Factor	0.894	0.761			0.866
Peak Period	16:00	to	18:00		
Volume	381	280			661
Peak Hour	16:15	16:15			16:15
Peak Volume	214	152			366
Peak Hour Factor	0.939	0.809			0.934



Street: Neroly Road
Limits: Main Street to Oakley Road
Direction: NB/SB

Factors

A. Prevailing Speed Data

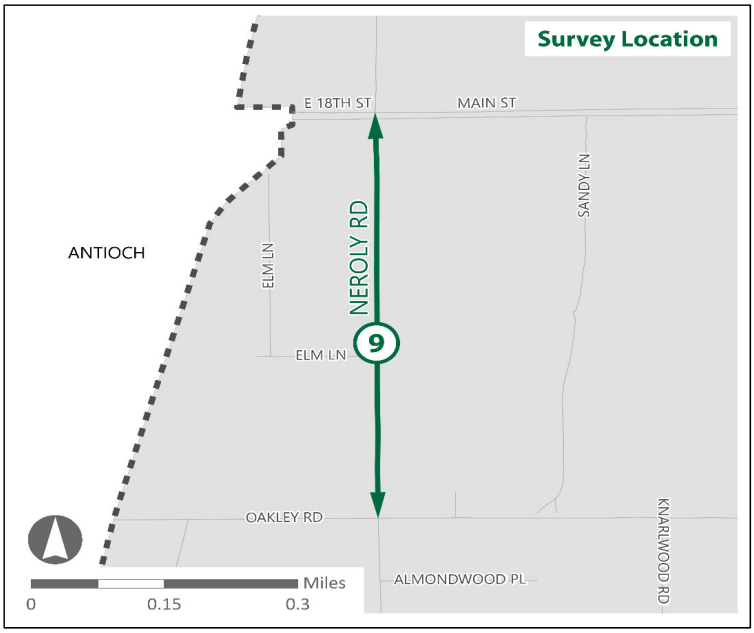
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	40
# Speed Data Collected	175
85th Percentile (mph)	43
10 mph Pace	32-41
Percent in Pace	67%

B. Traffic Factors

Average Daily Traffic (ADT)	5,726
Length of Segment (mi.)	0.50
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	3
Accident Rate (Acc/MVM)	0.57
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), commercial (car wash, fast food restaurant, auto maintenance), industrial (corporation yard), and open space (agriculture, vacant lot) land uses.

Roadway Geometrics
An undivided 2-lane major arterial. Single striped yellow line serves as median. Concrete sidewalk present on westerly side from Main St. to approximately 468 feet south of Main St. No bicycle facilities present along segment. Signal at intersection with Main St. All-way stop control at Oakley Rd. Left-turn lane pocket at approach to intersection with Main St. Marked crosswalks present at intersection with Main St. On-street parking present at north end of segment on westerly side. No school zone is present. No horizontal curves present. Gentle vertical curves present along segment. Segment slopes positively in southerly direction. High driveway density on both sides.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 43 --> 45
§22358.6(b) - Not applicable
§22358.6(c) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded up from the 85th percentile speed: 45 --> 40

Speed Limit Change?	**No**
Existing Speed Limit: 40	**Recommended Speed Limit: 40**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

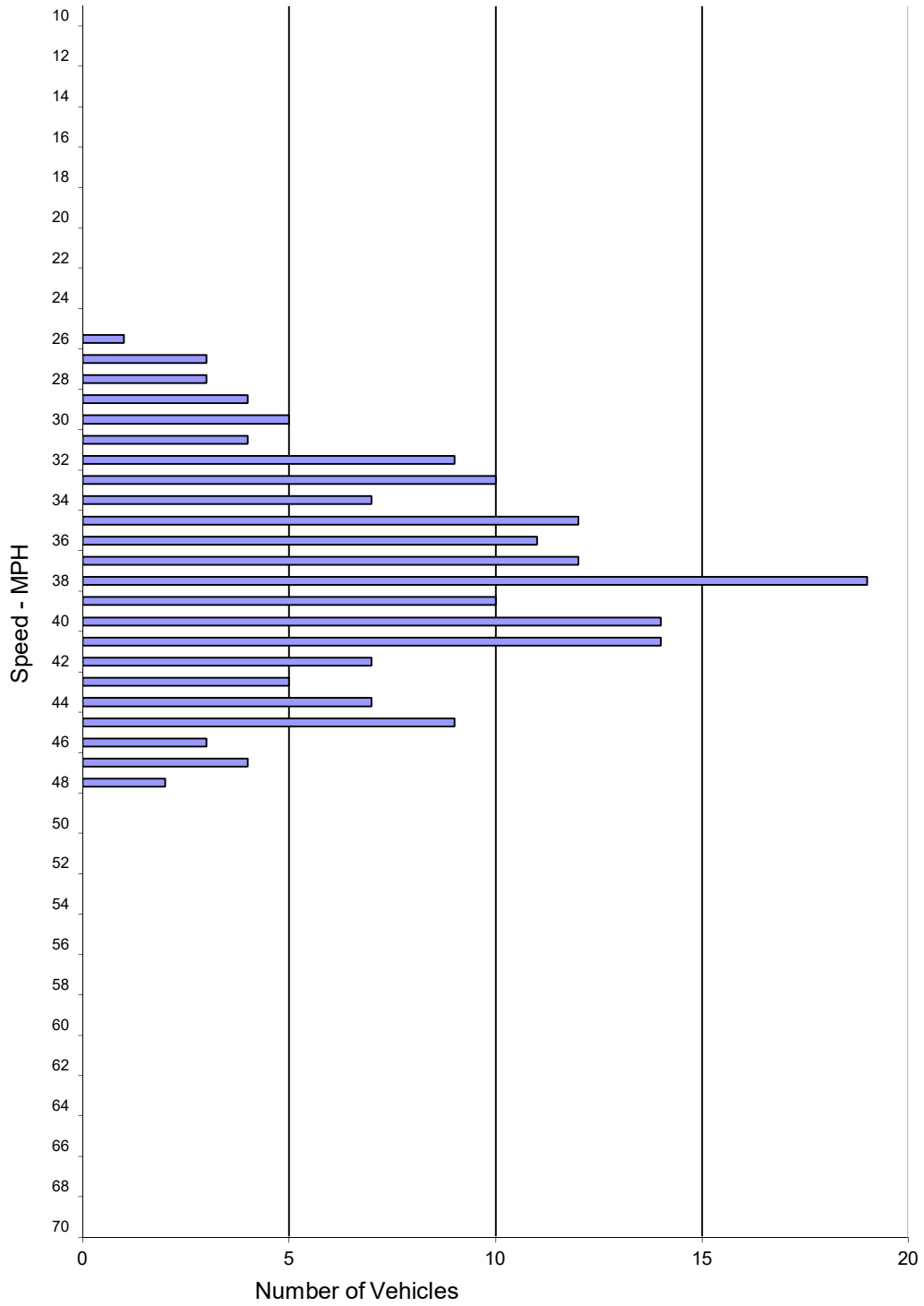
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #9 - Neroly Rd Bet Oakley Rd & Main St
TIME: 11:45-12:45 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-009**

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	1
27	3
28	3
29	4
30	5
31	4
32	9
33	10
34	7
35	12
36	11
37	12
38	19
39	10
40	14
41	14
42	7
43	5
44	7
45	9
46	3
47	4
48	2
49	
50	
51	
52	
53	
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59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	175	26 - 48	38 mph	43 mph	32 - 41	118	67%	11% / 20	22% / 37

Spot Speed Study

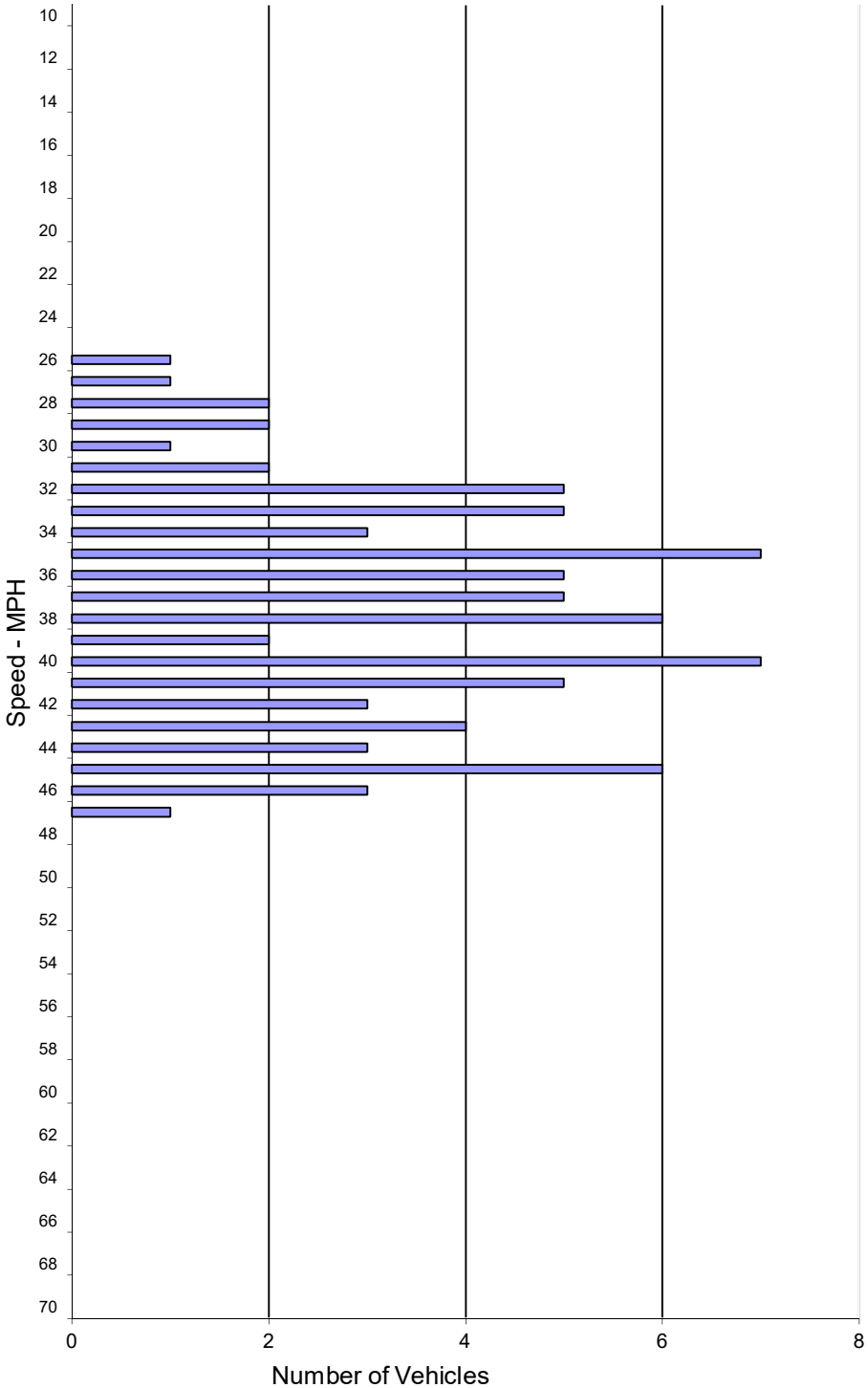
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #9 - Neroly Rd Bet Oakley Rd & Main St
TIME: 11:45-12:45 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-009

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	1
27	1
28	2
29	2
30	1
31	2
32	5
33	5
34	3
35	7
36	5
37	5
38	6
39	2
40	7
41	5
42	3
43	4
44	3
45	6
46	3
47	1
48	
49	
50	
51	
52	
53	
54	
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57	
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59	
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61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	79	26 - 47	38 mph	44 mph	32 - 41	50	63%	11% / 9	26% / 20

Spot Speed Study

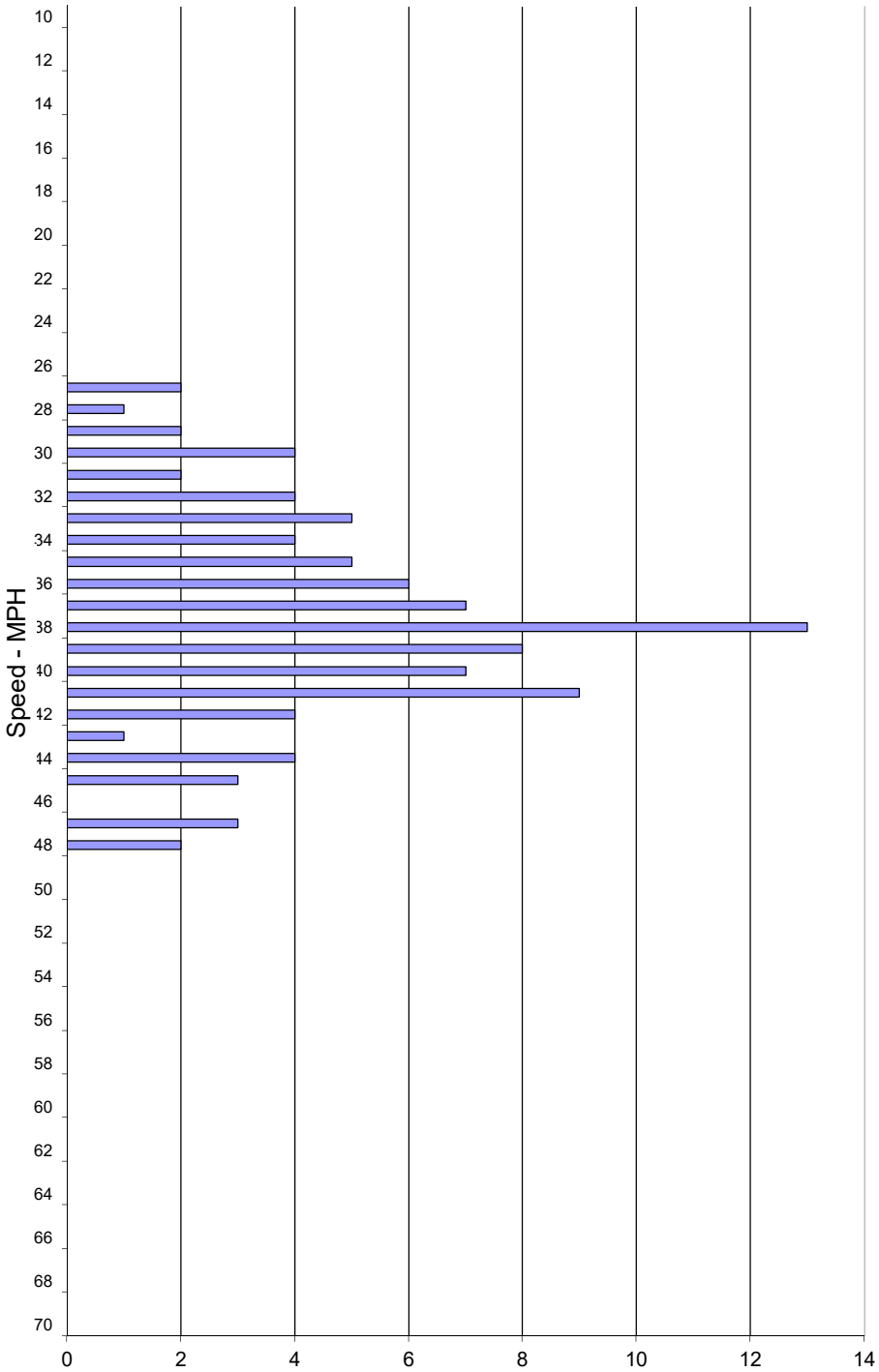
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #9 - Neroly Rd Bet Oakley Rd & Main St
TIME: 11:45-12:45 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-009**

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	2
28	1
29	2
30	4
31	2
32	4
33	5
34	4
35	5
36	6
37	7
38	13
39	8
40	7
41	9
42	4
43	1
44	4
45	3
46	
47	3
48	2
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	96	27 - 48	38 mph	42 mph	32 - 41	68	71%	11% / 11	18% / 17

Prepared by National Data & Surveying Services

VOLUME

#9 - Neroly Rd Bet Oakley Rd & Main St

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_009

DAILY TOTALS	NB	SB	EB	WB	Total
	2,802	2,924	0	0	5,726

DAILY TOTALS

15-Minutes Interval

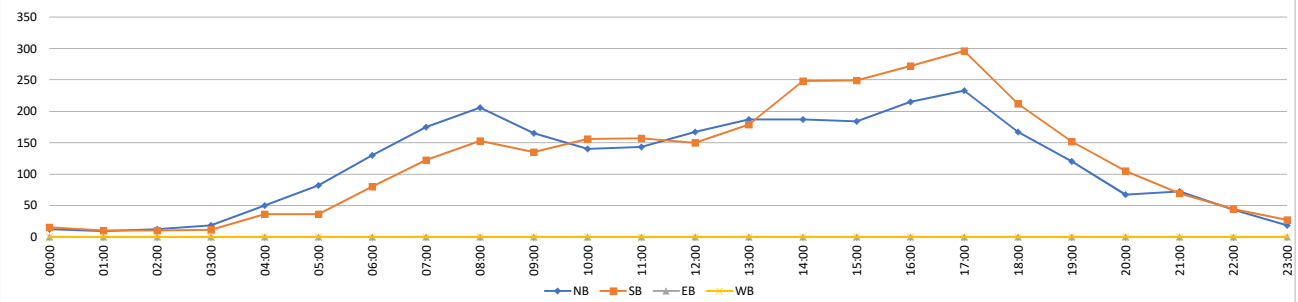
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	3	2			5	12:00	47	42			89
0:15	3	6			9	12:15	40	25			65
0:30	4	5			9	12:30	31	38			69
0:45	2	2			4	12:45	49	45			94
1:00	3	2			5	13:00	45	48			93
1:15	2	2			4	13:15	50	44			94
1:30	3	4			7	13:30	48	48			96
1:45	1	2			3	13:45	44	39			83
2:00	4	0			4	14:00	40	47			87
2:15	0	2			2	14:15	47	58			105
2:30	6	5			11	14:30	46	74			120
2:45	2	3			5	14:45	54	69			123
3:00	1	3			4	15:00	44	60			104
3:15	5	2			7	15:15	45	53			98
3:30	6	1			7	15:30	41	57			98
3:45	6	5			11	15:45	54	79			133
4:00	10	8			18	16:00	56	65			121
4:15	7	7			14	16:15	48	74			122
4:30	16	8			24	16:30	56	56			112
4:45	17	13			30	16:45	55	77			132
5:00	12	4			16	17:00	58	80			138
5:15	21	9			30	17:15	56	82			138
5:30	25	11			36	17:30	68	61			129
5:45	24	12			36	17:45	51	73			124
6:00	33	17			50	18:00	43	72			115
6:15	26	16			42	18:15	34	55			89
6:30	36	20			56	18:30	46	49			95
6:45	35	27			62	18:45	44	36			80
7:00	33	20			53	19:00	47	43			90
7:15	50	21			71	19:15	23	46			69
7:30	52	29			81	19:30	27	24			51
7:45	40	52			92	19:45	23	39			62
8:00	50	35			85	20:00	19	24			43
8:15	51	38			89	20:15	17	32			49
8:30	49	43			92	20:30	19	27			46
8:45	56	37			93	20:45	12	22			34
9:00	35	36			71	21:00	27	17			44
9:15	42	37			79	21:15	23	13			36
9:30	38	31			69	21:30	13	15			28
9:45	50	31			81	21:45	9	24			33
10:00	35	30			65	22:00	16	17			33
10:15	30	35			65	22:15	11	10			21
10:30	31	32			63	22:30	13	8			21
10:45	44	59			103	22:45	3	9			12
11:00	29	38			67	23:00	3	7			10
11:15	44	36			80	23:15	5	11			16
11:30	34	43			77	23:30	6	5			11
11:45	36	40			76	23:45	4	4			8
TOTALS	1142	921	0	0	2063	TOTALS	1660	2003	0	0	3663
SPLIT %	55%	45%	0%	0%	36%	SPLIT %	45%	55%	0%	0%	64%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	12	15			27
01:00	02:00	9	10			19
02:00	03:00	12	10			22
03:00	04:00	18	11			29
04:00	05:00	50	36			86
05:00	06:00	82	36			118
06:00	07:00	130	80			210
07:00	08:00	175	122			297
08:00	09:00	206	153			359
09:00	10:00	165	135			300
10:00	11:00	140	156			296
11:00	12:00	143	157			300
12:00	13:00	167	150			317
13:00	14:00	187	179			366
14:00	15:00	187	248			435
15:00	16:00	184	249			433
16:00	17:00	215	272			487
17:00	18:00	233	296			529
18:00	19:00	167	212			379
19:00	20:00	120	152			272
20:00	21:00	67	105			172
21:00	22:00	72	69			141
22:00	23:00	43	44			87
23:00	00:00	18	27			45

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	1142	921			2063
Peak Hour	8:00	10:45			8:00
Peak Volume	206	176			359
Peak Hour Factor	0.920	0.746			0.965
Peak Period	12:00	to	00:00		
Volume	1660	2003			3663
Peak Hour	16:45	16:45			16:45
Peak Volume	237	300			537
Peak Hour Factor	0.871	0.915			0.973
Peak Period	07:00	to	09:00		
Volume	381	275			656
Peak Hour	8:00	7:45			8:00
Peak Volume	206	168			359
Peak Hour Factor	0.920	0.808			0.965
Peak Period	16:00	to	18:00		
Volume	448	568			1016
Peak Hour	16:45	16:45			16:45
Peak Volume	237	300			537
Peak Hour Factor	0.871	0.915			0.973



Street: Neroly Road
Limits: Oakley Road to Live Oak Avenue
Direction: NB/SB

Factors

A. Prevailing Speed Data

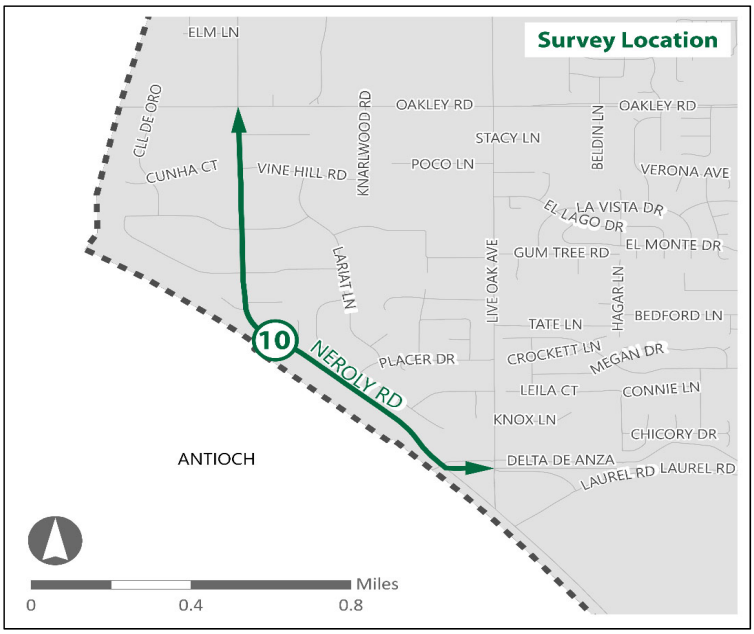
Date /Location of Survey	4/4/2024
Posted Speed Limit (mph)	45
# Speed Data Collected	168
85th Percentile (mph)	46
10 mph Pace	35-44
Percent in Pace	76%

B. Traffic Factors

Average Daily Traffic (ADT)	3,553
Length of Segment (mi.)	1.31
Street Classification	Minor Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	0
Accident Rate (Acc/MVM)	0.00
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), utilities (railroad right-of-way, canal), and open space (agriculture, vacant lots) land uses.

Roadway Geometrics
An undivided 2-lane minor arterial. Single striped yellow line and double yellow lines serve as medians. Concrete sidewalk present on northerly side from Live Oak Ave. to approximately 253 feet west of Omega Ln. Class II bike lane on northerly side from Live Oak Ave. to approximately 250 feet west of Placer Dr. Class II bike lane on southerly side from Live Oak Ave. to approximately 90 feet west of Omega Ln. Signal at intersection with Via Delta de Anza Trail. All-way stop control at intersections with Oakley Rd. and Live Oak Ave. Side street stop control at remaining intersections. Left-turn lane pocket at approach to intersection with Live Oak Ave. Marked crosswalks present at intersections with Live Oak Ave. and Via Delta de Anza Trail. No on-street parking present. No school zone is present. Broad horizontal curves present south of Regal Ct. Gentle vertical curves present throughout segment. High driveway density on both sides north of Omega Ln.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 46 --> 45

Speed Limit Change?	**No**
Existing Speed Limit: 45	**Recommended Speed Limit: 45**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

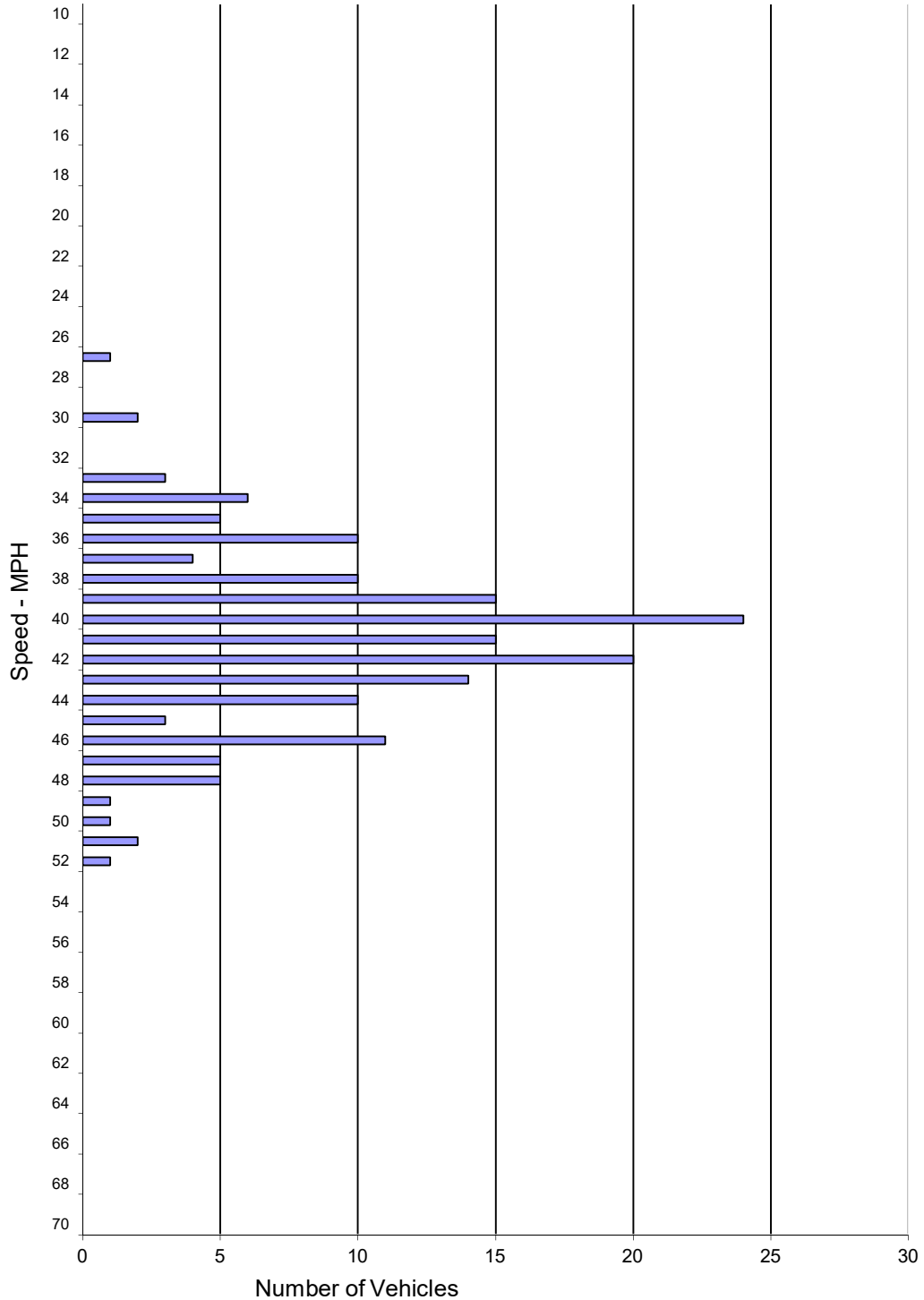
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #10 - Neroly Rd Bet Oakley Rd & Live Oak Ave
TIME: 09:10-10:20 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-010

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	1
28	
29	
30	2
31	
32	
33	3
34	6
35	5
36	10
37	4
38	10
39	15
40	24
41	15
42	20
43	14
44	10
45	3
46	11
47	5
48	5
49	1
50	1
51	2
52	1
53	
54	
55	
56	
57	
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59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	168	27 - 52	41 mph	46 mph	35 - 44	127	76%	7% / 12	18% / 29

Spot Speed Study

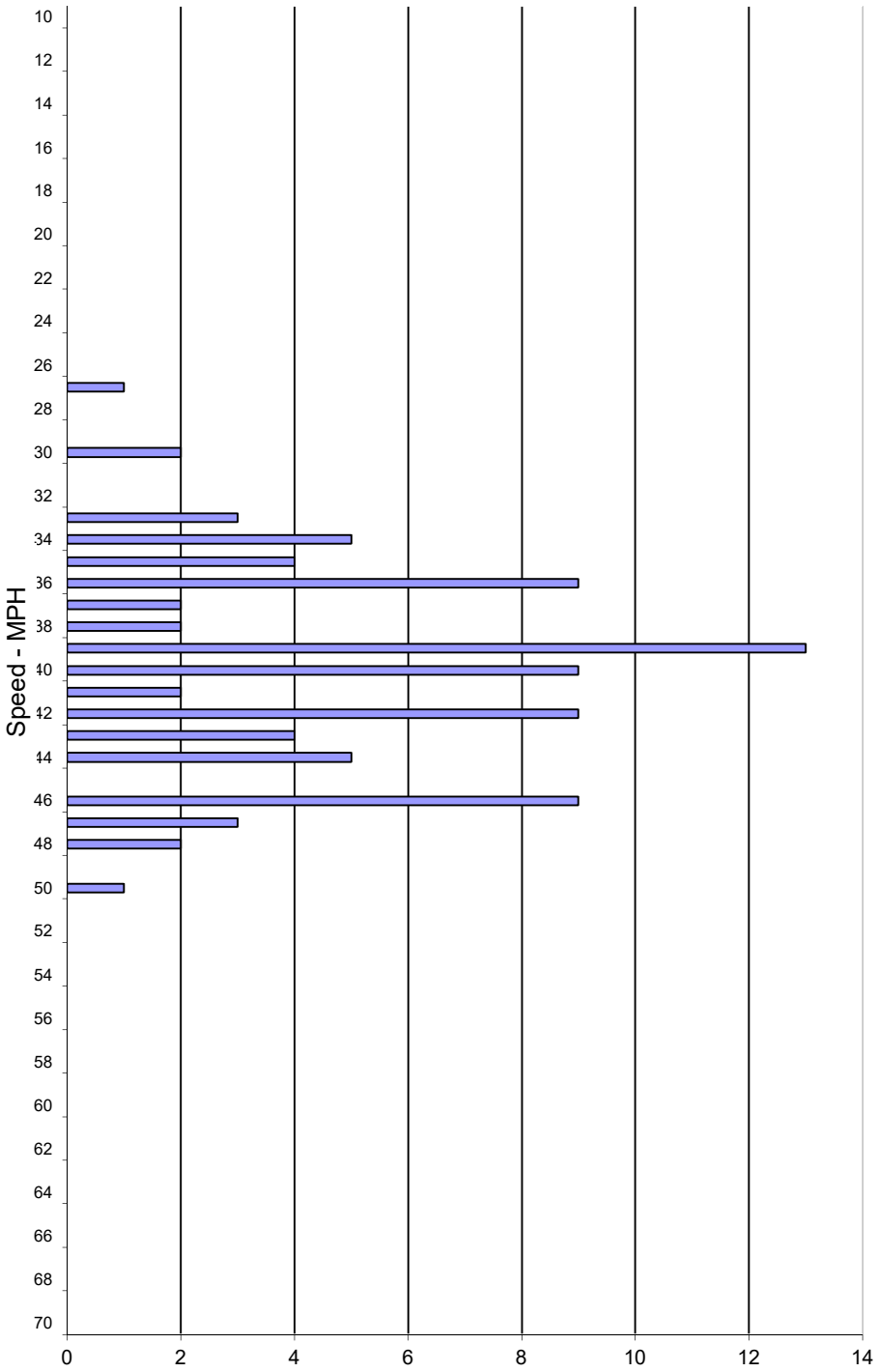
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #10 - Neroly Rd Bet Oakley Rd & Live Oak Ave
TIME: 09:10-10:20 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-010**

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	1
28	
29	
30	2
31	
32	
33	3
34	5
35	4
36	9
37	2
38	2
39	13
40	9
41	2
42	9
43	4
44	5
45	
46	9
47	3
48	2
49	
50	1
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53	
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57	
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59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	85	27 - 50	40 mph	46 mph	34 - 43	59	69%	7% / 6	24% / 20

Spot Speed Study

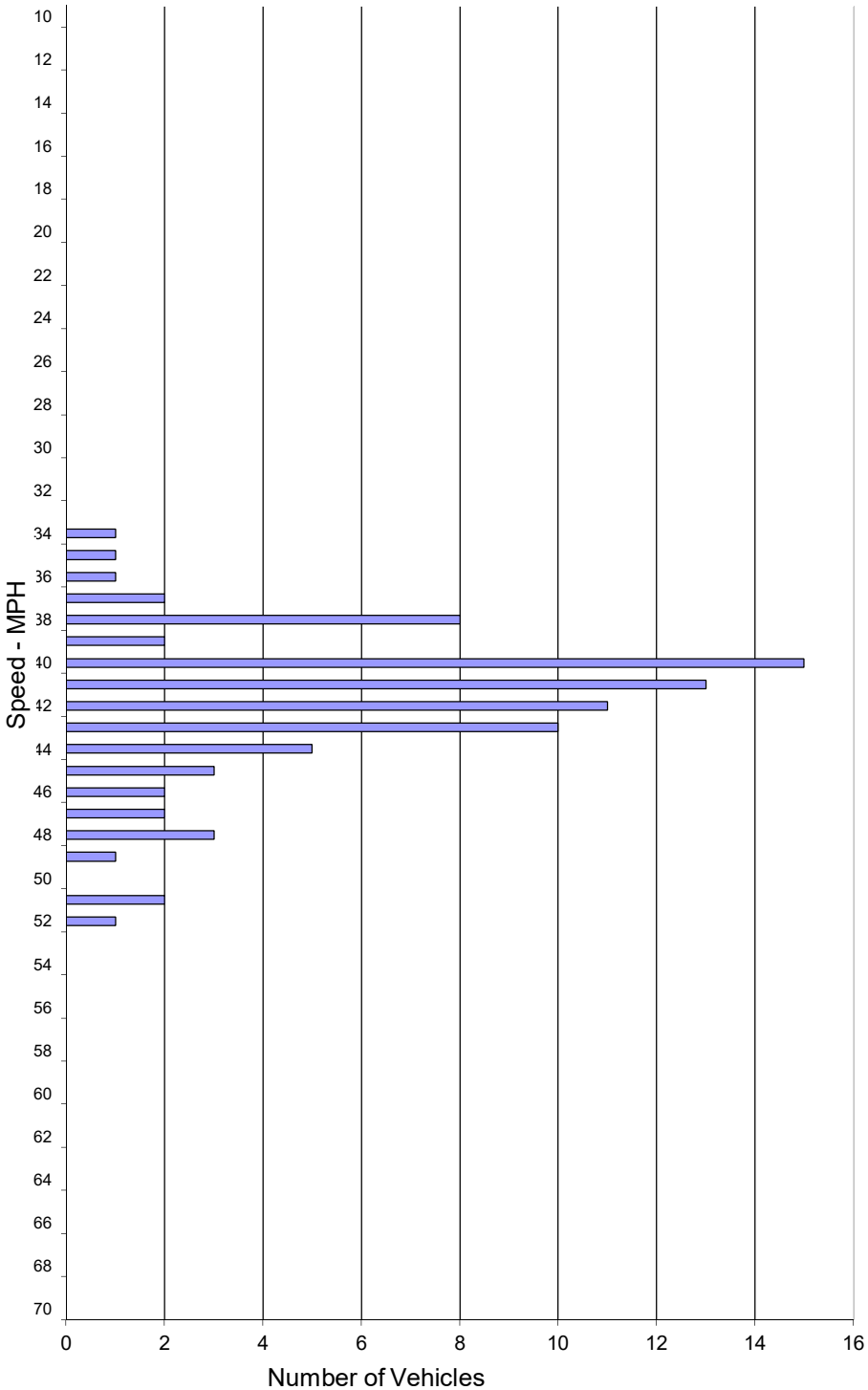
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/4/2024 **Location:** #10 - Neroly Rd Bet Oakley Rd & Live Oak Ave
TIME: 09:10-10:20 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-010**

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	1
35	1
36	1
37	2
38	8
39	2
40	15
41	13
42	11
43	10
44	5
45	3
46	2
47	2
48	3
49	1
50	
51	2
52	1
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	83	34 - 52	41 mph	45 mph	37 - 46	71	86%	3% / 3	11% / 9

Prepared by National Data & Surveying Services

VOLUME

#10 - Neroly Rd Bet Oakley Rd & Live Oak Ave

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_010

DAILY TOTALS	NB	SB	EB	WB	Total
	1,593	1,960	0	0	3,553

DAILY TOTALS

15-Minutes Interval

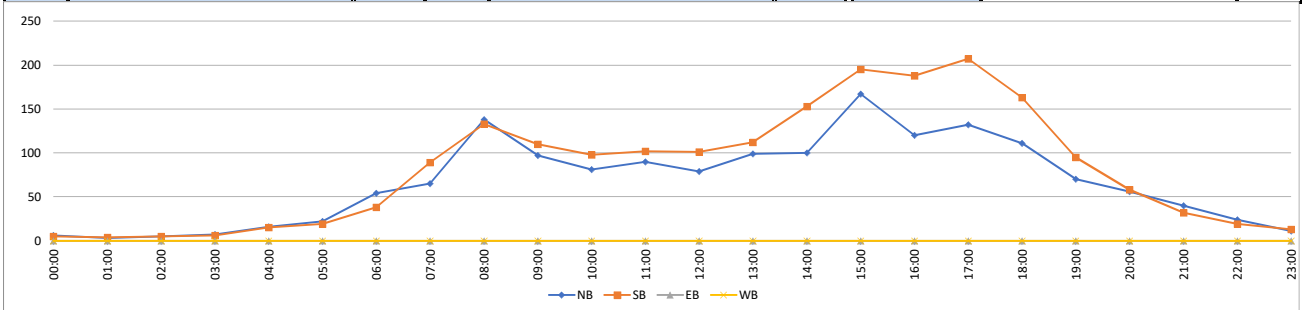
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	1	1			2	12:00	21	30			51
0:15	2	1			3	12:15	13	15			28
0:30	2	3			5	12:30	15	26			41
0:45	1	0			1	12:45	30	30			60
1:00	2	2			4	13:00	17	29			46
1:15	0	0			0	13:15	20	19			39
1:30	1	2			3	13:30	30	34			64
1:45	0	0			0	13:45	32	30			62
2:00	1	0			1	14:00	19	35			54
2:15	1	2			3	14:15	18	33			51
2:30	1	3			4	14:30	27	41			68
2:45	2	0			2	14:45	36	44			80
3:00	2	1			3	15:00	24	59			83
3:15	3	2			5	15:15	47	40			87
3:30	1	1			2	15:30	56	49			105
3:45	1	2			3	15:45	40	47			87
4:00	4	2			6	16:00	31	40			71
4:15	2	5			7	16:15	37	41			78
4:30	4	3			7	16:30	21	51			72
4:45	6	5			11	16:45	31	56			87
5:00	4	2			6	17:00	33	57			90
5:15	3	2			5	17:15	38	49			87
5:30	5	9			14	17:30	37	47			84
5:45	10	6			16	17:45	24	54			78
6:00	12	5			17	18:00	22	45			67
6:15	11	12			23	18:15	27	39			66
6:30	21	11			32	18:30	30	36			66
6:45	10	10			20	18:45	32	43			75
7:00	18	12			30	19:00	25	34			59
7:15	13	14			27	19:15	21	24			45
7:30	14	21			35	19:30	13	17			30
7:45	20	42			62	19:45	11	20			31
8:00	28	46			74	20:00	18	14			32
8:15	41	32			73	20:15	12	16			28
8:30	40	30			70	20:30	14	13			27
8:45	29	25			54	20:45	12	15			27
9:00	19	30			49	21:00	10	9			19
9:15	26	33			59	21:15	9	10			19
9:30	27	20			47	21:30	14	8			22
9:45	25	27			52	21:45	7	5			12
10:00	22	27			49	22:00	7	6			13
10:15	17	13			30	22:15	8	5			13
10:30	21	21			42	22:30	5	5			10
10:45	21	37			58	22:45	4	3			7
11:00	19	30			49	23:00	3	1			4
11:15	22	27			49	23:15	2	3			5
11:30	29	25			54	23:30	3	5			8
11:45	20	20			40	23:45	3	4			7
TOTALS	584	624	0	0	1208	TOTALS	1009	1336	0	0	2345
SPLIT %	48%	52%	0%	0%	34%	SPLIT %	43%	57%	0%	0%	66%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	6	5			11
01:00	02:00	3	4			7
02:00	03:00	5	5			10
03:00	04:00	7	6			13
04:00	05:00	16	15			31
05:00	06:00	22	19			41
06:00	07:00	54	38			92
07:00	08:00	65	89			154
08:00	09:00	138	133			271
09:00	10:00	97	110			207
10:00	11:00	81	98			179
11:00	12:00	90	102			192
12:00	13:00	79	101			180
13:00	14:00	99	112			211
14:00	15:00	100	153			253
15:00	16:00	167	195			362
16:00	17:00	120	188			308
17:00	18:00	132	207			339
18:00	19:00	111	163			274
19:00	20:00	70	95			165
20:00	21:00	56	58			114
21:00	22:00	40	32			72
22:00	23:00	24	19			43
23:00	00:00	11	13			24

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	584	624			1208
Peak Hour	8:00	7:45			7:45
Peak Volume	138	150			279
Peak Hour Factor	0.841	0.815			0.943
Peak Period	12:00	to	00:00		
Volume	1009	1336			2345
Peak Hour	15:15	16:30			15:00
Peak Volume	174	213			362
Peak Hour Factor	0.777	0.934			0.862
Peak Period	07:00	to	09:00		
Volume	203	222			425
Peak Hour	8:00	7:45			7:45
Peak Volume	138	150			279
Peak Hour Factor	0.841	0.815			0.943
Peak Period	16:00	to	18:00		
Volume	252	395			647
Peak Hour	16:45	16:30			16:45
Peak Volume	139	213			348
Peak Hour Factor	0.914	0.934			0.967



Street: Neroly Road
Limits: Laurel Road to Empire Avenue
Direction: NB/SB

Factors

A. Prevailing Speed Data

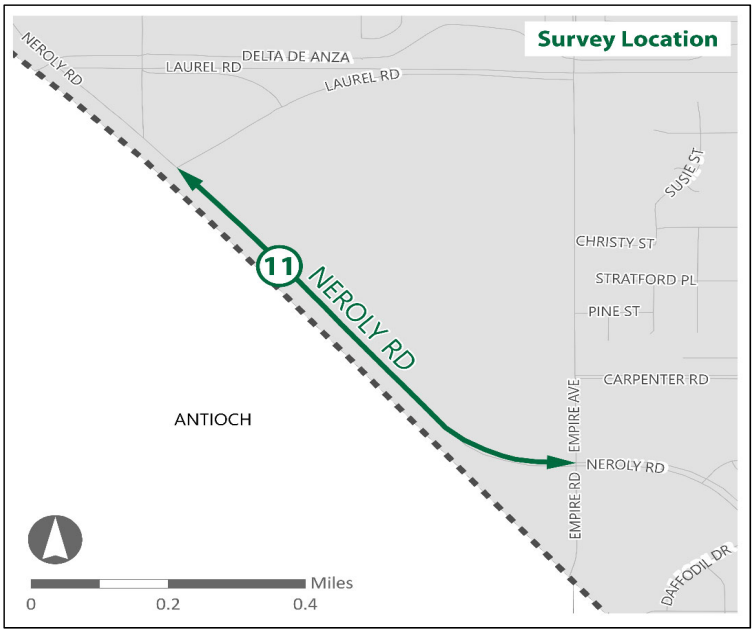
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	50
# Speed Data Collected	141
85th Percentile (mph)	52
10 mph Pace	43-52
Percent in Pace	84%

B. Traffic Factors

Average Daily Traffic (ADT)	5,310
Length of Segment (mi.)	0.69
Street Classification	Minor Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	2
Accident Rate (Acc/MVM)	0.30
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use: Utility (water treatment plan), and open space (agriculture, vacant lots) land uses.

Roadway Geometrics: An undivided 2-lane minor arterial. Single striped yellow line, double yellow lines, and raised median serve as medians. Concrete sidewalk present on easterly side north of driveway to Randall-Bold Water Treatment Plant. Class II bike lanes on both sides from Empire Ave. to approximately 550 feet west of Empire Ave. Signal at intersection with Empire Ave. Side street stop control at driveway to Randall-Bold Water Treatment Plant. Left-turn lane pockets at approach to intersection with Empire Ave. Marked crosswalks present at intersection with Empire Ave. No on-street parking present. No school zone is present. Broad horizontal curve present on approach to Empire Ave. Low driveway density throughout length of segment. Laurel Rd. grade separated from Neroly Rd. via overcrossing.

Comments: §22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 52 --> 50

Speed Limit Change?	**No**
Existing Speed Limit: 50	**Recommended Speed Limit: 50**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

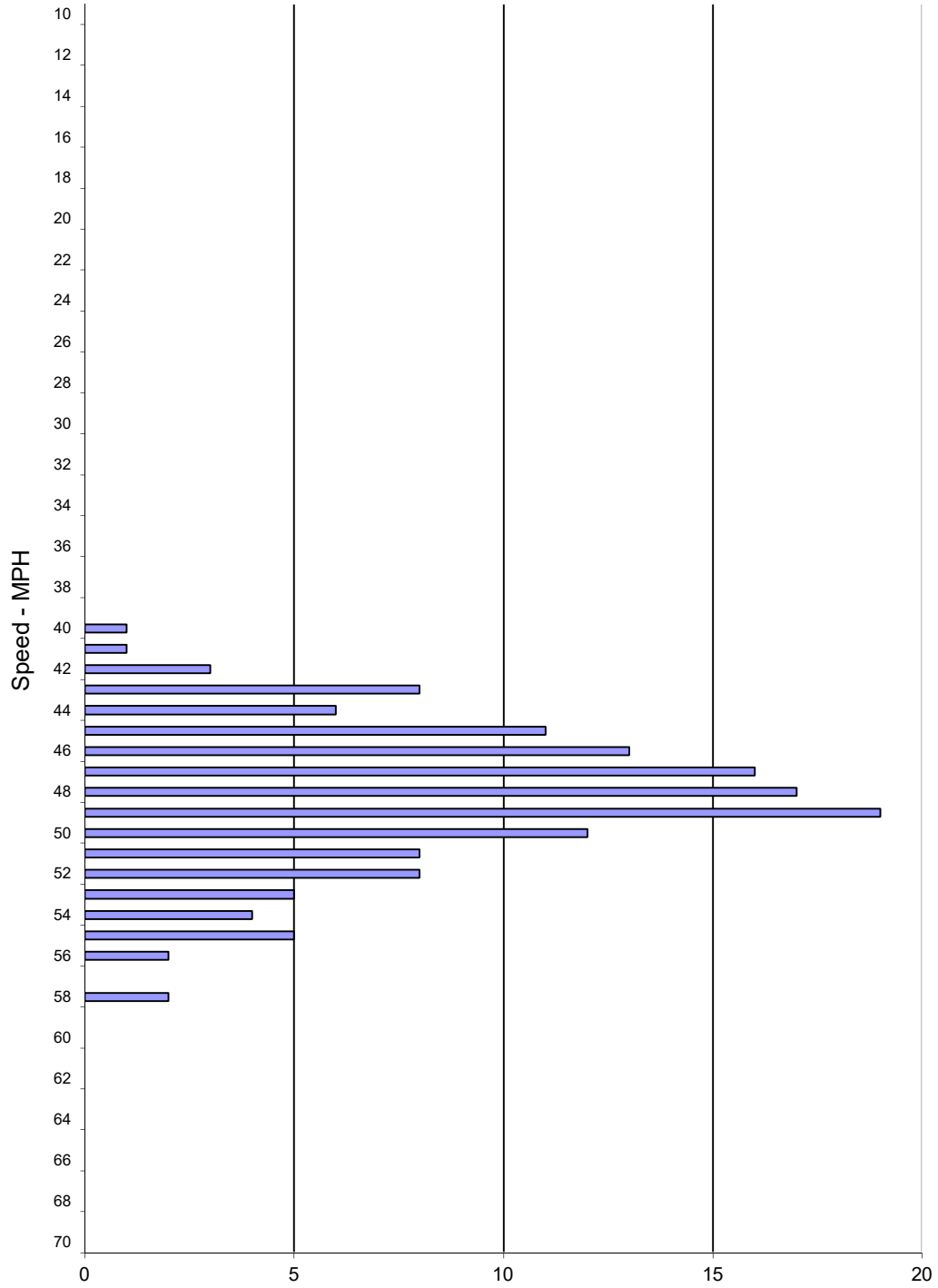
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #11 - Neroly Rd Bet Empire Ave & Laurel Rd
TIME: 13:40-14:10 **Posted Speed:** 50 MPH Clear/Dry **Project #:** 24-080067-011

Eastbound & Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	**1**
41	**1**
42	**3**
43	**8**
44	**6**
45	**11**
46	**13**
47	**16**
48	**17**
49	**19**
50	**12**
51	**8**
52	**8**
53	**5**
54	**4**
55	**5**
56	**2**
57	
58	**2**
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	141	40 - 58	48 mph	52 mph	43 - 52	118	84%	3% / 5	13% / 18

Spot Speed Study

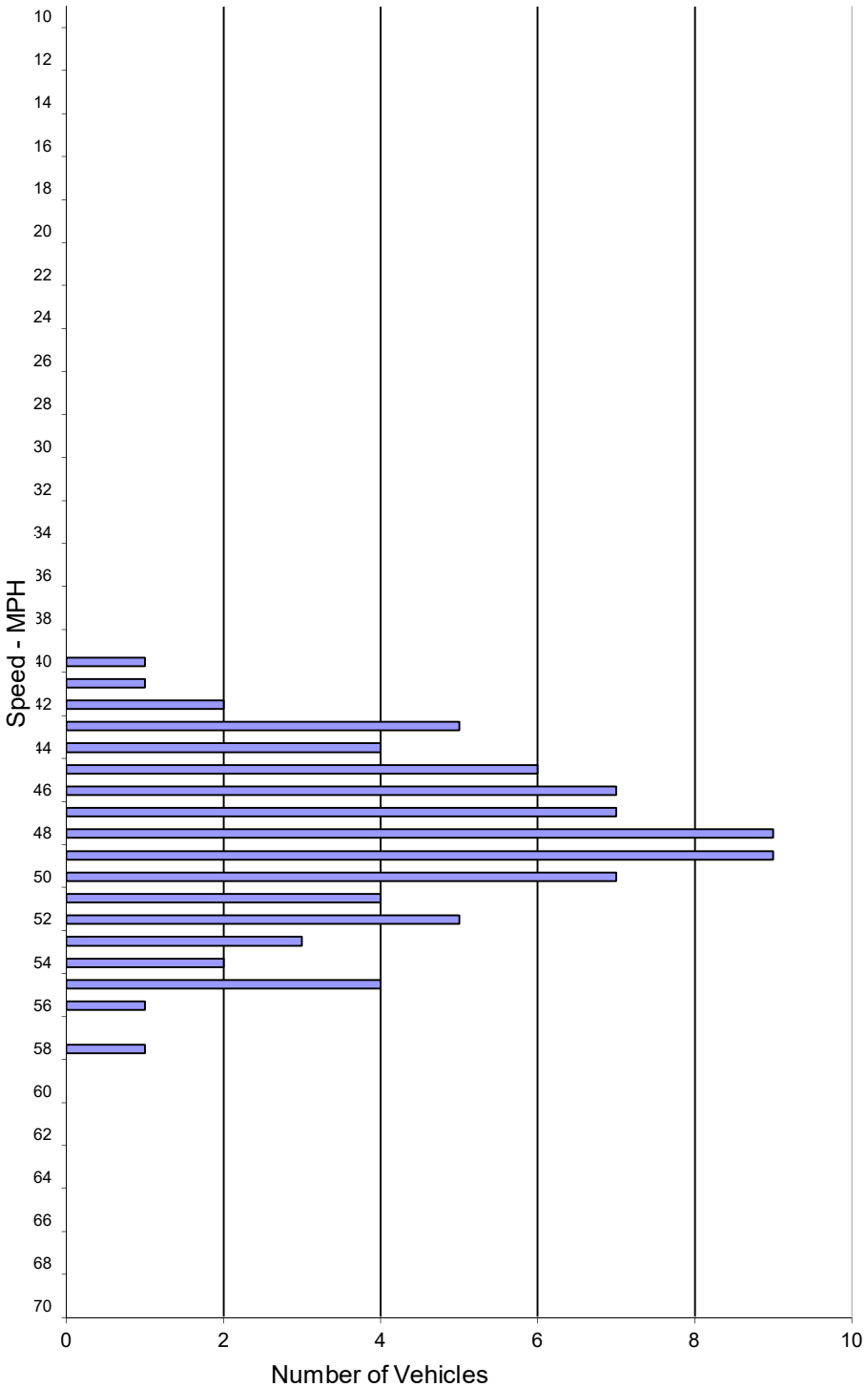
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #11 - Neroly Rd Bet Empire Ave & Laurel Rd
TIME: 13:40-14:10 **Posted Speed:** 50 MPH Clear/Dry **Project #:** 24-080067-011

Eastbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	1
41	1
42	2
43	5
44	4
45	6
46	7
47	7
48	9
49	9
50	7
51	4
52	5
53	3
54	2
55	4
56	1
57	
58	1
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	78	40 - 58	48 mph	52 mph	43 - 52	63	81%	5% / 4	15% / 11

Spot Speed Study

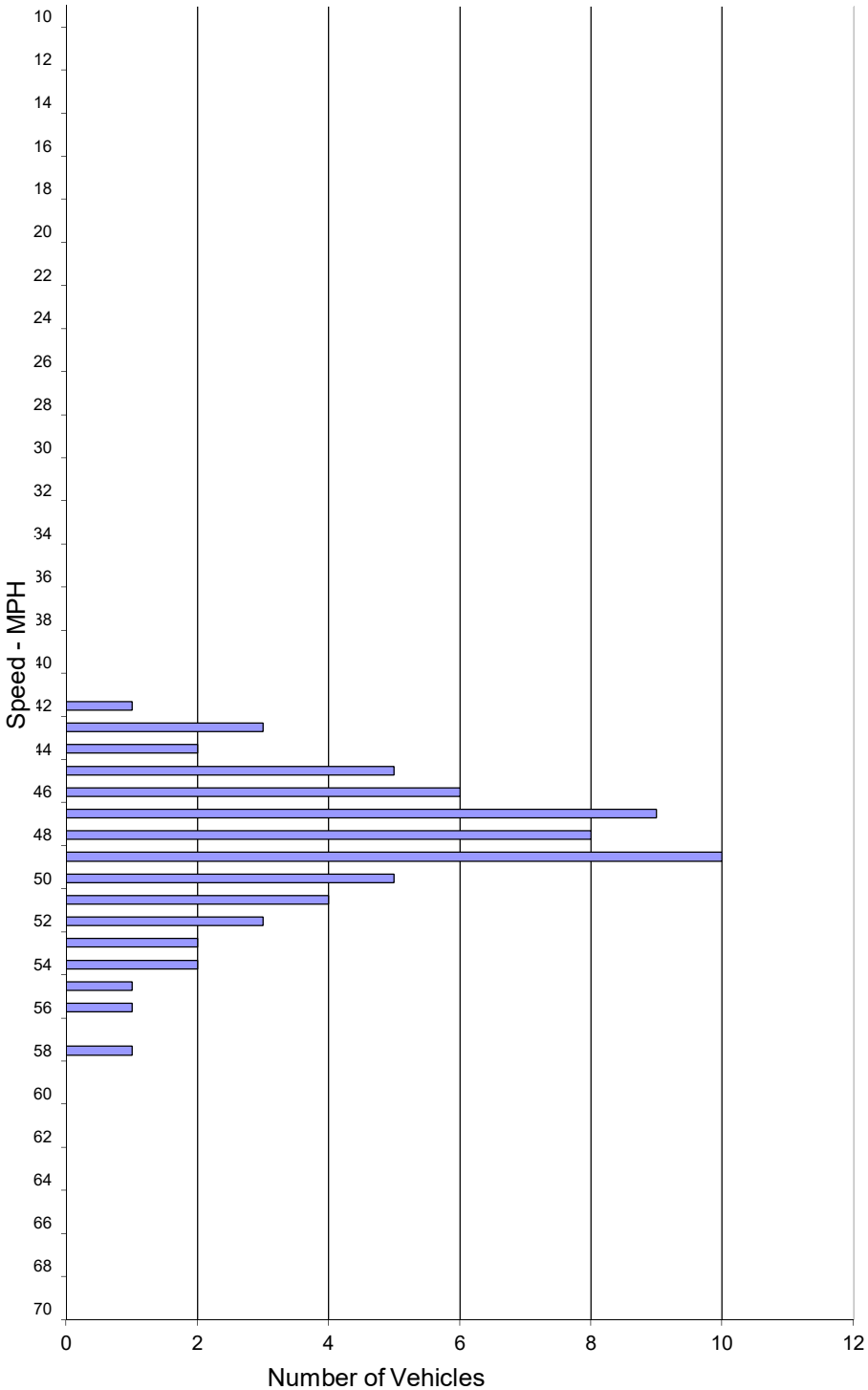
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #11 - Neroly Rd Bet Empire Ave & Laurel Rd
TIME: 13:40-14:10 **Posted Speed:** 50 MPH Clear/Dry **Project #:** 24-080067-011

Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	1
43	3
44	2
45	5
46	6
47	9
48	8
49	10
50	5
51	4
52	3
53	2
54	2
55	1
56	1
57	
58	1
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	63	42 - 58	48 mph	52 mph	43 - 52	55	87%	1% / 1	12% / 7

Prepared by National Data & Surveying Services

VOLUME

#11 - Neroly Rd Bet Empire Ave & Laurel Rd

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_011

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	2,363	2,947	5,310

15-Minutes Interval

TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00			1	3	4	12:00			33	37	70
0:15			1	1	2	12:15			20	24	44
0:30			5	4	9	12:30			35	33	68
0:45			0	2	2	12:45			35	36	71
1:00			3	2	5	13:00			34	34	68
1:15			0	1	1	13:15			32	55	87
1:30			1	0	1	13:30			45	42	87
1:45			0	0	0	13:45			36	48	84
2:00			0	0	0	14:00			31	37	68
2:15			1	2	3	14:15			46	40	86
2:30			2	1	3	14:30			47	46	93
2:45			0	1	1	14:45			52	49	101
3:00			3	2	5	15:00			59	48	107
3:15			1	5	6	15:15			48	61	109
3:30			1	2	3	15:30			59	114	173
3:45			1	2	3	15:45			45	79	124
4:00			1	13	14	16:00			37	59	96
4:15			5	12	17	16:15			56	54	110
4:30			5	12	17	16:30			61	54	115
4:45			1	15	16	16:45			60	40	100
5:00			6	24	30	17:00			64	63	127
5:15			4	19	23	17:15			52	62	114
5:30			5	20	25	17:30			49	59	108
5:45			8	21	29	17:45			60	57	117
6:00			7	23	30	18:00			55	45	100
6:15			13	25	38	18:15			42	56	98
6:30			17	31	48	18:30			38	32	70
6:45			10	33	43	18:45			46	37	83
7:00			12	39	51	19:00			36	39	75
7:15			27	43	70	19:15			36	35	71
7:30			33	48	81	19:30			28	24	52
7:45			63	54	117	19:45			20	30	50
8:00			90	62	152	20:00			22	26	48
8:15			74	110	184	20:15			20	23	43
8:30			45	96	141	20:30			15	33	48
8:45			38	50	88	20:45			11	20	31
9:00			28	44	72	21:00			13	13	26
9:15			25	37	62	21:15			12	22	34
9:30			22	50	72	21:30			3	13	16
9:45			30	35	65	21:45			6	7	13
10:00			29	36	65	22:00			7	11	18
10:15			25	28	53	22:15			4	11	15
10:30			27	35	62	22:30			5	4	9
10:45			37	38	75	22:45			0	2	2
11:00			31	29	60	23:00			4	4	8
11:15			35	34	69	23:15			3	3	6
11:30			24	45	69	23:30			6	6	12
11:45			31	29	60	23:45			7	2	9
TOTALS	0	0	828	1218	2046	TOTALS	0	0	1535	1729	3264
SPLIT %	0%	0%	40%	60%	39%	SPLIT %	0%	0%	47%	53%	61%

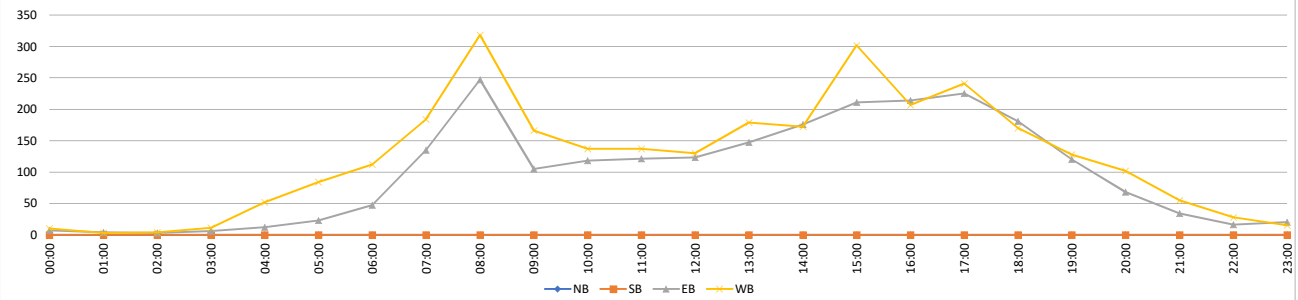
DAILY TOTALS

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00			7	10	17
01:00	02:00			4	3	7
02:00	03:00			3	4	7
03:00	04:00			6	11	17
04:00	05:00			12	52	64
05:00	06:00			23	84	107
06:00	07:00			47	112	159
07:00	08:00			135	184	319
08:00	09:00			247	318	565
09:00	10:00			105	166	271
10:00	11:00			118	137	255
11:00	12:00			121	137	258
12:00	13:00			123	130	253
13:00	14:00			147	179	326
14:00	15:00			176	172	348
15:00	16:00			211	302	513
16:00	17:00			214	207	421
17:00	18:00			225	241	466
18:00	19:00			181	170	351
19:00	20:00			120	128	248
20:00	21:00			68	102	170
21:00	22:00			34	55	89
22:00	23:00			16	28	44
23:00	00:00			20	15	35

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume			828	1218	2046
Peak Hour			7:45	7:45	7:45
Peak Volume			272	322	594
Peak Hour Factor			0.756	0.732	0.807
Peak Period	12:00	to	00:00		
Volume			1535	1729	3264
Peak Hour			16:15	15:15	15:00
Peak Volume			241	313	513
Peak Hour Factor			0.941	0.686	0.741
Peak Period	07:00	to	09:00		
Volume			382	502	884
Peak Hour			7:45	7:45	7:45
Peak Volume			272	322	594
Peak Hour Factor			0.756	0.732	0.807
Peak Period	16:00	to	18:00		
Volume			439	448	887
Peak Hour			16:15	17:00	17:00
Peak Volume			241	241	466
Peak Hour Factor			0.941	0.956	0.917



Street: Oakley Road
Limits: Empire Avenue to Live Oak Avenue
Direction: EB/WB

Factors

A. Prevailing Speed Data

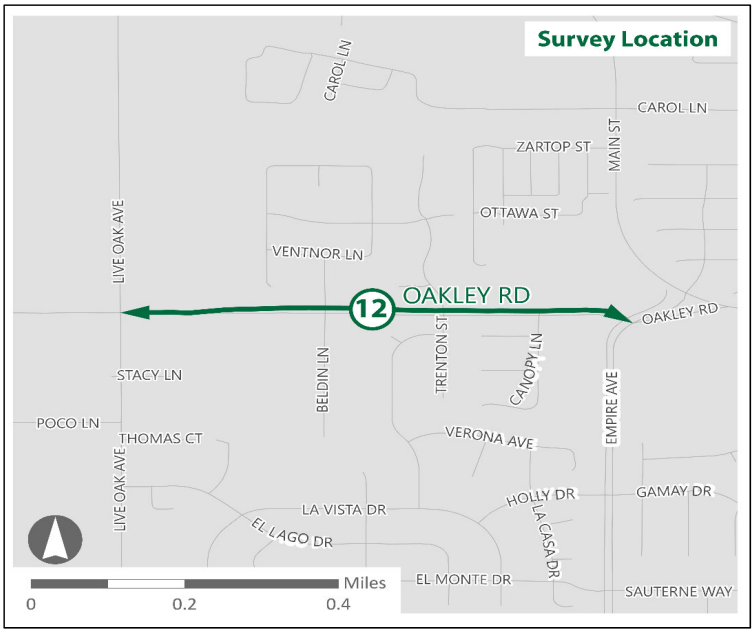
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	35
# Speed Data Collected	126
85th Percentile (mph)	40
10 mph Pace	31-40
Percent in Pace	68%

B. Traffic Factors

Average Daily Traffic (ADT)	4,201
Length of Segment (mi.)	0.53
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	2
Accident Rate (Acc/MVM)	0.49
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), commercial (gas station), and open space (agriculture, vacant lots) land uses.

Roadway Geometrics
A divided 3-lane major arterial. Double yellow lines and raised median serve as medians. Intermittent concrete sidewalks on southerly side. Class II bike lanes present east of Kelsey Ln. Signal at intersection with Empire Ave. All-way stop control at intersections with Live Oak Ave. and Kelsey Ln./Beldin Ln. Side street stop control present at remaining intersections. Left-turn lane pockets present along segment on approaches to intersections with Kenwood Cir., Kelsey Ln./Beldin Ln., Montevino Wy./Trenton St., and Empire Ave. Right-turn lane pockets present along segment on approaches to intersections with Kelsey Ln./Beldin Ln. and Empire Ave. Marked crosswalks present at interesctions with Kenwood Cir., Kelsey Ln./Beldin Ln., Montevino Wy./Trenton St., Canopy Ln., and Empire Ave. No on-street parking present. No school zone is present. Horizontal curve present at approach to intersection with Empire Ave. Gentle vertical curves along length of segment. High driveway density throughout length of segment.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 40 --> 40
§22358.6(b) - Not applicable
§22358.6(c) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded up from the 85th percentile speed: 40 --> 35

Speed Limit Change?	**No**
Existing Speed Limit: 35	**Recommended Speed Limit: 35**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

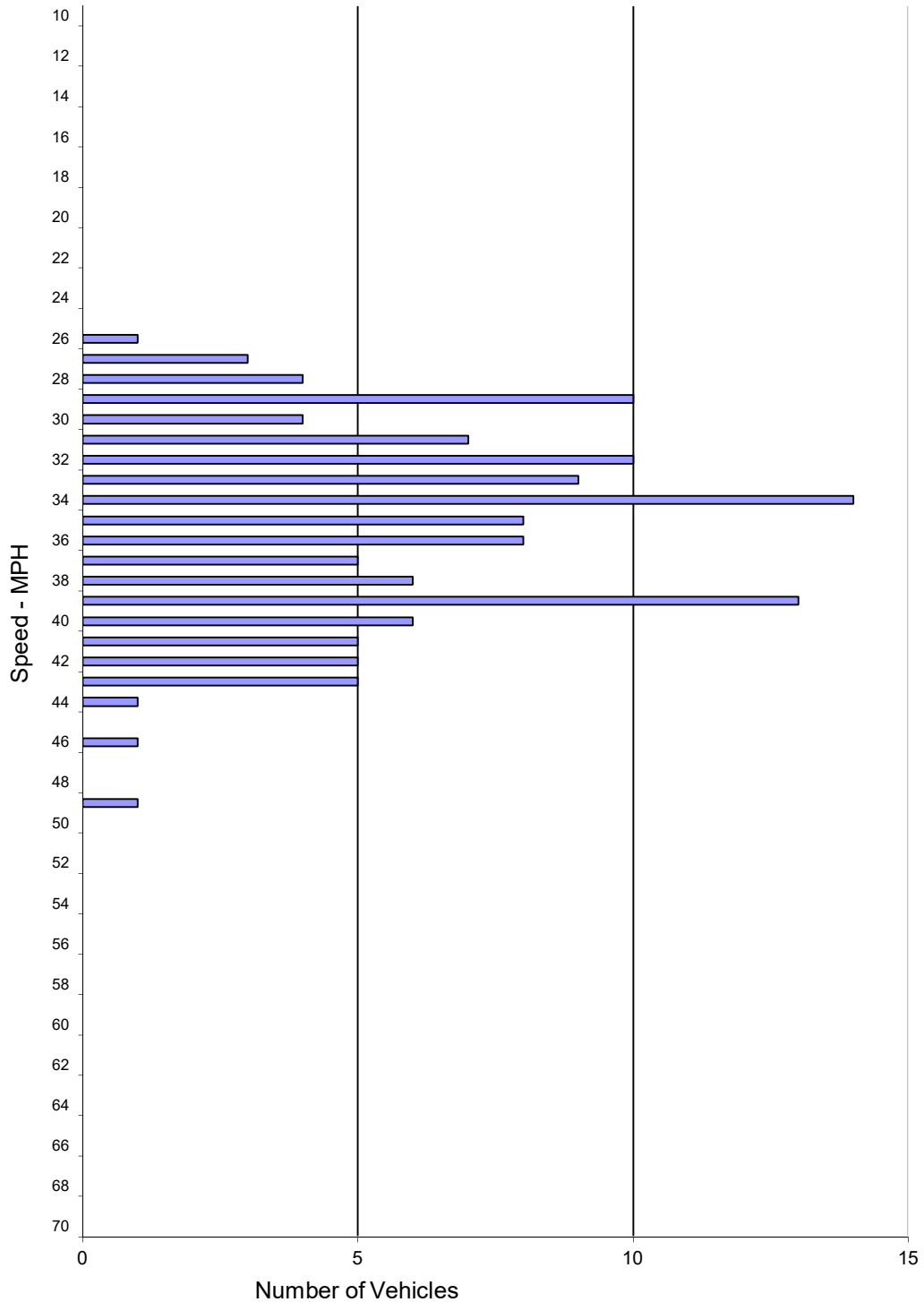
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #12 - Oakley Rd Bet Empire Ave & Live Oak Ave
TIME: 13:00-13:55 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-012

Eastbound & Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	1
27	3
28	4
29	10
30	4
31	7
32	10
33	9
34	14
35	8
36	8
37	5
38	6
39	13
40	6
41	5
42	5
43	5
44	1
45	
46	1
47	
48	
49	1
50	
51	
52	
53	
54	
55	
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57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	126	26 - 49	35 mph	40 mph	31 - 40	86	68%	17% / 22	15% / 18

Spot Speed Study

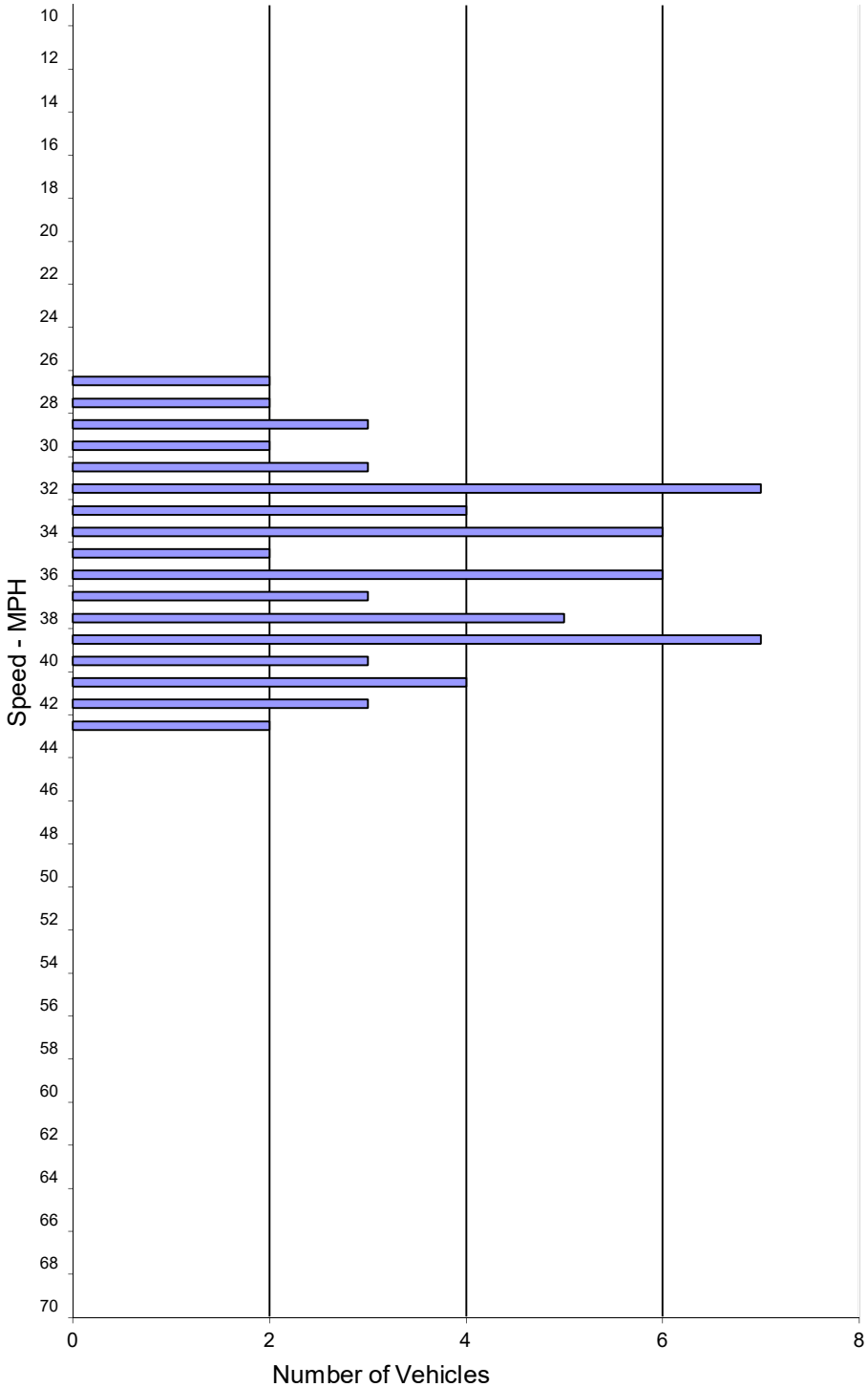
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #12 - Oakley Rd Bet Empire Ave & Live Oak Ave
TIME: 13:00-13:55 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-012

Eastbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	**2**
28	**2**
29	**3**
30	**2**
31	**3**
32	**7**
33	**4**
34	**6**
35	**2**
36	**6**
37	**3**
38	**5**
39	**7**
40	**3**
41	**4**
42	**3**
43	**2**
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	64	27 - 43	36 mph	40 mph	32 - 41	47	73%	18% / 12	8% / 5

Spot Speed Study

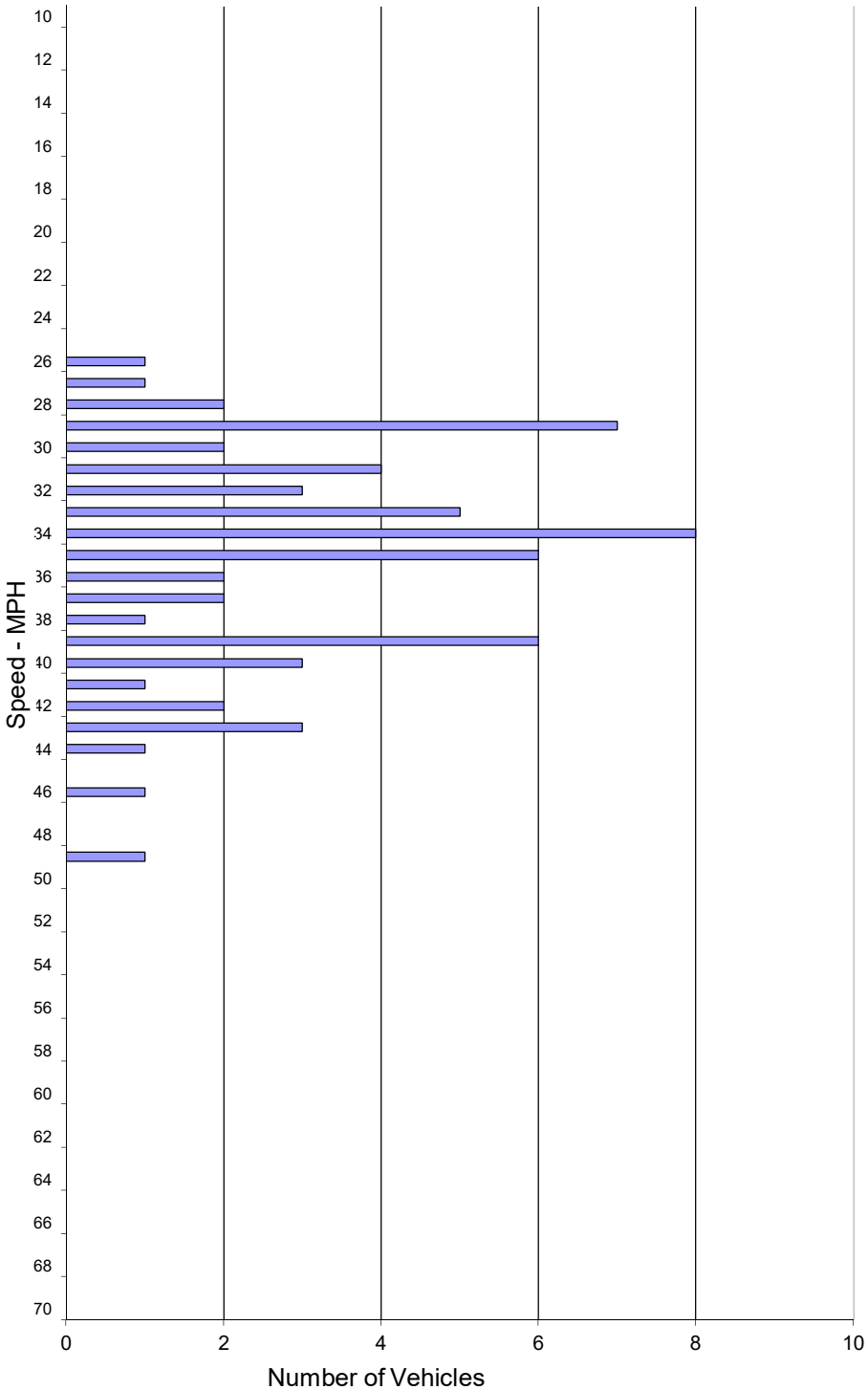
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #12 - Oakley Rd Bet Empire Ave & Live Oak Ave
TIME: 13:00-13:55 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-012

Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	1
27	1
28	2
29	7
30	2
31	4
32	3
33	5
34	8
35	6
36	2
37	2
38	1
39	6
40	3
41	1
42	2
43	3
44	1
45	
46	1
47	
48	
49	1
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	62	26 - 49	34 mph	40 mph	28 - 37	41	66%	3% / 2	31% / 19

Prepared by National Data & Surveying Services

VOLUME

#12 - Oakley Rd Bet Empire Ave & Live Oak Ave

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_012

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	2,106	2,095	4,201

DAILY TOTALS

15-Minutes Interval

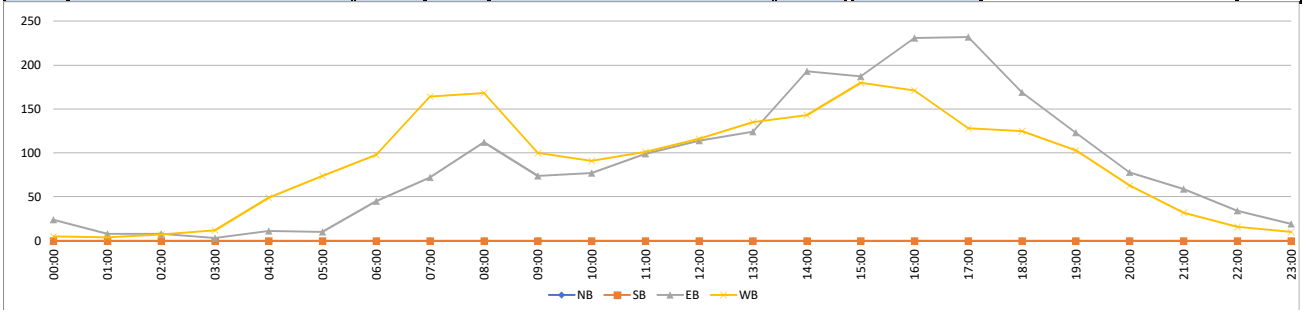
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00			7	1	8	12:00			29	24	53
0:15			4	1	5	12:15			34	26	60
0:30			9	0	9	12:30			28	31	59
0:45			4	3	7	12:45			23	35	58
1:00			1	2	3	13:00			38	37	75
1:15			2	1	3	13:15			28	28	56
1:30			4	1	5	13:30			33	38	71
1:45			1	0	1	13:45			25	32	57
2:00			3	1	4	14:00			47	34	81
2:15			0	1	1	14:15			34	39	73
2:30			2	2	4	14:30			66	35	101
2:45			3	3	6	14:45			46	35	81
3:00			0	1	1	15:00			43	35	78
3:15			1	3	4	15:15			45	40	85
3:30			1	3	4	15:30			50	57	107
3:45			1	5	6	15:45			49	48	97
4:00			1	6	7	16:00			55	51	106
4:15			5	9	14	16:15			54	43	97
4:30			1	18	19	16:30			58	39	97
4:45			4	16	20	16:45			64	38	102
5:00			2	15	17	17:00			63	22	85
5:15			1	16	17	17:15			58	42	100
5:30			2	13	15	17:30			54	31	85
5:45			5	30	35	17:45			57	33	90
6:00			8	21	29	18:00			44	41	85
6:15			10	21	31	18:15			59	30	89
6:30			14	20	34	18:30			37	25	62
6:45			13	36	49	18:45			29	29	58
7:00			14	24	38	19:00			40	27	67
7:15			15	26	41	19:15			38	36	74
7:30			14	42	56	19:30			27	18	45
7:45			29	72	101	19:45			18	22	40
8:00			43	65	108	20:00			24	23	47
8:15			25	37	62	20:15			19	16	35
8:30			27	36	63	20:30			20	11	31
8:45			17	30	47	20:45			15	13	28
9:00			17	19	36	21:00			16	10	26
9:15			20	24	44	21:15			14	7	21
9:30			21	26	47	21:30			11	8	19
9:45			16	31	47	21:45			18	7	25
10:00			23	21	44	22:00			11	4	15
10:15			12	30	42	22:15			10	3	13
10:30			22	18	40	22:30			7	6	13
10:45			20	22	42	22:45			6	3	9
11:00			17	23	40	23:00			7	4	11
11:15			31	28	59	23:15			6	3	9
11:30			29	22	51	23:30			4	2	6
11:45			22	28	50	23:45			2	1	3
TOTALS	0	0	543	873	1416	TOTALS	0	0	1563	1222	2785
SPLIT %	0%	0%	38%	62%	34%	SPLIT %	0%	0%	56%	44%	66%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00			24	5	29
01:00	02:00			8	4	12
02:00	03:00			8	7	15
03:00	04:00			3	12	15
04:00	05:00			11	49	60
05:00	06:00			10	74	84
06:00	07:00			45	98	143
07:00	08:00			72	164	236
08:00	09:00			112	168	280
09:00	10:00			74	100	174
10:00	11:00			77	91	168
11:00	12:00			99	101	200
12:00	13:00			114	116	230
13:00	14:00			124	135	259
14:00	15:00			193	143	336
15:00	16:00			187	180	367
16:00	17:00			231	171	402
17:00	18:00			232	128	360
18:00	19:00			169	125	294
19:00	20:00			123	103	226
20:00	21:00			78	63	141
21:00	22:00			59	32	91
22:00	23:00			34	16	50
23:00	00:00			19	10	29

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume			543	873	1416
Peak Hour			7:45	7:30	7:45
Peak Volume			124	216	334
Peak Hour Factor			0.721	0.750	0.773
Peak Period	12:00	to	00:00		
Volume			1563	1222	2785
Peak Hour			16:30	15:30	15:30
Peak Volume			243	199	407
Peak Hour Factor			0.949	0.873	0.951
Peak Period	07:00	to	09:00		
Volume			184	332	516
Peak Hour			7:45	7:30	7:45
Peak Volume			124	216	334
Peak Hour Factor			0.721	0.750	0.773
Peak Period	16:00	to	18:00		
Volume			463	299	762
Peak Hour			16:30	16:00	16:00
Peak Volume			243	171	402
Peak Hour Factor			0.949	0.838	0.948



Street: Oakley Road
Limits: Live Oak Avenue to Western City limits
Direction: EB/WB

Factors

A. Prevailing Speed Data

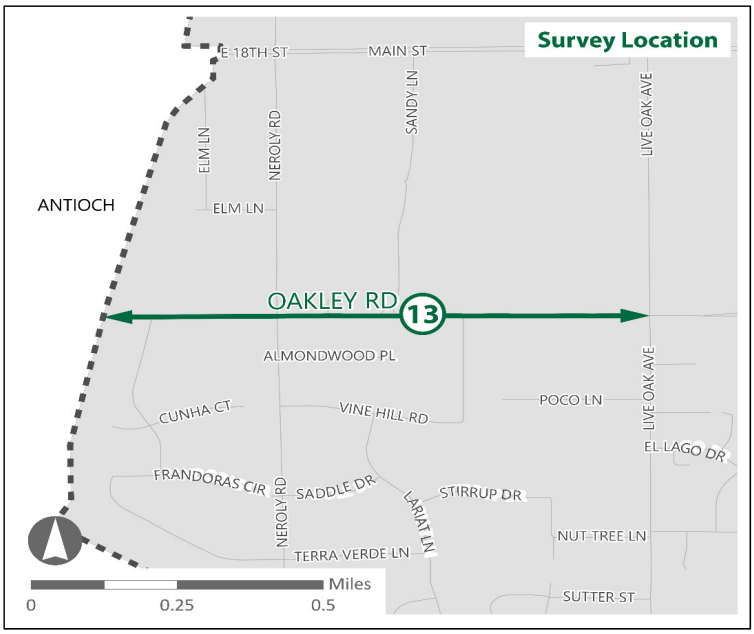
Date /Location of Survey	4/9/2024
Posted Speed Limit (mph)	45
# Speed Data Collected	153
85th Percentile (mph)	48
10 mph Pace	38-47
Percent in Pace	61%

B. Traffic Factors

Average Daily Traffic (ADT)	3,040
Length of Segment (mi.)	0.74
Street Classification	Minor Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	3
Accident Rate (Acc/MVM)	0.73
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), industrial (warehouses), and open space (agriculture, vacant lots) land uses.

Roadway Geometrics
An undivided 2-lane minor arterial. Double yellow lines serve as median. No concrete sidewalks present. No bicycle facilities present along segment. All-way stop control present at intersections with Live Oak Ave. and Neroly Rd. Side street stop control present at remaining intersections. No turn pockets present. No marked crosswalks present. No on-street parking present. No school zone is present. No horizontal curves present. Gentle vertical curves present along segment. Segment slopes positively in westerly direction. Intermittent high and low driveway densities along segment on both sides.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 48 --> 50
§22358.6(b) - Not applicable
§22358.6(c) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded up from the 85th percentile speed: 50 --> 45

Speed Limit Change?	**No**
Existing Speed Limit: 45	**Recommended Speed Limit: 45**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

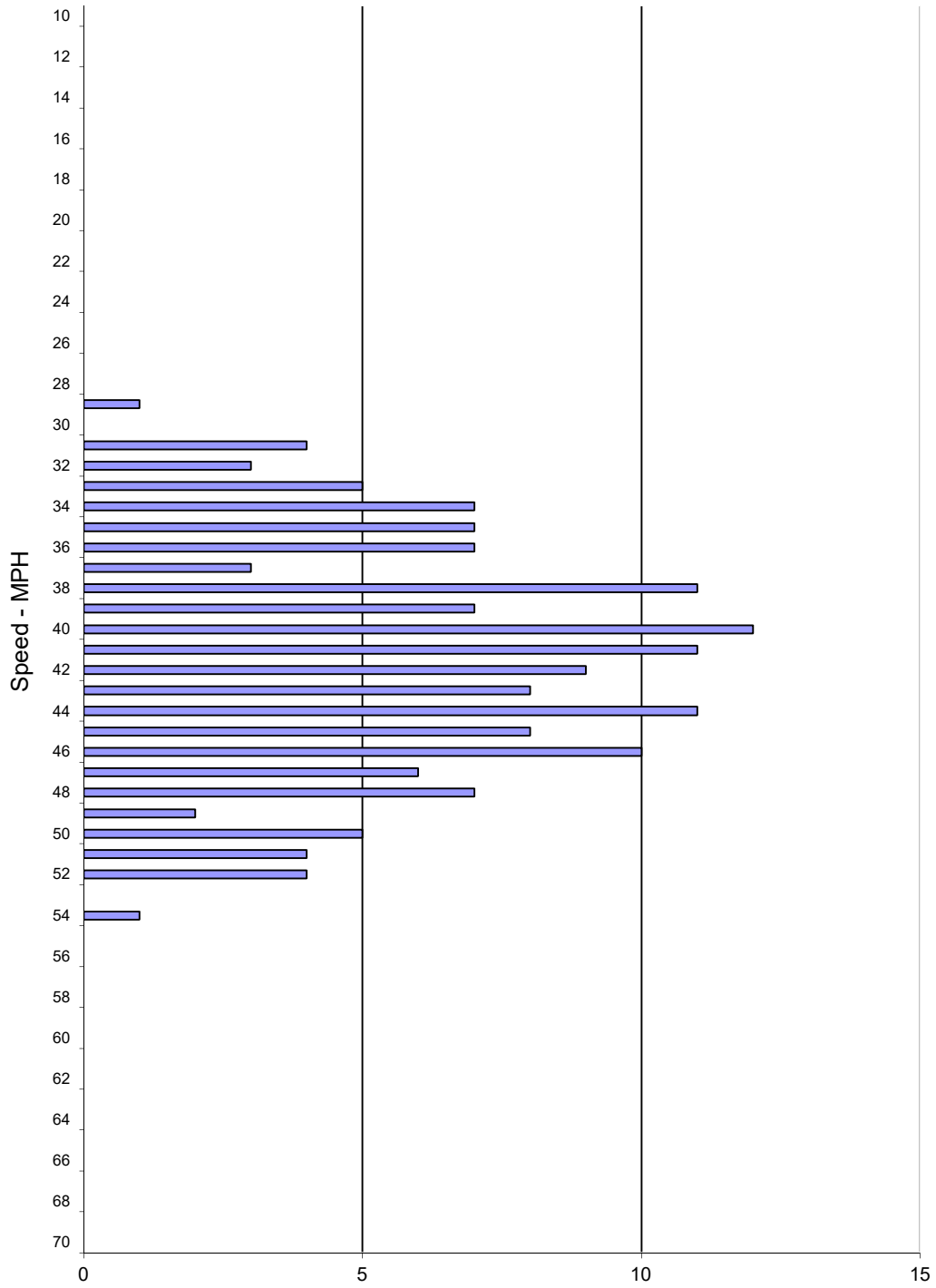
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #13 - Oakley Rd Bet Live Oak Ave & Western City Limits
TIME: 14:15-15:30 **Posted Speed:** 45 MPH Clear/Dry **Project #:** 24-080067-013

Eastbound & Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	1
30	
31	4
32	3
33	5
34	7
35	7
36	7
37	3
38	11
39	7
40	12
41	11
42	9
43	8
44	11
45	8
46	10
47	6
48	7
49	2
50	5
51	4
52	4
53	
54	1
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	153	29 - 54	41 mph	48 mph	38 - 47	93	61%	24% / 37	16% / 23

Spot Speed Study

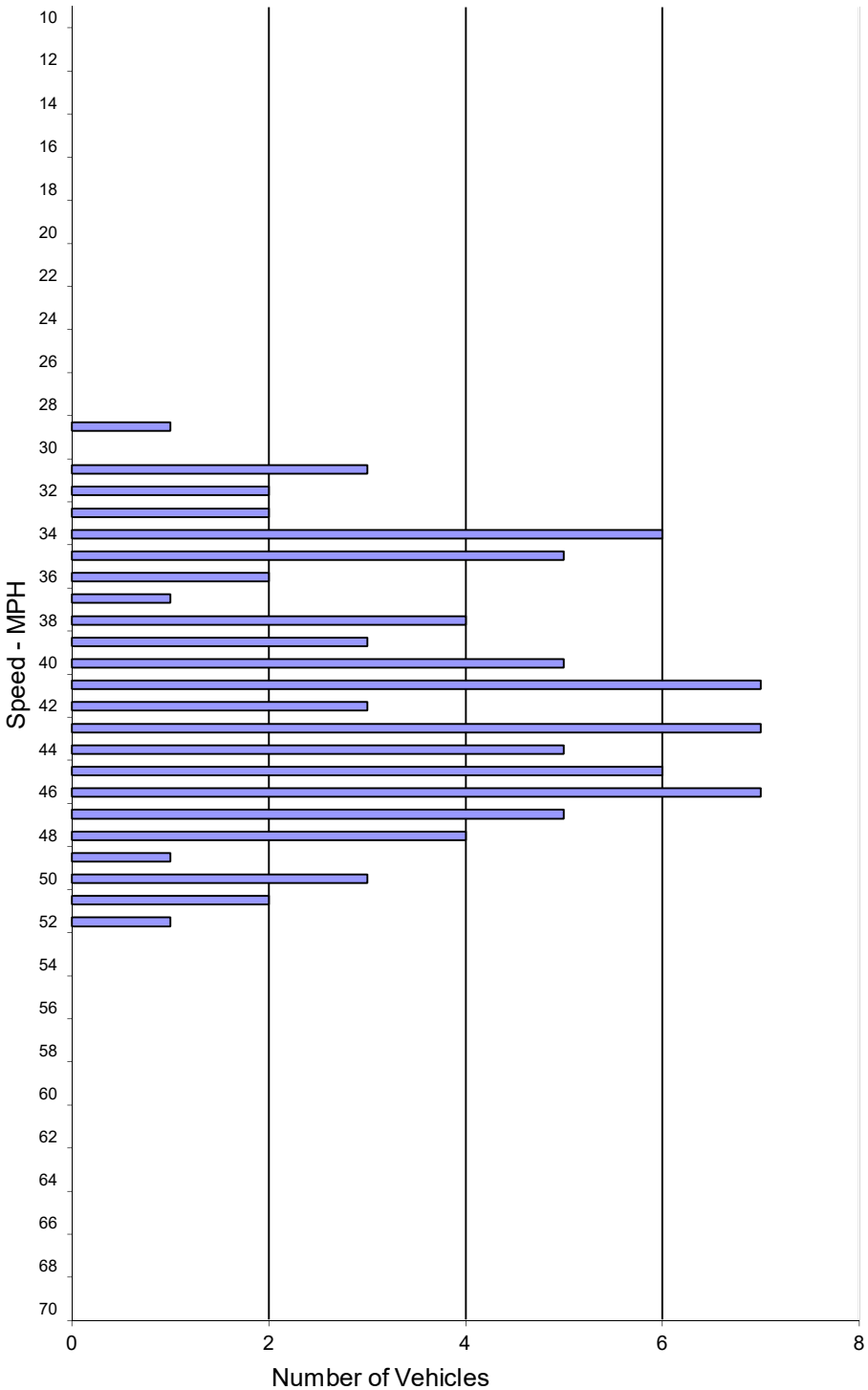
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #13 - Oakley Rd Bet Live Oak Ave & Western City Limits
TIME: 14:15-15:30 **Posted Speed:** 45 MPH Clear/Dry **Project #:** 24-080067-013

Eastbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	1
30	
31	3
32	2
33	2
34	6
35	5
36	2
37	1
38	4
39	3
40	5
41	7
42	3
43	7
44	5
45	6
46	7
47	5
48	4
49	1
50	3
51	2
52	1
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	85	29 - 52	42 mph	47 mph	38 - 47	52	61%	25% / 22	13% / 11

Spot Speed Study

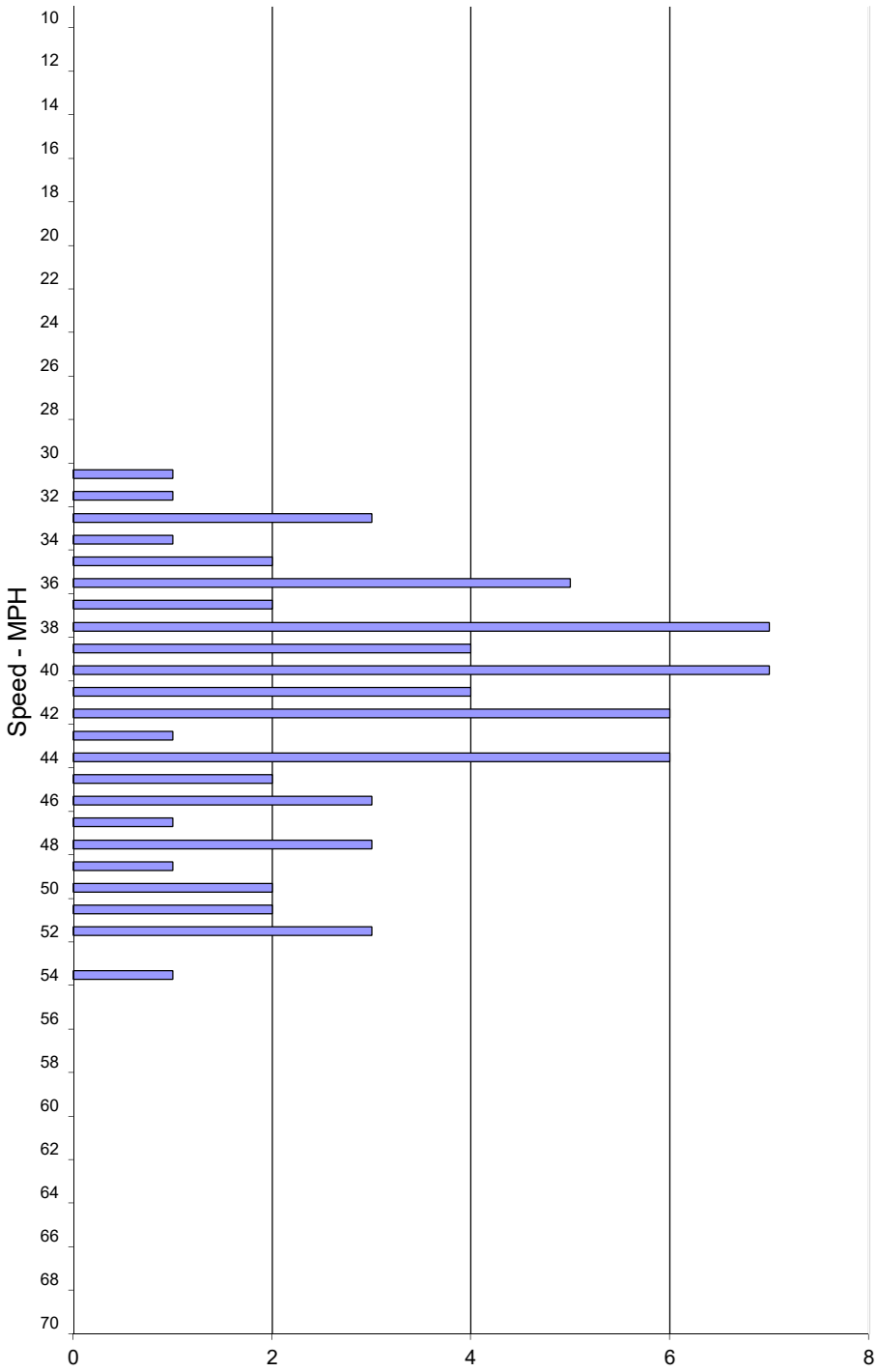
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #13 - Oakley Rd Bet Live Oak Ave & Western City Limits
TIME: 14:15-15:30 **Posted Speed:** 45 MPH Clear/Dry **Project #:** 24-080067-013

Westbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	**1**
32	**1**
33	**3**
34	**1**
35	**2**
36	**5**
37	**2**
38	**7**
39	**4**
40	**7**
41	**4**
42	**6**
43	**1**
44	**6**
45	**2**
46	**3**
47	**1**
48	**3**
49	**1**
50	**2**
51	**2**
52	**3**
53	
54	**1**
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	68	31 - 54	41 mph	48 mph	35 - 44	44	65%	8% / 6	27% / 18

Prepared by National Data & Surveying Services

VOLUME

#13 - Oakley Rd Bet Live Oak Ave & Western City Limits

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_013

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	1,657	1,383	3,040

DAILY TOTALS

15-Minutes Interval

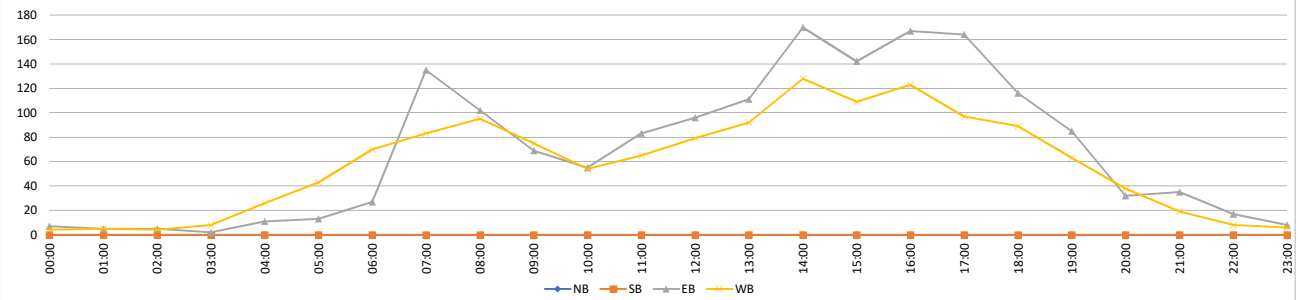
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00			1	1	2	12:00			25	19	44
0:15			3	2	5	12:15			33	23	56
0:30			3	0	3	12:30			22	16	38
0:45			0	1	1	12:45			16	21	37
1:00			0	2	2	13:00			29	26	55
1:15			2	2	4	13:15			20	18	38
1:30			2	1	3	13:30			29	23	52
1:45			1	0	1	13:45			33	25	58
2:00			0	0	0	14:00			40	16	56
2:15			0	1	1	14:15			31	27	58
2:30			2	2	4	14:30			58	49	107
2:45			3	1	4	14:45			41	36	77
3:00			0	1	1	15:00			35	22	57
3:15			1	3	4	15:15			34	28	62
3:30			0	2	2	15:30			35	26	61
3:45			1	2	3	15:45			38	33	71
4:00			1	1	2	16:00			37	31	68
4:15			3	5	8	16:15			39	31	70
4:30			1	10	11	16:30			42	28	70
4:45			6	10	16	16:45			49	33	82
5:00			2	8	10	17:00			45	20	65
5:15			4	10	14	17:15			37	32	69
5:30			3	10	13	17:30			41	22	63
5:45			4	15	19	17:45			41	23	64
6:00			4	14	18	18:00			37	29	66
6:15			10	16	26	18:15			38	18	56
6:30			8	16	24	18:30			22	19	41
6:45			5	24	29	18:45			19	23	42
7:00			15	14	29	19:00			29	22	51
7:15			13	15	28	19:15			28	18	46
7:30			29	24	53	19:30			18	7	25
7:45			78	30	108	19:45			10	16	26
8:00			48	25	73	20:00			12	14	26
8:15			26	24	50	20:15			7	8	15
8:30			15	23	38	20:30			7	7	14
8:45			13	23	36	20:45			6	9	15
9:00			17	14	31	21:00			9	5	14
9:15			20	18	38	21:15			10	3	13
9:30			18	17	35	21:30			3	7	10
9:45			14	26	40	21:45			13	4	17
10:00			15	10	25	22:00			7	1	8
10:15			14	20	34	22:15			4	2	6
10:30			10	11	21	22:30			4	3	7
10:45			16	13	29	22:45			2	2	4
11:00			15	11	26	23:00			3	3	6
11:15			20	21	41	23:15			4	3	7
11:30			26	11	37	23:30			1	0	1
11:45			22	22	44	23:45			0	0	0
TOTALS	0	0	514	532	1046	TOTALS	0	0	1143	851	1994
SPLIT %	0%	0%	49%	51%	34%	SPLIT %	0%	0%	57%	43%	66%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00			7	4	11
01:00	02:00			5	5	10
02:00	03:00			5	4	9
03:00	04:00			2	8	10
04:00	05:00			11	26	37
05:00	06:00			13	43	56
06:00	07:00			27	70	97
07:00	08:00			135	83	218
08:00	09:00			102	95	197
09:00	10:00			69	75	144
10:00	11:00			55	54	109
11:00	12:00			83	65	148
12:00	13:00			96	79	175
13:00	14:00			111	92	203
14:00	15:00			170	128	298
15:00	16:00			142	109	251
16:00	17:00			167	123	290
17:00	18:00			164	97	261
18:00	19:00			116	89	205
19:00	20:00			85	63	148
20:00	21:00			32	38	70
21:00	22:00			35	19	54
22:00	23:00			17	8	25
23:00	00:00			8	6	14

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume			514	532	1046
Peak Hour			7:30	7:30	7:30
Peak Volume			181	103	284
Peak Hour Factor			0.580	0.858	0.657
Peak Period	12:00	to	00:00		
Volume			1143	851	1994
Peak Hour			16:15	14:30	14:30
Peak Volume			175	135	303
Peak Hour Factor			0.893	0.689	0.708
Peak Period	07:00	to	09:00		
Volume			237	178	415
Peak Hour			7:30	7:30	7:30
Peak Volume			181	103	284
Peak Hour Factor			0.580	0.858	0.657
Peak Period	16:00	to	18:00		
Volume			331	220	551
Peak Hour			16:15	16:00	16:00
Peak Volume			175	123	290
Peak Hour Factor			0.893	0.932	0.884



Street: O'Hara Avenue
Limits: West Cypress Road to Laurel Road
Direction: NB/SB

Factors

A. Prevailing Speed Data

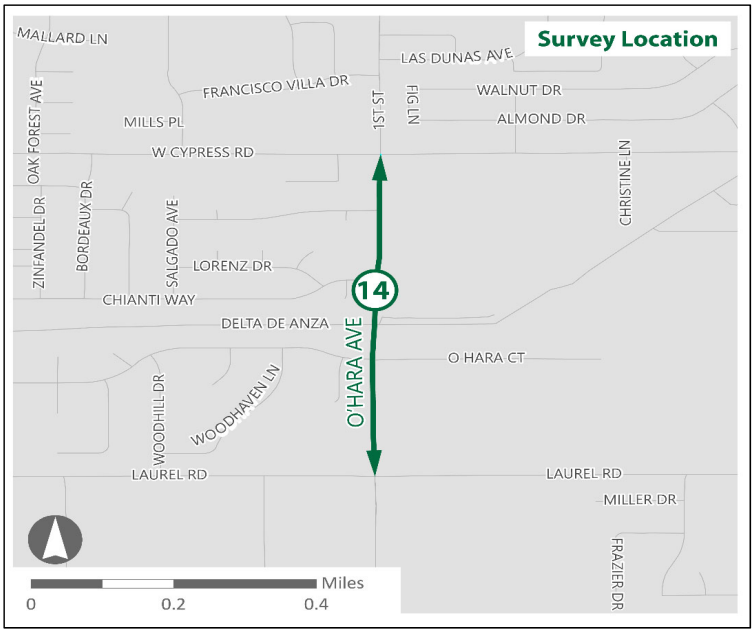
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	35
# Speed Data Collected	121
85th Percentile (mph)	40
10 mph Pace	32-41
Percent in Pace	82%

B. Traffic Factors

Average Daily Traffic (ADT)	8,246
Length of Segment (mi.)	1.00
Street Classification	Collector

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	6
Accident Rate (Acc/MVM)	0.40
Statewide Average Accident Rate	1.04



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), commercial (gas station), institutional (middle school, recreation center), and open space (park, vacant lots) land uses.

Roadway Geometrics
A divided 4-lane collector. Raised median serves as median. Concrete sidewalks present consistently along westerly side and intermittently along easterly side. Class II bike lanes present on both sides for length of segment except between O'Hara Ct. and driveway to Oakley Recreation Center/O'Hara Park Middle School. Signals at intersections with W. Cypress Rd., Chianti Wy., and Laurel Rd. Side street stop control present at remaining intersections. Left-turn lane pockets present along segment at virtually every intersection except at Woodglen Dr./O'Hara Ct. Marked crosswalks present at intersections with Laurel Rd., Woodglen Dr./O'Hara Ct., Via Delta de Anza Trail, Chianti Wy., Covered Wagon Dr., and W. Cypress Rd. No on-street parking present. School zone is present. No horizontal curves present. Gentle vertical curves present. Medium driveway density on both sides. Segment narrows on bridge over canal.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 40 --> 40
§22358.6(b) - Not applicable
§22358.6(c) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded up from the 85th percentile speed: 40 --> 35

Speed Limit Change?	**No**
Existing Speed Limit: 35	**Recommended Speed Limit: 35**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

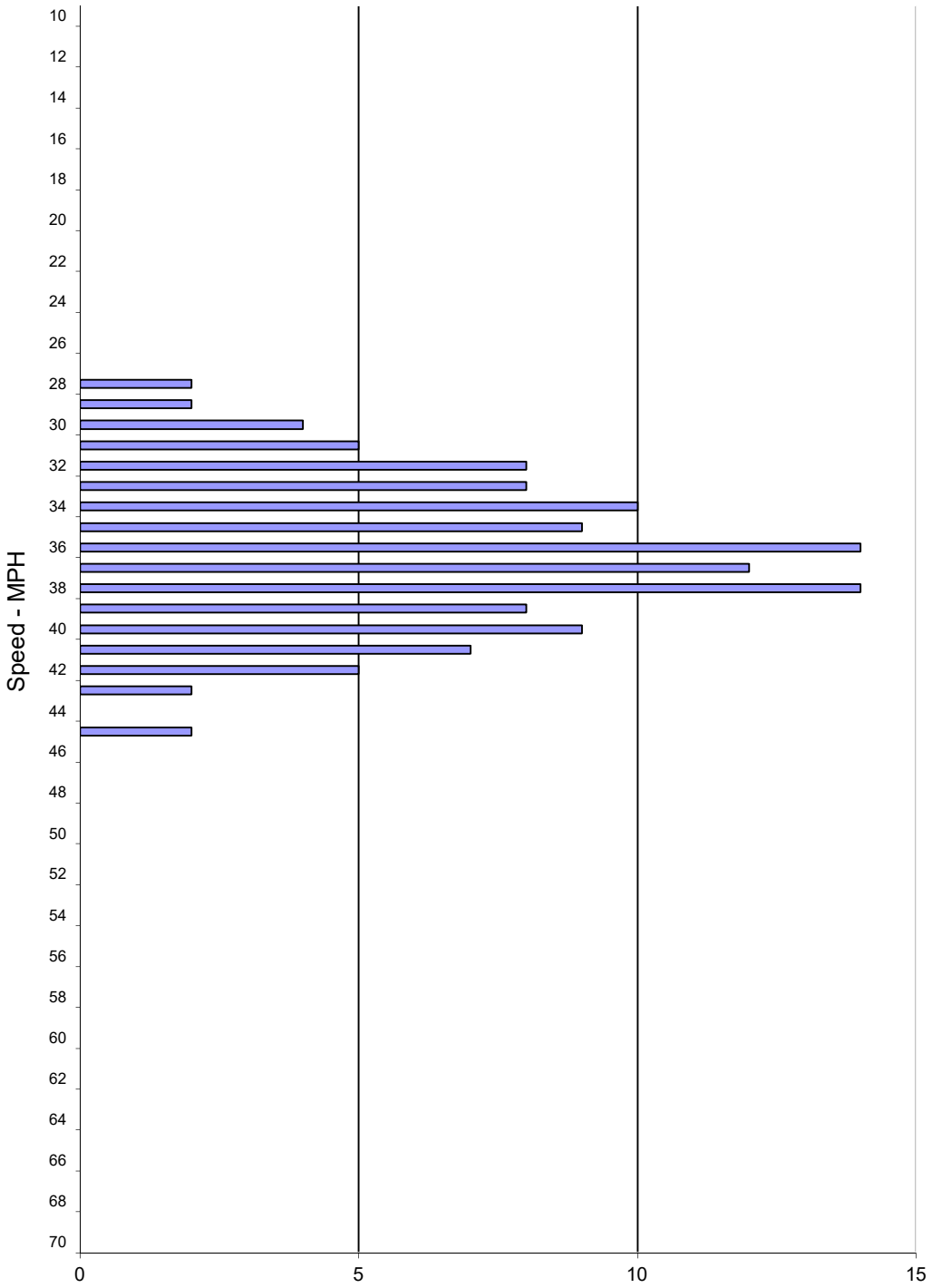
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #14 - O'Hara Ave Bet Laurel Rd & W Cypress Rd
TIME: 10:20-11:00 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-014

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	**2**
29	**2**
30	**4**
31	**5**
32	**8**
33	**8**
34	**10**
35	**9**
36	**14**
37	**12**
38	**14**
39	**8**
40	**9**
41	**7**
42	**5**
43	**2**
44	
45	**2**
46	
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	121	28 - 45	36 mph	40 mph	32 - 41	99	82%	10% / 13	8% / 9

Spot Speed Study

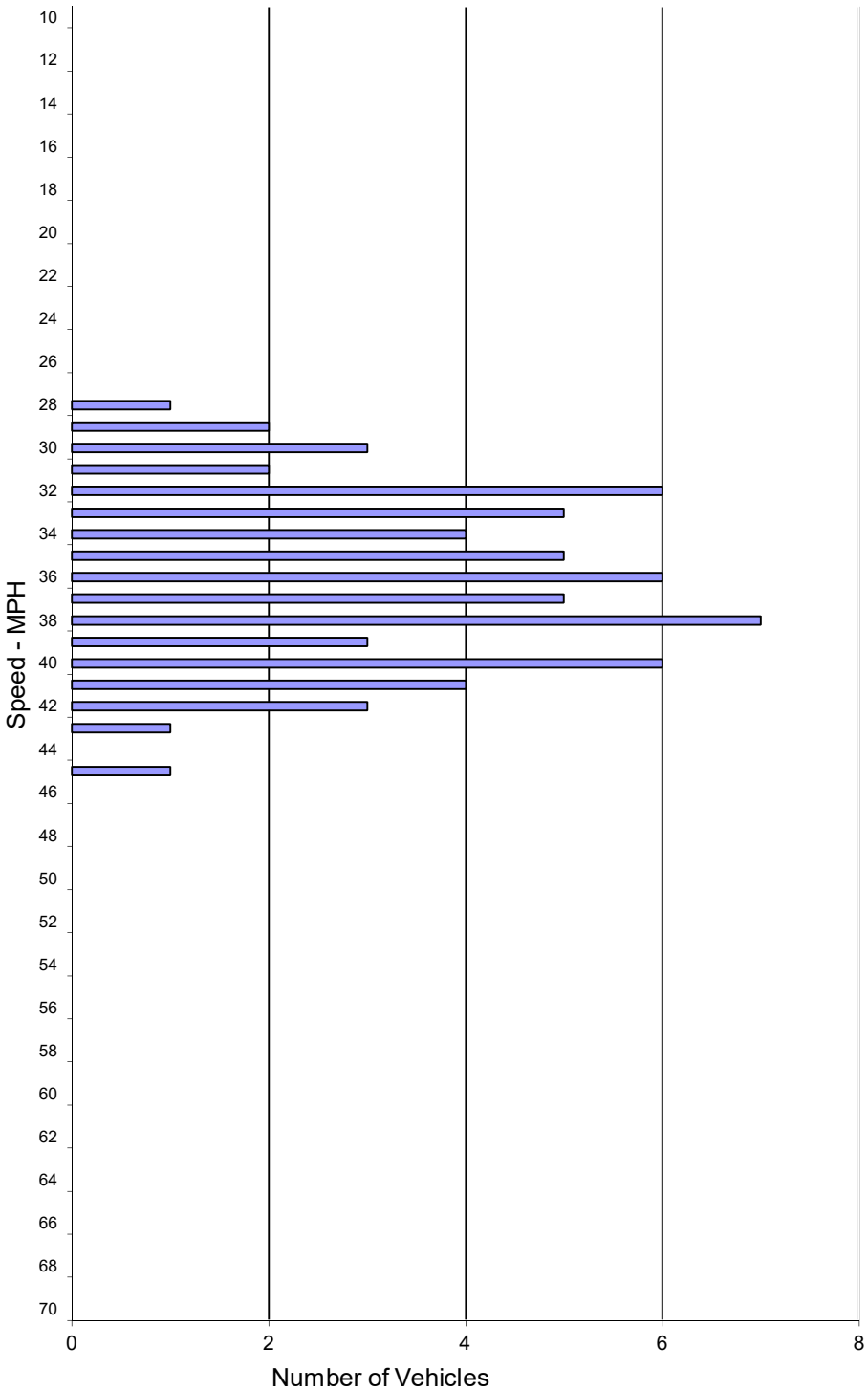
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #14 - O'Hara Ave Bet Laurel Rd & W Cypress Rd
TIME: 10:20-11:00 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-014

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
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14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
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28	1
29	2
30	3
31	2
32	6
33	5
34	4
35	5
36	6
37	5
38	7
39	3
40	6
41	4
42	3
43	1
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45	1
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	64	28 - 45	36 mph	40 mph	32 - 41	51	80%	12% / 8	8% / 5

Spot Speed Study

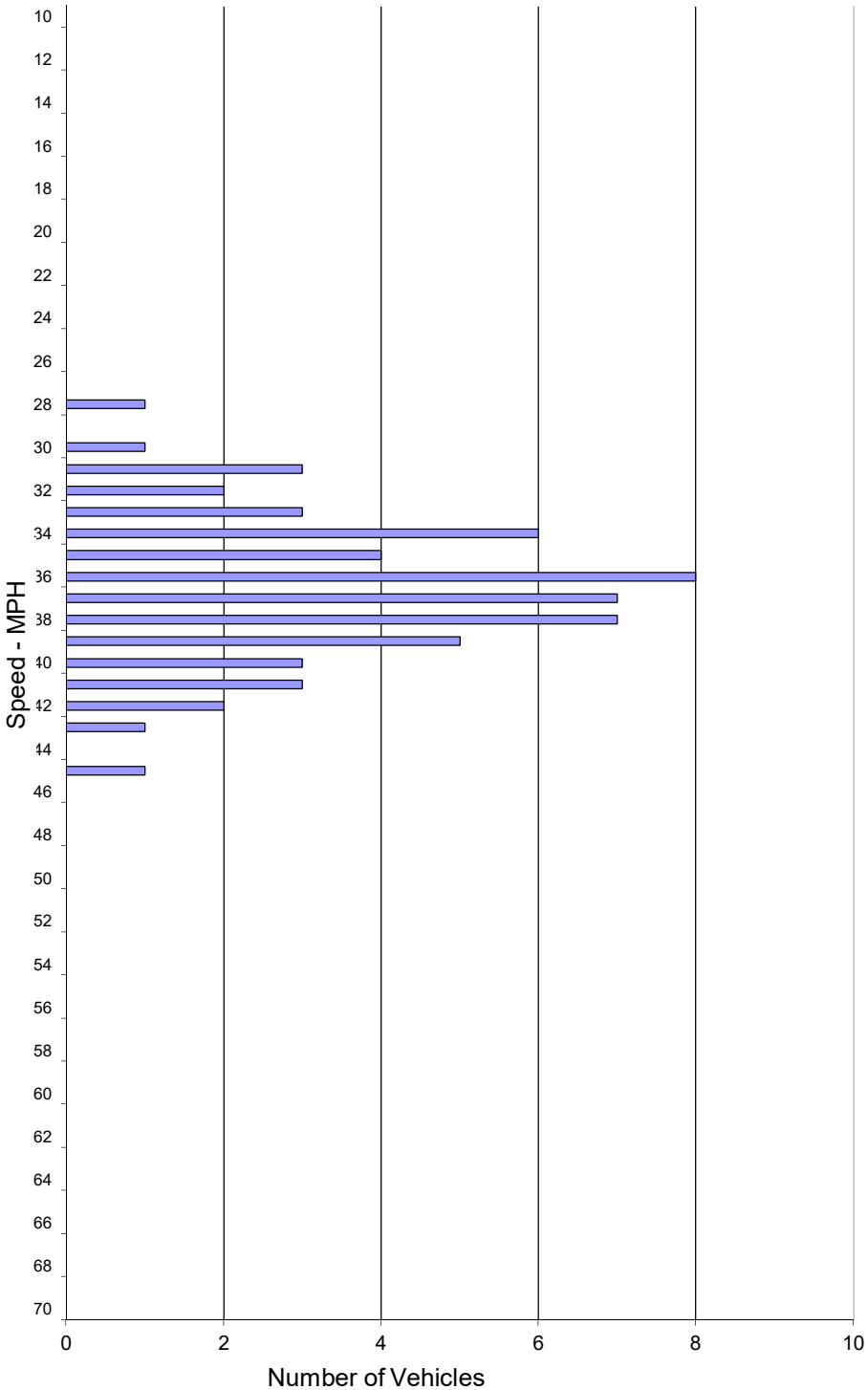
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #14 - O'Hara Ave Bet Laurel Rd & W Cypress Rd
TIME: 10:20-11:00 **Posted Speed:** 35 MPH Clear/Dry **Project #:** 24-080067-014

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	1
29	
30	1
31	3
32	2
33	3
34	6
35	4
36	8
37	7
38	7
39	5
40	3
41	3
42	2
43	1
44	
45	1
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	57	28 - 45	37 mph	40 mph	31 - 40	48	84%	3% / 2	13% / 7

Prepared by National Data & Surveying Services

VOLUME

#14 - O'Hara Ave Bet Laurel Rd & W Cypress Rd

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_014

DAILY TOTALS	NB	SB	EB	WB	Total
	4,073	4,173	0	0	8,246

DAILY TOTALS

15-Minutes Interval

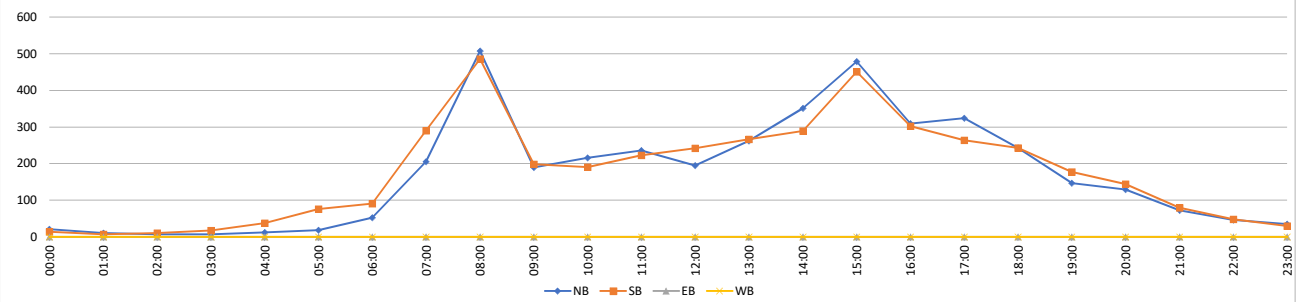
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	5	4			9	12:00	49	79			128
0:15	5	3			8	12:15	48	57			105
0:30	5	4			9	12:30	46	49			95
0:45	6	3			9	12:45	52	57			109
1:00	5	2			7	13:00	57	63			120
1:15	4	2			6	13:15	82	51			133
1:30	1	1			2	13:30	57	77			134
1:45	0	2			2	13:45	66	75			141
2:00	1	0			1	14:00	72	69			141
2:15	1	1			2	14:15	98	63			161
2:30	2	7			9	14:30	71	80			151
2:45	3	2			5	14:45	110	77			187
3:00	1	5			6	15:00	85	72			157
3:15	1	5			6	15:15	151	160			311
3:30	1	4			5	15:30	130	137			267
3:45	4	3			7	15:45	113	82			195
4:00	0	6			6	16:00	80	85			165
4:15	3	11			14	16:15	75	63			138
4:30	2	11			13	16:30	75	87			162
4:45	7	9			16	16:45	79	67			146
5:00	2	13			15	17:00	71	64			135
5:15	5	16			21	17:15	70	60			130
5:30	3	22			25	17:30	81	81			162
5:45	8	25			33	17:45	102	59			161
6:00	13	18			31	18:00	76	65			141
6:15	9	17			26	18:15	54	73			127
6:30	10	22			32	18:30	56	50			106
6:45	20	34			54	18:45	57	55			112
7:00	16	21			37	19:00	31	61			92
7:15	38	48			86	19:15	43	56			99
7:30	59	97			156	19:30	28	29			57
7:45	92	124			216	19:45	45	31			76
8:00	180	136			316	20:00	45	48			93
8:15	188	139			327	20:15	36	33			69
8:30	98	126			224	20:30	25	25			50
8:45	42	85			127	20:45	23	38			61
9:00	42	45			87	21:00	27	22			49
9:15	47	45			92	21:15	13	21			34
9:30	56	47			103	21:30	15	18			33
9:45	44	61			105	21:45	17	18			35
10:00	51	43			94	22:00	11	15			26
10:15	59	52			111	22:15	17	16			33
10:30	51	48			99	22:30	12	9			21
10:45	55	47			102	22:45	6	8			14
11:00	71	58			129	23:00	9	10			19
11:15	54	54			108	23:15	10	7			17
11:30	48	57			105	23:30	10	6			16
11:45	63	54			117	23:45	6	6			12
TOTALS	1481	1639	0	0	3120	TOTALS	2592	2534	0	0	5126
SPLIT %	47%	53%	0%	0%	38%	SPLIT %	51%	49%	0%	0%	62%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	21	14			35
01:00	02:00	10	7			17
02:00	03:00	7	10			17
03:00	04:00	7	17			24
04:00	05:00	12	37			49
05:00	06:00	18	76			94
06:00	07:00	52	91			143
07:00	08:00	205	290			495
08:00	09:00	508	486			994
09:00	10:00	189	198			387
10:00	11:00	216	190			406
11:00	12:00	236	223			459
12:00	13:00	195	242			437
13:00	14:00	262	266			528
14:00	15:00	351	289			640
15:00	16:00	479	451			930
16:00	17:00	309	302			611
17:00	18:00	324	264			588
18:00	19:00	243	243			486
19:00	20:00	147	177			324
20:00	21:00	129	144			273
21:00	22:00	72	79			151
22:00	23:00	46	48			94
23:00	00:00	35	29			64

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	1481	1639			3120
Peak Hour	7:45	7:45			7:45
Peak Volume	558	525			1083
Peak Hour Factor	0.742	0.944			0.828
Peak Period	12:00	to	00:00		
Volume	2592	2534			5126
Peak Hour	15:00	15:15			15:15
Peak Volume	479	464			938
Peak Hour Factor	0.793	0.725			0.754
Peak Period	07:00	to	09:00		
Volume	713	776			1489
Peak Hour	7:45	7:45			7:45
Peak Volume	558	525			1083
Peak Hour Factor	0.742	0.944			0.828
Peak Period	16:00	to	18:00		
Volume	633	566			1199
Peak Hour	17:00	16:00			16:00
Peak Volume	324	302			611
Peak Hour Factor	0.794	0.868			0.926



Street: O'Hara Avenue
Limits: Laurel Road to Neroly Road
Direction: NB/SB

Factors

A. Prevailing Speed Data

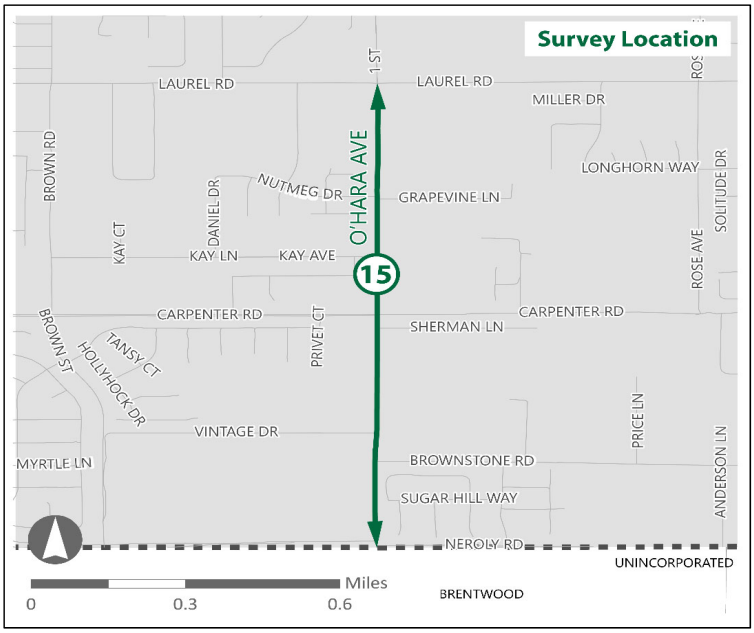
Date /Location of Survey	4/5/2024
Posted Speed Limit (mph)	40
# Speed Data Collected	125
85th Percentile (mph)	46
10 mph Pace	35-44
Percent in Pace	75%

B. Traffic Factors

Average Daily Traffic (ADT)	9,605
Length of Segment (mi.)	1.00
Street Classification	Major Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	15
Accident Rate (Acc/MVM)	0.86
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes), institutional (high school), and open space (park, agriculture, vacant lot) land uses.

Roadway Geometrics
An undivided 3-lane major arterial. Double yellow lines and raised median serve as median. Concrete sidewalks present consistently along westerly side and intermittently along easterly side. Class II bike lanes present consistently along westerly side and intermittently along easterly side. Signals present at intersections with Neroly Rd., Carpenter Rd., and Laurel Rd. Side street stop control present at remaining intersections. Left-turn lane pockets present at approaches to intersections with Neroly Rd., Carpenter Rd., and Laurel Rd. Right-turn lane pockets present at approaches to intersections at Brownstone Rd. and Laurel Rd. Marked crosswalks present at intersections with Neroly Rd., Carpenter Rd., and Laurel Rd. No on-street parking present. No school zone is present. No horizontal curves present. Gentle vertical curves throughout segment. Medium driveway density on both sides.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 46 --> 45
§22358.6(b) - Lower the speed limit an additional 5 mph from the rounded speed limit if the speed limit was initially rounded down from the 85th percentile speed: 45 --> 40

Speed Limit Change?	**No**
Existing Speed Limit: 40	**Recommended Speed Limit: 40**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

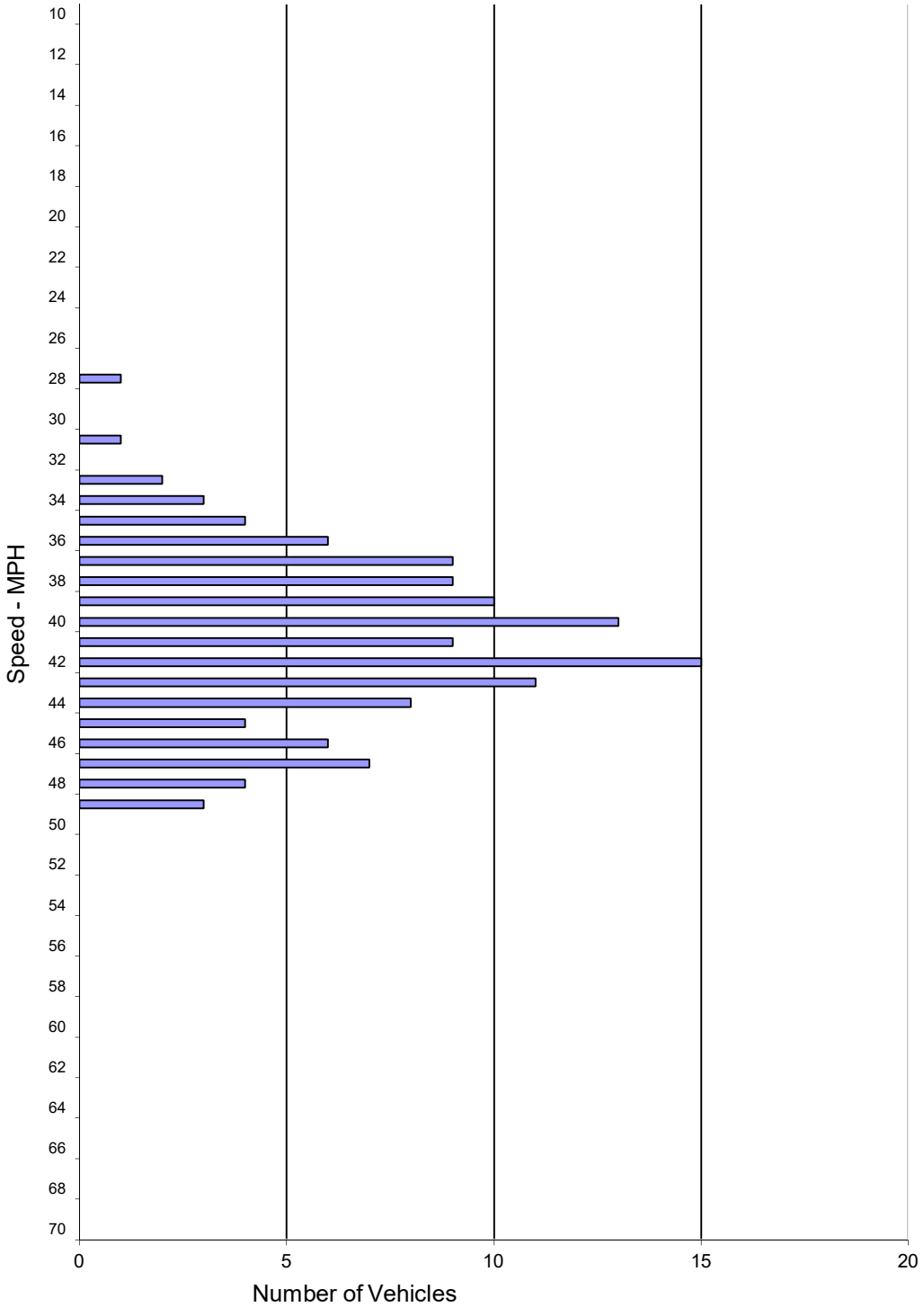
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #15 - O'Hara Ave Bet Neroly Rd & Laurel Rd
TIME: 11:15-12:00 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-015**

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	1
29	
30	
31	1
32	
33	2
34	3
35	4
36	6
37	9
38	9
39	10
40	13
41	9
42	15
43	11
44	8
45	4
46	6
47	7
48	4
49	3
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	125	28 - 49	41 mph	46 mph	35 - 44	94	75%	5% / 7	20% / 24

Spot Speed Study

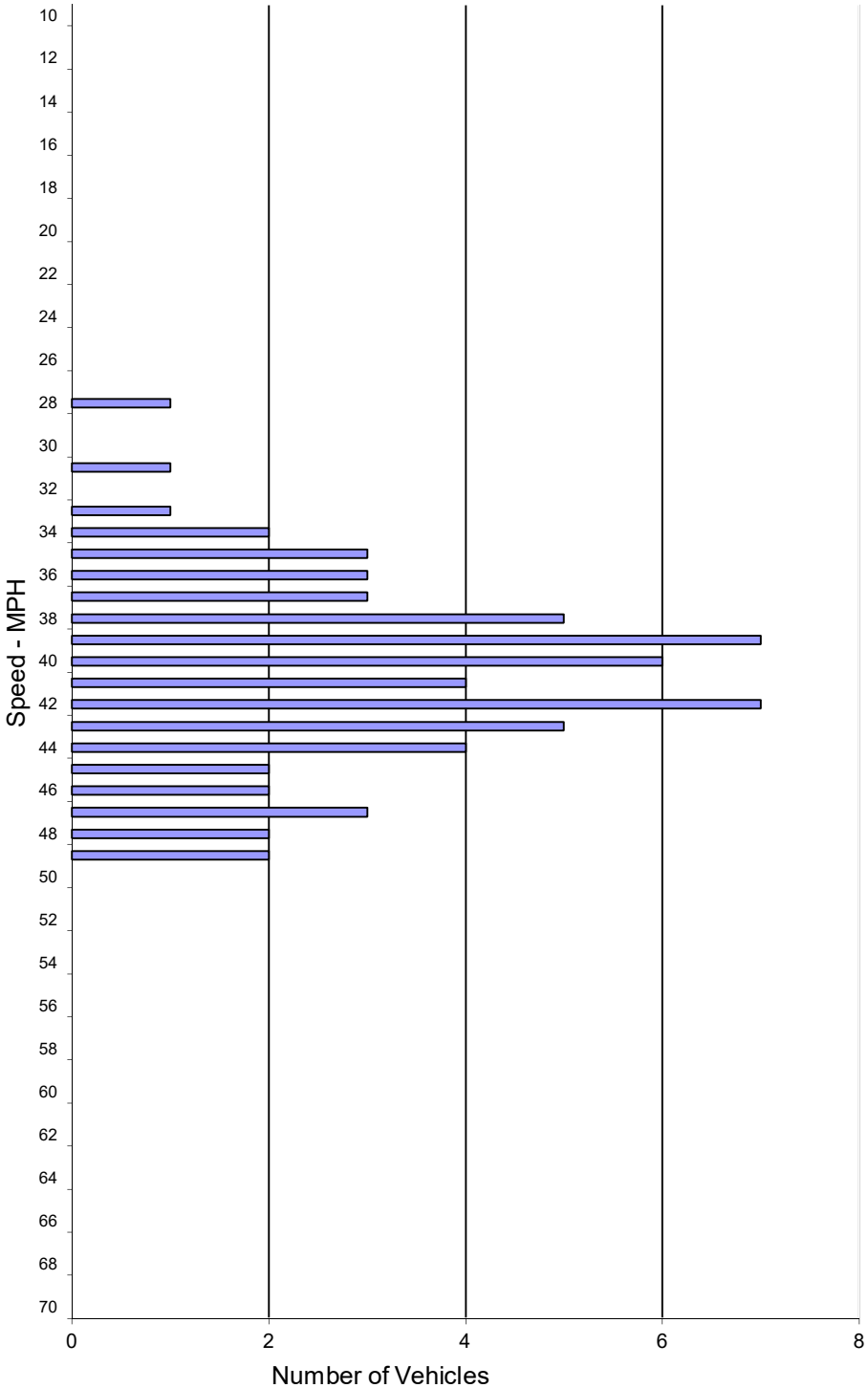
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #15 - O'Hara Ave Bet Neroly Rd & Laurel Rd
TIME: 11:15-12:00 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-015**

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
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14	
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31	1
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34	2
35	3
36	3
37	3
38	5
39	7
40	6
41	4
42	7
43	5
44	4
45	2
46	2
47	3
48	2
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	63	28 - 49	40 mph	45 mph	35 - 44	47	75%	7% / 5	18% / 11

Spot Speed Study

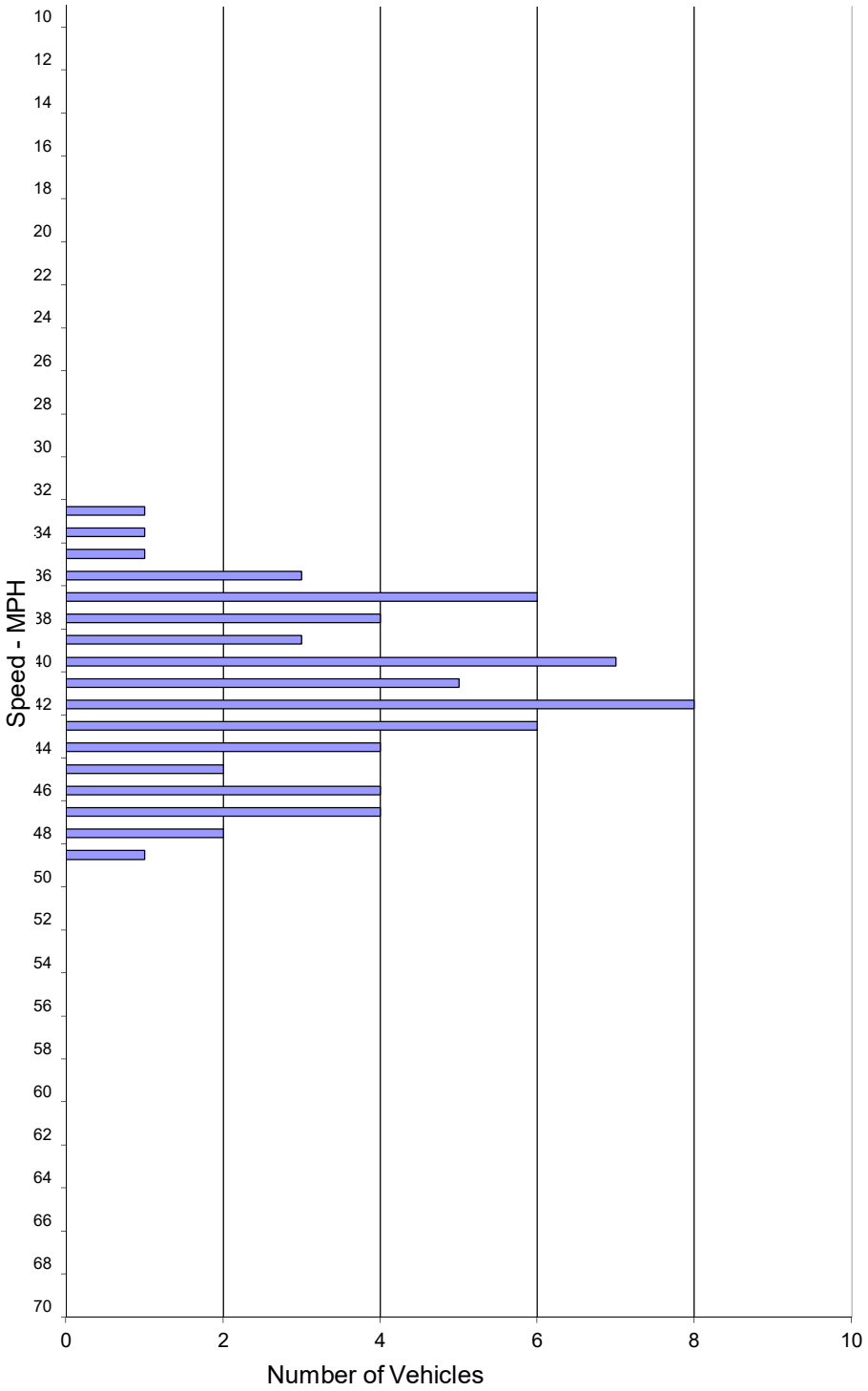
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/5/2024 **Location:** #15 - O'Hara Ave Bet Neroly Rd & Laurel Rd
TIME: 11:15-12:00 **Posted Speed:** 40 MPH Clear/Dry **Project #: 24-080067-015**

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	1
34	1
35	1
36	3
37	6
38	4
39	3
40	7
41	5
42	8
43	6
44	4
45	2
46	4
47	4
48	2
49	1
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>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	62	33 - 49	41 mph	46 mph	37 - 46	49	79%	9% / 6	12% / 7

Prepared by National Data & Surveying Services

VOLUME

#15 - O'Hara Ave Bet Neroly Rd & Laurel Rd

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_015

DAILY TOTALS	NB	SB	EB	WB	Total
	4,570	5,035	0	0	9,605

15-Minutes Interval

TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	9	9			18	12:00	59	71			130
0:15	1	1			2	12:15	59	59			118
0:30	7	7			14	12:30	54	51			105
0:45	4	3			7	12:45	59	56			115
1:00	4	0			4	13:00	66	59			125
1:15	8	5			13	13:15	110	66			176
1:30	4	1			5	13:30	63	86			149
1:45	2	1			3	13:45	109	77			186
2:00	1	2			3	14:00	88	85			173
2:15	3	4			7	14:15	79	81			160
2:30	2	3			5	14:30	92	104			196
2:45	2	2			4	14:45	64	104			168
3:00	6	2			8	15:00	69	106			175
3:15	2	4			6	15:15	101	153			254
3:30	4	1			5	15:30	151	165			316
3:45	5	2			7	15:45	100	139			239
4:00	6	7			13	16:00	101	94			195
4:15	5	4			9	16:15	103	92			195
4:30	7	8			15	16:30	93	109			202
4:45	11	6			17	16:45	103	110			213
5:00	4	8			12	17:00	112	77			189
5:15	10	15			25	17:15	104	93			197
5:30	10	12			22	17:30	129	114			243
5:45	9	22			31	17:45	111	85			196
6:00	21	15			36	18:00	75	92			167
6:15	17	21			38	18:15	70	78			148
6:30	15	20			35	18:30	75	58			133
6:45	30	34			64	18:45	66	75			141
7:00	27	34			61	19:00	43	62			105
7:15	42	59			101	19:15	66	67			133
7:30	63	115			178	19:30	50	31			81
7:45	78	155			233	19:45	35	50			85
8:00	122	245			367	20:00	56	44			100
8:15	134	219			353	20:15	46	41			87
8:30	105	130			235	20:30	52	34			86
8:45	60	99			159	20:45	38	42			80
9:00	59	64			123	21:00	31	28			59
9:15	51	58			109	21:15	27	22			49
9:30	48	77			125	21:30	29	16			45
9:45	42	71			113	21:45	23	20			43
10:00	72	48			120	22:00	18	10			28
10:15	51	63			114	22:15	16	12			28
10:30	56	46			102	22:30	15	15			30
10:45	58	52			110	22:45	9	10			19
11:00	55	55			110	23:00	11	5			16
11:15	51	61			112	23:15	13	6			19
11:30	59	58			117	23:30	12	5			17
11:45	68	45			113	23:45	5	3			8
TOTALS	1510	1973	0	0	3483	TOTALS	3060	3062	0	0	6122
SPLIT %	43%	57%	0%	0%	36%	SPLIT %	50%	50%	0%	0%	64%

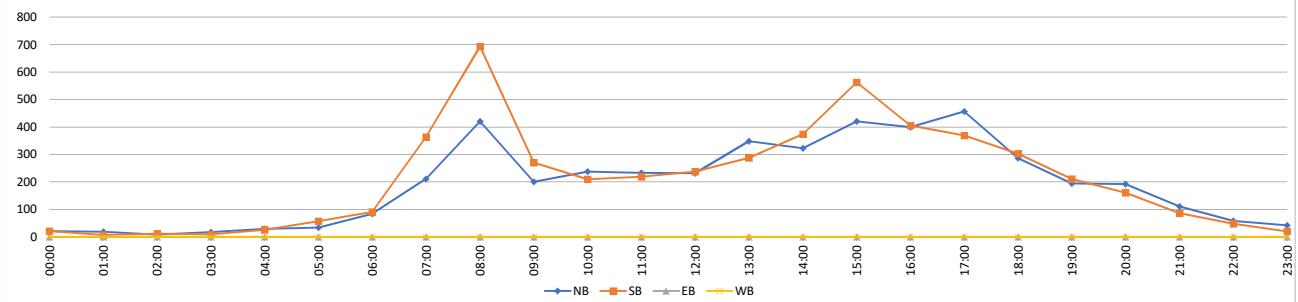
DAILY TOTALS

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	21	20			41
01:00	02:00	18	7			25
02:00	03:00	8	11			19
03:00	04:00	17	9			26
04:00	05:00	29	25			54
05:00	06:00	33	57			90
06:00	07:00	83	90			173
07:00	08:00	210	363			573
08:00	09:00	421	693			1114
09:00	10:00	200	270			470
10:00	11:00	237	209			446
11:00	12:00	233	219			452
12:00	13:00	231	237			468
13:00	14:00	348	288			636
14:00	15:00	323	374			697
15:00	16:00	421	563			984
16:00	17:00	400	405			805
17:00	18:00	456	369			825
18:00	19:00	286	303			589
19:00	20:00	194	210			404
20:00	21:00	192	161			353
21:00	22:00	110	86			196
22:00	23:00	58	47			105
23:00	00:00	41	19			60

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	1510	1973			3483
Peak Hour	7:45	7:45			7:45
Peak Volume	439	749			1188
Peak Hour Factor	0.819	0.764			0.809
Peak Period	12:00	to	00:00		
Volume	3060	3062			6122
Peak Hour	17:00	15:00			15:15
Peak Volume	456	563			1004
Peak Hour Factor	0.884	0.853			0.794
Peak Period	07:00	to	09:00		
Volume	631	1056			1687
Peak Hour	7:45	7:45			7:45
Peak Volume	439	749			1188
Peak Hour Factor	0.819	0.764			0.809
Peak Period	16:00	to	18:00		
Volume	856	774			1630
Peak Hour	17:00	16:00			16:45
Peak Volume	456	405			842
Peak Hour Factor	0.884	0.920			0.866



Street: Rose Avenue
Limits: Laurel Road to Simoni Ranch Road
Direction: NB/SB

Factors

A. Prevailing Speed Data

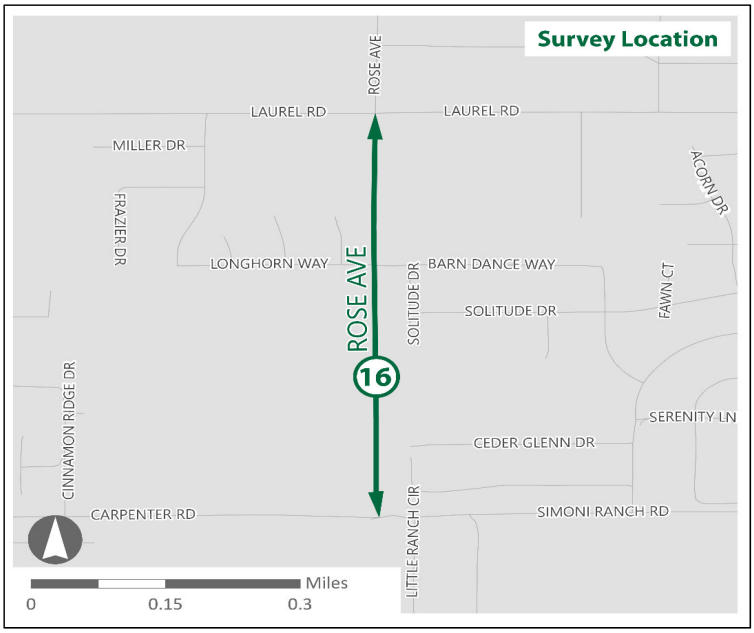
Date /Location of Survey	4/9/2024
Posted Speed Limit (mph)	40
# Speed Data Collected	125
85th Percentile (mph)	42
10 mph Pace	34-43
Percent in Pace	74%

B. Traffic Factors

Average Daily Traffic (ADT)	1,754
Length of Segment (mi.)	0.50
Street Classification	Collector

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	1
Accident Rate (Acc/MVM)	0.62
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes) and open space (vacant lot) land uses.

Roadway Geometrics
An undivided 2-lane collector. Double yellow lines and quadraple yellow lines serve as median. Intermittent concrete sidewalks on both sides, though more consistent on easterly side than westerly side. Class II bike lanes present on both sides. Signal present at intersection with Laurel Rd. All-way stop control at intersections with Longhorn Wy./Barn Dance Wy. and Carpenter Rd./Simoni Ranch Rd. Side street stop control present at remaining intersections. Left-turn lane pockets present at approaches to intersections with Laurel Rd. and Stone Mountain Dr. Marked crosswalks present at intersections with Carpenter Rd. and Laurel Rd. No on-street parking present. No school zone is present. No horizontal curves present. Gentle vertical curves throughout segment. Low driveway density on both sides.

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 42 --> 40

Speed Limit Change?	**No**
Existing Speed Limit: 40	**Recommended Speed Limit: 40**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

PROFESSIONAL ENGINEER ANNA MARIE VICKROY 2081 TRAFFIC STATE OF CALIFORNIA

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

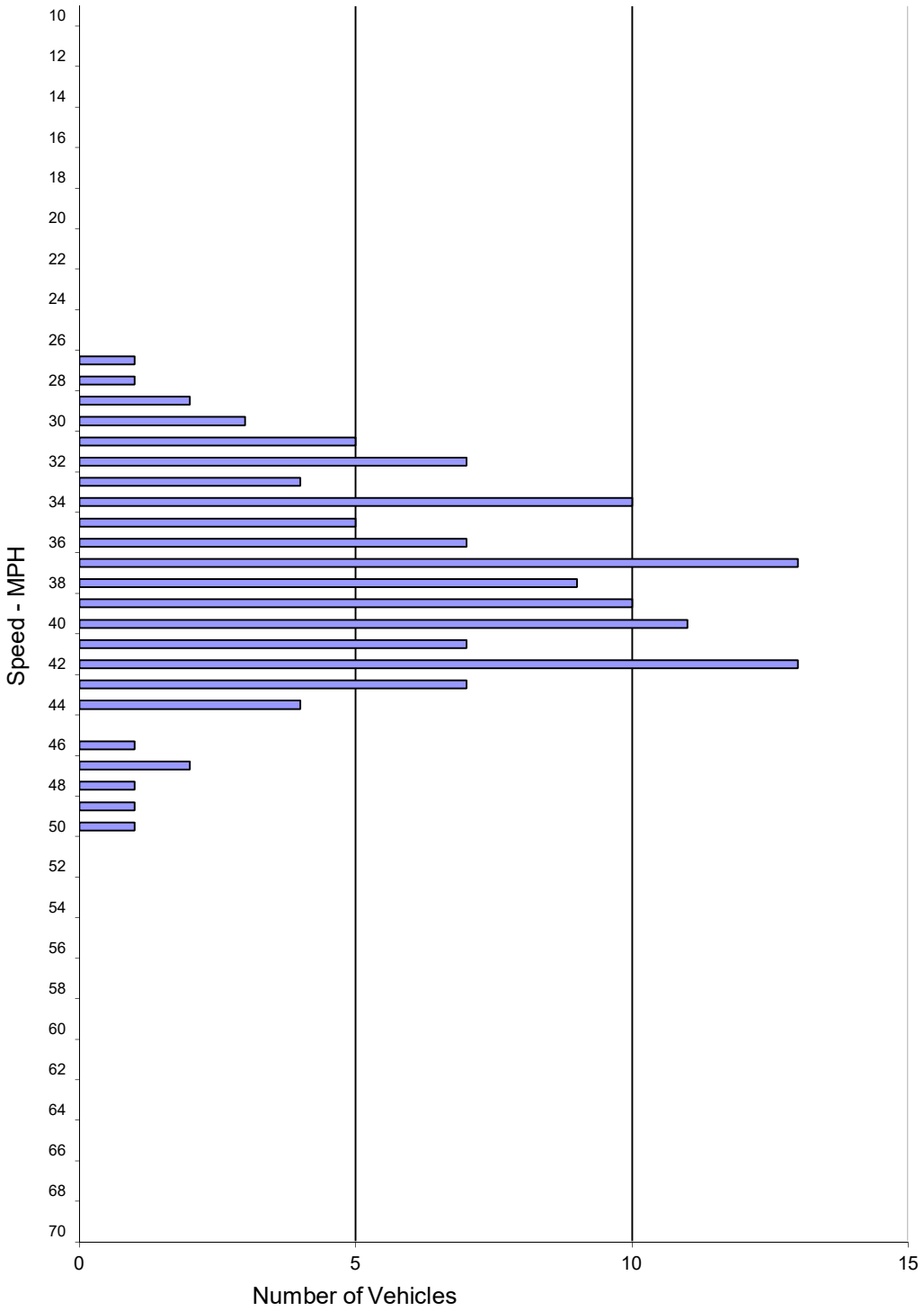
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #16 - Rose Ave Bet Laurel Rd & Simoni Ranch Rd
TIME: 11:25-12:50 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-016

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	1
28	1
29	2
30	3
31	5
32	7
33	4
34	10
35	5
36	7
37	13
38	9
39	10
40	11
41	7
42	13
43	7
44	4
45	
46	1
47	2
48	1
49	1
50	1
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	125	27 - 50	38 mph	42 mph	34 - 43	92	74%	18% / 23	8% / 10

Spot Speed Study

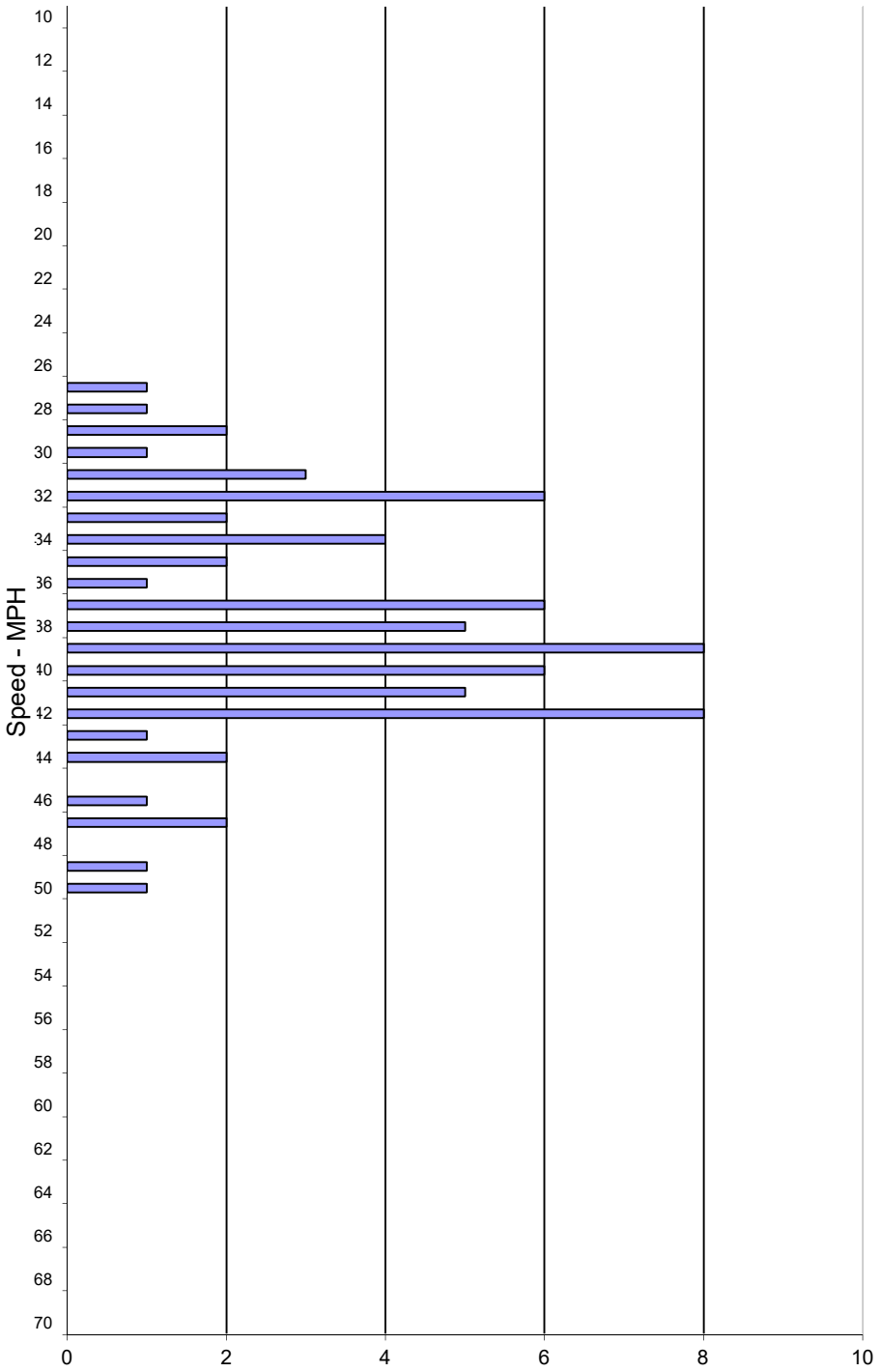
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #16 - Rose Ave Bet Laurel Rd & Simoni Ranch Rd
TIME: 11:25-12:50 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-016

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	1
28	1
29	2
30	1
31	3
32	6
33	2
34	4
35	2
36	1
37	6
38	5
39	8
40	6
41	5
42	8
43	1
44	2
45	
46	1
47	2
48	
49	1
50	1
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	69	27 - 50	39 mph	42 mph	33 - 42	47	68%	20% / 14	12% / 8

Spot Speed Study

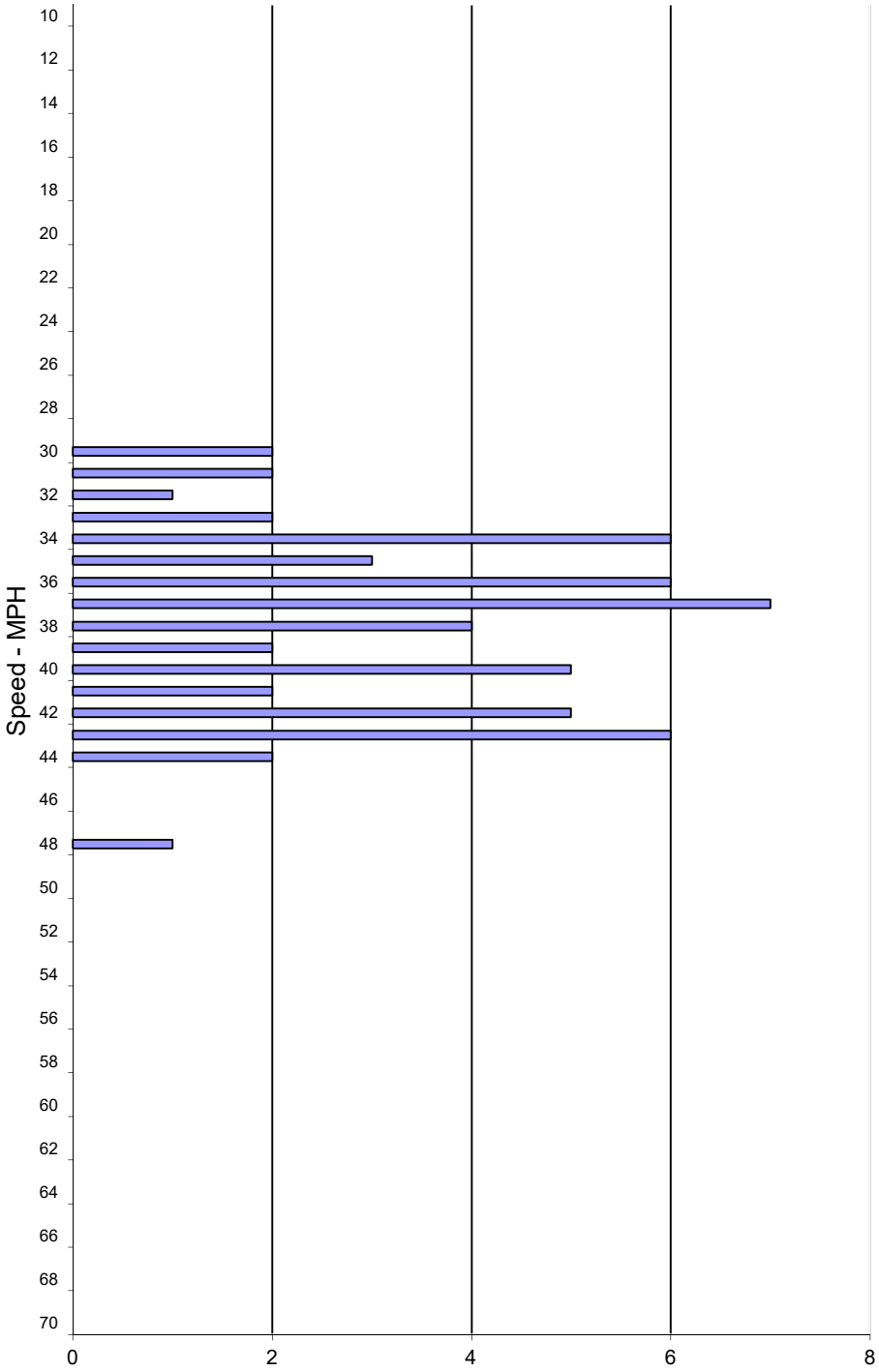
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #16 - Rose Ave Bet Laurel Rd & Simoni Ranch Rd
TIME: 11:25-12:50 **Posted Speed:** 40 MPH Clear/Dry **Project #:** 24-080067-016

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	2
31	2
32	1
33	2
34	6
35	3
36	6
37	7
38	4
39	2
40	5
41	2
42	5
43	6
44	2
45	
46	
47	
48	1
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	56	30 - 48	37 mph	43 mph	34 - 43	46	82%	12% / 7	6% / 3

Prepared by National Data & Surveying Services

VOLUME

#16 - Rose Ave Bet Laurel Rd & Simoni Ranch Rd

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_016

DAILY TOTALS	NB	SB	EB	WB	Total
	840	914	0	0	1,754

DAILY TOTALS

15-Minutes Interval

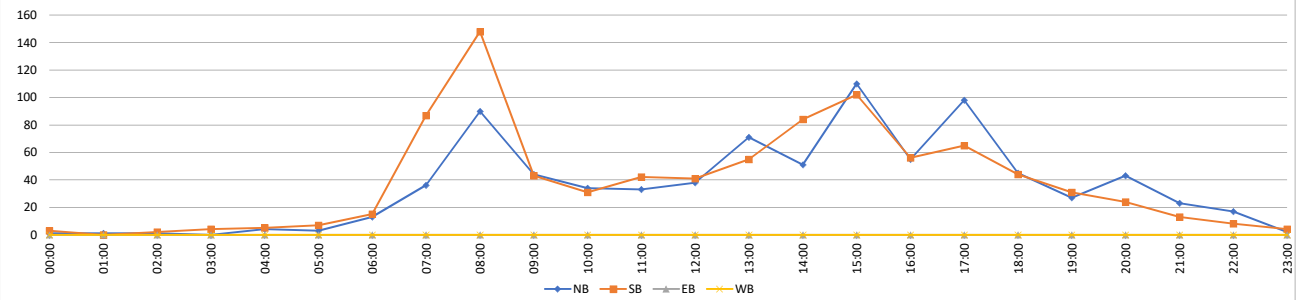
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	0	1			1	12:00	6	8			14
0:15	0	0			0	12:15	9	10			19
0:30	1	2			3	12:30	5	11			16
0:45	0	0			0	12:45	18	12			30
1:00	0	0			0	13:00	11	18			29
1:15	1	0			1	13:15	19	16			35
1:30	0	0			0	13:30	20	10			30
1:45	0	0			0	13:45	21	11			32
2:00	1	2			3	14:00	7	22			29
2:15	0	0			0	14:15	7	21			28
2:30	0	0			0	14:30	20	18			38
2:45	0	0			0	14:45	17	23			40
3:00	0	1			1	15:00	21	19			40
3:15	0	1			1	15:15	24	34			58
3:30	0	2			2	15:30	46	31			77
3:45	0	0			0	15:45	19	18			37
4:00	0	3			3	16:00	12	13			25
4:15	1	0			1	16:15	14	15			29
4:30	3	1			4	16:30	13	13			26
4:45	0	1			1	16:45	16	15			31
5:00	2	1			3	17:00	17	12			29
5:15	0	3			3	17:15	21	23			44
5:30	1	2			3	17:30	29	14			43
5:45	0	1			1	17:45	31	16			47
6:00	5	3			8	18:00	7	17			24
6:15	5	2			7	18:15	14	10			24
6:30	2	6			8	18:30	12	9			21
6:45	1	4			5	18:45	12	8			20
7:00	6	12			18	19:00	7	10			17
7:15	2	14			16	19:15	7	7			14
7:30	10	14			24	19:30	6	9			15
7:45	18	47			65	19:45	7	5			12
8:00	24	78			102	20:00	10	7			17
8:15	33	46			79	20:15	9	5			14
8:30	28	12			40	20:30	16	6			22
8:45	5	12			17	20:45	8	6			14
9:00	11	13			24	21:00	6	3			9
9:15	10	12			22	21:15	5	4			9
9:30	15	11			26	21:30	5	4			9
9:45	8	7			15	21:45	7	2			9
10:00	10	2			12	22:00	5	1			6
10:15	9	10			19	22:15	4	4			8
10:30	6	5			11	22:30	6	3			9
10:45	9	14			23	22:45	2	0			2
11:00	9	13			22	23:00	1	1			2
11:15	9	13			22	23:15	1	1			2
11:30	6	6			12	23:30	0	1			1
11:45	9	10			19	23:45	0	1			1
TOTALS	260	387	0	0	647	TOTALS	580	527	0	0	1107
SPLIT %	40%	60%	0%	0%	37%	SPLIT %	52%	48%	0%	0%	63%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	1	3			4
01:00	02:00	1	0			1
02:00	03:00	1	2			3
03:00	04:00	0	4			4
04:00	05:00	4	5			9
05:00	06:00	3	7			10
06:00	07:00	13	15			28
07:00	08:00	36	87			123
08:00	09:00	90	148			238
09:00	10:00	44	43			87
10:00	11:00	34	31			65
11:00	12:00	33	42			75
12:00	13:00	38	41			79
13:00	14:00	71	55			126
14:00	15:00	51	84			135
15:00	16:00	110	102			212
16:00	17:00	55	56			111
17:00	18:00	98	65			163
18:00	19:00	45	44			89
19:00	20:00	27	31			58
20:00	21:00	43	24			67
21:00	22:00	23	13			36
22:00	23:00	17	8			25
23:00	00:00	2	4			6

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	260	387			647
Peak Hour	7:45	7:30			7:45
Peak Volume	103	185			286
Peak Hour Factor	0.780	0.593			0.701
Peak Period	12:00	to	00:00		
Volume	580	527			1107
Peak Hour	15:00	14:45			14:45
Peak Volume	110	107			215
Peak Hour Factor	0.598	0.787			0.698
Peak Period	07:00	to	09:00		
Volume	126	235			361
Peak Hour	7:45	7:30			7:45
Peak Volume	103	185			286
Peak Hour Factor	0.780	0.593			0.701
Peak Period	16:00	to	18:00		
Volume	153	121			274
Peak Hour	17:00	17:00			17:00
Peak Volume	98	65			163
Peak Hour Factor	0.790	0.707			0.867



Street: Sellers Avenue
Limits: East Cypress Road to Delta Road
Direction: NB/SB

Factors

A. Prevailing Speed Data

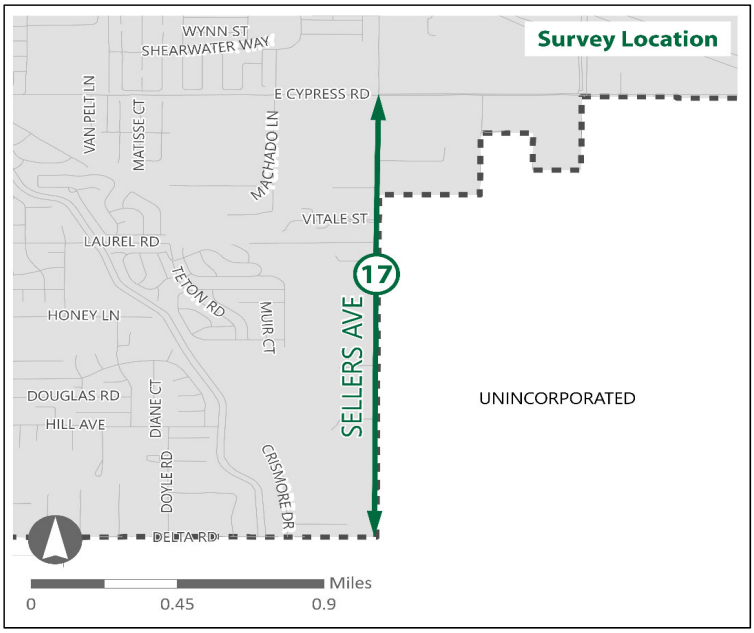
Date /Location of Survey	4/9/2024
Posted Speed Limit (mph)	50
# Speed Data Collected	120
85th Percentile (mph)	47
10 mph Pace	38-47
Percent in Pace	74%

B. Traffic Factors

Average Daily Traffic (ADT)	5,466
Length of Segment (mi.)	1.51
Street Classification	Minor Arterial

C. Collision History

Date Range Covered	Jan 1, 2018 - Dec 31, 2022
Total Accidents	5
Accident Rate (Acc/MVM)	0.33
Statewide Average Accident Rate	1.11



D. Roadway Conditions

Adjacent Land Use
Residential (single-family homes) and open space (agriculture, vacant lot) land uses.

Roadway Geometrics
An undivided 2-lane minor arterial. Single striped yellow line serves as median. Concrete sidewalk present on easterly side from E. Cypress Rd. to approximately 700 feet south of E. Cypress Rd. No bicycle facilities present along segment. Signal present at intersection with E. Cypress Rd. All-way stop control present at intersection with Delta Rd. Side street stop control present at remaining intersections. No turn pockets present. Marked crosswalks present at intersection with E. Cypress Rd. No on-street parking present. No school zone is present. No horizontal curves present. Gentle vertical curves throughout segment. Moderate vertical curves at at-grade railroad crossing. Medium driveway density on both sides. At-grade railroad crossing present approximately 185 feet south of Jan Ln. Crossing heading is N50°W (S50°E).

Comments
§22358.6(a) - Round the speed limit to the nearest 5-mph increment from the 85th percentile speed: 47 --> 45
Decrease justified by 85th percentile speed and by presence of 40 mph advisory speed limit at at-grade railroad crossing with sharp vertical elevation change.

Speed Limit Change?	**Yes**
Existing Speed Limit: 50	**Recommended Speed Limit: 45**

This survey conforms to Section 627 and 40802 of the California Vehicle Code and Section 2B.13 of the California MUTCD and recommends a speed limit appropriate to facilitate the safe and orderly movement of traffic.

Approved and Authorized for release by the City of Oakley:

Signed:
Title:

Signed: Anna Vickroy, PE, TE
Title: Senior Transportation Engineer, TJKM Transportation Consultants

Spot Speed Study

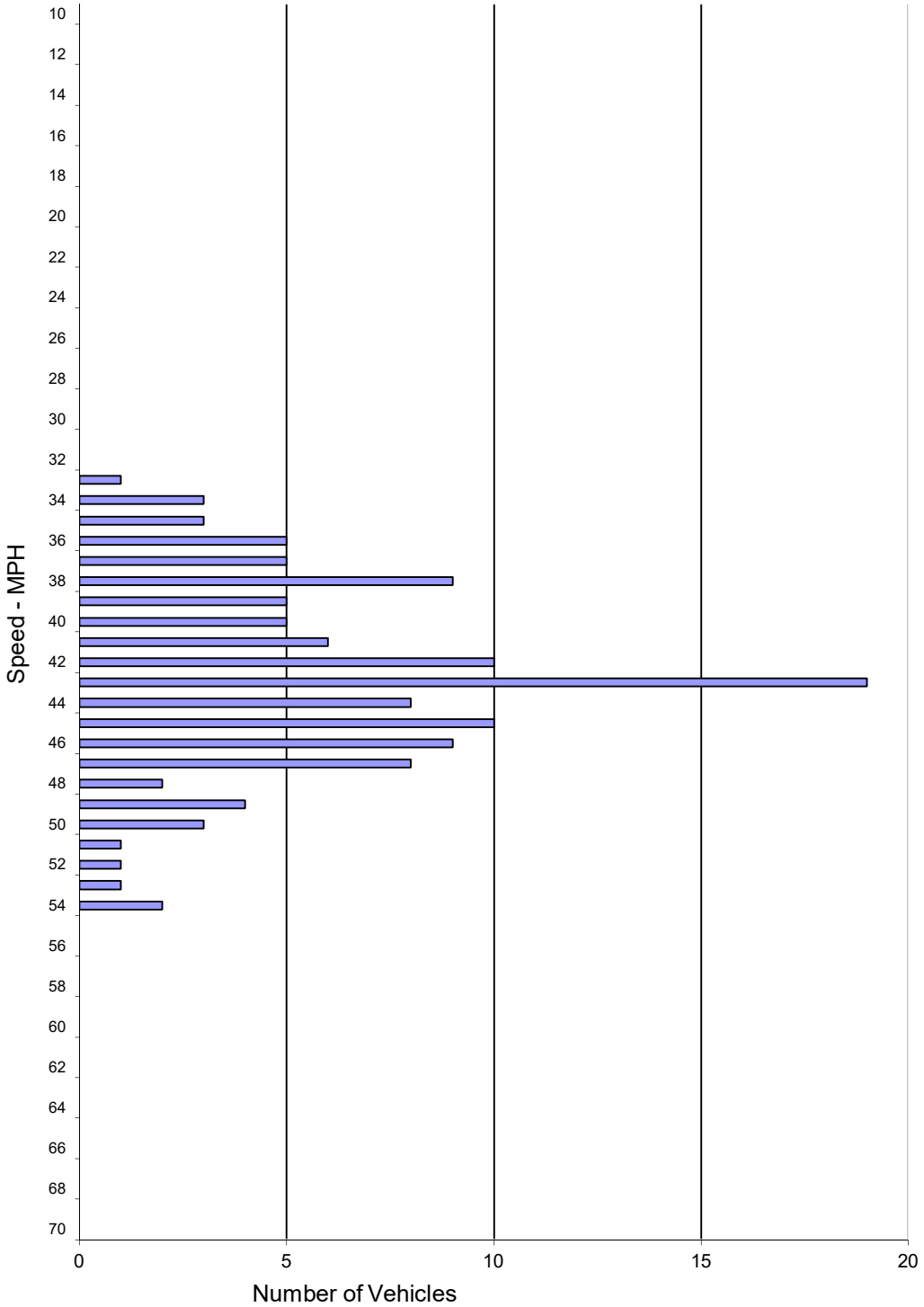
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #17 - Sellers Ave Bet Delta Rd & E Cypress Rd
TIME: 13:00-14:05 **Posted Speed:** 50 MPH Clear/Dry **Project #:** 24-080067-017

Northbound & Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	1
34	3
35	3
36	5
37	5
38	9
39	5
40	5
41	6
42	10
43	19
44	8
45	10
46	9
47	8
48	2
49	4
50	3
51	1
52	1
53	1
54	2
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	120	33 - 54	43 mph	47 mph	38 - 47	89	74%	14% / 17	12% / 14

Spot Speed Study

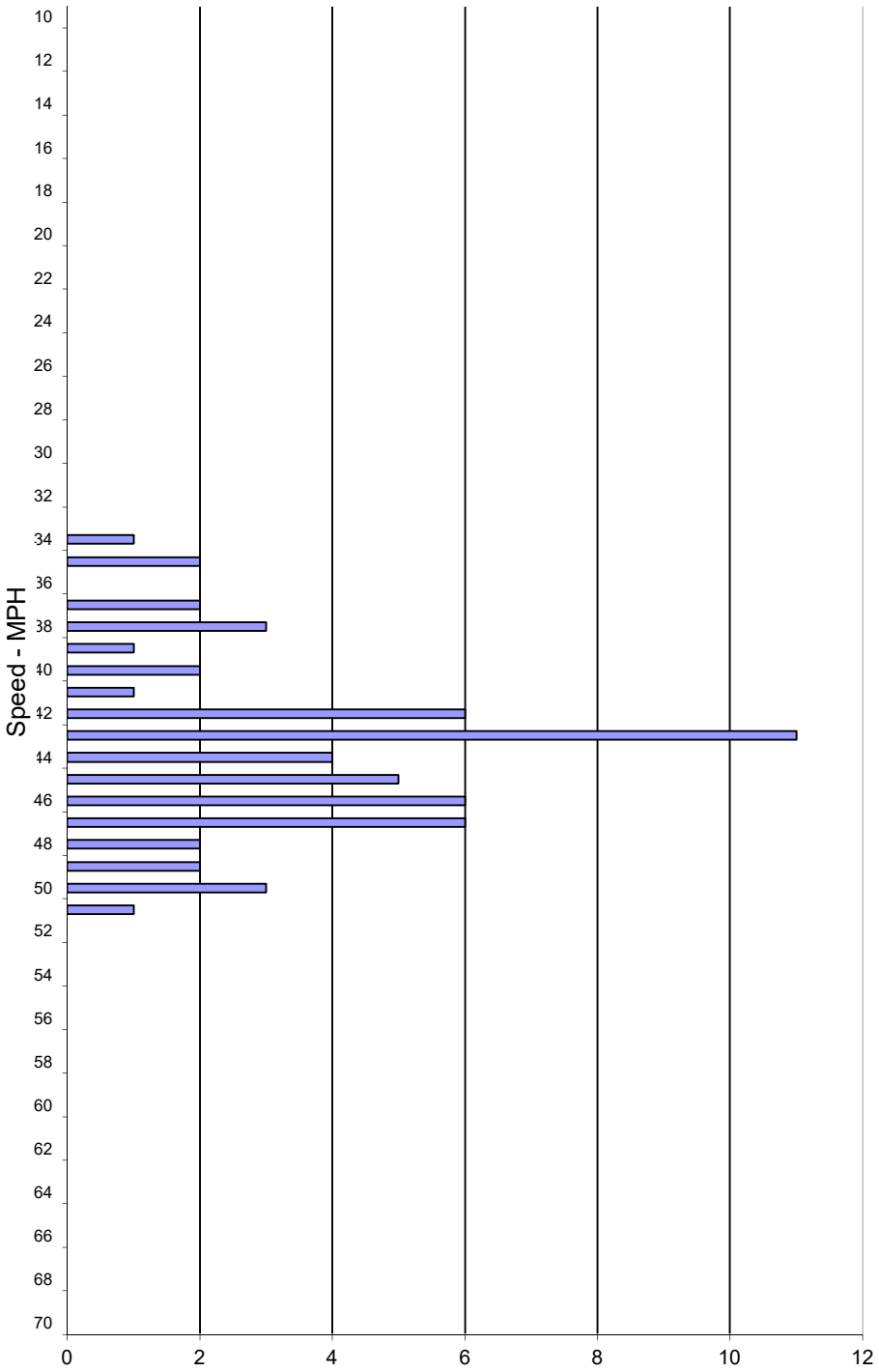
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #17 - Sellers Ave Bet Delta Rd & E Cypress Rd
TIME: 13:00-14:05 **Posted Speed:** 50 MPH Clear/Dry **Project #:** 24-080067-017

Northbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	1
35	2
36	
37	2
38	3
39	1
40	2
41	1
42	6
43	11
44	4
45	5
46	6
47	6
48	2
49	2
50	3
51	1
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	58	34 - 51	43 mph	47 mph	41 - 50	46	79%	18% / 11	2% / 1

Spot Speed Study

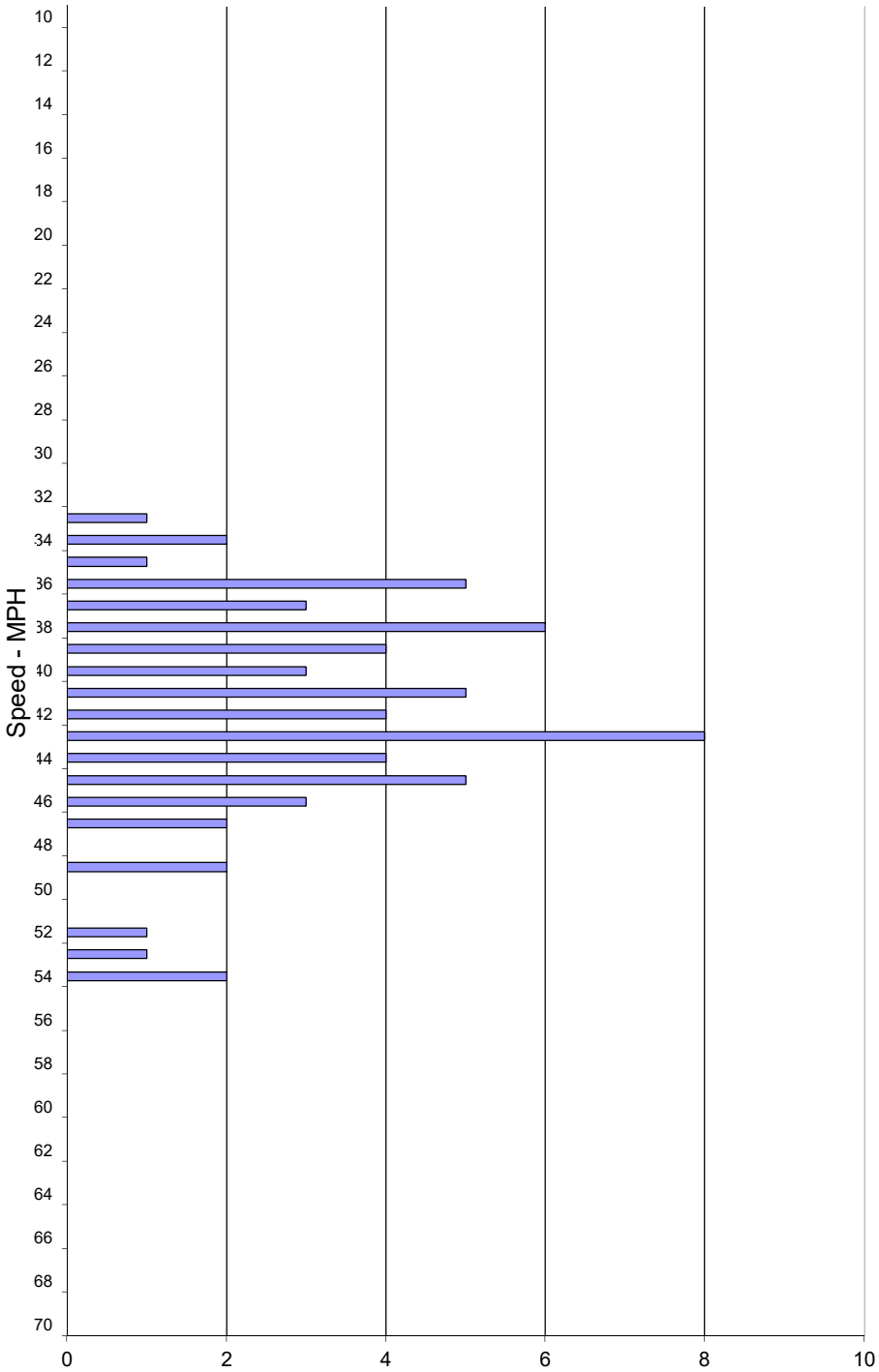
Prepared by: National Data & Surveying Services

City of Oakley

DATE: 4/9/2024 **Location:** #17 - Sellers Ave Bet Delta Rd & E Cypress Rd
TIME: 13:00-14:05 **Posted Speed:** 50 MPH Clear/Dry **Project #:** 24-080067-017

Southbound Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	1
34	2
35	1
36	5
37	3
38	6
39	4
40	3
41	5
42	4
43	8
44	4
45	5
46	3
47	2
48	
49	2
50	
51	
52	1
53	1
54	2
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	62	33 - 54	42 mph	46 mph	36 - 45	47	76%	6% / 4	18% / 11

Prepared by National Data & Surveying Services

VOLUME

#17 - Sellers Ave Bet Delta Rd & E Cypress Rd

Day: Thursday
Date: 4/4/2024

City: Oakley
Project #: CA24_080066_017

DAILY TOTALS	NB	SB	EB	WB	Total
	2,705	2,761	0	0	5,466

DAILY TOTALS

15-Minutes Interval

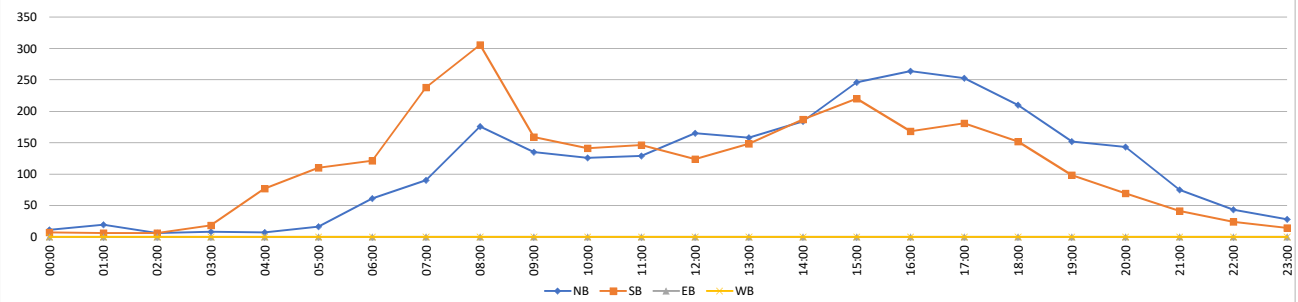
TIME	NB	SB	EB	WB	TOTAL	TIME	NB	SB	EB	WB	TOTAL
0:00	3	1			4	12:00	39	36			75
0:15	4	1			5	12:15	41	32			73
0:30	3	4			7	12:30	38	27			65
0:45	1	1			2	12:45	47	29			76
1:00	8	2			10	13:00	44	32			76
1:15	6	1			7	13:15	43	32			75
1:30	2	2			4	13:30	32	51			83
1:45	3	1			4	13:45	39	33			72
2:00	1	0			1	14:00	48	39			87
2:15	4	2			6	14:15	46	56			102
2:30	0	4			4	14:30	41	44			85
2:45	1	0			1	14:45	49	48			97
3:00	3	5			8	15:00	52	46			98
3:15	2	0			2	15:15	52	58			110
3:30	0	5			5	15:30	68	68			136
3:45	3	8			11	15:45	74	48			122
4:00	0	13			13	16:00	78	37			115
4:15	3	16			19	16:15	64	38			102
4:30	3	23			26	16:30	62	49			111
4:45	1	25			26	16:45	60	44			104
5:00	4	30			34	17:00	66	42			108
5:15	3	25			28	17:15	59	47			106
5:30	4	25			29	17:30	68	39			107
5:45	5	30			35	17:45	60	53			113
6:00	9	25			34	18:00	53	45			98
6:15	12	33			45	18:15	64	32			96
6:30	22	30			52	18:30	56	44			100
6:45	18	33			51	18:45	37	31			68
7:00	28	51			79	19:00	39	28			67
7:15	16	47			63	19:15	43	31			74
7:30	28	55			83	19:30	41	23			64
7:45	18	85			103	19:45	29	16			45
8:00	33	122			155	20:00	32	16			48
8:15	62	81			143	20:15	37	19			56
8:30	52	49			101	20:30	43	15			58
8:45	29	54			83	20:45	31	19			50
9:00	26	46			72	21:00	20	11			31
9:15	31	38			69	21:15	18	11			29
9:30	42	37			79	21:30	21	9			30
9:45	36	38			74	21:45	16	10			26
10:00	36	38			74	22:00	12	4			16
10:15	30	31			61	22:15	15	5			20
10:30	30	40			70	22:30	9	8			17
10:45	30	32			62	22:45	7	7			14
11:00	41	41			82	23:00	12	2			14
11:15	25	37			62	23:15	8	6			14
11:30	38	26			64	23:30	5	4			9
11:45	25	42			67	23:45	3	2			5
TOTALS	784	1335	0	0	2119	TOTALS	1921	1426	0	0	3347
SPLIT %	37%	63%	0%	0%	39%	SPLIT %	57%	43%	0%	0%	61%

Hourly Intervals

TIME		NB	SB	EB	WB	TOTAL
00:00	01:00	11	7			18
01:00	02:00	19	6			25
02:00	03:00	6	6			12
03:00	04:00	8	18			26
04:00	05:00	7	77			84
05:00	06:00	16	110			126
06:00	07:00	61	121			182
07:00	08:00	90	238			328
08:00	09:00	176	306			482
09:00	10:00	135	159			294
10:00	11:00	126	141			267
11:00	12:00	129	146			275
12:00	13:00	165	124			289
13:00	14:00	158	148			306
14:00	15:00	184	187			371
15:00	16:00	246	220			466
16:00	17:00	264	168			432
17:00	18:00	253	181			434
18:00	19:00	210	152			362
19:00	20:00	152	98			250
20:00	21:00	143	69			212
21:00	22:00	75	41			116
22:00	23:00	43	24			67
23:00	00:00	28	14			42

STATISTICS

	NB	SB	EB	WB	TOTAL
Peak Period	00:00	to	12:00		
Volume	784	1335			2119
Peak Hour	8:00	7:30			7:45
Peak Volume	176	343			502
Peak Hour Factor	0.710	0.703			0.810
Peak Period	12:00	to	00:00		
Volume	1921	1426			3347
Peak Hour	15:30	14:45			15:15
Peak Volume	284	220			483
Peak Hour Factor	0.910	0.809			0.888
Peak Period	07:00	to	09:00		
Volume	266	544			810
Peak Hour	8:00	7:30			7:45
Peak Volume	176	343			502
Peak Hour Factor	0.710	0.703			0.810
Peak Period	16:00	to	18:00		
Volume	517	349			866
Peak Hour	16:00	16:30			17:00
Peak Volume	264	182			434
Peak Hour Factor	0.846	0.929			0.960



OAKLEY
CALIFORNIA

DATE: July 9, 2024

Approved and Forwarded to the City Council

TO: Joshua McMurray, City Manager

FROM: Ken Strelo, Community Development Director

SUBJECT: Approval of Consulting Services Agreement between the City of Oakley and TRB and Associates, Inc. for On-Call services Related to Code Compliance Plan Review and Inspection Services for Fiscal Year 2024-2025

Background and Analysis

The City of Oakley utilizes a wide range of consultants and contractors across all departments to augment City Staff as needed to accommodate the workload activities. One of the areas that this approach is utilized is code compliance plan reviews and inspections for projects for which the City issues building permits. The volume of private development activity fluctuates with the overall economic climate of the region. The Community Development and Public Works Departments use Staff augmentation as needed to process and manage the development project workloads. This provides the City with the ability to be responsive to the needs of development community while being cost effective. This approach gives the organization flexibility and agility to adjust to the level of service needed by private developers that frequently change as the regional economic climate changes.

The Community Development Department is responsible for all planning activities and issuance of building permits related to private development projects, which includes the plan review and inspection of the new structures that are built as part of these projects. The construction of one of the largest residential development projects in Oakley has commenced (Summer Lake North). Also, it is expected that at least one shopping center will break ground in 2024 (Oakley Shops at Laurel Fields). These consulting services allow the City to ensure the right experts on the varying projects, with levels of complexity that are unique to such large master plan residential and commercial development projects.

These two developments, along with other substantial development projects are far more than the current City staffing levels can accommodate and will require consulting services at times to perform plan reviews and inspections of these development projects which will span several years. These services help us to ensure that all permitted projects meet the requirements of the California Building Standard Code as well as other local and state requirements, all of which help to ensure public safety, energy efficiency and sustainability in the built environment.

Staff has relied on services from TRB and Associates, Inc. since 2014 for On-Call Services as they provide superior staff augmentation capabilities to municipalities for plan reviews and inspections; with the ability to provide expert level services regardless of the project size

and scope. The economic climate of the SF Bay Area remains solid, and growth continues to be steady in residential and commercial projects. All municipalities, consultants, and contractors are keeping busy in addition to absorbing the high construction costs.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community and Economic Growth, Community Health and Safety, and Sustainable Organization Goals.

Fiscal Impact

Approval of the resolution will authorize the City Manager to execute a professional services agreement with TRB and Associates, Inc. for a not-to-exceed amount of $100,000 beginning July 1, 2024, through June 30, 2025. Development building permit fees will fund the services on an as needed basis. There will not be any City General Funds used in this contract.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving the Professional Services Agreement with TRB and Associates, Inc. for “On-Call” Plan Review and Inspection services and authorizing the City Manager to execute the agreement.

Attachments

1. TRB Statement of Qualifications
2. Draft Agreement
3. Proposed Resolution

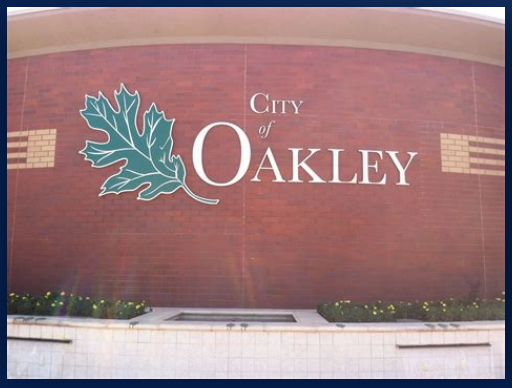
Statement of Qualifications

June 26, 2024

City of Oakley

Building and Safety Consulting Services







CONTACT
Todd Bailey, PE, LEED AP, CASp, MBA
Principal-in-Charge
925.866.2633
tbailey@trbplus.com

OFFICE LOCATIONS
San Ramon
Sacramento
Santa Clara
Long Beach
Las Vegas

TRB + Associates

STATEMENT OF QUALIFICIATIONS

Building and Safety Consulting Services

June 26, 2024

PRESENTED TO:

City of Oakley
Ken Strelo, Community Development Director
3231 Main Street
Oakley, CA 94561
Email: strelo@ci.oakley.ca.us

CONTACT INFORMATION:

Todd Bailey, PE, CASp, LEED AP
Project Manager
Tel: 925-866-2633
Email: tbailey@trbplus.com

TRB and Associates, Inc.
Corporate Office
3180 Crow Canyon Place, Suite 216
San Ramon, CA 94583
Tel: 925-866-2633
www.trbplus.com

June 26, 2024

City of Oakley
Attn: Ken Strelo
Via email – strelo@ci.oakley.ca.us

SUBJECT: TRB and Associates Statement of Qualifications to Provide Building and Safety Consulting Services

Dear Mr. Strelo:

TRB and Associates, Inc. (TRB) is pleased to submit this Statement of Qualifications (SOQ) to provide Building and Safety Consulting Services to the City of Oakley for consideration. In the documentation, you will find information on our organization, our building and fire life safety service offerings, representative project experience and professional references for your review.

For services provided to the City, the company's Principal and Founder, **Todd Bailey, P.E., CASp, LEED AP, MBA** will continue to serve in the role of Project Manager responsible for ensuring timely delivery of quality support services. The balance of our proposed key staff is identified in Section 3 of this SOQ.

In brief, TRB provides Plan Review, Inspection, Delegate Chief Building Official, and Disabled Access (CASp) services to municipal building and public works departments throughout California. Our corporation, which comprises over 70 team members, was established in 2006 and has been a growing business since its founding. We specialize and serve exclusively in the code compliance role. We would like to highlight the following about the company:

- Our firm is engaged to provide as-needed Building Department and related services to over 75 public agencies throughout California, including the City of Oakley. As a result, our team is very familiar with the many region- and agency- specific considerations that need to be taken into account when evaluating code compliance including flood zone, seismic design, wind exposure, soil/liquefaction, wildland urban interface, and landslide criteria.
- As a value-added service, our team is available to provide code training to City of Oakley staff and invited guests on California Building Codes Standards if desired by the City.
- The staff of TRB includes licensed Civil, Structural, Mechanical, Fire Protection, and Electrical Engineers; Architects; and ICC, CASp, LEED®, and SAP/ATC 20 certified individuals who have an average 25 years of experience in the architecture-engineering-construction industry.
- Our staff are active in industry organizations such as ICC, CALBO, CBOAC, SVABO, and SEAOC. Of note, TRB's roster includes four ICC Chapter Presidents and a CBOAC Board Member – Todd Bailey (East Bay Chapter), Paul Armstrong (Orange Empire Chapter), and Shelley Loughran (CBOAC).
- Our firm was recognized as Industry Member of the Year by the County Building Officials Association of California (CBOAC) in 2019.
- We have a strong track record of producing quality results and meeting turnaround goals, a track record to which our clients will attest.

Our firm looks forward to the opportunity to continue to assist the City of Oakley as a Building Safety Services provider and is prepared to enter into an agreement with the City of Oakley immediately. If you have questions or need further information, please do not hesitate to contact me by phone at (925) 866-2633 or by email at tbailey@trbplus.com. We look forward to hearing your feedback soon.

Sincerely,

TRB and ASSOCIATES, INC.

Todd Bailey, P.E., LEED AP, CASp, MBA
ICC Certified Building Plans Examiner + Combination Commercial Inspector
Principal & Founder

City of Oakley

Cover Letter

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Section 3 Staff Qualifications

Section 4 Experience and References

Section 5 Fee Schedule

Company Overview

TRB and Associates, Inc. (TRB) is a California based Building and Fire Life Safety services corporation with offices in San Ramon, Sacramento, Santa Clara, and Long Beach. TRB has proudly served California public agencies as a Building Safety services provider for nearly 20 years. Our firm provides Plan Review, Inspection, Building Department Administration, Delegate Chief Building Official, Disabled Access (CASP) Consulting, and Electronic Plan Review Solutions services to public agencies throughout California, including the nearby Cities of Pleasant Hill, Dublin, Pleasanton, San Ramon, Brentwood, Walnut Creek, and Concord.

TRB was established in 2006 and has been a growing business since its founding. The firm is owned by its Principal-in-Charge **Todd Bailey, PE, LEED AP, CASp, MBA** who has over 25 years of experience working in the Building Safety field in California. Todd will serve as Project Manager for this contract. Our over 70 team members have an average of 25 years of experience in the Architecture-Engineering-Construction industry, encompassing building safety and related services across a full range of code disciplines.

Office Locations

Corporate Office
3180 Crow Canyon Pl, # 216
San Ramon, CA 94583
Tel: 925.866.2633

Sacramento Office
1900 Point West Way, # 261
Sacramento, CA 95815
Tel: 916.384.0900

Silicon Valley Office
1265 El Camino Real, # 209
Santa Clara, CA 95050
Tel: 408.642.1068

Southern California Office
4182 N. Viking Way, # 213
Long Beach, CA 90808
Tel: 562.566-4144

Range of Services

TRB and Associates offer the following services to its clients:

- ✓ **Building and Fire Plan Review (including Electronic Plan Review)**
- ✓ **Building and Fire Inspection**
- ✓ **Building Department Administration**
- ✓ **Code Enforcement Inspection**
- ✓ **Consulting Chief Building Official**
- ✓ **Disabled Access (CASp) Consulting**
- ✓ **Building Standards Codes Training**
- ✓ **Civil Plan Review and Inspection**

Capacity and Resources

TRB has extensive resources and a large pool of licensed engineers and certified building safety experts, equipped to handle a wide range of building department related needs. The majority of our services are delivered on an as-needed, ongoing basis. Having a large pool of resources allows us to accommodate existing and future workload effectively.

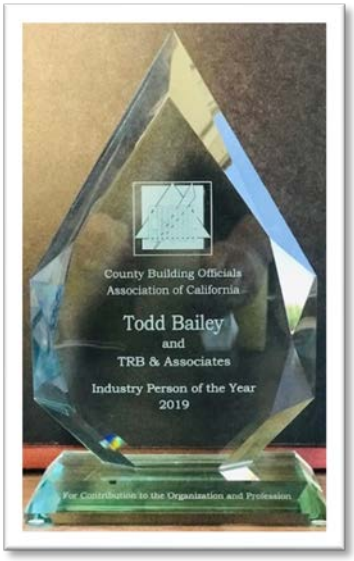


Customer Service Philosophy

TRB and Associates customer service philosophy is simple; provide consistent quality services and represent our clients to the best of our ability. The achievement of the City's goal is at the heart of the services we provide. We have been able to consistently meet our clients' goals by implementing the following principles:

- ✓ Garnering a problem-solving attitude
- ✓ Gaining awareness of the issues that affect the community
- ✓ Applying the right expertise in a responsive manner

What you can Expect from Us



Experience

- Comprehensive understanding of the California Building Standards Codes
- Average 25 years' experience

Quality Work

- High technical competence and solutions oriented
- Balanced approach to application of adopted Codes & Standards

Responsiveness

- Close proximity to City Offices
- Staff available on 24/48-hour notice
- Critical-path awareness
- Effective workflow policies and procedures
- Emergency Response Ready

Teamwork

- Consider us your Partner – We work with you

What Sets Us Apart

TRB has a strong track record of production quality results, meeting turnaround goals and client satisfaction. Ask our clients:

> *"TRB has performed Plan-Check services for [our City] for many years now. They review 75% of all my external plan reviews, I can honestly say their services are excellent. I have used several companies over the last 23 years, TRB has outperformed them all. TRB remains responsive and in control, they meet with me and our clients when requested and constantly put in the extra effort to ensure positive outcome."*
>
> - Municipal Chief Building Official

Our Commitment



In our Firm's nearly 20 years in business, we have assembled a team of professionals that have been committed to the success of our clients. Competitive salaries and benefits, flexibility in work schedules and a desire to continually recruit the best candidates for our growing company are just some of the ingredients to our operation and ability to retain staff.

As the organization continues to grow, we have maintained our core belief in providing a welcoming environment, training, and promotional opportunities, as well as providing the best service possible to our clients. With TRB and Associates, the City of Oakley will receive an experienced team who understands the needs of public agencies and takes pride in delivering outstanding service. We are always on call and available to you.

Project Approach Overview



Our approach is centered on using experienced staff and fostering open communication between our firm and our clients. On an ongoing basis, our Project Manager is committed to maintaining regular communication with City of Oakley staff to ensure that we are kept apprised of current code interpretations and policies, and to enhance our ability to quickly respond to any issues that may arise during permit counter, document review, and/or inspection activities. We value the importance of the City's projects and are committed to meeting all project service delivery deadlines. We will diligently document and report all plan review and inspection findings, tracking information, and other reports, as required by the City.

Throughout this engagement, our key team members will be available to meet with City staff either via phone or in person to address questions that may come up during the course of a project. We understand that being accessible to project stakeholders is essential in helping ensure that decisions are made in timely manner; as such, our firm is committed to responding to all inquiries within 1 business day. We encourage discussions via in-person meeting, telecon, and/or Zoom, WebEx or similar formats as agreeable and necessary to achieve the most expeditious results.

Quality Control Assurance

Quality and on-time service are of paramount importance to us. Though we employ only licensed and experienced plan reviewers, certified inspectors and key administrative staff and expect their work to be of high standard, we have instituted a quality control policy to ensure this standard is maintained. At the core of our quality control approach is a "two sets of eyes" policy in place. All work performed by staff are reviewed for quality control by senior members of our team. Our Project Manager, Plan Review Manager, and Inspection Services Manager hold primary responsibility for ensuring accuracy and consistency (QA/QC) in the application of adopted codes and standards.

Code Interpretations and Alternate Materials and Methods Requests

The TRB team is well versed in the intent of codes and standards as they apply to the built environment. To ensure that our technical findings are easily understood, we work to ensure that all of our plan review and inspection findings / communications are done in a clear and concise manner. As part of this effort, we include references to any applicable Code or Standard sections to help ensure recipients understand the basis of our findings. Our team will be available to answer questions related to codes or standards at any time. For those items where additional information may be needed, our team has access to additional resources in the form of code and commentary guidelines, illustrations, and agency interpretations. TRB is prepared to offer reference information to whomever may be requesting the clarifying material. In addition, our team has experience supporting public agencies with Alternate Materials and Methods Requests (AMMRs). If a project warrants such consideration, we are prepared to review all AMMR requests.

Building Code Instruction

TRB is prepared to offer Building Code Instruction support to the City in either classroom or field-type settings on a range of technical subjects. **Paul Armstrong** is an award-winning California Building Standards Codes instructor whose accolades includes being named **CALBO Instructor of the Year**. Paul is currently providing extensive training on the California Building and Residential Codes to TRB clients, local ICC Chapters, and CALBO Education Week attendees. Paul will be available to provide tailored training to the City and its invited guests upon request.

Record Keeping and Document Management

From our prior experience, we understand that projects can involve concurrent, fast-track design and construction efforts, thereby necessitating implementation and management of well-organized processes in place to name and track documents in their various stages of development and review. TRB understands that tracking and maintaining well documented plan review and inspection findings is of paramount importance.

To facilitate timely access to construction inspection results and status information, TRB can initiate its Project Website for use on this assignment. With our project website, all plan review and inspection activities can be documented and posted daily. Correspondence issued by our team is posted and maintained for access by the City and designated project stakeholder staff. Our postings can include plan review comment letters and detailed inspection reports, project information, meeting notes, etc.; all of which may be updated on a daily basis. In addition, we can also accommodate incoming electronic document postings (i.e., electronic plans, calculations, RFI's, etc.) to allow paperless documentation of the project. Our Document Control Team oversees all plan submittal and inspection record processing, utilizing proven document management control methods.

Service Offerings

Plan Review

TRB is prepared to perform as-needed plan review services for residential, multi-family residential, commercial, and industrial projects encompassing building code, electrical, plumbing, mechanical, fire protection, Title-24 energy, accessibility, and green building standards; as well as grading, drainage, floodplain, wildland urban interface fire severity zone, stormwater, grading, hazardous materials, and State housing law Title-25 factory-built structure considerations, as applicable. Our reviews consider all relevant project documentation including plans, specifications, calculations, and other related correspondence to verify conformance to adopted local codes, ordinances, regulations, and standards, including the following California Building Standards Codes:

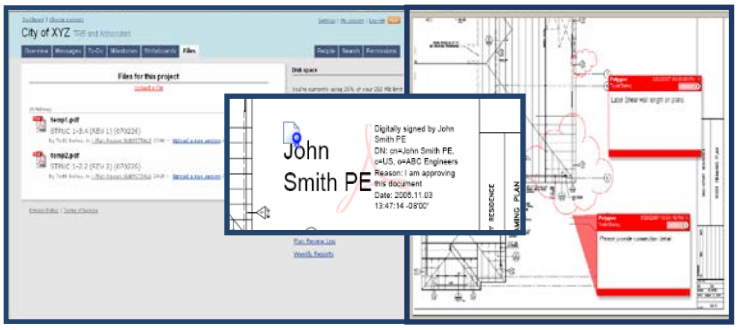
- 2022 California Building Code
- 2022 California Residential Code
- 2022 California Electrical Code
- 2022 California Plumbing Code
- 2022 California Mechanical Code
- 2022 California Fire Code
- 2022 California Energy Code
- 2022 California Green Building Standards Code

Alternate Material and Methods

TRB and Associates recognizes that there are alternate materials and methods of construction that can be used to satisfy and comply with the provisions of the code. Our experience with the use of alternate materials, alternate design and methods of construction enhances our ability to solve specific issues that arise in design and construction.

Electronic Plan Review

As an alternative to review hardcopy media, TRB is equipped to review electronic documents should it be the desire of the City to accept submittals electronically. The staff of TRB has been leaders in the field of digital plan review and workflow management; as such, we have the experience and know-how to efficiently manage the review of electronic documents. In addition to having our own system, our team has extensive experience working with several electronic plan review systems including DigEplan, Bluebeam, ProjectDox, and Accela.



Plan Review Process

The following process represents an example plan review workflow. Please note that the plan review workflow utilized for the City would align with the City's specific workflow requirements and needs.

Step 1 - Preliminary Discussions:

Prior to beginning our initial plan review project, our Project Manager proposes to conduct a meeting or conference call the City to verify local code policies, documentation procedures, plan processing protocols, plan review checklist items, and scheduling.

Step 2 – Initial Review:

Once we receive a complete set of plan documents, we will perform our plan review in the agreed-upon timeframe, checking for compliance to all applicable code standards.

In general, plan review turnaround timeframe is ten (10) business days for initial reviews and five (5) business days for rechecks and revisions. Timeframes for large-size projects will be confirmed with the City staff prior to proceeding with the review.

All corrections are identified based on compliance with specified codes and regulations and worded so the designer will know what needs attention and how to respond to the issue stated. Generally, corrections are identified in two ways:

- Notes can be made on plans as appropriate and authorized to assist in locating the issue on the plans.
- A correction sheet is generated detailing what items need to be addressed before plans can be approved.

The client will receive a copy of each correction list, as well as a cover memo containing the following:

- The date plans were reviewed by TRB and Associates.
- The date that the applicant/applicant's designee was notified that the plan review was completed.

Step 3 – Transmittal of Plans and Comment Lists for Plan Review:

At the heart of our approach in delivering our services to you, is the recognition that there must be a coordinated effort to track and coordinate all submittals and requests received. To help assure that submittals are properly coordinated and tracked, TRB and Associates has established an internal plan review coordination process to ensure that each plan received for review is properly handled, processed, and returned on time. Our plan tracking procedures are computerized to track each submittal through the review process and maintain accurate and comprehensive records for each submittal.

Upon completion of our review, any comments generated are consolidated into a correction letter which is forwarded to the City of Oakley for its reference.

Step 4 – Rechecks:

Upon receipt of the resubmittal package from the applicant, we will notify the City (via email) that we have received the package. Once we have verified that the resubmittal package is complete, we perform a recheck in the agreed-upon timeframe. This process is repeated until the project plan documents are ready to be recommended for approval.

Step 5 – Plan Approval:

When all review comments are satisfied, we will forward two sets of all relevant correspondence bearing our company's "Reviewed for Code Compliance" stamp (including plans, calculations, and specifications), along with a transmittal letter indicating our recommendation for project approval, and the project file to the City for processing.

Shipping and Delivery of Plans

TRB provides pre-printed overnight shipping labels and/or pickup services to facilitate the transport of plan submittals to our office. Please note that the pickup, shipment and delivery of plan documents and other relevant correspondence to the City is provided at no additional cost to the City.

Building Inspection

TRB is prepared to perform inspection, referring to building plans, structural plans, and material specifications for structures located within the City limits, upon 48-hour notice. Our inspectors are proficient at verifying project conformance to adopted model code standards and local ordinance provisions.

TRB provides all labor and technical, administrative, professional, and other personnel; supplies, materials, equipment, and all other resources necessary to perform the specified work. TRB will use existing City forms or can develop correction sheets which meet with the approval of the City and shall maintain written lists of corrections needed to ensure conformance to codes and regulations.

Field Inspection Process

Our experienced team includes individuals with extensive field inspection experience on a range of project assignment types including municipality "Called Inspections," "Clerk of the Works," and "Inspector of Record" roles; our team can assist with a broad range of inspection responsibilities. Our scope of service areas includes residential, commercial, and industrial facilities, capital improvement projects, municipal agency services and infrastructure revitalization.

Our inspectors are careful to document all inspection activities, adhere to agency-adopted protocols, and follow field procedures and policies as dictated by the Building Official. TRB will maintain daily inspection records and all necessary documents on file for reference by the City. To confirm, TRB staff are available for applicant inquiries and/or conferences during normal City business hours.

Our inspections include those identified in the California Model Codes and would be amended or modified as directed by the City.

- Foundation Inspection
- Framing Inspection(s)
- Electrical, Mechanical and Plumbing systems inspection
- Lath and/or Gypsum Board Inspection
- Fire Code Inspection (if requested), e.g., fire suppression systems, alarms, etc.
- Concrete Slab or under-floor Inspection
- Energy Efficiency Measures Inspection
- Green Building Inspection
- Fire Resistive Rated Construction Inspection
- Floodplain Inspection
- Final Inspection



Remote Virtual Inspection (RVI) Option

Many public agencies are considering or have started using virtual programs to provide remote inspection services. Several of our clients have successfully implemented a virtual inspection program. The system allows staff to keep doing their jobs while abiding by social-distancing requirements. Programs such as Inspected.com (a teaming effort with the ICC) or Blitzz charge a per inspection fee as well as an annual lease of their software. Inexpensive tools like Facetime, Skype, Google Duo, Zoom and Microsoft Teams are also being used. It is important to note that TRB currently utilizes Microsoft Teams and Facetime for these services but can utilize other programs as requested.

Code Administration and Permit Processing

TRB is prepared to provide Administration and Permit Processing services support to the City on an as-needed basis. TRB staff are prepared to work at City offices as an extension of staff under the supervision of the Chief Building Official or their designee with the knowledge, skills, and abilities to perform the following functions:

Permit Technician / Administrative Assistant

- Enter permit and related data into the City permit tracking system.
- Research, compile and prepare various limited reports and presentation graphics.
- Assist inquiries regarding building, planning, and engineering permit requirements, application and permit fees, application filing procedures and processing, and permit status.
- Accept permit and related applications and collect fees.
- Screen plans and application materials for completeness and for conformance with City ordinances standards, policies, and guidelines.
- Review application materials for compliance with conditions of project approval; route plans to other City departments for review; approve and issue minor permits; research and respond to inquiries.

Civil Engineering Plan Review and Construction Inspection

The TRB team is equipped to perform civil engineering plan review and construction inspection support to the City on an as-needed basis. TRB plan reviewers and inspectors will work with City staff to ensure that all work conforms to the project construction documents, Codes and Ordinances including Grading Code, APWA Standard Specifications, AWWA Standards, State (2022 California Energy Code) and Federal (ADA) Building Codes related to site accessibility.

Civil Engineering Plan Review

- Plan review subdivision maps, parcel maps, and improvement drawings. Our project manager shall assign a California Licensed Civil or Structural engineer who is qualified to review subdivision maps, parcel maps, site development plans and construction drawings.
- Maintain engineering records.
- Provide engineering advice and recommendations to Planning, Building and Public Works divisions.
- Provide consultation regarding current development review to the Chief Building Official, Planning Manager and Engineer.
- Assist City staff with code interpretation and application of state and federal regulations.
- Perform related duties as assigned by City.

Construction Inspection

- Oversee Quality Assurance of the construction activities to verify conformance to plans and specifications.
- Document all work, contractor and subcontractor personnel and equipment, and field orders daily.
- Maintain onsite project log and as-built schedule report. Prepare daily reports of observations and activities.
- Maintain a daily inspection report containing a record of weather, contractors, work onsite, number of workers, work accomplished, problems encountered, solutions agreed upon, and other similar relevant data as directed by City.
- Perform daily photo-documentation of the progress of the project in accordance with City practice.
- Monitor establishment and application of appropriate Contractor site safety programs.
- Monitor and report on applicable Erosion Control and SWPP provisions.
- Perform related duties as assigned by the City.

Team Composition & Organizational Structure

Mindful of the potential complexity of projects in the City of Oakley, TRB has assembled a team that has worked together for many years and have built strong relationships based on understanding, appreciation, and the drive to deliver the highest quality service for our clients. We would like to highlight that our Plan Review, Inspection & Onsite Services Managers, and Technical Director are well tenured in the industry.

PROJECT MANAGEMENT



Todd Bailey, PE, LEED AP, CASp, MBA, our company Principal and Founder, will continue to serve in the role of **Project Manager** for this engagement, lead the work effort and will serve as the Primary contact for the City. Todd has over 25 years of experience in the industry which includes serving as a Delegate Chief Building Official on over 14 large-scale fast-track design build projects in California having a combined valuation of over $15 billion. Todd will work closely with our team to ensure that project goals are met and that findings are communicated in a timely and clear manner.



Senior Plan Review Engineer, Dan McLaughlin, PE, CASp is prepared to serve in the role of **Assistant Project Manager** on this assignment. Dan is a registered Civil Engineer and ICC Certified Plans Examiner. Dan specializes in plan review coordination with extensive experience on both complex commercial and residential projects. Dan has served in project management leadership roles across many large-scale projects including Phase 1 of the $9 billion RELATED Santa Clara project, and the $1.5 billion UC DAVIS HEALTH Sacramento Campus, Aggie Square project.

PLAN REVIEW TEAM LEADERSHIP



Our plan review group is led by our **Plan Review Services Manager, Bing Young, RA**. Bing possesses extensive experience in plan review on both residential and commercial projects and includes more than 25 years of professional experience in production, project management, construction management, energy, and accessibility analysis.



Dominic Ma, SE, MPA serves as our **Quality Control Principal**, responsible for ensuring the technical accuracy of the work performed. Dominic has more than 30 years of experience in reviewing building plans and specifications submitted for building permit applications to assure compliance with adopted building codes and reference standards.

INSPECTION AND ONSITE SERVICES TEAM LEADERSHIP



Our inspection and onsite services group is led by our **Inspection & Administrative Services Manager, Chris Rose.** With over two decades of experience spanning public and private sectors, Chris brings a wealth of expertise to our team, drawing from a diverse background that includes roles such as Building Manager for Sonoma County. His experience spans building and safety, engineering, fire services, and planning department review and inspection tasks for multiple local and state agencies.

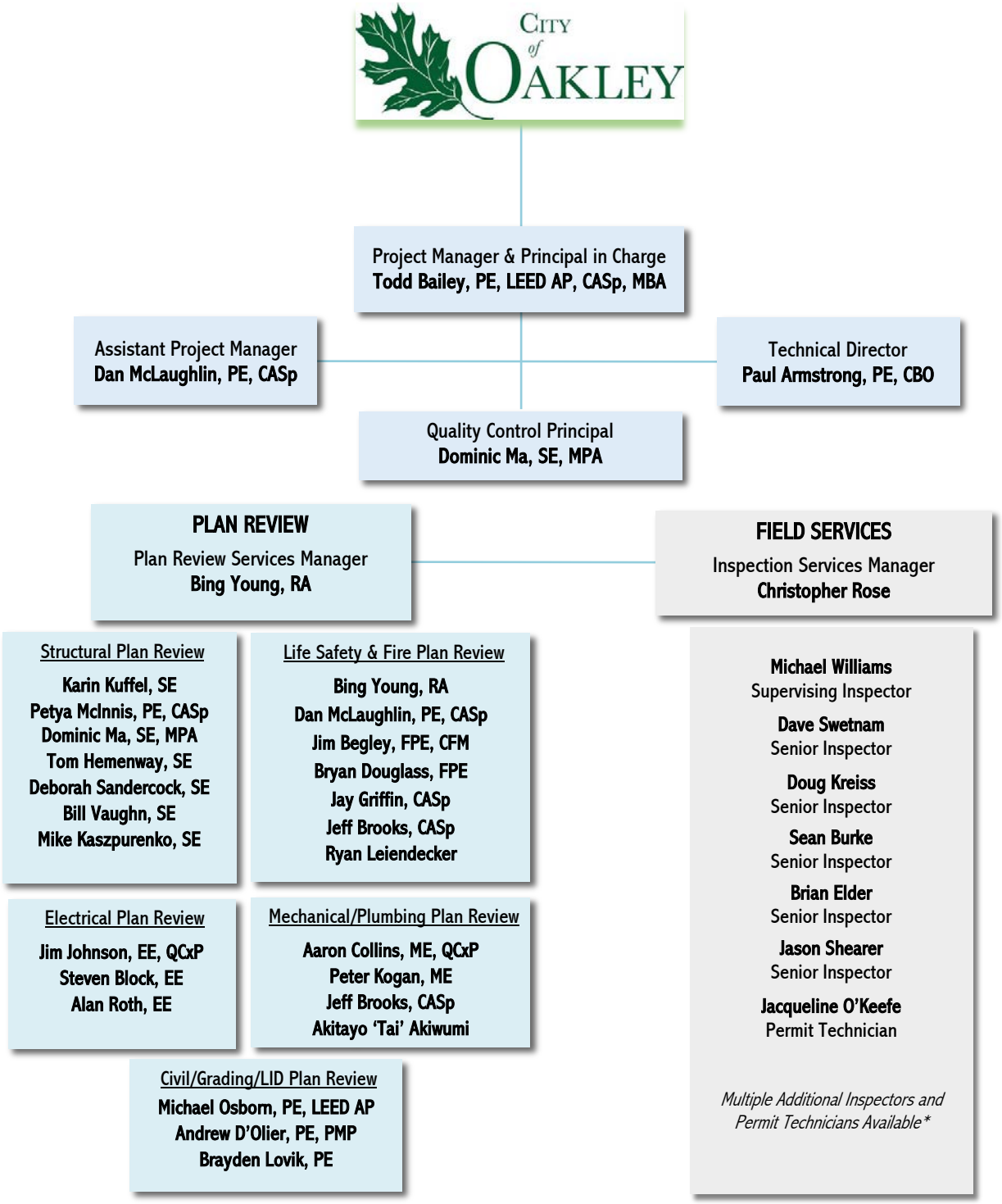
TECHNICAL DIRECTOR & INSTRUCTOR



As an additional resource, our **Technical Director - Paul Armstrong, PE, CBO** will be available to assist with code interpretation and training support. With more than 30 years of building safety management experience, Paul teaches regularly for California Building Officials (CALBO) and has developed a number of CALBO training courses. As a Chief Building Official, he managed building plan review, counter assistance, and inspection for numerous California agencies. His previous experience at International Code Council (ICC) included leading the Architectural and Engineering Services Department, International Conference of Building Officials (ICBO) Technical Services Department.

Organizational Chart

The following **Organization Chart** identifies those individuals who may be assigned to assist the City. Please note that Resumes for each listed individual listing project experience, licenses & certifications, and work history may be provided upon request.



* Please note that information on additional staff members is available upon request.

Team Experience Matrix

The following table includes role and licensure/certification information for each proposed individual.

NAME	ROLE	YEARS OF RELEVANT EXPERIENCE	QUALIFICATIONS & LICENSES
PROJECT LEADERSHIP			
Todd Bailey, PE, CASp, MBA, LEED AP	Principal-In-Charge / Project Manager	27	Registered Civil Engineer – California, Hawaii ICC Building Plans Examiner ICC Commercial Building, Electrical, Plumbing, Electrical Inspector LEED Accredited Professional DSA Certified Accessibility Specialist (CASp)
Dominic Ma, SE, MPA	Quality Control Principal	30	Registered Structural Engineer – California Registered Civil Engineer – California ICC Certified Plans Examiner
Bing Young, RA	Plan Review Services Manager	25	Registered Architect – California
Christopher Rose	Inspection Services Manager	20	ICC California Commercial Building Inspector ICC Commercial Building Inspector ICC Residential Building Inspector ICC California Residential Building Inspector ICC Residential Plans Examiner
Paul Armstrong, PE, CBO	Technical Director	30	Registered Professional Engineer – California ICC Certified Building Official
Dan McLaughlin, PE, CASp	Sr. Plan Review Engineer / Assistant Project Manager	10	Registered Civil Engineer – California ICC Certified Plans Examiner DSA Certified Accessibility Specialist (CASp)
PLAN REVIEW			
Structural & Civil			
Karin Kuffel, SE	Sr. Plan Review Engineer	25	Registered Structural Engineer – California Registered Civil Engineer – California
Petya McInnis, PE, CASp	Sr. Plan Review Engineer	22	Registered Civil Engineer – California DSA Certified Accessibility Specialist (CASp) ICC Building Plans Examiner
Tom Hemenway, SE	Sr. Plan Review Engineer	30	Registered Structural Engineer – California Registered Civil Engineer – California
Bill Vaughn, SE	Sr. Plan Review Engineer	30	Registered Structural Engineer – California Registered Civil Engineer – California
Deborah Sandercock, SE, CASp	Sr. Plan Review Engineer	25	Registered Structural Engineer – California Registered Civil Engineer – California DSA Certified Accessibility Specialist (CASp)
Mike Kaszpurenko, SE	Sr. Plan Review Engineer	30	Registered Structural Engineer – California Registered Civil Engineer – California
Life Safety and Fire			
Jim Begley, CFM, FPE, LEED AP	Fire Protection Engineer	25	Licensed Fire Protection Engineer – California LEED Accredited Professional ICC Fire Marshal, Fire Plans Examiner & Inspector
Bryan Douglass, FPE	Fire Protection Engineer	15	Licensed Fire Protection Engineer – California
Jay Griffin, CASp	Sr. Plans Examiner	40	DSA Certified Accessibility Specialist (CASp)
Jeff Brooks, CASp	Sr. Plans Examiner	25	DSA Certified Accessibility Specialist (CASp) ICC CA Commercial Plumbing ICC CA Commercial Mechanical

NAME	ROLE	YEARS OF RELEVANT EXPERIENCE	QUALIFICATIONS & LICENSES
Ryan Leiendecker	Sr. Plans Examiner	14	ICC Certified Building Official ICC Certified Fire Marshall ICC Building Plans Examiner ICC Building Code Specialist ICC Residential Energy Inspector/Plans Examiner ICC Commercial Energy Plans Examiner ICC Residential Plans Examiner ICC Plumbing Plans Examiner ICC Commercial Building Inspector ICC Residential Building Inspector
Electrical			
James Johnson, EE, QCxP	Sr. Plan Review Engineer	30	Registered Electrical Engineer – Hawaii ICC Certified Electrical Plans Examiner Qualified Commissioning Services Provider(QCxP) Construction Quality Control Reviewer (CQCR)
Steven Block, EE	Sr. Plan Review Engineer	30	Registered Electrical Engineer – California, Nevada, Arizona, Hawaii
Alan Roth, EE	Sr. Plan Review Engineer	30	Registered Electrical Engineer – California
Mechanical / Plumbing			
Aaron Collins, ME, QCxP	Sr. Plan Review Engineer	10	Registered Mechanical Engineer – California Qualified Commissioning Services Provider(QCxP)
Peter Kogan, ME, LEED AP	Sr. Plan Review Engineer	30	Registered Mechanical Engineer – California Certified Energy Manager (CEM), California LEED Accredited Professional
Akitayo 'Tai' Akiwumi	Sr. Plans Examiner	20	ICC Building Plans Examiner ICC Building Inspector ICC Plumbing Inspector
Civil / Grading / LID			
Michael Osborn, PE, LEED AP	Senior Engineer	20	Registered Civil Engineer – California LEED Accredited Professional
Andrew D'Olier, PE, PMP	Associate Engineer	6	Registered Civil Engineer – California Project Management Professional (PMP)
Brayden Lovik, PE	Senior Engineer	15	Registered Civil Engineer – California
FIELD SERVICES			
Michael Williams	Supervising Inspector	15	ICC Combination Inspector
Dave Swetnam	Sr. Building Inspector	45	Multiple ICC Credentials
Doug Kreiss	Sr. Building Inspector	20	Multiple ICC Credentials
Sean Burke	Sr. Building Inspector	25	Multiple ICC Credentials
Brian Elder	Sr. Building Inspector	20	ICC Building Inspector, IAPMO Plumbing and Mechanical Inspector
Jason Shearer	Sr. Fire/Building Inspector	30	Multiple CSFT Certifications
Jacqui O'Keefe	Sr. Permit Technician	10	ICC Building Plans Examiner

Project Experience

TRB has extensive experience providing Building and Safety support services to public agencies. To help demonstrate our experience, qualifications, and customer service, please find the following project experience and client references for your consideration.

Plan Review

The following is a partial list of plan review projects worked on by our staff members. The project valuation for all below-referenced projects ranges from $1 million to over $1 billion.



Mixed Use

- New 39-Story High Rise Building, $110 million, 916 Broadway, Oakland, CA
- Inglewood NFL Stadium, $1 billion, Inglewood, CA
- Mixed-use Residential/Office, 630 I Street, Sacramento, CA
- Santa Clara Square Project, $200 million, Santa Clara, CA
- Mixed-use Residential/Retail/Parking Garage (230,000 s.f.), Los Altos, CA



Biotechnology / Healthcare

- UC Davis Aggie Square Research Facility, $1.9 billion, Sacramento, CA
- Varian Inc. New Medical Research Facility (44,000 s.f.), Walnut Creek, CA
- Children's Hospital TI, $37 million, Walnut Creek, CA
- Kaiser Medical Office Building 2, $100 million, Redwood City, CA
- UC Davis Heath System, Midtown Clinic (100,000 s.f., I2.1 & B occs), Sacramento, CA



Government / Civic

- Sacramento Convention Center Expansion, $240 million, Sacramento, CA
- Anaheim Convention Center Expansion, Anaheim, CA
- Veteran's Administration, Menlo Park Campus
- Fire Station Remodel & Addition (12,000 s.f.), County of Marin, CA



Commercial

- New Neiman Marcus Building, Walnut Creek, CA
- New Charles Schwab Building, 1231 S. California Blvd, Walnut Creek, CA
- New 6 Story Tech Campus Building, San Leandro, CA
- Monterey Bay Aquarium Learning Center, $42 million, Monterey, CA



Industrial and Power Plant Cogeneration Facilities

- Delegate CBO Services, California Energy Commission
- Lodi Energy Center Project (300 MW), Lodi, CA
- SPG Solar Depot Park, Photovoltaic Array (2.1 MW), Sacramento, CA
- Valero Petroleum Refinery Capital Improvements, Benicia, CA

Residential / Residential Care Facilities

- Atria Senior Living (Residential Care Facility), Walnut Creek, CA
- Brio Apartments, Walnut Creek, CA
- The Terraces Phase II (Res. Care Facility), Los Altos, CA
- Valley Vista Senior Housing Complex (Res. Care Facility), San Ramon, CA
- Campus Crest Apartment Complex (240,000 s.f.), Sacramento, CA

Inspection / Code Enforcement / Building Department Administration

The following is a partial list of Inspection and Administrative assignments worked on by our staff members:



- **Building Official:**
  County of San Mateo, City of Concord, City of Oakley, California Energy Commission, City of Coronado, City of Signal Hill, City of Whittier
- **Combination Inspection:**
  County of San Mateo, City of Santa Clara, City of Concord, City of Richmond, City of Sacramento, County of Butte, City of Fairfield, City of San Ramon, City of Dixon, Town of Danville, City of El Cerrito, City of Oakley
- **Code Enforcement and Multifamily Inspection:**
  County of Solano, City of Concord, City of Antioch, City of Benicia, City of Petaluma
- **Permit Technician:**
  City of Redwood City, County of San Mateo, City of Sacramento, City of Vallejo, City of Santa Clara, City of Concord, City of Los Altos, City of Palo Alto
- **Delegate CBO Services: California Energy Commission:**
  Lodi Energy Center Project, Lodi, CA, Almond 2 Power Plant, Ceres, CA, Russell City Energy Center Project, Hayward, CA

Civil Engineering / Grading Plan Review & Inspection Support Experience

TRB staff member experience providing Civil Engineering / Grading Plan Review / Inspection support includes the following agencies:

- City of Santa Clara
- County of San Mateo
- City of Oakland
- County of Sonoma

Representative Client List

The following is a partial list of California agencies currently or previously served by our staff members.

LOCAL AGENCIES – NORTHERN CALIFORNIA		
City of Benicia	City of Oakley	City of San Ramon
City of Concord	City of Pleasanton	City of Santa Clara
City of Daly City	City of Redwood City	City of Vallejo
City of Dublin	City of Richmond	City of Walnut Creek
City of El Cerrito	City of Sacramento	County of Butte
City of Los Altos	City of San Jose	County of Marin
City of Monterey	City of San Leandro	County of Merced
City of Oakland	City of San Mateo	County of Sonoma
LOCAL AGENCIES – SOUTHERN CALIFORNIA		
City of Anaheim	County of San Bernardino	City of Irvine
City of Signal Hill	City of San Bernardino	City of Jurupa Valley
City of Whittier	City of Fullerton	City of Indian Wells
City of Corona	City of Brea	City of Laguna Hills
City of Downey	City of Orange	County of Ventura
City of Glendale	City of Yorba Linda	City of El Monte
STATE AND FEDERAL AGENCIES		
California Energy Commission	Division of the State Architect	Veterans Administration
NASA	UC Davis Health	UC Berkeley

Client References

TRB understands the importance of maintaining a high level of quality and customer service, when supporting the City of Oakley with plan review, building inspection, and other Building and Safety related activities. To help demonstrate our experience in providing these services, we encourage you to contact the following references to provide testimony of our performance of work. Please note that additional references and project information may be provided upon request.

City of San Ramon

Contact: Vance Phillips | Building Official
7000 Bollinger Canyon Rd, San Ramon, CA 94583
Email: vphillps@sanramon.ca.gov; Phone: (925) 973-2583
Dates of service: 2007– present

Services Provided: Plan Review, Inspection, and Permit Technician Support

TRB has held a contract with the City of San Ramon to provide Building Division Support services since 2007. Along with offsite plan review and permit technician support, we have provided staff to assist the City with onsite inspection, permit technician, and plan review support.

City of Dublin

Contact: Gregory Shreeve, Sr. | Building Official
100 Civic Plaza, Dublin, CA 94568
Email: Gregory.Shreeve@dublin.ca.gov; Phone: (925) 833-6620
Dates of service: 2013– present

Services Provided: Plan Review, Inspection, and Permit Technician Support

TRB has held a contract with the City of Dublin to provide Building Division Support services since 2013. Along with offsite plan review and permit technician support, we have provided staff to assist the City with onsite inspection, permit technician, and plan review support.

City of Concord

Contact: Ryan Pursley, P.E. | Chief Building Official
Email: ryan.pursley@ci.concord.ca.us; Phone: (925) 671-3119
Dates of service: 2008 – present

Services Provided: Onsite Building Official, Plan Review, Permit Technician, and Building & Multifamily Inspection Services

TRB has provided Building Department support services to the City of Concord for over 16 years. In addition to providing offsite plan review support, our firm has provided onsite plan review and inspection staff, and a full-time building official to help support the activities of the building department.

City of Benicia

Contact: Rachel O'Shea, CBO | Chief Building Official
Community Development Services Department | Building Division
Email: roshea@ci.benicia.ca.us; Phone: (707) 746-4233
Dates of service: 2006 – present

Services Provided: As-Needed Plan Review, Inspection, Code Enforcement and Permit Technician Support Services

TRB has provided Building Department Support Services to the City of Benicia since our founding in 2006. We were recently asked to expand our services to include Fire Plan Review and Code Enforcement support for the City

Fees

TRB and Associates offers the following fixed-fee and hourly rate schedules for services provided. Please note that Building Plan Review services may be rendered on either a fixed fee or hourly rate basis, as noted below. If additional services are requested such as Fire Plan Review, Building Inspection, Staff Augmentation and Other services (e.g. CASp consulting), those services can be provided on an hourly basis at rates shown in the provided Schedule of Hourly Rates and Reimbursables.

Plan Review Services

Our plan review fees may be calculated as a percentage of the Building Plan Review Fee collected by the City. The fee compensation shown covers three total plan review cycles – the initial plan review and up to two rechecks. Any further review cycles which become necessary and reviews of revisions to approved plans would be billed based upon a negotiated hourly rate. Please note that the turnaround timeframe for providing expedited and express plan reviews will be negotiated/mutually agreed upon prior to commencement of the review. Please also note that all plan reviews are subject to a minimum $250 fee.

Turnaround Timeframe (in business days)	Structural Only Review	M/E/P Only Review	Complete Review (Structural, Life Safety/Disabled Access, M/E/P, Green, Title 24 Energy)
Standard* - 10 days first check - 5 days rechecks	45%	45%	70%
Expedited** - 5 to 7 days first check - 5 days rechecks	Standard fee plus an additional 50 percent	Standard fee plus an additional 50 percent	Standard fee plus an additional 50 percent

* For exceptionally large/complex projects, 15-day first check and 10 day rechecks may apply, as mutually agreed upon prior to commencement of review.

**Turnaround timeframe would be mutually agreed upon prior to commencement of work.

Please note that the pickup, shipment, and delivery of hardcopy and/or electronic plan documents and other relevant correspondence to the City is included in the above-noted cost.

Schedule of Hourly Rates and Reimbursables

The following billing rates apply for services rendered on an hourly basis:

Position	Hourly Rate
Principal / Director	$185.00
Project / Division Manager	$165.00
Building Official	$165.00
Assistant Building Official	$150.00
Supervising Plan Review Engineer/Architect	$150.00
Senior Plan Review Engineer/Architect	$140.00
Senior Plans Examiner (Building & Fire)	$135.00
Plan Review Engineer/Architect	$130.00
Plans Examiner (Building & Fire)	$120.00
Engineering Technician	$100.00
Permit Technician III	$ 90.00
Permit Technician II	$ 80.00
Permit Technician I	$ 70.00
Clerical/Admin	$ 60.00
Fire Protection Engineer	$195.00
CASp Certified Inspector/Examiner	$135.00
Grading/Storm Water Plan Review Engineer	$195.00
QSP Storm Water Inspector	$185.00
Inspection Task Leader/ Inspector of Record	$150.00
Supervising Inspector	$140.00
Senior Inspector III	$130.00
Senior Inspector II	$120.00
Senior Inspector I	$115.00
Inspector II	$110.00
Inspector I	$105.00
Intern Inspector	$ 85.00

- Overtime, Emergency, Expedited, and After-hours work is billed at the above-noted rates plus an additional 50 percent (Note that no overtime will be charged without client authorization)
- Mileage reimbursement for non-City owned vehicles used in connection with inspection work will be at the current IRS rate plus 20 percent.
- All requested inspection and other staff augmentation services are subject to a minimum 4-hour fee.
- Project inspections subject to prevailing wage requirements are at the above-published rates plus 30 percent.
- Reimbursement for direct expenses, incurred in connection with the work, will be at cost plus fifteen percent.
- Other in-house charges for prints, reproduction and equipment use, etc. will be at standard company rates.

The above Schedule is valid through June 30 2025, and may be adjusted thereafter to account for CPI changes, as mutually agreed upon.

SHORT FORM
SERVICES AGREEMENT BETWEEN
THE CITY OF OAKLEY AND
TRB AND ASSOCIATES, INC.

THIS SERVICES AGREEMENT for professional building inspection services is entered into by and between the City of Oakley, a municipal corporation in the State of California (hereinafter referred to as "City") and TRB and Associates, Inc. (hereinafter referred to as "Contractor") effective as of _____ ("Effective Date").

Section I. SERVICES. Subject to the terms and conditions set forth in this Agreement, Contractor shall provide to City the services described in the Scope of Work attached hereto an incorporated herein as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 Term of Services. The term of this Agreement shall begin on the date first noted above and shall continue until terminated by either party.

1.2 Standard of Performance. Contractor shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Contractor is engaged in the general geographical area of the City. Contractor shall prepare all work products required by this Agreement in a substantial, first-class manner and shall conform to the standards of quality normally observed by a person practicing in Contractor's profession.

1.3 Assignment of Personnel. Contractor shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Contractor shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 Time. Contractor shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Contractor's obligations hereunder.

Section 2. COMPENSATION. City hereby agree to pay Contractor a sum not to exceed the amount described in Exhibit A, attached hereto and incorporated herein. City shall pay Contractor for services rendered pursuant to this Agreement at the time and in the manner set forth herein. These payments shall be the only payments from City to Contractor for services rendered pursuant to this Agreement. Contractor shall submit invoices to City each month for services provided.

Contractor and City acknowledge and agree that compensation paid by City to Contractor under this Agreement is based upon Contractor's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Contractor. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Contractor and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 Invoices. Contractor shall submit monthly invoices during the term of this Agreement. Invoices shall be on Contractor's Letterhead (or formal invoice form) and contain the following information:

- The beginning and ending dates of the billing period;
- A description of services for which payment is requested;
- Amount due;
- The Contractor's signature.

2.2 Payment of Taxes. Contractor is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.3 Payment upon Termination. In the event that the City or Contractor terminates this Agreement pursuant to Section 8, the City shall compensate the Contractor for all amounts due for work satisfactorily completed as of the date of written notice of termination.

2.4 Authorization to Perform Services. The Contractor is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Contractor shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement.

Section 4. RECYCLING REQUIREMENTS. Contractor agrees to comply with all City recycling requirements, and as set forth in the Oakley Municipal Code, including, but not limited to:

a. Construction and Demolition. Contractor must contact a customer service representative (CSR) at Oakley Disposal Service, Inc. to arrange for service for any and all construction and demolition work to be performed as part of this project unless Contractor has been approved by the City as a "self-hauler" as defined in Oakley Municipal Code §4.20.308. The CSR will ask if the drop box contains recycle material and will direct the Contractor to drop the construction and demolition debris, including dirt and cement, to a permitted processing facility. The Contractor must indicate on their order form, by checking the applicable box, that they need documentation to comply with the Oakley Municipal Code. This documentation must be provided to the City within ten (10) days of receipt of said documentation by Contractor.

b. Commercial Self-Haul. Business self-haul materials are accepted at various Oakley Disposal Service, Inc. local facilities for recycling and include, but are not limited to, wood, inerts, metals, tires, greenwaste, plastics, cardboard, mattresses, foam padding, propane tanks, e-waste and appliances. Contractor agrees to drop any and all business self-haul materials at a site designated on the website www.cccounty.us/depart/cd/recycle/.

c. Road Maintenance and Construction Projects. Contractor agrees to recycle greenwaste, asphalt, concrete and metal from any and all road maintenance and construction projects at Oakley Disposal Service, Inc. designated locations.

d. Office Recyclables. If Contractor has an office, temporary office, or trailer within the City of Oakley, Contractor agrees to recycle all paper, cardboard, bottles, cans, and toner cartridges at Oakley Disposal Service, Inc. designated locations.

e. Special Waste Materials. Contractor shall dispose of inert materials, including, but not limited to, concrete, asphalt and rubber, at Oakley Disposal Service, Inc. designated locations. Shingles and wood waste shall be diverted to the Recycling Center and Transfer Station (RCTS) located at 3700 Loveridge Road, Pittsburg, CA 94565. Scrap metal shall be dropped off at a large-scale scrap metal recycle facility operating within Contra Costa County which may be found at www.cccrecycle.org.

f. Universal Waste. Contractor shall dispose of batteries, mercury containing devices and lamps, and certain consumer electronics at a recycling center designated by Oakley Disposal Service, Inc.

Section 5. INSURANCE REQUIREMENTS. Before beginning any work under this Agreement, Contractor, at its own cost and expense, shall procure "occurrence coverage" insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Contractor and its agents, representatives, employees, and subcontractors. Contractor shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Contractor shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Contractor's bid. Contractor shall not allow any subcontractor to commence work on any subcontract until Contractor has obtained all insurance required herein for the subcontractor(s) and provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution. Verification of the required insurance is attached hereto and incorporated herein as Exhibit B.

5.1 Variation. The City may approve a variation in the foregoing insurance requirements, upon a determination that the coverages, scope, limits, and forms of such insurance are either not commercially available, or that the City's interests are otherwise fully protected.

5.2 Notice of Reduction in Coverage. In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, Contractor shall provide written notice to City at Contractor's earliest possible opportunity and in no case later than five calendar days after Contractor is notified of the change in coverage.

5.3 Remedies. In addition to any other remedies City may have if Contractor fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Contractor's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Contractor to stop work under this Agreement or withhold any payment that becomes due to Contractor hereunder, or both stop work and withhold any payment, until Contractor demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 6. INDEMNIFICATION AND CONTRACTOR'S RESPONSIBILITIES

6.1. Contractor shall, to the fullest extent permitted by law, indemnify, defend (with counsel acceptable to the City) and hold harmless City, and its employees, officials, volunteers and agents ("Indemnified Parties") from and against any and all losses, claims, damages, costs and liability (including but not limited to loss of use, loss of profits or loss of goodwill arising in any manner from the work) arising out of any personal injury, loss of life, damage to property, or any violation of any federal, state, or municipal law or ordinance, arising out of the performance of this Agreement by Contractor, its officers, employees, agents, volunteers, subcontractors or sub-Contractors, excepting only liability arising from the sole negligence, active negligence or intentional misconduct of City.

6.2. In the event that Contractor or any employee, agent, sub-Contractor or subcontractor of Contractor providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Contractor shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Contractor or its employees, agents, sub-Contractors or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

6.3. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Contractor from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shalt apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply.

6.4. By execution of this Agreement, Contractor acknowledges and agrees to the provisions of this Section and that it is a material element of consideration, and that these provisions survive the termination of this Agreement.

Section 7. STATUS OF CONTRACTOR.

7.1 **Independent Contractor.** At all times during the term of this Agreement, Contractor shall be an independent contractor and shall not be an employee of City. City shall have the right to control Contractor only insofar as the results of Contractor's services

rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Contractor accomplishes services rendered pursuant to this Agreement, Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Contractor and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

7.2 **Contractor, Not Agent.** Except as City may specify in writing, Contractor shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Contractor shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 8. LEGAL REQUIREMENTS.

8.1 **Governing Law.** The laws of the State of California shall govern this Agreement.

8.2 **Compliance with Applicable Laws.** Contractor and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.

8.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Contractor and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

8.4 **Licenses and Permits.** Contractor represents and warrants to City that Contractor and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature legally required to practice their respective professions. Contractor represents and warrants to City that Contractor and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Contractor and any subcontractors shall obtain and

maintain during the term of this Agreement valid business licenses from City.

8.5 **Nondiscrimination and Equal Opportunity.** Contractor shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Contractor under this Agreement. Contractor shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Contractor thereby.

Contractor shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 9. TERMINATION AND MODIFICATION.

9.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Contractor.

Contractor may cancel this Agreement upon 30 days written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Contractor shall be entitled to compensation for services performed to the effective date of termination.

9.2 **Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.

9.3 **Assignment and Subcontracting.** City and Contractor recognize and agree that this Agreement contemplates personal performance by Contractor and is based upon a determination of Contractor's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Contractor. Contractor may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Contractor shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior

written approval of the Contract Administrator.

9.4 Survival. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Contractor shall survive the termination of this Agreement.

9.5 Breach by Contractor. If Contractor materially breaches any of the terms of this Agreement, City may immediately terminate the Agreement.

Section 10. KEEPING AND STATUS OF RECORDS.

10.1 Records Created as Part of Contractor's Performance. All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Contractor prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Contractor hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Contractor agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

10.2 Contractor's Books and Records. Contractor shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Contractor to this Agreement,

10.3 Inspection and Audit of Records. Any records or documents that Section 9.2 of this Agreement requires Contractor to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS ($10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of City, for a period of three (3)

years after final payment under the Agreement.

Section 11 MISCELLANEOUS PROVISIONS.

11.1 Venue. In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Contra Costa or in the United States District Court for the Northern District of California.

11.2 Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

11.3 No Implied Waiver of Breach. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

11.4 Successors and Assigns. The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

11.5 Use of Recycled Products. Contractor shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

11.6 Conflict of Interest. Contractor may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Contractor in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 et seq.

Contractor shall not employ any official of City in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 et seq.

Contractor hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Contractor was an employee, agent, appointee, or official of City in the previous twelve months, Contractor warrants that it did not participate in any manner in the forming of this Agreement. Contractor understands that, if this Agreement is made

in violation of Government Code §1090 et. Seq., the entire Agreement is void and Contractor will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Contractor will be required to reimburse the City for any sums paid to the Contractor. Contractor understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code §1090 and, if applicable, will be disqualified from holding public office in the State of California.

11.7 Inconsistent Terms. If the terms or provisions of this Agreement conflict with or are inconsistent with any term or provision of any attachment or Exhibit attached hereto, then the terms and provisions of this Agreement shall prevail.

11.8 Solicitation. Contractor agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

11.9 Contract Administration. This Agreement shall be administered by Ken Strelo, Community Development Director ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

11.10 Notices.

Any written notice to Contractor shall be sent to:

TRB and Associates, Inc.
Attn: Todd Bailey, Owner
3180 Crow Canyon Place, Suite 216
San Ramon, CA 94583
tbailey@trbplus.com

Any written notice to City shall be sent to:

City of Oakley
Attn: Ken Strelo, Community Development Director
3231 Main St.
Oakley, CA 94561
strelo@ci.oakley.ca.us

11.11 Integration. This Agreement, including the attached exhibits, represents the entire and integrated agreement between City and Contractor and supersedes all prior negotiations, representations, and agreements, either written or oral.

11.12 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

11.13 Authorized Signature. Each person and party signing this Agreement warrants that he/she has the authority to execute this Agreement on behalf of the principal and that the party will be bound by such signature.

The parties have executed this Agreement as of the Effective Date.

CITY:	**CONTRACTOR:**
City of Oakley, a municipal corporation in the State of California	TRB and Associates, Inc., a California corporation
Joshua McMurray City Manager	Todd Bailey Owner

Attest:

Libby Vreonis, City Clerk

Approved as to Form:

Derek Cole, City Attorney

EXHIBIT A

Scope of Work/Compensation Schedule

EXHIBIT A
SCOPE OF SERVICES

Plan Review

TRB is prepared to perform as-needed plan review services for residential, multi-family residential, commercial, and industrial projects encompassing building code, electrical, plumbing, mechanical, fire protection, Title-24 energy, accessibility, and green building standards; as well as grading, drainage, floodplain, wildland urban interface fire severity zone, stormwater, grading, hazardous materials, and State housing law Title-25 factory-built structure considerations, as applicable. Our reviews consider all relevant project documentation including plans, specifications, calculations, and other related correspondence to verify conformance to adopted local codes, ordinances, regulations, and standards, including the following California Building Standards Codes:

- 2022 California Building Code
- 2022 California Residential Code
- 2022 California Electrical Code
- 2022 California Plumbing Code
- 2022 California Mechanical Code
- 2022 California Fire Code
- 2022 California Energy Code
- 2022 California Green Building Standards Code

Alternate Material and Methods

TRB and Associates recognizes that there are alternate materials and methods of construction that can be used to satisfy and comply with the provisions of the code. Our experience with the use of alternate materials, alternate design and methods of construction enhances our ability to solve specific issues that arise in design and construction.

Electronic Plan Review

As an alternative to review hardcopy media, TRB is equipped to review electronic documents should it be the desire of the City to accept submittals electronically. The staff of TRB has been leaders in the field of digital plan review and workflow management; as such, we have the experience and know-how to efficiently manage the review of electronic documents. In addition to having our own system, our team has extensive experience working with several electronic plan review systems including DigEplan, Bluebeam, ProjectDox, and Accela.

Plan Review Process

The following process represents an example plan review workflow. Please note that the plan review workflow utilized for the City would align with the City's specific workflow requirements and needs.

Step 1 - Preliminary Discussions: Prior to beginning our initial plan review project, our Project Manager proposes to conduct a meeting or conference call the City to verify local code policies, documentation procedures, plan processing protocols, plan review checklist items, and scheduling.

Step 2 – Initial Review: Once we receive a complete set of plan documents, we will perform our plan review in the agreed-upon timeframe, checking for compliance to all applicable code standards.

In general, plan review turnaround timeframe is ten (10) business days for initial reviews and five (5) business days for rechecks and revisions. Timeframes for large-size projects will be confirmed with the City staff prior to proceeding with the review.

All corrections are identified based on compliance with specified codes and regulations and worded so the designer will know what needs attention and how to respond to the issue stated.

Step 3 – Transmittal of Plans and Comment Lists for Plan Review: At the heart of our approach in delivering our services to you, is the recognition that there must be a coordinated effort to track and coordinate all submittals and requests received. To help assure that submittals are properly coordinated and tracked, TRB and Associates has established an internal plan review coordination process to ensure that each plan received for review is properly handled, processed, and returned on time. Our plan tracking procedures are computerized to track each submittal through the review process and maintain accurate and comprehensive records for each submittal. Upon completion of our review, any comments generated are consolidated into a correction letter which is sent to the City of Oakley.

Step 4 – Rechecks: Upon receipt of the resubmittal package from the applicant, we will notify the City (via email) that we have received the package. Once we have verified that the resubmittal package is complete, we perform a recheck in the agreed-upon timeframe. This process is repeated until the project plan documents are ready to be recommended for approval.

Step 5 – Plan Approval: When all review comments are satisfied, we will forward two sets of all relevant correspondence bearing our company's "Reviewed for Code Compliance" stamp (including plans, calculations, and specifications), along with a transmittal letter indicating our recommendation for project approval, and the project file to the City for processing.

Shipping and Delivery of Plans

TRB provides pre-printed overnight shipping labels and/or pickup services to facilitate the transport of plan submittals to our office. Please note that the pickup, shipment and delivery of plan documents and other relevant correspondence to the City is provided at no additional cost to the City.

Building Inspection

TRB is prepared to perform inspection, referring to building plans, structural plans, and material specifications for structures located within the City limits, upon 48-hour notice. Our inspectors are proficient at verifying project conformance to adopted model code standards and local ordinance provisions. TRB provides all labor and technical, administrative, professional, and other personnel; supplies, materials, equipment, and all other resources necessary to perform the specified work. TRB will use existing City forms or can develop correction sheets which meet with the approval of the City and shall maintain written lists of corrections needed to ensure conformance to codes and regulations.

Field Inspection Process

Our experienced team includes individuals with extensive field inspection experience on a range of project assignment types including municipality "Called Inspections," "Clerk of the Works," and "Inspector of Record" roles; our team can assist with a broad range of inspection responsibilities. Our scope of service areas includes residential, commercial, and industrial facilities, capital improvement projects, municipal agency services and infrastructure revitalization.
Our inspectors are careful to document all inspection activities, adhere to agency-adopted protocols, and follow field procedures and policies as dictated by the Building Official. TRB will maintain daily inspection records and all necessary documents on file for reference by the City. To confirm, TRB staff are available for applicant inquiries and/or conferences during normal City business hours.

Our inspections include those identified in the California Codes and would be amended or modified as directed by the City.

- Foundation Inspection
- Framing Inspection(s)
- Electrical, Mechanical and Plumbing systems inspection
- Lath and/or Gypsum Board Inspection
- Fire Code Inspection (if requested), e.g., fire suppression systems, alarms, etc.
- Concrete Slab or under-floor Inspection
- Energy Efficiency Measures Inspection
- Green Building Inspection
- Fire Resistive Rated Construction Inspection
- Floodplain Inspection
- Final Inspection



Code Administration and Permit Processing

TRB is prepared to provide Administration and Permit Processing services support to the City on an as-needed basis. TRB staff are prepared to work at City offices as an extension of staff under the supervision of the Chief Building Official or their designee with the knowledge, skills, and abilities to perform the following functions:

Permit Technician / Administrative Assistant

- Enter permit and related data into the City permit tracking system.
- Research, compile and prepare various limited reports and presentation graphics.
- Assist inquiries regarding building, planning, and engineering permit requirements, application and permit fees, application filing procedures and processing, and permit status.
- Accept permit and related applications and collect fees.
- Screen plans and application materials for completeness and for conformance with City ordinances standards, policies, and guidelines.
- Review application materials for compliance with conditions of project approval; route plans to other City departments for review; approve and issue minor permits; research and respond to inquiries.

Civil Engineering Plan Review and Construction Inspection

The TRB team is equipped to perform civil engineering plan review and construction inspection support to the City on an as-needed basis. TRB plan reviewers and inspectors will work with City staff to ensure that all work conforms to the project construction documents, Codes and Ordinances including Grading Code, APWA Standard Specifications, AWWA Standards, State (2022 California Energy Code) and Federal (ADA) Building Codes related to site accessibility.

Civil Engineering Plan Review

- Plan review subdivision maps, parcel maps, and improvement drawings. Our project manager shall assign a California Licensed Civil or Structural engineer who is qualified to review subdivision maps, parcel maps, site development plans and construction drawings.
- Maintain engineering records.
- Provide engineering advice and recommendations to Planning, Building and Public Works divisions.
- Provide consultation regarding current development review to the Chief Building Official, Planning Manager and Engineer.
- Assist City staff with code interpretation and application of state and federal regulations.
- Perform related duties as assigned by City.

Construction Inspection

- Oversee Quality Assurance of the construction activities to verify conformance to plans and specifications.
- Document all work, contractor and subcontractor personnel and equipment, and field orders daily.
- Maintain onsite project log and as-built schedule report. Prepare daily reports of observations and activities.
- Maintain a daily inspection report containing a record of weather, contractors, work onsite, number of workers, work accomplished, problems encountered, solutions agreed upon, and other similar relevant data as directed by City.
- Perform daily photo-documentation of the progress of the project in accordance with City practice.
- Monitor establishment and application of appropriate Contractor site safety programs.
- Monitor and report on applicable Erosion Control and SWPP provisions.
- Perform related duties as assigned by the City.

EXHIBIT B
FEE SCHEDULE

Fees

TRB and Associates offers the following fixed-fee and hourly rate schedules for services provided. Please note that Building Plan Review services may be rendered on either a fixed fee or hourly rate basis, as noted below. If additional services are requested such as Fire Plan Review, Building Inspection, Staff Augmentation and Other services (e.g. CASp consulting), those services can be provided on an hourly basis at rates shown in the provided Schedule of Hourly Rates and Reimbursables.

Plan Review Services

Our plan review fees may be calculated as a percentage of the Building Plan Review Fee collected by the City. The fee compensation shown covers three total plan review cycles – the initial plan review and up to two rechecks. Any further review cycles which become necessary and reviews of revisions to approved plans would be billed based upon a negotiated hourly rate. Please note that the turnaround timeframe for providing expedited and express plan reviews will be negotiated/mutually agreed upon prior to commencement of the review. Please also note that all plan reviews are subject to a minimum $250 fee.

Turnaround Timeframe (in business days)	**Structural Only Review**	**M/E/P Only Review**	**Complete Review (Structural, Life Safety/Disabled Access, M/E/P, Green, Title 24 Energy)**
Standard* - 10 days first check - 5 days rechecks	45%	45%	70%
Expedited** - 5 to 7 days first check - 5 days rechecks	Standard fee plus an additional 50 percent	Standard fee plus an additional 50 percent	Standard fee plus an additional 50 percent

* For exceptionally large/complex projects, 15-day first check and 10 day rechecks may apply, as mutually agreed upon prior to commencement of review.

**Turnaround timeframe would be mutually agreed upon prior to commencement of work.

Please note that the pickup, shipment, and delivery of hardcopy and/or electronic plan documents and other relevant correspondence to the City is included in the above-noted cost.

Schedule of Hourly Rates and Reimbursables

The following billing rates apply for services rendered on an hourly basis:

Position	Hourly Rate
Principal / Director	$185.00
Project / Division Manager	$165.00
Building Official	$165.00
Assistant Building Official	$150.00
Supervising Plan Review Engineer/Architect	$150.00
Senior Plan Review Engineer/Architect	$140.00
Senior Plans Examiner (Building & Fire)	$135.00
Plan Review Engineer/Architect	$130.00
Plans Examiner (Building & Fire)	$120.00
Engineering Technician	$100.00
Permit Technician III	$ 90.00
Permit Technician II	$ 80.00
Permit Technician I	$ 70.00
Clerical/Admin	$ 60.00
Fire Protection Engineer	$195.00
CASp Certified Inspector/Examiner	$135.00
Grading/Storm Water Plan Review Engineer	$195.00
QSP Storm Water Inspector	$185.00
Inspection Task Leader/ Inspector of Record	$150.00
Supervising Inspector	$140.00
Senior Inspector III	$130.00
Senior Inspector II	$120.00
Senior Inspector I	$115.00
Inspector II	$110.00
Inspector I	$105.00
Intern Inspector	$ 85.00

- Overtime, Emergency, Expedited, and After-hours work is billed at the above-noted rates plus an additional 50 percent (Note that no overtime will be charged without client authorization)
- Mileage reimbursement for non-City owned vehicles used in connection with inspection work will be at the current IRS rate plus 20 percent.
- All requested inspection and other staff augmentation services are subject to a minimum 4-hour fee.
- Project inspections subject to prevailing wage requirements are at the above-published rates plus 30 percent.
- Reimbursement for direct expenses, incurred in connection with the work, will be at cost plus fifteen percent.
- Other in-house charges for prints, reproduction and equipment use, etc. will be at standard company rates.

The above Schedule is valid through June 30 2025, and may be adjusted thereafter to account for CPI changes, as mutually agreed upon.

Exhibit B

Insurance Requirements

Specific Insurance Requirements and Required Policy Limits

PROFESSIONAL SERVICES CONTRACTS:

Including, but not limited to architects, engineers, consultants, counselors, attorneys and accountants.

Consultant shall procure and maintain for the duration of its contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, employees or subcontractors.

Minimum scope of coverage
Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office Form CG 00 01) covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than **$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** Insurance Services Office Form number CA 0001 Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than **$1,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation** insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **$1,000,000** per accident for bodily injury or disease. ***(Not required if Consultant provides written verification it has no employees)***
4. **Professional Liability** (Errors and Omissions) Insurance appropriate to the Consultant's profession, with limit no less than **$1,000,000** per occurrence or claim, **$2,000,000** aggregate. Architects and Engineers coverage shall be endorsed to include contractual liability.

If the Consultant maintains higher limits than the minimums shown above, the Entity requires and shall be entitled to coverage for the higher limits maintained by the Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the Entity.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status
The City, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts or equipment furnished in connection with such work or operations. General liability coverage should be provided in the form of an endorsement to the Consultant's insurance (at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 20 37 forms if later revisions used).

Primary Coverage
For any claims related to this contract, the **Consultant's insurance coverage shall be primary** insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

Notice of Cancellation
Each insurance policy required above shall state that **coverage shall not be canceled, except with notice to the City.**

Waiver of Subrogation
Consultant hereby grants to City a waiver of any right to subrogation which Consultant or any insurer of said Consultant may acquire against the City by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions
Any deductibles or self-insured retentions must be declared to and approved by the City. The City may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers
Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City.

Claims Made Policies
If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided ***for at least five (5) years after completion of the contract of work.***
3. If coverage is canceled or non-renewed, and not ***replaced with another claims-made policy form with a Retroactive Date*** prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of ***five (5)*** years after completion of contract work.

Verification of Coverage
Consultant shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors
Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that City is an additional insured on insurance required from subcontractors.

Special Risks or Circumstances
City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

RESOLUTION NO. -24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY, CALIFORNIA, APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH TRB AND ASSOCIATES, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR ON-CALL CODE-COMPLIANCE PLAN REVIEW AND INSPECTION SERVICES

WHEREAS, City of Oakley uses various consultants and contractors on an as-need basis to assist City staff on processing and managing private development projects; and

WHEREAS, TRB and Associates, Inc. has been serving the City since 2014 after being selected as the best suited firm to provide code-compliance plan review and inspection services to the City; and

WHEREAS, the need for this type of code-compliance support service has remained steady due to the large number of development projects being approved and constructed; and

WHEREAS, the costs associated with the agreement will be funded by private development project permit fees and not the City's General Fund; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the Professional Services Agreement with TRB and Associates, Inc. is hereby approved, and the City Manager is authorized to execute the agreement beginning on July 1, 2024 through June 30, 2025 for an amount not-to-exceed one-hundred thousand dollars ($100,000).

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on this 9th day of July 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Annissa Williams, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

DATE: July 9, 2024

TO: Joshua McMurray, City Manager

FROM: Danielle Navarro, Assistant City Manager

Approved and Forwarded to the City Council

SUBJECT: Adopt a Resolution Awarding a Contract to CivicPlus for the Design, Hosting and Maintenance of a New City Website

Background and Analysis

At the April 23, 2024 City Council meeting, the Council approved the release of a Request for Proposals (RFP) for the design, hosting, implementation and maintenance support of a new City website. The City released the RFP on April 24, 2024, posted a revised RFP on May 2, 2024 on the existing City website to clarify one bullet point, and posted five Question and Answer addendums in response to questions received from potential proposers during the established question period.

Staff reviewed the 35 proposals that were received by the May 24, 2024 deadline and invited the top three proposers to provide a virtual presentation. After careful consideration, staff determined that CivicPlus, LLC, offers the best solution for the City's current and anticipated future website needs.

The project is estimated to take between 16 and 28 weeks from initiation to website launch. A three-year agreement (as opposed to one year) provides for a $16,047 discount and a reduced uplift percentage to be applied to the annual cost in year four. The agreement includes a new website design and layout after every 48 months of continuous service at no additional cost, an automated solution that monitors and fixes accessibility issues, as well as a one-year subscription to AI-driven ChatBot for local government. ChatBot uses website content to answer citizen questions and includes dashboard analytics and language translation. The solution can also help the City determine what information residents and visitors are currently seeking to assist in the design of the new website.

The City's Recreation Division uses CivicPlus' CivicRec recreation management solution for online registration for classes, events, and facilities and the City uses CivicPlus' NextRequest public records software for Public Records Act requests. CivicPlus serves with more than 1,600 government agencies in California alone, including the State of California and numerous Bay Area cities (several in Contra Costa County), and other cities and counties nationwide.

Consistency with the Oakley Strategic Plan 27+

The update of the City website will complete the Oakley Strategic Plan 27+ Community and Collaborative Partnerships Goal's Sub-subobjective, "Modernize website to be user friendly, transparent, functional, and reflective of the City's vision."

Fiscal Impact

The cost for the three-year agreement is $74,914.00. Funding has been allocated in the American Rescue Plan Act (ARPA) Fund.

Staff Recommendation

Staff recommends the City Council adopt the resolution awarding a contract to CivicPlus, LLC in an amount not to exceed $74,914 and authorizing the City Manager to execute the agreement.

Attachments

1. Proposed Resolution
2. Proposed Agreement

RESOLUTION NO. X-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AWARDING A CONTRACT TO CIVICPLUS, LLC FOR THE DESIGN, HOSTING AND MAINTENANCE OF A NEW CITY WEBSITE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, the City Council approved the release of a Request for Proposals (RFP) for the design, hosting, implementation and maintenance support of a new City website on April 23, 2024; and

WHEREAS, the City released the RFP on April 24, 2024 and posted a revised RFP on May 2, 2024 as well as subsequent Question and Answer addendums; and

WHEREAS, staff received and reviewed 35 proposals by the established deadline and received presentations from the top three proposers; and

WHEREAS, staff determined that CivicPlus, LLC offers the best solution for the City's current and anticipated future website needs.

BE IT RESOLVED by the City Council of the City of Oakley that CivicPlus, LLC is hereby awarded a contract for the design, hosting and maintenance of a new City website.

BE IT FUTHER RESOLVED by the City Council of the City of Oakley that the City Manager is authorized to execute the agreement in an amount not to exceed $74,914.00.

PASSED, APPROVED AND ADOPTED this 9th day of July 2024 by the following vote.

AYES:
NOES:
ABSTENTION:
ABSENT:

APPROVED:

_____
Anissa Williams, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF OAKLEY AND CIVICPLUS, LLC FOR WEBSITE DESIGN, HOSTING AND MAINTENANCE SERVICES

THIS AGREEMENT for consulting services is entered into by and between the City of Oakley, a municipal corporation in the State of California (hereinafter referred to as "City") and **Civic Plus, LLC** (hereinafter referred to as "Consultant"), collectively sometimes referred to hereinafter as the "Parties", as of **July 10, 2024** (the "Effective Date").

Section 1. **SERVICES**. Subject to the terms and conditions set forth in this Agreement and the Consultant's standard Master Services Agreement and applicable Solutions and Services Terms linked in Consultant's incorporated SOW, Consultant shall provide to City the services described in the Scope of Work or proposal letter attached hereto and incorporated herein as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 **Term of Services.** The term of this Agreement shall begin on the Effective Date and run for thirty-six months as specified in Exhibit A, and Consultant shall complete the work described in Exhibit A prior to that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8. Should this Agreement be amended to include additional tasks as contemplated in Section 1, the term of services shall be extended as mutually agreed upon by City and Consultant.

1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in a substantial, first-class manner and shall conform to the standards of quality normally observed by a person practicing in Consultant's profession.

1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Consultant's obligations

hereunder. Notwithstanding the foregoing, Consultant will not be liable or responsible for any delay in the time or completion of the Services due to the action or inaction of City.

Section 2. **COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed **$74,914.00,** notwithstanding any contrary indications that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement, Consultant's SOW, attached as Exhibit A, and Consultant's proposal, attached as Exhibit B, regarding the amount of compensation, the SOW at Exhibit A shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for subscription services pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 **Invoices.** Consultant shall submit invoices, not more often than once annually during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:

- The beginning and ending dates of the billing period;
- A subscription services containing the original contract amount, the total due this period, the balance available under the Agreement;

2.2 **Annual Payment.** City shall make annual payments, based on invoices received, for the subscription services, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 **Total Payment.** Unless agreed upon, in writing, otherwise, City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment approved by the City Manager.

2.5 **Hourly Fees.** Fees for work performed by Consultant shall not exceed the amounts shown on the Compensation Schedule attached hereto and incorporated herein as Exhibit A.

2.6 **Reimbursable Expenses.** Reimbursable expenses are specified in Exhibit A, and expenses not listed in Exhibit A are not chargeable to the City.

2.7 **Payment of Taxes.** Consultant is solely responsible for the payment of its employment taxes incurred under this Agreement and any similar federal or state taxes.

2.8 **Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8 of this Agreement, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.

2.9 **Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. **FACILITIES AND EQUIPMENT.** Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Notwithstanding the foregoing, the City is responsible for providing all hardware, ISPs, computers, or other computing devices necessary for the City employees to access and use the software services provided by Consultant.

Section 4. **INSURANCE REQUIREMENTS.** Before beginning any work under this Agreement, Consultant, at its own cost and expense, shall procure the types and amounts of insurance listed below and in Exhibit C against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City, and that such insurance is in effect prior to commencing work under this Agreement. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution. Verification of the required insurance is attached hereto and incorporated herein as Exhibit D.

4.1 **Variation.** The City may approve a variation in the insurance requirements, upon a determination that the coverage, scope, limit, and form of such insurance is either not commercially available, or that the City's interests are otherwise sufficiently protected.

4.2 **Notice of Reduction in Coverage.** In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, Consultant shall provide written notice to City at Consultant's earliest possible opportunity and in no case later than five days after Consultant is notified of the change in coverage.

4.3 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option, exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Order Consultant to stop work under this Agreement until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. **INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.** Consultant shall to the fullest extent allowed by law, with respect to all Services performed in connection with this Agreement, defend and indemnify and hold the City and its officials, officers, employees, agents, and volunteers harmless from and against any and all third party losses that arise out of, pertain to, or relate to the gross negligence, recklessness, or willful misconduct of the Consultant ("Claims").Consultant will bear all loses, costs, damages, expense and liability of every kind, nature and description that arise out of, pertain to, or relate to such Claims ("Liability"). Such obligations to defend, hold harmless and indemnify the City shall not apply to the extent that such Liability is caused by the negligence, active negligence, or willful misconduct of the City or any third party.

With respect to third party claims against the Consultant, the Consultant waives any and all rights of any type of express or implied indemnity against the indemnitees.

However, notwithstanding the foregoing, in accordance with California Civil Code Section 1668, nothing in this Agreement shall be construed to exempt the City from its own fraud, willful injury to the person or property of another, or violation of law. In addition, and notwithstanding the foregoing, to the extent this Agreement is a "construction contract" as defined by California Civil Code section 2783, as may be amended from time to time, such duties of Consultant to indemnify shall not apply when to do so would be prohibited by California Civil Code Section 2782.

Section 6. STATUS OF CONSULTANT.

6.1 Independent Contractor. At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

6.2 Consultant, Not Agent. Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 Governing Law. The laws of the State of California shall govern this Agreement.

7.2 Compliance with Applicable Laws. Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder, including but not limited to, the California Building Code, the Americans with Disabilities Act, and any copyright, patent or trademark law. Consultant's failure to comply with any law(s) or regulation(s) applicable to the performance of the work hereunder shall constitute a breach of contract.

7.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 **Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid business licenses from City.

7.5 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, and contracting.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator of this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 **Termination.** City may cancel this Agreement at any time and without cause upon 60 days' prior written notification to Consultant. In no event, other than material breach of this Agreement by Consultant, shall a refund be granted, in whole or in part, for any reason or no reason whatsoever, including but not limited to City's cancellation of the Services prior the end of the Term, City's failure to utilize the Services, or Consultant's failure to meet any service level agreement set forth herein, unless such failure is intentional or malicious.

Consultant may cancel this Agreement upon 30 days written notice to City and shall include in such notice the reasons for cancellation.

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8.2 **Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. This Agreement may

be extended at the option of the City. Should City decide to exercise its option to extend this Agreement, City shall provide written notice to Consultant at least sixty (60) days prior to the end date of this Agreement. Any such extension shall require a written amendment to this Agreement, as provided for herein. City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period, unless City agrees to do so by written amendment to this Agreement.

8.3 **Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.

8.4 **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.5 **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

8.6 **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to the following:

8.6.1 Terminate the Agreement if such breach is not cured upon providing Consultant 30 day prior written notice and opportunity to cure such breach;

8.6.2 Retain the Customer Content, as defined in the CivicPlus MSA; or

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

9.2 **Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS ($10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

10.1 **Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Contra Costa or in the United States District Court for the Northern District of California.

10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 **No Implied Waiver of Breach**. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

10.6 **Use of Recycled Products.** Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code §1090 *et.seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

10.8 **Contract Administration.** This Agreement shall be administered by Danielle Navarro, Assistant City Manager ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

10.9 **Notices.**
Any written notice to Consultant shall be sent to:

CivicPlus, LLC
Attn: CivicPlus Legal Counsel
302 S 4th Street, STE 500
Manhattan, KS 66502

Any written notice to City shall be sent to:

City of Oakley
Attn: Danielle Navarro, Assistant City Manager
3231 Main Street
Oakley, CA 94561

10.10 **Integration.** This Agreement, including the Consultant's standard Master Services Agreement and applicable Solutions and Services Terms linked in Consultant's incorporated SOW, the Scope of Work and Compensation Schedule, Provisions Required for Public Works Contracts, Insurance Requirements, and Verification of Required Insurance, attached hereto and incorporated herein as Exhibit A, B, C and D respectively, represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

Exhibit A	Scope of Services and Compensation Schedule
Exhibit B	Insurance Requirements
Exhibit C	Verification of Required Insurance

10.11 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

10.12 Authorized Signature. Each person and party signing this Agreement warrants that he/she has the authority to execute this Agreement on behalf of the principal and that the party will be bound by such signature.

The parties have executed this Agreement as of the Effective Date.

CITY

City of Oakley, a municipal corporation
in the State of California

By: _____
Joshua McMurray, City Manager

Attest:

_____
Libby Vreonis, City Clerk

Approved as to Form:

_____
Derek P. Cole, City Attorney

CONSULTANT

CivicPlus, LLC a Kansas Limited Liability Company

By: _____
Signature

By:_____
Amy Vikander, Snr. VP of Customer Success

EXHIBIT A

SCOPE OF SERVICES AND COMPENSATION SCHEDULE

Municipal Websites w/Chatbot

QTY	PRODUCT NAME	DESCRIPTION
1.00	Annual - CivicEngage Central	Annual - CivicEngage Central
1.00	Hosting & Security Annual Fee - CivicEngage Central	Hosting & Security Annual Fee - CivicEngage Central
1.00	SSL Management – CP Provided Only	SSL Management – CP Provided Only 1 per domain (Annually Renews)
1.00	DNS and Domain Hosting Setup (http://URL)	DNS and Domain Hosting Setup (https://www.ci.oakley.ca.us/)
1.00	DNS and Domain Hosting Annual Fee (http://URL)	DNS and Domain Hosting Annual Fee (https://www.ci.oakley.ca.us/)
1.00	48 Month Redesign Ultimate Annual - CivicEngage Central	48 Month Redesign Ultimate Annual - CivicEngage Central
1.00	Ultimate Implementation - CivicEngage Central	Ultimate Implementation - CivicEngage Central
200.00	Content Development - 1 Page - CivicEngage	Content Development - 1 Page - CivicEngage
8.00	New Customer System Training (3h, virtual) - Web Central	CivicEngage System Training - Virtual, Up to 3 Hours, up to 12 Attendees
2.00	Agendas & Minutes Migration - PDF - 100 Meetings - CivicEngage	Content Migration : Agendas & Minutes - Per 100 Meetings (Approx. 1 year)
1.00	Alignment Virtual Consulting	Up to 2 days virtual consult. Recommended group 8 or less.
1.00	Guardian Security (Cloudflare WAF/CDN)	Cloudflare Tier 1 WAF/CDN security protection
1.00	CivicEngage Year 1 Annual Fee Discount	Year 1 Annual Fee Discount
1.00	CivicEngage Year 1 Annual Fee Discount	Year 1 Annual Fee Discount

Accessibility

QTY	PRODUCT NAME	DESCRIPTION
1.00	AudioEye Managed	AudioEye Managed: https://www.ci.oakley.ca.us/

Chatbot

QTY	PRODUCT NAME	DESCRIPTION
1.00	CivicPlus Chatbot Subscription	Powered by AI technology, the Frase Answer Engine for Local Government uses website content to answer citizen questions. This solution includes dashboard analytics and language translation.

Year 1 Implementation and Discounted Annual	USD 36,030.00
Year 2 Annual*	USD 19,442.00
Year 3 Annual*	USD 19,442.00
Total Investment - Initial Term	**USD 74,914.00**
Year 4 Annual Annual Uplift	USD 20,025.26 3% to be applied in year 4
Initial Term	Starting at signing and ending 36 months from signature date.
Initial Term Invoice Schedule	50% invoiced on signature date and 50% invoiced 6 months from signature date or completion of implementation, if earlier
Renewal Procedure	Automatic 1 year renewal term, unless 60 days notice provided prior to renewal date

* Annual Recurring Services (Subject to Uplift)

This Statement of Work ("SOW") shall be subject to the terms and conditions of the CivicPlus Master Services Agreement and the applicable Solution and Services terms and conditions located at https://www.civicplus.help/hc/en-us/p/legal- stuff (collectively, the "Binding Terms"), By signing this SOW, Client expressly agrees to the terms and conditions of the Binding Terms throughout the term of this SOW.

CivicPlus Master Services Agreement

This Master Services Agreement (this "Agreement") governs all Statements of Work ("SOW") entered into by and between CivicPlus, LLC ("CivicPlus") and the customer entity identified on the SOW ("Customer"). This Agreement governs the use and provision of any Services purchased by Customer, as described in any signed SOW, and the effective date of this Agreement shall commence on the date of signature of the SOW ("Effective Date"). If a SOW has not been executed, then the Effective Date shall be determined as the start date of implementation of any software solution by CivicPlus for Customer. CivicPlus and Customer referred to herein individually as "Party" and jointly as "Parties".

Recitals

I. WHEREAS, CivicPlus is engaged in the business of developing and providing access to proprietary community engagement and government content, workflow, and general management software solutions, platforms and associated services (the "Services"); and

II. WHEREAS, Customer wishes to engage CivicPlus for the procurement of the Services and/or receive a license subscription for the ongoing use of the Services, as set forth in the SOW;

NOW, THEREFORE, Customer and CivicPlus agree as follows:

Agreement

Term & Termination

1. This Agreement shall commence on the Effective Date and shall remain in full force and effect for as long as any SOW is in effect between CivicPlus and Customer, or Services are being provided by CivicPlus to Customer, unless terminated in accordance with this §1 or as otherwise provided in this Agreement (the "Term"). Either Party may terminate this Agreement or any SOW as set forth in such SOW, or at its discretion, effective immediately upon written notice to the other Party, if the other Party materially breaches any provision of this Agreement and does not substantially cure the breach within thirty (30) days after receiving notice of such breach. A delinquent Customer account remaining past due for longer than 90 days is a material breach by Customer and is grounds for CivicPlus termination. CivicPlus reserves the right to withhold, remove and/or discard Customer Data without notice for any breach, including, without limitation, Customer's non-payment. Upon termination for Customer's breach, Customer's right to access or use Customer Data immediately ceases, and CivicPlus shall have no obligation to maintain or forward any Customer Data.

2. Upon termination of this Agreement or any SOW for any reason, (a) the licenses granted for such relevant SOW by §11 below will terminate and Customer shall cease all use of the CivicPlus Property and Services associated with the terminated SOW and (b) any amounts owed to CivicPlus for work performed prior to termination shall immediately become due in full and payable. If Customer has paid in advance for the Services, and this Agreement terminates due to material breach of this Agreement by CivicPlus, CivicPlus shall refund Customer a prorated amount of any amount already paid. Upon termination by Customer for convenience or due to material breach by Customer, in addition to any remedy

provided in this Agreement or provided in law or equity, CivicPlus shall be entitled to retain any amounts already paid. Sections 7, 8, 10, 14, 15, 18, 32 -34, 40, and 42 will survive any expiration or termination of this Agreement.

3. At any time during the Term, CivicPlus may, immediately upon notice to Customer, suspend Customer and any of its Users access to any Service due to a threat to the technical security or technical integrity of the Services.

Invoicing & Payment Terms

4. Customer will pay the amounts owed to CivicPlus for the development and implementation of the Customer's Services, as defined in the SOW ("Project Development"), subscription and licensing, and annual hosting, support and maintenance services ("Annual Recurring Services") in accordance with the payment schedule set forth on the applicable SOW. Invoices shall be sent electronically to the individual/entity designated in the SOW's contact sheet that is required to be filled out and submitted by Customer (the "Contact Sheet"). Customer shall provide accurate, current and complete information of Customer's legal business name, address, email address, and phone number in the Contact Sheet upon submission of a signed SOW. Customer will maintain and promptly update the Contact Sheet information if it should change. Upon Customer's request, CivicPlus will mail hard-copy invoices for a $5.00 convenience fee to be added to the mailed invoice.

5. Each SOW will state the amount of days from date of invoice payment is due. Unless otherwise limited by law, a finance charge of 1.5 percent (%) per month or the maximum rate permitted by applicable law, whichever is less, will be added to past due accounts from due date until paid. Payments received will be applied first to finance charges, then to the oldest outstanding invoice(s). If the Customer's account exceeds 60 days past due, support will be discontinued until the Customer's account is made current. If the Customer's account exceeds 90 days past due, CivicPlus may suspend in progress Project Development and Annual Recurring Services will be discontinued, and the Customer will no longer have access to the Services until the Customer's account is made current. Customer will be given 15 days' notice prior to discontinuation of Services for non-payment.

6. During the performance of Project Development, if Customer requests a change that requires repeated efforts to previously approved work product and such change causes CivicPlus to incur additional expenses (i.e. airline change fees, resource hours, consultant fees, Customer does not show up for scheduled meetings or trainings), Customer agrees to reimburse CivicPlus for such additional expenses. CivicPlus shall notify Customer prior to incurring such expenses and shall only incur those expenses which are approved by Customer.

Ownership & Content Responsibility

7. Upon full and complete payment of amounts owed for Project Development under the applicable SOW, Customer will own any website graphic designs, Services content, module content, importable/exportable data, and archived information ("Customer Content") created by CivicPlus on behalf of Customer pursuant to this Agreement. "Customer Content" also includes, without limitation, any elements of text, graphics, images, photos, audio, video, designs, artworks, logos, trademarks, services marks, and other materials or content which Customer provides to CivicPlus for processing, transmission, storage, or inputs into any website, software or module in connection with any Services. Customer Content excludes any content in the public domain and any content owned or licensed by CivicPlus, whether in connection with providing Services or otherwise.

8. Upon completion of the Project Development, Customer will take over the management and control of the Services and Customer will assume full responsibility for Customer Content maintenance and administration. Customer, not CivicPlus, shall have sole responsibility for the accuracy, quality, integrity, legality, reliability, appropriateness, and

intellectual property ownership or right to use of all Customer Content. Customer hereby grants CivicPlus a worldwide, non-exclusive right and license to reproduce, distribute and display the Customer Content as necessary to provide the Services. Customer represents and warrants that Customer owns all Customer Content or that Customer has permission from the rightful owner to use each of the elements of Customer Content and that Customer has all rights necessary for CivicPlus to use the Customer Content in connection with providing the Services. Customer agrees that CivicPlus shall not be responsible or liable for the content of messages created by Customer or by Customer's Users or end-users who access Service. Notwithstanding the foregoing, CivicPlus retains the right, but not the obligation, to remove any Customer Content that is libelous, harassing, abusive, fraudulent, defamatory, excessively profane, obscene, abusive, hate related, violent, harmful to minors, that advocates racial or ethnic intolerance, intended to advocate or advance computer hacking or cracking, or other material, products or services that violate or encourage conduct that would violate any laws or third-party rights.

9. At any time during the term of the applicable SOW, Customer will have the ability to download the Customer Content and export the data that is processed through the Services ("Customer Data"). Customer may request CivicPlus to perform the export of Customer Data and provide the Customer Data to Customer in a commonly used format, at any time, for a fee to be quoted at time of request and approved by Customer. Upon termination of the applicable SOW for any reason, whether or not Customer has retrieved or requested the Customer Data, CivicPlus reserves the right to permanently and definitively delete the Customer Content and Customer Data held in the Services thirty (30) days following termination of the applicable SOW. During the thirty (30) day period following termination of the SOW, regardless of the reason for its termination, Customer will not have access to the Services.

10. Intellectual Property in the software or other original works created by or licensed to CivicPlus, including all software source code, documents, and materials used in performing the Services ("CivicPlus Property") will remain the property of CivicPlus. CivicPlus Property specifically excludes Customer Content. Customer shall not (i) license, sublicense, sell, resell, reproduce, transfer, assign, distribute or otherwise commercially exploit or make available to any third party any CivicPlus Property in any way, except as specifically provided in the applicable SOW; (ii) adapt, alter, modify or make derivative works based upon any CivicPlus Property; (iii) create internet "links" to the CivicPlus Property software or "frame" or "mirror" any CivicPlus Property administrative access on any other server or wireless or internet-based device that may allow third party entities, other than Customer, to use the Services; (iv) reverse engineer, decompile, disassemble or otherwise attempt to obtain the software source code to all or any portion of the Services; (v) make any attempt to gain unauthorized access to the Services and/or any of CivicPlus' systems or networks; or (vi) access any CivicPlus Property in order to: (a) build a competitive product or service, (b) build a product using similar ideas, features, functions or graphics of any CivicPlus Property, or (c) copy any ideas, features, functions or graphics of any CivicPlus Property. The CivicPlus name, the CivicPlus logo, and the product and module names associated with any CivicPlus Property are trademarks of CivicPlus, and no right or license is granted to use them outside of the licenses set forth in this Agreement.

11. Provided Customer complies with the terms and conditions herein, the relevant SOW, and license restrictions set forth in §10, CivicPlus hereby grants Customer a limited, nontransferable, nonexclusive, non-assignable license to access and use the CivicPlus Property associated with any valid and effective SOW, for the term of the respective SOW. The license set forth herein, shall only apply to the extent that Customer is using the Services for legitimate business use as intended by the purpose of the Services and not for the purpose of comparing the Services to a competitor or similar product of CivicPlus. Customer hereby warrants and affirms its purpose in accessing or otherwise using the Services is for their intended purpose only and understands and agrees that any other use shall be considered fraud.

12. All CivicPlus helpful information and user's guides for the Services ("Documentation") are maintained and updated electronically by CivicPlus and can be accessed through the CivicPlus "Help Center". CivicPlus does not provide paper copies of its Documentation. Customer and its Users are granted a limited license to access Documentation as needed. Customer shall not copy, download, distribute, or make derivatives of the Documentation.

13. Customer acknowledges that CivicPlus may continually develop, alter, deliver, and provide to the Customer ongoing

innovation to the Services, in the form of new features and functionalities. CivicPlus reserves the right to modify the Services from time to time. Any modifications or improvements to the Services listed on the SOW will be provided to the Customer at no additional charge. In the event that CivicPlus creates new products or significant enhancements to the Services ("New Services"), and Customer desires these New Services, then Customer will have to pay CivicPlus the appropriate fee for the access to and use of the New Services. CivicPlus shall use its reasonable best efforts to provide workarounds in the event any modification to the Services causes Customer to lose substantial functionality of the Services.

14. CivicPlus in its sole discretion, may utilize all comments and suggestions, whether written or oral, furnished by Customer to CivicPlus in connection with its access to and use of the Services (all reports, comments and suggestions provided by Customer hereunder constitute, collectively, the "Feedback"). Customer hereby grants to CivicPlus a worldwide, non-exclusive, irrevocable, perpetual, royalty-free right and license to incorporate the Feedback in the CivicPlus products and services.

Indemnification

15. CivicPlus will defend at its expense or settle any third-party claim against Customer alleging that the Services provided under this Agreement infringe intellectual property rights. CivicPlus will pay infringement claim defense costs, CivicPlus–negotiated settlement amounts, and damages finally awarded by a court. CivicPlus has no obligation for any claim of infringement arising from Customer's use of the Services for purposes not contemplated by this Agreement. CivicPlus's indemnification obligations under this Section 15 are conditioned upon the Customer (i) promptly notifying the CivicPlus of any claim in writing; (ii) cooperating with CivicPlus in the defense of the claim; and (iii) granting CivicPlus sole control of the defense or settlement of the claim. The indemnification obligations of CivicPlus herein shall not apply to any claims of intellectual property infringement related to Customer Content.

Responsibilities of the Parties

16. CivicPlus will not be liable for any act, omission of act, negligence or defect in the quality of service of any underlying carrier, licensor or other third-party service provider whose facilities or services are used in furnishing any portion of the Service received by the Customer.

17. CivicPlus will not be liable for any failure of performance that is caused by or the result of any act or omission by Customer or any entity employed/contracted on the Customer's behalf. During Project Development, Customer will be responsive and cooperative with CivicPlus to ensure the Project Development is completed in a timely manner.

18. Customer agrees that it is solely responsible for the end-user's personal data that Customer decides to solicit, collect, store, or otherwise use in connection with any Service provided by CivicPlus. Customer understands and agrees that CivicPlus provides certain solutions with increased security measures for the solicitation and storage of any sensitive data, and it is Customer's responsibility to determine whether the data it solicits and collects should be stored in such solutions. Customer understands and agrees that CivicPlus does not have knowledge or control over what type of data Customer solicits therefore CivicPlus has no responsibility for the use or storage of end-users' personal data in connection with the Services or the consequences of the solicitation, collection, storage, or other use by Customer or by any third party of any personal data. Customer has the sole control and responsibility over the determination of which data and information shall be included in the content that is to be transmitted and stored by CivicPlus. Customer shall not provide to CivicPlus or allow to be provided to CivicPlus any content that (a) infringes or violates any 3rd party's intellectual property rights, rights of publicity or rights of privacy, (b) contains any defamatory material, or (c) violates any federal, state, local, or foreign laws, regulations, or statutes.

19. Customer is responsible for all activity that occurs under Customer's accounts by or on behalf of Customer. Customer agrees to (a) be solely responsible for all designated and authorized individuals chosen by Customer ("User") activity, which must be in accordance with this Agreement and the CivicPlus Terms of Use; (b) be solely responsible for Customer Data; (c) obtain and maintain during the term all necessary consents, agreements and approvals from end-users, individuals or any other third parties for all actual or intended uses of information, data or other content Customer will use in connection with the Services; (d) use commercially reasonable efforts to prevent unauthorized access to, or use of, any User's log-in information and the Services, and notify CivicPlus promptly of any known unauthorized access or use of the foregoing; (e) use commercially reasonable efforts to prevent unauthorized access to or use of the Services and CivicPlus Property and shall promptly notify CivicPlus of any unauthorized access or use of the Services and/or CivicPlus Property and any loss or theft or unauthorized use of any n User's password or username and/or personal information; and (f) use the Services only in accordance with applicable laws and regulations.

20. The Parties shall comply with all applicable local, state, and federal laws, treaties, regulations, and conventions in connection with its use and provision of any of the Services or CivicPlus Property.

21. CivicPlus shall not be responsible for any act or omission of any third-party vendor or service provider that Customer has selected to integrate any of its Services with.

22. Customer understands that CivicPlus must fastidiously allocate resources across all of its customers and specifically reserves necessary resources for Customer's Project Development. If any professional services, such as consulting or training, purchased by Customer are not used during the Project Development phase solely due to the inaction or unresponsiveness of Customer, then these services shall expire 30 days after completion of Project Development. The Customer may re-schedule any unused professional services during this 30-day period as mutually agreed upon by the Parties. Any professional services that have not been used or rescheduled shall be marked as complete and closed upon the expiration of the 30-day period.

Data Security

23. CivicPlus shall, at all times, comply with the terms and conditions of its Privacy Policy. CivicPlus will maintain commercially reasonable administrative, physical, and technical safeguards designed to protect the security and confidentiality of Customer Data. CivicPlus will not modify Customer Data or disclose Customer Data, except (a) in order to provide the Services; (b) to prevent or address service or technical problems in connection with support matters; (c) as specifically directed or expressly permitted in writing by Customer, (d) in compliance with our Privacy Policy; or (f) if compelled by law. Notwithstanding the foregoing, CivicPlus reserves the right to delete, suspend, or block known malicious accounts without Customer authorization. Customer understands that CivicPlus has no obligation to provide the Services or maintain the Customer Data, information or other material if Customer's accounts are past due and unpaid as set forth in this Agreement.

24. Customer acknowledges and agrees that CivicPlus utilizes third-party service providers to host and provide the Services and store Customer Data and the protection of such data will be in accordance with such third party's safeguards for the protection and the security and confidentiality of Customer's Data. Notwithstanding anything to the contrary, CivicPlus shall have the right to collect and analyze data and other information relating to the provision, use and performance of various aspects of the Services and related systems and technologies (including, without limitation, information concerning Customer Data and data derived therefrom), and CivicPlus will be free (during and after the term hereof) to use such information and data to improve and enhance the Services and for other development, diagnostic and corrective purposes in connection with the Services and other CivicPlus offerings.

25. CivicPlus may offer Customer the ability to use third-party applications in combination with the Services. Any such third-party application will be subject to acceptance by Customer. In connection with any such third-party application

agreed to by Customer, Customer acknowledges and agrees that CivicPlus may allow the third-party providers access to Customer Data as required for the interoperation of such third-party application with the Services. The use of a third-party application with the Services may also require Customer to agree to a separate agreement or terms and conditions with the provider of the third-party application, which will govern Customer's use of such third-party application.

26. In the event of a security breach due to the sole negligence, malicious actions, omissions, or misconduct of CivicPlus, CivicPlus, as the data custodian, will comply will all remediation efforts as required by applicable federal and state law.

CivicPlus Support

27. CivicPlus will use commercially reasonable efforts to perform the Services in a manner consistent with applicable industry standards, including maintaining Services availability 24 hours a day, 7 days a week with 99.9% uptime. Customer will have 24/7 access to the online CivicPlus Help Center (civicplus.help) to review use articles, software best practices, receive maintenance release notes, as well as submit and monitor omni-channel support tickets and access solution specific support contact methods (https://www.civicplus.help/hc/en-us/requests/new).

28. CivicPlus provides live support engineers based in the domestic United States to respond to basic questions concerning use and configuration, to diagnose software code-related errors, and proactively identify potential systems issues. CivicPlus support engineers serve a preliminary function in the agile development process and escalate defects to software developers or architects for remediation. For security purposes, CivicPlus support engineers are not permitted to modify user accounts, and permissions nor distribute access outside of accounts established by means of a support interaction for testing. Customer delegated Users may receive tutorials and guidance on account modifications but will perform the action themselves.

29. CivicPlus support hours span between the hours of 7 am to 7 pm CST, but may vary by product. Customer may access the CivicPlus Help Center (civicplus.help) to obtain each product's support hours. After hours support is available by toll- free phone call only. Non-emergency support requested outside of support hours will be subject to additional fees, such fees will be quoted to Customer at the time of the request and will be subject to Customer acceptance and invoiced the next business day following the non-emergency support. CivicPlus shall have the sole discretion to determine in good faith whether support requests qualify as an emergency, exceed reasonable use or are outside the scope of services outlined in any SOW.

30. If a reported problem cannot be solved during the first support interaction, Customer will be provided a ticket number that will be used as communication method throughout ticket escalation until a solution is provided. Support service does not include support for errors caused by third party products or applications for which CivicPlus is not responsible.

Marketing

31. Customer hereby authorizes CivicPlus to include CivicPlus's name and logo inconspicuously within the Customer's instance of the Services. Customer may publicly refer to itself as a customer of the CivicPlus Services, including on Customer's website and in sales presentations. Notwithstanding the foregoing, each Party hereby grants the other a limited, worldwide, license to use the other's logo in conformance with such Party's trademark usage guidelines and solely for the purposes of providing the Services. In no event will either Party issue a press release publicly announcing this relationship without the approval of the other Party, such approval not to be unreasonably withheld.

Limitation of Liability

32. CivicPlus' liability arising out of or related to this Agreement, or any associated SOW, will not exceed the amounts paid by Customer for the Annual Recurring Services in the year prior to such claim of liability.

33. In no event will CivicPlus be liable to Customer for any consequential, indirect, special, incidental, or punitive damages arising out of or related to this Agreement.

34. The liabilities limited by Section 32 and 33 apply: (a) to liability for negligence; (b) regardless of the form of action, whether in contract, tort, strict product liability, or otherwise; (c) even if Customer is advised in advance of the possibility of the damages in question and even if such damages were foreseeable; and (d) even if Customer's remedies fail of their essential purposes. If applicable law limits the application of the provisions of this Limitation of Liability section, CivicPlus' liability will be limited to the maximum extent permissible.

Warranties and Disclaimer

35. Each person signing the SOW, or otherwise agreeing to the terms of this Agreement, represents and warrants that he or she is duly authorized and has legal capacity to execute and bind the respective Party to the terms and conditions of the SOW and this Agreement. Each Party represents and warrants to the other that the execution and delivery of the SOW and the performance of such Party's obligations thereunder have been duly authorized and that this Agreement is a valid and legal agreement binding on such Party and enforceable in accordance with its terms. Customer represents and warrants that Customer has not provided any false information to gain access to the Service and that Customer's billing information provided on the Contact Sheet is correct; and it has all necessary rights in the Customer Content to permit Customer's use of the Service and to grant the licenses contained in this Agreement without infringing the intellectual property or other rights of any third parties, violating any applicable laws, or violating the terms of any license or agreement to which it is bound.

36. CivicPlus warrants that the Services will perform substantially in accordance with documentation and marketing proposals, and free of any material defect. CivicPlus warrants to the Customer that, upon notice given to CivicPlus of any defect in design or fault or improper workmanship, CivicPlus will remedy any such defect. CivicPlus makes no warranty regarding, and will have no responsibility for, any claim arising out of: (i) a modification of the Services made by anyone other than CivicPlus, even in a situation where CivicPlus approves of such modification in writing; or (ii) use of the Services in combination with a third-party service, web hosting service, or server not authorized by CivicPlus.

37. The Services may be temporarily unavailable for scheduled maintenance or for unscheduled emergency maintenance, either by CivicPlus or by third-party providers, or because of other causes beyond CivicPlus's reasonable control, but CivicPlus shall use reasonable efforts to provide advance notice in writing or by e-mail of any scheduled service disruption. HOWEVER, SERVICE PROVIDER DOES NOT WARRANT THAT THE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE; NOR DOES IT MAKE ANY WARRANTY AS TO THE RESULTS THAT MAY BE OBTAINED FROM USE OF THE SERVICES.EXCEPT FOR THE EXPRESS WARRANTIES IN THIS AGREEMENT, THE SERVICES ARE PROVIDED "AS IS AND CIVICPLUS HEREBY DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ARISING FROM A PRIOR COURSE OF DEALING.

38. EACH PROVISION OF THIS AGREEMENT THAT PROVIDES FOR A LIMITATION OF LIABILITY, DISCLAIMER OF WARRANTIES, OR EXCLUSION OF DAMAGES IS TO ALLOCATE THE RISKS OF THIS AGREEMENT BETWEEN THE PARTIES. THIS ALLOCATION IS REFLECTED IN THE PRICING OFFERED BY CIVICPLUS TO CUSTOMER AND IS AN ESSENTIAL ELEMENT OF THE BASIS OF THE BARGAIN BETWEEN

THE PARTIES. EACH OF THESE PROVISIONS IS SEVERABLE AND INDEPENDENT OF ALL OTHER PROVISIONS OF THIS AGREEMENT.

Force Majeure

39. No party shall have any liability to the other hereunder by reason of any delay or failure to perform any obligation or covenant if the delay or failure to perform is occasioned by force majeure, meaning any act of God, storm, pandemic, fire, casualty, unanticipated work stoppage, strike, lockout, labor dispute, civil disturbance, riot, war, national emergency, act of public enemy, internet service provider failure or delay, third party application failure, denial of service attack, or other cause of similar or dissimilar nature beyond its control.

Taxes

40. The amounts owed for the Services exclude, and Customer will be responsible for, all sales, use, excise, withholding and any other similar taxes, duties and charges of any kind imposed by any federal, state or local governmental entity in connection with the Services (excluding taxes based solely on CivicPlus's income). If the Customer is tax-exempt, the Customer must provide CivicPlus proof of their tax-exempt status, within fifteen (15) days of contract signing, and the fees owed by Customer under this Agreement will not be taxed. If such exemption certificate is challenged or held invalid by a taxing authority then Customer agrees to pay for all resulting fines, penalties and expenses.

Other Documents

41. This Agreement, including all exhibits, amendments, and addenda hereto and all SOWs, constitutes the entire agreement between the Parties and supersedes all prior and contemporaneous agreements, proposals or representations, written or oral, concerning its subject matter. No modification, amendment, or waiver of any provision of this Agreement or any SOW will be effective unless in writing and signed by each Party. However, to the extent of any conflict or inconsistency between the provision in the body of this Agreement and any exhibit, amendment, or addenda hereto or any SOW, the terms of such exhibit, amendment, addenda or SOW will prevail. Notwithstanding any language to the contrary therein, no terms or conditions stated in a Customer purchase order or other order documentation (excluding SOWs) will be incorporated into or form any part of this Agreement, all such terms or conditions will be null and void, unless such term is to refer and agree to this Agreement.

Interlocal Purchasing Consent/ Cooperative Purchasing

42. With the prior approval of CivicPlus, which may be withheld for any or no reason within CivicPlus's sole discretion, this Agreement and any SOW may be extended to any public entity in Customer's home-state to purchase at the SOW prices and specifications in accordance with the terms stated herein.

43. To the extent permitted by law, the terms of this Agreement and set forth in one or more SOW(s) may be extended for use by other local government entities upon execution of a separate agreement, SOW, or other duly signed writing by and between CivicPlus and such entity, setting forth all of the terms and conditions for such use, including applicable fees and billing terms.

Miscellaneous Provisions

44. The invalidity or unenforceability, in whole or in part, of any provision of this Agreement shall not void, affect the validity or enforceability of any other provision of this Agreement.

45. The Parties negotiated this Agreement with the opportunity to receive the aid of counsel and, accordingly, intend this Agreement to be construed fairly, according to its terms, in plain English, without constructive presumptions against the drafting Party. The headings of Sections of this Agreement are for convenience and are not to be used in interpreting this Agreement. As used in this Agreement, the word "including" means "including but not limited to."

46. The Parties will use reasonable, good faith efforts to resolve any dispute between them in good faith prior to initiating legal action.

47. This Agreement and any SOW, to the extent signed and delivered by means of a facsimile machine or electronic mail, shall be treated in all manner and respects as an original agreement or instrument and shall be considered to have the same binding legal effect as if it were the original signed version thereof delivered in person. The Parties agree that an electronic signature is the legal equivalent of its manual signature on this Agreement and any SOW. The Parties agree that no certification authority or other third party verification is necessary to validate its electronic signature and that the lack of such certification of third party verification will not in any way affect the enforceability of the Parties' electronic signature or any resulting agreement between CivicPlus and Customer.

48. Due to the rapidly changing nature of software as a service and digital communications, CivicPlus may unilaterally update this Agreement from time to time. In the event CivicPlus believes such change is a material alteration of the terms herein, CivicPlus will provide Customer with written notice describing such change via email or through its website. Customer's continued use of the Services following such updates constitutes Customer's acceptance of the same. In the event Customer rejects the update to the terms herein, Customer must notify CivicPlus of its objection within ten (10) days receipt of notice of such update.

EXHIBIT B

INSURANCE REQUIREMENTS

PROFESSIONAL SERVICE CONTRACTS:

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Offer Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than **$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than **$1,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation** insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **$1,000,000** per accident for bodily injury or disease.
   (not required if consultant provides written verification it has no employees)
4. **Cyber Liability** (Errors and Omissions) Insurance appropriates to the Consultant's profession, with limit no less than **$1,000,000** per occurrence or claim, $2,000,000 aggregate.

If the Consultant maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status
The City, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts or equipment furnished in connection with such work or operations. General liability coverage should be provided in the form of an endorsement to

the Consultant's insurance (at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 20 37 forms if later revisions used).

Primary Coverage
For any claims related to this contract, the **Consultant's insurance coverage shall be primary** insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

Notice of Cancellation
Each insurance policy required above shall state that **coverage shall not be canceled, except with notice to the City.**

Waiver of Subrogation
Consultant hereby grants to City a waiver of any right to subrogation which Consultant or any insurer of said Consultant may acquire against the City by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions
Any deductibles or self-insured retentions must be declared to the City. The City may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers
Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City.

Claims Made Policies
If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided ***for at least five (5) years after completion of the contract of work.***
3. If coverage is canceled or non-renewed, and not ***replaced with another claims-made policy form with a Retroactive Date*** prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of ***five (5)*** years after completion of contract work.

Verification of Coverage
Consultant shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's

obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors
Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that City is an additional insured on insurance required from subcontractors.

Special Risks or Circumstances
City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

EXHIBIT C

VERIFICATION OF REQUIRED INSURANCE

OAKLEY
CALIFORNIA

Approved and Forwarded to the City Council

DATE: July 9, 2024

TO: Joshua McMurray, City Manager

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

SUBJECT: Adopt a Resolution for the Award of a Construction Agreement with R&R Pacific Construction, Inc. for the construction of the Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project – Capital Improvement Project Number 280

Background and Analysis

The City's adopted Fiscal Year (FY) 2024/25 Capital Improvement Program Budget designates funding for various infrastructure repair and replacement projects. This is consistent with the City of Oakley's Strategic Plan to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

Capital Improvement Project (CIP) No. 280 will widen the south side of Laurel Road from Cloverbrook Avenue to O'Hara Avenue. Also included with this project is the widening of the east side of O'Hara Avenue approximately 750 feet south of the Laurel Road and O'Hara Avenue intersection. The new roadway will have curb, gutter, sidewalks, median modifications, a storm drain system, bicycle lanes, streetlights, and landscaping. A key feature of this project is the construction of a new traffic signal east of the intersection of Laurel Road and O'Hara Avenue that will serve the new Safeway Shopping Center.

On June 27, 2024, nine (9) total bids were received for this project. Staff reviewed the bids and determined that R&R Pacific Construction, Inc. was the lowest responsible bidder for the project at a cost of $6,326,175.00

The construction of this project is anticipated to start in August 2024 and will be completed by summer 2025. This project will require close coordination with the construction of the Safeway Shopping Center and an assortment of utility relocations near the intersection of Laurel Road and O'Hara Avenue.

This project involves close coordination by staff with the area merchants and property owners to ensure minimal inconveniences to the community during the construction of the project.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community Health and Safety goals.

Fiscal Impact

The FY 2024/25 CIP budget has allocated funding from the Traffic Impact Fee Fund, Street Maintenance & Rehabilitation Fund, 2012 Bond Benefit, and the 2014 Bond for this project, which will fully fund the project construction.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving a construction agreement with R&R Pacific Construction, Inc. for an amount not to exceed $6,326,175, and to authorize the City Manager to execute the agreement.

Additionally, due to variables associated with construction projects, and to address unforeseen circumstances during construction; staff further recommends that the City Council authorize staff to execute future change orders to the construction contract as necessary in an amount not to exceed $600,000 for work beyond what is defined in the base project bid.

Attachments

Attachment 1 - Resolution

Attachment 2 – Bid Summary

RESOLUTION NO. __-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AGREEMENT WITH R&R PACIFIC CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE LAUREL ROAD WIDENING (CLOVERBROOK AVENUE TO O'HARA AVENUE) PROJECT – CAPITAL IMPROVEMENT PROJECT NUMBER 280

WHEREAS, City Staff prepared the plans, specifications, and estimates for the construction of Capital Improvement Project (CIP) No. 280 - Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project; and

WHEREAS, the plans, specifications and special provisions were publicly advertised for bidding, with the bid period closing at 2:00 P.M. on Thursday, June 27, 2024; and

WHEREAS, nine (9) bids were received prior to the close of the bidding process; and

WHEREAS, R&R Pacific Construction, Inc. submitted the lowest responsible bid for a total cost of $6,326,175 for the work; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley that the Agreement with R&R Pacific Construction, Inc. for the construction of the Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project - CIP 280, for an amount not to exceed $6,326,175 is approved, and the City Manager is hereby authorized to execute this Agreement and as well as any additional change orders in an amount not to exceed $600,000 as necessary. The bid results are attached hereto as **Exhibit A**.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 27th of June 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Anissa Williams, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

City of Oakley Public Works Department
Laurel Road Widening Project (Cloverbrook Ave to O'Hara Ave) - CIP No. 280
Certified Bid Tabulation Bid opening: June 27, 2024 at 2:00 P.M. at City Hall

				Engineers Estimate		R&R Pacific Construction, Inc. 619 1/2 Main Street Woodland, CA 95695		O.C. Jones & Sons, Inc. 1520 Fourth Street Berkeley, CA 94710		Redgwick Construction Co. 21 Hegenberger Court Oakland, CA 94621		Goodfellow Bros. 50 Contractors Street Livermore, CA 94551		Ghilotti Bros., Inc. 525 Jacoby Street San Rafael, CA 94901		DeSilva Gates Construction 11555 Dublin Boulevard Dublin, CA 94568		Mountain Cascade Inc. P.O. Box 5050 Livermore, CA 94551		McGuire and Hester 9009 Railroad Avenue Oakland, CA 94603		S&H Construction, Inc. 5560 Boscell Common Fremont, CA 94538	
Item No.	*Description*	*Quantity*	*Unit*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*
1	Mobilization	1	LS	$900,000	$900,000.00	$245,000.00	$245,000.00	650,000.00	$650,000.00	627,500.00	627,500.00	385,000.00	385,000.00	680,000.00	680,000.00	700,000.00	700,000.00	614,289.30	614,289.30	600,000.00	600,000.00	800,000.00	800,000.00
2	Traffic Control System & Construction Area Signs	1	LS	$225,000	$225,000.00	$195,000.00	$195,000.00	424,000.00	$424,000.00	567,677.00	567,677.00	449,100.00	449,100.00	462,000.00	462,000.00	619,653.00	619,653.00	164,830.00	164,830.00	799,460.00	799,460.00	200,000.00	200,000.00
3	Storm Water Pollution Prevention Plan (SWPPP)	1	LS	$9,000	$9,000.00	$6,500.00	$6,500.00	30,000.00	$30,000.00	5,000.00	5,000.00	4,200.00	4,200.00	2,500.00	2,500.00	5,000.00	5,000.00	5,800.00	5,800.00	18,000.00	18,000.00	5,000.00	5,000.00
4	Storm Water Pollution Control Implementation	1	LS	$90,000	$90,000.00	$42,500.00	$42,500.00	85,000.00	$85,000.00	65,000.00	65,000.00	101,600.00	101,600.00	50,000.00	50,000.00	50,000.00	50,000.00	105,000.00	105,000.00	30,000.00	30,000.00	20,000.00	20,000.00
5	Remove Tree	10	EA	$1,500	$15,000.00	$1,200.00	$12,000.00	1,000.00	$10,000.00	1,000.00	10,000.00	870.00	8,700.00	1,500.00	15,000.00	750.00	7,500.00	1,078.32	10,783.20	700.00	7,000.00	1,500.00	15,000.00
6	Remove Concrete Pavement & Base Material	3,340	SF	$28	$93,520.00	$9.00	$30,060.00	2.25	$7,515.00	3.50	11,690.00	3.20	10,688.00	4.00	13,360.00	5.00	16,700.00	6.25	20,875.00	4.00	13,360.00	40.00	133,600.00
7	Remove Curb	580	LF	$30	$17,400.00	$15.00	$8,700.00	11.00	$6,380.00	20.00	11,600.00	2.40	1,392.00	8.00	4,640.00	14.00	8,120.00	10.00	5,800.00	6.00	3,480.00	50.00	29,000.00
8	Remove Curb and Gutter	510	LF	$35	$17,850.00	$15.00	$7,650.00	18.00	$9,180.00	22.00	11,220.00	12.50	6,375.00	8.00	4,080.00	25.00	12,750.00	21.00	10,710.00	11.00	5,610.00	100.00	51,000.00
9	Remove AC Dike	1,530	LF	$20	$30,600.00	$12.50	$19,125.00	3.00	$4,590.00	1.00	1,530.00	1.80	2,754.00	7.00	10,710.00	0.50	765.00	3.25	4,972.50	2.50	3,825.00	40.00	61,200.00
10	Remove Wood Retaining Wall	20	LF	$100	$2,000.00	$35.00	$700.00	50.00	$1,000.00	100.00	2,000.00	102.00	2,040.00	75.00	1,500.00	95.00	1,900.00	275.00	5,500.00	97.00	1,940.00	100.00	2,000.00
11	Remove Concrete Block Retaining Wall	530	LF	$225	$119,250.00	$75.00	$39,750.00	22.00	$11,660.00	14.00	7,420.00	33.20	17,596.00	30.00	15,900.00	25.00	13,250.00	21.00	11,130.00	32.00	16,960.00	100.00	53,000.00
12	Remove Guard Rail	80	LF	$30	$2,400.00	$35.00	$2,800.00	30.00	$2,400.00	40.00	3,200.00	105.00	8,400.00	75.00	6,000.00	55.00	4,400.00	68.00	5,440.00	23.00	1,840.00	100.00	8,000.00
13	Remove Concrete Barrier	80	LF	$180	$14,400.00	$55.00	$4,400.00	30.00	$2,400.00	10.00	800.00	51.30	4,104.00	60.00	4,800.00	50.00	4,000.00	23.00	1,840.00	62.00	4,960.00	100.00	8,000.00
14	Roadway Excavation	3,300	CY	$170	$561,000.00	$125.00	$412,500.00	71.00	$234,300.00	70.00	231,000.00	137.00	452,100.00	65.00	214,500.00	100.00	330,000.00	75.00	247,500.00	80.00	264,000.00	200.00	660,000.00
15	Common Excavation	5,100	CY	$130	$663,000.00	$65.00	$331,500.00	71.00	$362,100.00	70.00	357,000.00	52.10	265,710.00	55.00	280,500.00	100.00	510,000.00	65.00	331,500.00	70.00	357,000.00	40.00	204,000.00
16	Clearing & Grubbing	1	LS	$200,000	$200,000.00	$35,000.00	$35,000.00	30,000.00	$30,000.00	158,850.00	158,850.00	98,900.00	98,900.00	60,000.00	60,000.00	100,000.00	100,000.00	84,000.00	84,000.00	67,000.00	67,000.00	50,000.00	50,000.00
17	2" AC Grind	7,700	SY	$40	$308,000.00	$9.50	$73,150.00	5.20	$40,040.00	7.50	57,750.00	6.30	48,510.00	3.35	25,795.00	6.00	46,200.00	4.15	31,955.00	6.45	49,665.00	50.00	385,000.00
18	Confirm Grind	150	LF	$20	$3,000.00	$45.00	$6,750.00	17.00	$2,550.00	12.00	1,800.00	15.80	2,370.00	22.00	3,300.00	5.00	750.00	22.00	3,300.00	27.80	4,170.00	100.00	15,000.00
19	HMA (Type A)	2,800	TON	$220	$616,000.00	$142.00	$397,600.00	190.00	$532,000.00	198.00	554,400.00	285.00	798,000.00	195.00	546,000.00	175.00	490,000.00	150.00	420,000.00	220.00	616,000.00	400.00	1,120,000.00
20	RHMA-G	2,000	TON	$290	$580,000.00	$194.00	$388,000.00	223.00	$446,000.00	202.00	404,000.00	247.00	494,000.00	205.00	410,000.00	200.00	400,000.00	180.00	360,000.00	188.00	376,000.00	350.00	700,000.00
21	Aggregate Base CL-2	3,500	CY	$200	$700,000.00	$65.00	$227,500.00	75.00	$262,500.00	60.00	210,000.00	123.00	430,500.00	100.00	350,000.00	85.00	297,500.00	83.50	292,250.00	80.00	280,000.00	60.00	210,000.00
22	Rubberized Chip Seal	5,800	SY	$13	$75,400.00	$21.00	$121,800.00	12.00	$69,600.00	10.00	58,000.00	8.35	48,430.00	8.70	50,460.00	9.00	52,200.00	19.75	114,550.00	22.00	127,600.00	30.00	174,000.00
23	Slurry Seal	5,800	SY	$10	$58,000.00	$12.50	$72,500.00	5.00	$29,000.00	5.50	31,900.00	8.60	49,880.00	8.60	49,880.00	8.00	46,400.00	8.50	49,300.00	7.50	43,500.00	20.00	116,000.00
24	City Standard Sidewalk	13,500	SF	$25	$337,500.00	$14.00	$189,000.00	19.00	$256,500.00	18.00	243,000.00	11.40	153,900.00	28.00	378,000.00	16.00	216,000.00	24.75	334,125.00	19.00	256,500.00	40.00	540,000.00
25	City Standard Driveway	3,060	SF	$35	$107,100.00	$16.50	$50,490.00	21.00	$64,260.00	20.00	61,200.00	15.60	47,736.00	29.00	88,740.00	20.00	61,200.00	34.75	106,335.00	24.00	73,440.00	100.00	306,000.00
26	City Standard Curb and Gutter	2,050	LF	$75	$153,750.00	$38.00	$77,900.00	45.00	$92,250.00	60.00	123,000.00	43.50	89,175.00	70.00	143,500.00	55.00	112,750.00	57.15	117,157.50	80.00	164,000.00	100.00	205,000.00
27	City Standard 8" Vertical Curb	2,800	LF	$70	$196,000.00	$32.00	$89,600.00	41.00	$114,800.00	55.00	154,000.00	36.00	100,800.00	36.00	100,800.00	30.00	84,000.00	37.15	104,020.00	37.00	103,600.00	50.00	140,000.00
28	Deepened Curb	320	LF	$160	$51,200.00	$102.00	$32,640.00	240.00	$76,800.00	310.00	99,200.00	220.00	70,400.00	210.00	67,200.00	220.00	70,400.00	272.50	87,200.00	263.00	84,160.00	50.00	16,000.00
29	Deepened Curb and Gutter	270	LF	$90	$24,300.00	$115.00	$31,050.00	240.00	$64,800.00	340.00	91,800.00	241.00	65,070.00	225.00	60,750.00	225.00	60,750.00	278.50	75,195.00	274.00	73,980.00	100.00	27,000.00
30	Concrete Lateral Brace	90	LF	$90	$8,100.00	$90.00	$8,100.00	85.00	$7,650.00	70.00	6,300.00	85.00	7,650.00	160.00	14,400.00	85.00	7,650.00	105.25	9,472.50	90.00	8,100.00	200.00	18,000.00
31	Concrete Median and Maintenance Band	3,060	SF	$20	$61,200.00	$24.00	$73,440.00	25.00	$76,500.00	30.00	91,800.00	22.20	67,932.00	27.00	82,620.00	50.00	153,000.00	25.00	76,500.00	37.00	113,220.00	80.00	244,800.00
32	Curb Ramp (Caltrans Case A)	3	EA	$6,000	$18,000.00	$4,500.00	$13,500.00	3,000.00	$9,000.00	4,200.00	12,600.00	2,200.00	6,600.00	5,500.00	16,500.00	2,200.00	6,600.00	5,400.00	16,200.00	5,500.00	16,500.00	7,500.00	22,500.00
33	Pedestrian Barricade	1	EA	$1,500	$1,500.00	$1,200.00	$1,200.00	1,000.00	$1,000.00	1,300.00	1,300.00	2,000.00	2,000.00	5,000.00	5,000.00	1,200.00	1,200.00	1,450.00	1,450.00	3,400.00	3,400.00	25,000.00	25,000.00
34	Grouted Cobble	5,210	SF	$28	$145,880.00	$28.00	$145,880.00	40.00	$208,400.00	38.00	197,980.00	35.10	182,871.00	50.00	260,500.00	38.00	197,980.00	35.00	182,350.00	60.00	312,600.00	30.00	156,300.00
35	Remove Inlet	1	EA	$2,500	$2,500.00	$1,800.00	$1,800.00	4,000.00	$4,000.00	4,000.00	4,000.00	2,600.00	2,600.00	1,800.00	1,800.00	4,000.00	4,000.00	8,000.00	8,000.00	4,200.00	4,200.00	3,500.00	3,500.00
36	City Standard Type I Inlet	7	EA	$10,000	$70,000.00	$7,500.00	$52,500.00	7,000.00	$49,000.00	9,000.00	63,000.00	8,600.00	60,200.00	6,500.00	45,500.00	9,200.00	64,400.00	13,500.00	94,500.00	7,200.00	50,400.00	8,000.00	56,000.00
37	City Standard Type I Manhole	1	EA	$12,000	$12,000.00	$8,500.00	$8,500.00	15,000.00	$15,000.00	13,650.00	13,650.00	9,000.00	9,000.00	30,000.00	30,000.00	14,000.00	14,000.00	28,000.00	28,000.00	15,900.00	15,900.00	17,500.00	17,500.00
38	County Standard Type III Manhole	4	EA	$15,000	$60,000.00	$32,500.00	$130,000.00	20,000.00	$80,000.00	18,000.00	72,000.00	25,900.00	103,600.00	45,000.00	180,000.00	18,000.00	72,000.00	18,500.00	74,000.00	20,800.00	83,200.00	15,000.00	60,000.00
39	18" HDPE SD Pipe	700	LF	$325	$227,500.00	$325.00	$227,500.00	245.00	$171,500.00	280.00	196,000.00	215.00	150,500.00	230.00	161,000.00	230.00	161,000.00	242.50	169,750.00	370.00	259,000.00	400.00	280,000.00
40	Adjust Inlet to Grade	1	EA	$3,000	$3,000.00	$1,200.00	$1,200.00	2,250.00	$2,250.00	6,200.00	6,200.00	2,000.00	2,000.00	2,600.00	2,600.00	3,000.00	3,000.00	1,340.00	1,340.00	2,500.00	2,500.00	2,000.00	2,000.00
41	Adjust Storm Drain Manhole to Grade	3	EA	$3,000	$9,000.00	$1,800.00	$5,400.00	1,100.00	$3,300.00	1,500.00	4,500.00	3,700.00	11,100.00	1,500.00	4,500.00	2,000.00	6,000.00	1,500.00	4,500.00	2,000.00	6,000.00	3,000.00	9,000.00
42	Adjust Utility Box to Grade	1	EA	$2,000	$2,000.00	$1,200.00	$1,200.00	1,100.00	$1,100.00	1,500.00	1,500.00	4,000.00	4,000.00	550.00	550.00	4,000.00	4,000.00	1,500.00	1,500.00	4,250.00	4,250.00	2,000.00	2,000.00
43	Adjust Manhole to Grade	4	EA	$3,000	$12,000.00	$1,200.00	$4,800.00	1,100.00	$4,400.00	1,500.00	6,000.00	3,700.00	14,800.00	1,500.00	6,000.00	2,000.00	8,000.00	1,500.00	6,000.00	2,125.00	8,500.00	3,500.00	14,000.00
44	2" Water Service (DWD Revocable)	1	EA	$25,000	$25,000.00	$24,500.00	$24,500.00	14,000.00	$14,000.00	15,500.00	15,500.00	39,300.00	39,300.00	15,000.00	15,000.00	13,000.00	13,000.00	36,200.00	36,200.00	19,000.00	19,000.00	30,000.00	30,000.00
45	Landscape Planting	1	LS	$400,000	$400,000.00	$378,692.00	$378,692.00	335,000.00	$335,000.00	246,500.00	246,500.00	327,800.00	327,800.00	262,000.00	262,000.00	290,000.00	290,000.00	383,000.00	383,000.00	350,000.00	350,000.00	450,000.00	450,000.00
46	Landscape Irrigation	1	LS	$400,000	$400,000.00	$337,700.00	$337,700.00	240,000.00	$240,000.00	342,500.00	342,500.00	332,500.00	332,500.00	330,000.00	330,000.00	300,000.00	300,000.00	403,000.00	403,000.00	310,000.00	310,000.00	250,000.00	250,000.00
47	Signing and Striping	1	LS	$200,000	$200,000.00	$603,960.00	$603,960.00	360,000.00	$360,000.00	356,500.00	356,500.00	334,800.00	334,800.00	355,000.00	355,000.00	355,000.00	355,000.00	425,000.00	425,000.00	360,000.00	360,000.00	50,000.00	50,000.00
48	Lighting and Electrical Work	1	LS	$300,000	$300,000.00	$337,843.00	$337,843.00	310,000.00	$310,000.00	311,500.00	311,500.00	320,000.00	320,000.00	296,000.00	296,000.00	340,000.00	340,000.00	400,000.00	400,000.00	300,000.00	300,000.00	600,000.00	600,000.00
49	Traffic Signal Modification	1	LS	$300,000	$300,000.00	$170,621.00	$170,621.00	160,000.00	$160,000.00	161,500.00	161,500.00	141,000.00	141,000.00	154,000.00	154,000.00	140,000.00	140,000.00	165,000.00	165,000.00	156,000.00	156,000.00	200,000.00	200,000.00
50	New Traffic Signal	1	LS	$800,000	$800,000.00	$486,174.00	$486,174.00	470,000.00	$470,000.00	469,500.00	469,500.00	450,000.00	450,000.00	462,000.00	462,000.00	465,000.00	465,000.00	550,000.00	550,000.00	470,000.00	470,000.00	324,000.00	324,000.00
51	Bioretention Areas	1	LS	$220,000	$220,000.00	$160,500.00	$160,500.00	90,000.00	$90,000.00	115,000.00	115,000.00	102,500.00	102,500.00	132,000.00	132,000.00	90,000.00	90,000.00	273,000.00	273,000.00	128,000.00	128,000.00	200,000.00	200,000.00
					$9,448,350.00		$6,326,175.00		$6,533,725.00		6,856,867.00		6,890,183.00		6,916,885.00		7,018,018.00		7,034,120.00		7,427,820.00		9,268,400.00

This certifies that all bids were received and opened on June 27, 2024, and that this is a copy of the bid tabulation with bids corrected for errors in addition and multiplication. By:

REGISTERED PROFESSIONAL ENGINEER
EXPIRES 9-25
CIVIL
STATE OF CALIFORNIA

DATE: July 9, 2024

Approved and Forwarded to the City Council

TO: Joshua McMurray, City Manager

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

SUBJECT: Adopt a Resolution Authorizing the City Manager to execute an amendment to the Consulting Services Agreement with BKF Engineers, Inc. to provide Additional Design and Construction Support Services for the Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project – Capital Improvement Project Number 280

Background and Analysis

The City's adopted Fiscal Year (FY) 2024/25 Capital Improvement Program (CIP) Budget designates funding for various infrastructure improvement projects. This is consistent with the City's Strategic Goals to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

Laurel Road is a major arterial street in Oakley and a key component of the City's transportation network, in addition to being the only direct connection to Highway 4. The improvements and widening of Laurel Road are a top priority for the City of Oakley.

The City's Capital Improvement Program, CIP 280 includes this project to widen the south side of Laurel Road from Cloverbrook Avenue to O'Hara Avenue. This is the last segment of Laurel Road to be widened between Highway 4 and Main Street. This section of Laurel Road becomes congested and creates a major bottleneck during peak traffic hours. The construction of this project will help to improve the congestion and alleviate back-up on this major arterial roadway in Oakley. Also included with this project is the widening of the east side of O'Hara Avenue approximately 750 feet south of the Laurel Road and O'Hara Avenue intersection.

The widening of Laurel Road in the section from Cloverbrook Avenue to O'Hara Avenue will require the relocation of Western Area Power Administration (WAPA) electric transmission poles along the south side of Laurel Road which is being performed by WAPA.

On October 25, 2022, the City Council awarded a design contract to BKF Engineers, Inc. for performing the design and the preparation of construction documents for the Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project in the amount of $424,318.

The design of the project has been proceeding on schedule when the City was informed last year about the development of the property located at the northeast corner of Laurel Road/O'Hara Avenue intersection for a new Safeway Shopping Center. This necessitated

the City's project to be redesigned to accommodate the new shopping center, including the addition of a new traffic signal on Laurel Road, modifications to the existing traffic signal at Laurel Road/O'Hara Avenue intersection, reconstruction of medians on Laurel Road, and the resurfacing of the north side of Laurel Road, which was not in the original project scope of work. To keep both the CIP 280 design on schedule, as well as to accommodate the schedule for the development of the Safeway Shopping Center, staff directed BKF Engineers, Inc. to proceed with make and to complete the design changes expeditiously. In addition to the design of the project, BKF Engineers, Inc. performed survey staking on multiple rounds for the new Right of Way acquisition process and also staking utility lines for WAPA, PG&E and AT&T which was not in the original project scope of work. After the completion of the design, the project went through a formal bidding process resulting in the successful selection of a construction contractor at a very competitive price.

In order to ensure consistency and quality control as the project moves forward into the construction phase, staff now proposes to amend the BKF Engineers, Inc. contract to include support for the construction phase of the project and additional design services that have been performed.

Construction Support Services are an important element in this large scale and high-profile project because of the complexity of the design and coordination work involved. The following summary has been prepared to better understand the distribution of the work efforts for the construction of this project.

The key components of the construction for this project are:

- Day-to-day construction inspections: The Public Works Inspector will monitor and inspect the contractor's daily work; measure and document quantities of material used on the project and ensure compliance with the plans and specifications.

- Coordination with the design team during construction: Public Works staff will work closely with the contractor, the developer of the Safeway Shopping Center, and the design team to provide responses to inquiries and questions that may arise during the project's construction. This is an important role, especially for this project with many detailed design elements.

- Construction Support Services: This work requires the project consultant to provide field survey staking, review of all shop drawings and various product submittals for the construction, provide design clarifications and information, and attend various meetings. At the conclusion of the construction work, an as-built document for the project will also be prepared for the City by the design team.

BKF Engineers, Inc. will be assigned the task of providing Construction Support Services and additional design services for this project along with their sub-consultants, as outlined in the attached proposal and scope of work. Staff recommends approval of the amendment to the BKF Engineers, Inc. contract to provide Additional Design and Construction Support Services in an amount not to exceed $327,690.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community Health and Safety goals.

Fiscal Impact

Approval of this resolution will accept the proposal and authorize the City Manager to execute an Amendment to the agreement with BKF Engineers, Inc. contract for a total cost not to exceed $752,008. The funding for this contract amendment will be from the Traffic Impact Fee fund (TIF) and is already included in the approved FY 2024/25 Budget.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving the proposal with BKF Engineers, Inc. and amend the agreement to provide Additional Design and Construction Support Services associated with the Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project – CIP 280 and authorize the City Manager to amend the consulting agreement.

Attachments

1) BKF Engineers, Inc. Additional Design and Construction Support Services Proposal

2) Resolution

June 27, 2024
BKF No. C20220520

Kevin Rohani, PE
Public Works Director/City Engineer
City of Oakley
3231 Main Street
Oakley, CA 94561
Transmitted Via Email to Rohani@ci.oakley.ca.us

Subject: CIP 280 – Laurel Road Improvements Project
Additional Service Request (ASR) for Design and Construction Support Services

Dear Mr. Rohani:

BKF Engineers welcomes the opportunity to submit this proposal and letter for design and construction support services for CIP 280 – Laurel Road Improvements Project. From our coordination with City staff, we understand that BKF's scope of work will include the following:

Additional Design Services:
Per the City's request, the BKF team, including subconsultants Gates & Associates and AEC, provided the following additional design services for this project:

1. Prepared PS&E documents for traffic signal modification for south east corner at intersection of Laurel Road and O'hara Avenue
2. Prepared PS&E documents for extended landscaping improvements near Cloverbrook Avenue, including reconstruction of meandering sidewalk and removal of retaining wall
3. Performed ROW staking for vine counting
4. Coordinated with Safeway developer and prepared PS&E documents for Safeway intersection improvements, including revised turn pocket, striping, landscape, stormwater treatment and lighting design
5. Prepared PS&E documents for Safeway intersection new traffic signal
6. Revised irrigation design for Addendum 1 to separate public and future private services, and prepared maintenance exhibit identifying quantities and responsibilities of landscape and hardscape items
7. Performed construction staking of proposed improvements for WAPA, AT&T and PG&E utility relocations

Construction Support Services:
The BKF team, including subconsultants Gates & Associates and AEC, will provide construction support services to the City. These services will include:

1. Project management
2. Respond to contractor submittals
3. Respond to Request for Information (RFIs)
4. Coordination with Safeway Developer for design changes due to the development at the Northeast corner of Laurel Road and O'hara Avenue
5. Prepare change orders (up to 4 changes orders) for changes to the design
6. Attend up to 4 construction field meetings, including punch list meeting
7. Preparation of As-built drawings based on Contractor redlines

BKF's fee for these services is as follows:

ITEM	DESCRIPTION	FEE
5	**ADDITIONAL DESIGN SERVICES**	
	Additional Design Services	$173,960
6	**CONSTRUCTION SUPPORT SERVICES**	
	Construction Support Services	$56,292
SUB	**SUBCONSULTANTS**	
	Gates and Associates	$54,170
	AEC Engineers	$41,768
RE	**REIMBURSABLES**	
	Reimbursables	$1,500
	TOTAL FEE FOR ASR	**$327,690**

These services will be invoiced monthly on a time-and-expense basis per the 2024 BKF Engineers Professional Services Rate Schedule. Payment is due within 14 days of receipt of invoice by client. Work will be performed in accordance with the California Water Service Company Terms and Conditions.

BKF Engineers' services are limited to those expressly set forth in this letter. It is understood that BKF will have no other obligations or responsibilities for the subject project except as provided herein or as otherwise agreed to in writing. For any additional services requested, we will prepare and submit a separate scope and fee prior to performing the work. Additional services will not be performed until formally authorized in writing (e.g. signed amendment, e-mail recognition) by client.

In providing services under this agreement, BKF shall perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances at the same time and in the same or similar locality.

This agreement may be terminated by either party at any time for any reason with 7 days written notice. If client elects to terminate this agreement before our services are complete, BKF will issue a final invoice proportional to the services which were provided up to the date which services were terminated and client agrees to pay said invoice within 14 days of receipt.

Thank you for the opportunity to present this proposal and letter agreement. We look forward to assisting in the construction of this project. Please contact the undersigned at 408.706.4036 or mcosentino@bkf.com if you have any questions. Otherwise, please sign below to authorize us to proceed.

Respectfully,
BKF Engineers, a California corporation

Marcelo Cosentino, PE, MBA
Associate
License No. C69063

Attachments:
1. BKF 2024 Rate Sheet
2. Fee Schedule

BKF ENGINEERS PROFESSIONAL SERVICES RATE SCHEDULE

EFFECTIVE JANUARY 1, 2024

CLASSIFICATION	HOURLY RATE
PROJECT MANAGEMENT	
Principal	$302.00
Senior Associate Principal	$280.00
Associate Principal	$273.00
Senior Project Manager | Senior Technical Manager	$265.00
Project Manager | Technical Manager	$260.00
Engineering Manager | Surveying Manager | Planning Manager	$239.00
TECHNICAL STAFF	
Senior Project Engineer | Senior Project Surveyor | Senior Project Planner	$222.00
Project Engineer | Project Surveyor | Project Planner	$195.00
Design Engineer | Staff Surveyor | Staff Planner	$170.00
BIM Specialist I, II, III	$170.00 - $195.00 - $222.00
Technician I, II, III, IV	$162.00 - $172.00 - $189.00 - $203.00
Drafter I, II, III, IV	$127.00 - $139.00 - $150.00 - $167.00
Engineering Assistant | Surveying Assistant | Planning Assistant	$106.00
FIELD SURVEYING	
Survey Party Chief	$222.00
Instrument Person	$190.00
Survey Chainperson	$143.00
Utility Locator I, II, III, IV	$116.00 - $164.00 - $197.00 - $224.00
Apprentice I, II, III, IV	$88.00 - $118.00 - $130.00 - $138.00
CONSTRUCTION ADMINISTRATION	
Senior Consultant	$290.00
Senior Construction Administrator	$253.00
Resident Engineer	$188.00
Field Engineer I, II, III	$170.00 - $195.00 - $222.00
FUNDING & GRANT MANAGEMENT	
Director of Funding Strategies	$208.00
Funding Strategies Manager	$190.00
Funding/Research Analyst I, II, III, IV	$130.00 - $150.00 - $160.00 - $176.00
PROJECT ADMINISTRATION	
Project Coordinator	$142.00
Senior Project Assistant	$122.00
Project Assistant	$108.00
Clerical | Administrative Assistant	$90.00

Expert witness rates are available upon request.

Subject to the terms of a services agreement:

- Charges for outside services, equipment, materials, and facilities not furnished directly by BKF Engineers will be billed as reimbursable expenses at cost plus 10%. Such charges may include, but shall not be limited to: printing and reproduction services; shipping, delivery, and courier charges; subconsultant fees and expenses; agency fees; insurance; transportation on public carriers; meals and lodging; and consumable materials.
- Allowable mileage will be charged at the prevailing IRS rate per mile.
- Monthly invoices are due within 30 days from invoice date. Interest will be charged at 1.5% per month on past due accounts.
- The rates shown are subject to periodic increases, including January 1st of each year.

BKF ENGINEERS

City of Oakley
CIP 280
Laurel Road Improvements Project

6/27/2024

TASK	SCOPE DESCRIPTION	STAFF CATEGORY												Total Hrs	EST FEE
		PIC (Gordon Sweet)	PM (Marcelo Cosentino	Principal (Davis Thresh)	QA/QC (Carmelo Cecilio)	Project Manager/ Technical Manager	Engineering Manager	Sr Project Eng/Sur	Project Eng/Sur	Design Eng/Sur	Tech IV	2-Man Survey	Administrative Assistant		
		$302.00	$273.00	$302.00	$265.00	$260.00	$239.00	$222.00	$195.00	$170.00	$203.00	$365.00	$90.00		
Task 5	ADDITIONAL DESIGN SERVICES														
	Additional Design Services	8	40	8	8	96	72	108	212	84	108	32	8	784	$ 173,960.00
	Subtotals	**8**	**40**	**8**	**8**	**96**	**72**	**108**	**212**	**84**	**108**	**32**	**8**	**784**	**$ 173,960.00**
Task 6	CONSTRUCTION SUPPORT SERVICES														
	Construction Support Services	4	24			40	28	36	80		36		6	254	$ 56,292.00
	Subtotals	**4**	**24**	**-**	**-**	**40**	**28**	**36**	**80**	**-**	**36**	**-**	**6**	**254**	**$ 56,292.00**

	PIC (Gordon Sweet)	PM (Marcelo Cosentino	Principal (Davis Thresh)	QA/QC (Carmelo Cecilio)	Project Manager/ Technical Manager	Engineering Manager	Sr Project Eng/Sur	Project Eng/Sur	Design Eng/Sur	Tech IV	2-Man Survey	Administrative Assistant	Total	Total Labor
Totals By Classifications	4	24	-	-	40	28	36	80	-	36	-	6	254	
Total Direct Labor	$ 1,208.00	$ 6,552.00	$ -	$ -	$ 10,400.00	$ 6,692.00	$ 7,992.00	$ 15,600.00	$ -	$ 7,308.00	$ -	$ 540.00	$ 56,292.00	**$ 230,252.00**

Subconsultant			
	Task 5	Task 6	
Gates + Associates (Landscaping)	$ 49,030.00	$5,140.00	$54,170.00
AEC Engineers (Lighting/Electrical)	$ 37,268.00	$4,500.00	$41,768.00
Subconsultant Costs			**$ 95,938.00**

Reimbursable	
Printing, Deliver, Mileage, Postage, Parking	$ 1,500.00
Reimbursable	**$ 1,500.00**

ASR TOTAL	**$ 327,690.00**

RESOLUTION NO.___-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH BKF ENGINEERS INC. FOR ADDITIONAL DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR LAUREL ROAD WIDENING (CLOVERBROOK AVENUE TO O'HARA AVENUE) PROJECT – CAPITAL IMPROVEMENT PROJECT NUMBER 280

WHEREAS, as part of the Fiscal Year 2024/25 Budget, the City of Oakley approved a 5-Year Capital improvement Program (CIP); and

WHEREAS, BKF Engineers Inc., was awarded the design contract by City Council on October 25, 2022 in the amount of $424,318; and

WHEREAS, the construction of CIP 280 is a multifaceted project, and in order to ensure consistency and quality control as the project moves forward into the construction phase with its many components, Construction Support Services are needed from BKF Engineers, Inc. as well; and

WHEREAS, as requested by the City, BKF Engineers, Inc. has submitted a proposal to provide Additional Design and Construction Support Services for Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project - CIP 280 for an amount not to exceed $327,690 from the approved FY 2024/25 Budget; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the City Council of the City of Oakley hereby approves the proposal from BKF Engineers, Inc. for providing Additional Design and Construction Support Services for Laurel Road Widening (Cloverbrook Avenue to O'Hara Avenue) Project - CIP 280, for a total not to exceed contract amount of $752,008, in the form attached hereto as **Exhibit A**, and authorizing the City Manager to execute an Amendment to the original design agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 9th of July 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Anissa Williams, Mayor

ATTEST:

_____ _____

Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

DATE: July 9, 2024

Approved and Forwarded to the City Council

TO: Joshua McMurray, City Manager

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

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute a Consulting Services Agreement with BSK Associates to Provide Material Testing and Special Inspections for the East Cypress Road Widening (Knightsen Avenue to Jersey Island Road) Project – Capital Improvement Project Number 247

Background and Analysis

The City's adopted Fiscal Year (FY) 2024/25 Capital Improvement Program Budget designates funding for various infrastructure repair and replacement projects. This is consistent with the City of Oakley's Strategic Plan to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

The Capital Improvement Project (CIP) No. 247 project will construct a new 6-lane roadway on East Cypress Road from Knightsen Avenue to west of Jersey Island Road. The improvements will include a median island, buffered bike lanes, sidewalk, traffic signal, streetlights, underground utility (storm, sewer, water, gas), landscaping and irrigation. This project will help alleviate the congestion and provide a higher capacity roadway to handle the demand from the residential developments along the East Cypress Corridor.

On October 25, 2022, the City Council awarded the construction contract for this project and the actual construction has been delayed due to environmental permitting which has now been secured and construction is anticipated to start in July and completed in summer 2025.

During the construction of this project one of the key elements to ensure the successful execution of the project is the materials testing and special inspections. This task is to test the construction materials, such as asphalt, aggregate base, and concrete at both the production plant and at the job site. This is to ensure the materials that are brought to the project site and used are in accordance with the project specifications and required certifications.

Staff has solicited a proposal from BSK Associates who are specialty consultants providing materials testing and special inspection services to municipalities in the Bay Area, including the City of Oakley. This firm has worked on previous Oakley projects and has performed well and provided excellent service. BSK Associates submitted a proposal in the amount of $75,101 for a comprehensive scope of services to cover the materials testing and special inspections needs of this project. BSK Associates have successfully performed similar services on other City of Oakley projects.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community Health and Safety goals.

Fiscal Impact

The approved FY 2022/23 CIP budget allocated funding from the Traffic Impact Fee fund for this project, which will fully fund the project construction and consultant services.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving a consulting agreement with BSK Associates for an amount not to exceed $75,101, and to authorize the City Manager to execute said agreement.

Attachments

Attachment 1 - Resolution

Attachment 2 – BSK Associates Proposal

RESOLUTION NO. __-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING A CONSULTING SERVICES AGREEMENT WITH BSK ASSOCIATES FOR MATERIALS TESTING AND SPECIAL INSPECTIONS FOR THE EAST CYPRESS ROAD WIDENING (KNIGHTSEN AVENUE TO JERSEY ISLAND ROAD) PROJECT – CAPITAL IMPROVEMENT PROJECT NUMBER 247

WHEREAS, the improvements and widening of East Cypress Road have been a priority of the City Council and a focus on the City's Capital Improvement Program; and

WHEREAS, the construction contract for the widening of East Cypress Road (Knightsen Avenue to Jersey Island Road) was awarded by City Council on October 25, 2022 and over the past 2 years the project environmental permitting has been processing; and

WHEREAS, a key part of the project construction is Materials Testing and Special Inspections to ensure the project is constructed in accordance to City standards and specifications; and

WHEREAS, staff have worked with BSK Associates and secured a proposal for Materials Testing and Special Inspections for this project in the amount of $75,101; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley that the Consulting Services Agreement with BSK Associates for the Materials Testing and Special Inspections for the CIP 247 Project for an amount not to exceed $75,101 is approved, and the City Manager is hereby authorized to execute an Agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 9th of July 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Anissa Williams, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

399 Lindbergh Avenue
Livermore, CA 94551
925.315.3151
www.bskassociates.com

May 14, 2024
(Revised May 17, 2024)

BSK Proposal C24000853

Ms. Billilee Saengchalern
City of Oakley
3231 Main Street
Oakley, CA 94561

SUBJECT: Special Inspection and Materials Testing Services
City of Oakley - East Cypress Road Widening Project (CIP 247)
East Cypress Road from Knightsen Ave. to Jersey Island Rd.
Oakley, CA 94561

Dear Ms. Saengchalern:

BSK Associates is pleased to submit this revised proposal for Special Inspection and Materials Testing Services required for the *City of Oakley - East Cypress Road Widening Project (CIP 247)* in *Oakley, CA*. We have developed this proposal package specifically with your needs in mind and based on our review of the provided project plans and specifications (Dated 8/26/22), correspondence with you regarding the project, and our prior experience with projects of this size and nature. Based on conversations with you, BSK has assumed that we will be taking over the role of Geotechnical Engineer-of Record (GEOR) for this project and have included that as part of our scope of services.

For your approval, we have included our scope of services and fee estimate, our basis for invoicing, and an authorization and acceptance form for our agreement. Should a detailed project schedule become available, BSK would appreciate the opportunity to confirm our estimate fits the final requirements of the project. Rates not specifically quoted will be charged per our Schedule of Fees with the City of Oakley, which is attached. The hourly rates/charges quoted are for the project duration. It is our understanding that there is no Project Labor Agreement in-place on this project, and that the project is subject to State of California prevailing wage requirements as determined by the Department of Industrial Relations.

In order for BSK to assist you in reducing exclusions from our Final Report, a copy of the project Testing and Inspection Sheet (prepared by the Structural Engineer, Architect and/or Building Official) should be submitted to our office prior to our first site visit. Further, our technicians are required to note they are referring to Approved Plans during their site inspections; a copy should be made available at the project site or fabrication location.

We appreciate the opportunity to submit this proposal. If you should have further questions or comments, please give us a call. We appreciate the opportunity to work with you. We will schedule the work upon your return of a task order referencing our MSA with the City.

Respectfully submitted,
BSK Associates

Michael Kibbey
Construction Services Group Manager

Cristiano Melo, PE, GE
Branch Manager

Enclosure
Scope of Services and Fee Estimate
Basis for Invoicing
City of Oakley Schedule of Fees

SCOPE OF SERVICES AND FEE ESTIMATE

City of Oakley - East Cypress Road Widening Project (CIP 247)

East Cypress Road from Knightsen Ave. to Jersey Island Rd., Oakley, CA

PRE-FIELD SERVICES	DAYS	HRS/DAY	HOURS	RATE	EXTENSION
Review Geotechnical Report, Plans, and Spefifications					
Principal (Geotechnical Engineer)	1	8	8	$285.00	$2,280.00
Issue Letter Taking Over the Role of Geotechnical Engineer-of-Record					
Principal (Geotechnical Engineer)	1	2	2	$285.00	$570.00
				PRE-FIELD SERVICES ESTIMATE	$2,850.00
FIELD SERVICES	**DAYS**	**HRS/DAY**	**HOURS**	**RATE**	**EXTENSION**
Pre-Construction Meeting					
Project Manager	1	2	2	$250.00	$500.00
Trip Charge (Mileage, Bridge Toll, Parking Fees)	1			$70.00	$70.00
Earthwork Construction					
Compaction Testing - Roadway Embankment Fill	3	8	24	$146.00	$3,504.00
Compaction Testing - Tench Backfill	8	6	48	$146.00	$7,008.00
Compaction Testing - Subgrade	8	6	48	$146.00	$7,008.00
Compaction Testing - Aggregate Base	8	6	48	$146.00	$7,008.00
Sampling	2	4	8	$146.00	$1,168.00
Nuclear Gauge Equipment Fee	27			$70.00	$1,890.00
Trip Charge (Mileage, Bridge Toll, Parking Fees)	29			$70.00	$2,030.00
Hot Mix Asphalt (HMA) Construction					
Compaction Testing - Digouts	1	8	8	$146.00	$1,168.00
Compaction Testing - HMA	6	8	48	$146.00	$7,008.00
Nuclear Gauge Equipment Fee	7			$70.00	$490.00
Trip Charge (Mileage, Bridge Toll, Parking Fees)	7			$70.00	$490.00
Concrete Construction					
Concrete Placement Observation & Sampling (periodic)	5	6	30	$130.00	$3,900.00
Sample Pickup / Delivery	5	2	10	$120.00	$1,200.00
Trip Charge (Mileage, Bridge Toll, Parking Fees)	10			$70.00	$700.00
				FIELD SERVICES ESTIMATE	$45,142.00
LABORATORY TESTING	**FREQUENCY**		**SETS/UNITS**	**RATE**	**EXTENSION**
Soils / Aggregate Bse					
Compaction Curves - Base Rock (6" Mold)	1 per material		2	$320.00	$640.00
Compaction Curves - Site Soils (4" Mold)	1 per material		4	$320.00	$1,280.00
Sieve Analysis w/Wash (ASTM C136)	1 per sample		2	$215.00	$430.00
Sand Equivalent (ASTM D2419)	1 per sample		2	$159.00	$318.00
Plasticity Index of Soils (ASTM D4318)	1 per sample		2	$276.00	$552.00
Hot Mix Asphalt (HMA) - Type A & G					
Sieve Analysis - 3 Bin Samples (CTM 220)	1 per mix		2	$320.00	$640.00
Sand Equivalent (CTM 217)	1 per mix		2	$159.00	$318.00
Durability Index (AASHTO T210)	1 per mix		2	$259.00	$518.00
Asphalt Binder Content (CTM 382)	1 per mix		2	$282.00	$564.00
Ignition Oven Correction Factor	1 per mix		2	$656.00	$1,312.00
HMA Moisture Content (CTM 370)	1 per day		14	$83.00	$1,162.00
Theoretical Maximum Density (CTM 309)	1 per day		14	$315.00	$4,410.00
HMA Core Unit Weight/ Bulk Specific Gravity (CTM 308)	1 per 250 Tons / Core Correlations		55	$80.00	$4,400.00
Concrete					
Compression Test of Concrete - 4 (ASTM C39)	1 set per visit		5	$171.00	$855.00
				LABORATORY TESTING ESTIMATE	$17,399.00

BSK SERVICES ADMINISTRATION		HOURS	RATE	EXTENSION
Principal (Geotechnical Engineer)		6	$285.00	$1,710.00
Registered Engineer (Review, support and reporting)		6	$250.00	$1,500.00
Project Manager (Field Oversight, Daily Report Review)		10	$250.00	$2,500.00
Administration (Data Processing, Report Prep., Field Coordination)		10	$100.00	$1,000.00
Certified Payroll / DIR Upload	Monthly	10	$300.00	$3,000.00
			ADMINISTRATION ESTIMATE	$9,710.00
			TOTAL BUDGET ESTIMATE	$75,101.00

BASIS FOR INVOICING

City of Oakley - East Cypress Road Widening Project (CIP 247)

East Cypress Road from Knightsen Ave. to Jersey Island Rd., Oakley, CA

BASIS OF CHARGES:

The charge schedule listed below will be our basis for invoicing.

Show-up (No site work performed)	Bill R/T Travel Time + 1 Hour
Work up to 4 Hrs.	Bill 4 Hours
Work from 4 to 8 Hrs.	Bill 8 Hours
Work from 8 to 12 Hrs. and Saturdays	Time and One Half
Work Over 12 Hrs., Sundays and Holidays	Double Time
Travel (Portal-to-Portal)	Hourly
Parking and Toll Charges (if applicable)	Daily Rate

FEES:

Our services will be performed on a time and material basis at unit rates herein listed. Portal-to-portal charge is based from our Livermore office. Rates/charges not specifically quoted will be charged per our published Schedule of Fees. We estimate our fees for this project at $75,101.00. This estimate is based upon our years of experience in this profession, but it is an estimate only. We endeavor to limit our charges to this estimate; however, events beyond our control may affect total cost. For example; if the work progresses quicker than anticipated, fees could be considerably less; or, if the work progresses slower than anticipated, our fees may exceed this estimate. To account for such uncertainties, we suggest that a contingency budget of at least 20 percent of the above estimated fee for construction be set aside for our services.

It is our practice to notify you if it appears our fees will exceed our estimate, but due to the timing and nature of our services and to ensure that your project is not delayed, this may not always be possible. Our invoices however will serve as an update of our progress as well as fees charged versus our estimate. Invoices are payable upon receipt and deemed delinquent if not paid within 30 days. Delinquent invoices may be subject to interest/service charges, and collection expenses including attorney's fees, at our election. As necessary to accommodate the construction schedule, BSK may use contract special inspectors to augment our staff. Inspections performed by contract providers will be billed as specified for BSK employees, herein, and at the rates included in the Fee Estimate.

LIMITATIONS:

BSK Associates provides special inspection services to assist you in verifying that the work is in substantial conformance to the project documents and as required by the California Building Code. These services shall not be construed as acceptance of the work or relieve the contractor in any way from his/her obligations and responsibilities as outlined in the applicable construction documents. BSK assumes no responsibility for the safety of others on the jobsite or the methods and means of construction. BSK will make every effort to respond to the emergent needs of your project, to assure better service we ask that you schedule inspection/testing activities at least 24 hours in advance. To avoid show-up charges, cancel such requests at least four hours in advance of our arrival time. Section 1701 of the CBC requires the special inspection agency to file a final report for the project. The report will be issued upon complete reconciliation of your account. This proposal for construction services shall be valid for not more than sixty (60) days from the date of presentation.

INVOICE AND REPORT DISTRIBUTION

BSK Associates will issue our invoice to the following firm/contact. Please provide a separate accounts payable (AP) contact as appropriate:

Company: City of Oakley
Address: 3231 Main Street
City, State, Zip: Oakley, CA 94561
Contact Name: Ms. Billilee Saengchalern
Contact Phone: 925.625.7154
E-Mail: Saengchalern@ci.oakley.ca.us

AP Contact: _____
AP Phone: _____
AP E-Mail: _____

BSK will issue special inspection and materials testing reports by electronic delivery to the following recipients. If additional recipients are desired, please complete and return this form accordingly:

Client:
Company: City of Oakley
Address: 3231 Main Street
City, State, Zip: Oakley, CA, 94561
Contact Name: Ms. Billilee Saengchalern
Contact Phone: 925.625.7154
E-Mail: Saengchalern@ci.oakley.ca.us

Other:
Company: _____
Address: _____
City, State, Zip: _____
Contact Name: _____
Contact Phone: _____
Contact E-Mail: _____

Building Department:
Agency Name: _____
Address: _____
City, State, Zip: _____
Contact Name: _____
Contact Phone: _____
Contact E-Mail: _____

Other:
Company: _____
Address: _____
City, State, Zip: _____
Contact Name: _____
Contact Phone: _____
Contact E-Mail: _____

BSK Associates - Schedule of Fees - 07/01/2024 to 06/30/2025 (City of Oakley)

PERSONNEL RATES

Escalation: The rates noted below are subject to an annual increase of 3% or the Consumer Price Index for the San Francisco Bay Area, whichver is greater, effective July 1 of each year following the initiation of a services agreement.

PROFESSIONAL STAFF

Principal	$	285.00	Administrative Assistant / Clerical	$	100.00
Senior Professional	$	250.00	Seismic GIS	$	220.00
Project Professional II	$	235.00	GIS Specialist	$	190.00
Project Professional I	$	200.00	Information Specialist II	$	180.00
Staff Professional II	$	175.00	Information Specialist I	$	160.00
Staff Professional I	$	155.00	CAD	$	120.00
Project Administrator	$	110.00	Litigation support	1.5x standard rate	

TECHNICAL STAFF - FIELD AND LABORATORY (NON-PREVAILING WAGE)

Non-Destructive Inspection/Testing	$	165.00	***BASIS OF CHARGES FOR FIELD TECHNICIAN SERVICES***	
Special Inspector	$	140.00	Field Work from 0 to 4 hours	Bill 4 hours
Engineering Technician	$	135.00	Field Work from 4 to 8 hours	Bill 8 hours
Technician	$	130.00	Field Work over 8 hours / Saturdays	Bill time and a half
Ground Penetrating Radar Scanning Technician	$	315.00	Sundays, holidays and over 12 hours	Bill double time
Core Drilling Technician	$	245.00	Night Shift (Shift commencing after 2pm / before 4am)	Base Rate x 12.5%
Floor Flatness Testing Technician	$	210.00	Show-up time (no work performed)	Bill 2 hours
Sample Pickup / Transportation / Delivery	$	120.00	Sampling or cylinder pickup, minimum charge	Bill 2 hours
Laboratory Technician	$	130.00		

NORTHERN CA PREVAILING WAGE LABOR RATES

Group 1 - Special inspector	$	170.00	***BASIS OF CHARGES FOR FIELD TECHNICIAN SERVICES***	
Group 2 - Special Inspector	$	165.00	Field Work from 0 to 4 hours	Bill 4 hours
Group 3 - Engineering Technician	$	146.00	Field Work from 4 to 8 hours	Bill 8 hours
Group 3 - Geotechnical Professional	$	185.00	Field Work over 8 hours / Saturdays	Bill time and a half
Group 3 - Environmental Professional	$	185.00	Sundays, holidays and over 12 hours	Bill double time
Group 4 - Technician	$	130.00	Night Shift (Shift commencing after 2pm / before 4am)	Base Rate x 12.5%
			Show-up time (no work performed)	Bill 2 hours
			Sampling or cylinder pickup, minimum charge	Bill 2 hours

SOUTHERN CA PREVAILING WAGE LABOR RATES

Group 1 - Geotechnical Professional	$	185.00	***BASIS OF CHARGES FOR FIELD TECHNICIAN SERVICES***	
Group 1 - Environmental Professional	$	185.00	Field Work from 0 to 4 hours	Bill 4 hours
Group 1 - Technician	$	165.00	Field Work from 4 to 8 hours	Bill 8 hours
Group 2 - Special Inspector	$	170.00	Field Work over 8 hours / Saturdays	Bill time and a half
Group 3 - Non-Destuctive Testing (NDT)	$	180.00	Sundays, holidays and over 12 hours	Bill double time
			Premium Shift (Weekday work before 6am / after 5pm)	Bill time and a half
			Show-up time (no work performed)	Bill 2 hours
			Sampling or cylinder pickup, minimum charge	Bill 2 hours

REIMBURSABLES

Mileage (Portal to Portal)	$	1.00	Certified Payroll / DIR Upload (Monthly)	$ 300.00
Bridge Toll	Cost + 15%		Non-Performance Certified Payroll / DIR Upload (Monthly	$ 100.00
Parking Fees	Cost + 15%		Subcontractor Management / Compliance Forms (Monthl	$ 100.00
Per Diem (as required)	Quote / $250 min.		Additional LCP Tracker or Other Compliance Software (Monthly)	$ 200.00
Subconsultants/Subcontractors/Vendors/Expenses	Cost + 15%		Additional Special Forms, as required (Monthly)	$ 150.00
Project Administration Fees	7% of Invoice		Project Setup (Project)	$ 525.00
DIR Administration Fees	3% of Invoice			

BSK Associates - Schedule of Fees - 07/01/2024 to 06/30/2025 (City of Oakley)

SOFTWARE AND EQUIPMENT

Escalation: The rates noted below are subject to an annual increase of 3% or the Consumer Price Index for the San Francisco Bay Area, whichver is greater, effective July 1 of each year following the initiation of a services agreement.

ANALYSIS SOFTWARE USAGE FEES

gINT (software)	$ 65.00	LiqIT (software)	$ 65.00
LPile (software)	$ 65.00	Slide (software)	$ 127.00
APile (software)	$ 65.00	Settle3D (software)	$ 127.00
SHAFT (software)	$ 65.00	Cpet-IT (software)	$ 65.00
GROUP (software)	$ 127.00	LiqSVs (software)	$ 65.00
Cliq (software)	$ 65.00	ArcGIS (software)	$ 65.00
LiquefyPro (software)	$ 65.00	Surfer (software)	$ 65.00

EQUIPMENT

Nuclear Gauge (Day)	$ 70.00	10' PVC Blank - 2"(Each)	$ 27.00
Skidmore Wilhelm Calibrator (Day)	$ 70.00	10' PVC Blank - 4: (Each)	$ 62.00
NDT Weld Testing Equipment - UT/MT/PT (Day)	$ 70.00	10' PVC Screen - 2" (Each)	$ 42.00
Proof Load Testing Equipment (Day)	$ 70.00	10' PVC Screen - 4" (Each)	$ 84.00
Torque Wrench (Day)	$ 70.00	5' PVC Blank - 2" (Each)	$ 18.00
GPR Scanning Equipment (Day)	$ 325.00	5' PVC Blank - 4" (Each)	$ 53.00
Rebar Locator/Pachometer (Day)	$ 128.00	5' PVC Screen - 2" (Each)	$ 27.00
Coring Equipment (day)	$ 240.00	5' PVC Screen - 4" (Each)	$ 69.00
Relative Humidity Meter (Day)	$ 70.00	55 Gallon Drum (Each)	$ 125.00
Moisture Emission Test Kit (Each)	$ 48.00	6 "x 5' Steel Monument Cover (Each)	$ 295.00
Wood Moisture Meter (Day)	$ 70.00	Air Indicators (Each)	$ 53.00
Air Meter (Concrete)	$ 70.00	Combustible Gas Indicator (Day)	$ 79.00
Laptop (Day)	$ 75.00	Disposable Bailer (Each)	$ 14.00
Document Scanner (Day)	$ 32.00	Hydro Punch Tip (Each)	$ 25.00
Vehicle/Truck Charge (Day)	$ 137.00	Lantec GEM 500 (Day)	$ 258.00
Hand Auger (Day)	$ 150.00	Locking Cap - 2" (Each)	$ 25.00
Seismograph (Day)	$ 317.00	Locking Cap - 4" (Each)	$ 50.00
Hand-held GPS (Day)	$ 97.00	Silicone Tubing (Foot)	$ 9.00
Slope Inclinometer Probe (Each)	$ 500.00	Tedlar Vapor Bags (Each)	$ 30.00
Double Ring Infiltrometer (Day)	$ 638.00	Bottom Cap (Each)	$ 10.00
Drilling Kit - Paint/Stakes/Lath (Each)	$ 34.00	Disposable Purge Pump Tubing (Foot)	$ 2.00
Sample Sleeve w/ Caps/Teflon 6" (Each)	$ 13.00	Bison Resistivity Meter (Day)	$ 203.00
Manometer (Day)	$ 247.00	Chem Grout Pump (Day)	$ 132.00
Generator	$ 105.00	DC Purge Pump (Day)	$ 67.00
Power Auger	$ 105.00	Development Pump and Controller (Day)	$ 92.00
AC Cold Patch (Each)	$ 13.00	Dissolved Oxygen Meter (Day)	$ 80.00
Bentonite Grout (Bag)	$ 27.00	Grundfos Converterm (Day)	$ 89.00
Bentonite Medium Chips (Bag)	$ 25.00	Hydropunch II (Each)	$ 317.00
Bentonite Pellets (Bucket / Bag)	$ 189.00	Interface Meter (Each)	$ 119.00
Bentonite Powder (Bag)	$ 15.00	Kemmer Sampler (Day)	$ 46.00
Filter Sand (Bag)	$ 14.00	ORP Meter (Each)	$ 85.00
Portland Cement (Bag)	$ 19.00	Sample Pump (Day)	$ 127.00
Ready Mix (Bag)	$ 18.00	Scanning Equipment (Day)	$ 128.00
Padlocks (Each)	$ 27.00	Water Level Data Logger (Day)	$ 98.00
pH/EC/Temperature Meter (Day)	$ 75.00	Telescopic Wastewater Sampler (Day)	$ 67.00
PID/OVA (Day)	$ 150.00	SVE System (Month)	$1,400.00
Steam Cleaner (Day)	$ 139.00	Combustible Gas Meter (Day)	$ 240.00
Turbidity Kit (Day)	$ 85.00	Water Meter (Day)	$ 65.00
Water Sample Filters (Each)	$ 28.00	Flow Monitoring Equipment (Day)	$ 389.00
Well Sounder (Day)	$ 60.00	Liquid Proportional Sampling Equipment (Day)	$ 394.00
Well Vault Traffic Rated Box (Each)	$ 139.00	Gas Detector Pump (Each)	$ 46.00
Bollards (Each)	$ 119.00	Landfill Gas Chromatograph (Day)	$ 260.00
Air Compressor (Day)	$ 70.00	Support Truck (Day)	$ 260.00
Continuous Core Sampler (Day)	$ 325.00	Sound Level Meter (Each)	$ 41.00
4" Disposable Bailers (Each)	$ 25.00	Water Level Transducers (Each)	$ 15.00

BSK Associates - Schedule of Fees - 07/01/2024 to 06/30/2025 (City of Oakley)

MATERIALS LABORATORY TESTS

Escalation: The rates noted below are subject to an annual increase of 3% or the Consumer Price Index for the San Francisco Bay Area, whichver is greater, effective July 1 of each year following the initiation of a services agreement.

Standard Rate Applys to Normal Testing Schedule. Rush Order Turnaround Time Charged at 1.5 x Standard Unit Rates.

SOILS & AGGREGATES

Modified or Standard Proctor - 4" or 6" Mold (ASTM / AA	$ 320.00	% Crushed Particles / Fractured Particles (CT 205/AASHTO T335)	$ 208.00
Proctor with Oversize Material (ASTM / AASHTO)	$ 400.00	'% Flat & Elongated (ASTM D4791)	$ 159.00
Proctor Check Point (All Methods)	$ 171.00	Minus 200 Wash/Aggregate (ASTM C117)	$ 105.00
Caltrans Maximum Wet Density (CT 216)	$ 270.00	Sieve Analysis w/ Wash (ASTM C136 / CT 202 / AASHTO T27)	$ 215.00
Minus 200 Wash Soil (ASTM D1140)	$ 105.00	Sieve Analysis - Coarse Only (ASTM C136 / CT 202 / AASHTO T27)	$ 105.00
Moisture Content of Soils (ASTM D2216)	$ 54.00	Coarse Specific Gravity / Absorption (ASTM C127/CT 206/AASHTO T85	$ 200.00
Plasticity Index (ASTM D4318)	$ 276.00	Fine Specific Gravity / Absorption (ASTM C128/CT 207/AASHTO T84)	$ 200.00
Expansion Index of Soils (UBC No. 29)	$ 296.00	Sand Equivalent (ASTM D2419 / CT 217 / AASHTO T176)	$ 159.00
Collapse Potential of Soils (ASTM D2435)	$ 257.00	Durability Index (CT 229)	$ 315.00
Organic Impurities (ASTM C40 / CT 213)	$ 105.00	Abrasion by LA Rattler, Large Size (ASTM C131/CT 211/AASHTO T96)	$ 360.00
Tube Density & Moisture Content of Soil	$ 63.00	Abrasion by LA Rattler, Small Size (ASTM C131/CT 211/AASHTO T96)	$ 296.00
Visual Classification (ASTM D2488)	$ 54.00	Cleanness Value of Aggregate (CT 227)	$ 227.00
Hydrometer (ASTM D422 / CT 203)	$ 300.00	Aggregate Wt pcf Compacted (ASTM C 29)	$ 111.00
Double Hydrometer (ASTM D4221)	$ 394.00	Gradation-Rip Rap - Per Sieve (D5519-Method A)	$ 284.00
Uncompacted Void Content (CT 234 / AASHTO T304)	$ 140.00	Sodium Sulfate Soundness-Min. Charge (ASTM C88/CT 214/AASHTO T	$ 440.00
Sand Density Calibration (ASTM D1566)	$ 220.00	Sodium Sulfate Soundness-Per Sieve (ASTM C88/CT 214/AASHTO T104	$ 140.00
Minimum Resistivity of Soils (CT 643)	$ 177.00	R-Value of Soils (CT 301)	$ 500.00
Consolidation (ASTM D2435)	$ 527.00	Soil Cement Compression - Set (ASTM D1633)	$ 300.00
Remolded Consolidation (ASTM D2435)	$ 446.00	CIR / FDR Compressive Strength Testing - Set	$ 300.00
Minimum Index Density Soils (ASTM D4254)	$ 87.00	CIR / FDR Sample Preparation / Compaction	$ 275.00
Direct Shear Remolded (ASTM D3080)	$ 330.00	CBR (ASTM D1883/AASHTO T-180)	$1,250.00
% Lumps/Friable Particles (ASTM C142)	$ 102.00	Preparation of Soil-Cement Samples	$ 947.00
'% Organics in Soil (ASTM D2974)	$ 172.00	Soluble Sulfate Chloride & Sulfide	$ 164.00
Direct Shear (ASTM D3080)	$ 276.00	pH Sulphate & Chloride	$ 83.00
Remolded Direct Shear (ASTM D3080)	$ 330.00	Corrosivity - Sulfate Chloride Sulfide	$ 164.00
Remolded Flexwall Perm (ASTM D5084)	$ 704.00	Corrosivity - Soil pH Test	$ 83.00

HOT MIX ASPHALT

JMF Mix Design, Superpave / Caltrans	$11,274.00	Bitumen Content - Ignition (ASTM D6307 / CT382 / AASHTO T308)	$ 155.00
JMF Verification - HMA - Superpave / Caltrans	$6,533.00	Oil Content Correction Factor (ASTM D6307 / CT 382 / AASHTO T308)	$ 656.00
JMF Production Startup - Superpave / Caltrans	$6,078.00	Gradation from Extraction (ASTM D5444 / AASHTO T30)	$ 123.60
RAP Material Testing - Additional Fee	$ 790.00	Bulk Specific Gravity (CT308 / AASHTO T275 / ASTM D2726)	$ 45.00
Rubberized RHMA Material - Additional Fee	$1,824.00	HMA Theo. Max Density Rice Method (ASTM D2041 / CT 309 / AASHT(	$ 155.00
JMF Mix Design, HVEEM	$3,900.00	Volumetric Calculations (VMA, VFA, DP, AV, Eff. Calcs)	$ 67.00
JMF Mix Design, Marshall	$4,627.00	Moisture Content of Asphalt (CT 370 / AASHTO T329)	$ 83.00
Open Graded Asphalt Optimum Bitumen Content (CT 368	$2,785.00	Film Stripping	$ 111.00
Gyratory Compaction - Set of 3 (AASHTO T312)	$ 421.00	Compaction/Preparation of HMA Briquette (CT 304)	$ 276.00
Hamburg Wheel Track (AASHTO T324)	$2,500.00	Stabilometer Value - Set of 3 (CT366)	$ 350.00
Tensile Strength Ratio (CT 371 / AASHTO T283)	$1,380.00	Lab Mixed TSR - Moisture Induced Damage (AASHTO T283 / CT 371)	$1,850.00
Marshall Maximum Density (ASTM D6926)	$ 368.00	Calculated AC Maximum Density (CT 367)	$ 125.00
Marshall Stability & Flow (ASTM D6927)	$ 315.00	Thickness Determination of AC Cores	$ 27.00

CONCRETE & MASONRY

Compression Test Concrete - Per Cylinder (ASTM C39)	$ 35.00	Flexural Test per Beam (ASTM C78 / CT 523)	$ 112.00
Compression Test Concrete - Set of 4/5 (ASTM C39)	$ 171.00	Linear Shrinkage - Set of 3 (ASTM C157)	$ 500.00
Compression Test of Core (ASTM C42)	$ 76.00	Unit Weight Lt Wt Concrete (ASTM C567)	$ 70.00
Compressive Strength of Shotcrete Panel	$ 400.00	Splitting Tensile Strength of Concrete (ASTM C496)	$ 150.00
Compression Test Composite CMU Prism (1)	$ 208.00	Compressive Strength CMU Block (ASTM C140)	$ 240.00
Compression Test Grout (Set of 4)	$ 151.00	Comp. Strength, SG, & Abs. of CMU - Per Block (ASTM C140)	$ 276.00
Compression Test Mortar (Set of 3)	$ 138.00	Masonry Linear Shrinkage (ASTM C426)	$ 507.00

METALS & FIREPROOFING

Tensile & Bend of Rebar #3-11	$ 186.00	Brinell Hardness of Steel (ASTM E10)	$ 125.00
Slip and Tensile Rebar Couplers (CT 670)	$ 270.00	Rockwell Hardness of Steel (ASTM E18)	$ 125.00
Bolt Proof & Ultimate Load	$ 178.00	Face Bend of Steel Coupon	$ 76.00
Bolt Hardness - Set of 3	$ 125.00	Root Bend of Weld Coupon	$ 76.00
Nut Proof Load - Set of 3	$ 178.00	Side Bend of Weld Coupon	$ 76.00
Nut Hardness - Set of 3	$ 125.00	Tensile Test of Steel Coupon	$ 105.00
Washer Hardness - Set of 3	$ 125.00	Bend Test of Steel Coupon	$ 90.00
Dry Density Fireproofing (ASTM E605)	$ 119.00	Adhesion / Cohesion Fireproofing Materials	$ 159.00

DATE: July 9, 2024

TO: Joshua McMurray, City Manager

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

Approved and Forwarded to the City Council

SUBJECT: Creating Zone 192 within the Oakley Special Police Tax Area consisting of the Rosewood Estates project (Subdivision 8787) located at 4073 Rose Avenue (APN 035-220-035-6)

Background and Analysis

On March 23, 2010, the City Council approved a vesting tentative map with certain Conditions of Approval for the proposed Rosewood Estates project (Subdivision 8787) (the "Project"). The Project is designated as Single Family Residential, High Density (SH) in the Oakley 2020 General Plan and zoned R-6 (Single-Family Residential) on the City of Oakley Zoning Map. The Project is currently comprised of APN 035-220-035-6, which is expected to be subdivided into 58 single-family residential parcels at build-out.

The Conditions of Approval for the Project require the Developer to mitigate the financial impact their project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area that authorizes the levy of an annual special tax on parcels to mitigate their financial impact to the City's police services budget. The property owner for the Project has requested the City assist with annexing the Project into the Oakley Special Police Tax Area to satisfy their Conditions of Approval.

Beginning May 2016, the City established its own police department and no longer contracts with the Sheriff's office to provide public safety. In order to ensure that revenue grows at a rate sufficient to cover the cost of providing police services, City Council approved Resolution No. 113-16 on July 12, 2016, that allows for an adjustment in the annual tax per parcel by the increase in the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland-Bay Area to become effective July 1, 2016. Adoption of the attached resolution and introduction of the attached ordinance will set an election date for September 3, 2024, which shall be conducted by the City Clerk via a mail ballot election. The vote will then be ratified at the September 10, 2024, regular City Council meeting, and the ordinance will take effect at that time assuming a favorable vote.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Park and Open Space and Finance and Fiscal Responsibility section goals.

Fiscal Impact

There will be no financial impact to the City's General Fund. The applicant has funded all costs associated with the annexation of Zone 192 to the Oakley Special Police Tax Area. The FY 2024-25 special tax rate for single family parcels is $1,330.64/parcel (FY 2024-25 rates). The project is anticipated to consist of 58 single-family parcels at build-out. Therefore, successful creation of the Zone is expected to provide up to $77,177.12 (in FY 2024-25 dollars) in revenue annually at build-out. The taxes can be collected on the property tax rolls commencing in FY 2025-26.

Staff Recommendation

The Conditions of Approval for the Rosewood Estates project located at 4073 Rose Avenue (APN 035-220-035-6) require the property owner to mitigate their financial impact on the police services budget. Adoption of this resolution and ordinance will set an election to be held on September 3, 2024. The election will then be ratified at the September 10, 2024, regular City Council meeting. Staff recommends that the City Council:

1. Adopt the Resolution creating Zone 192 within the Oakley Special Police Tax Area consisting of the Rosewood Estates project located at 4073 Rose Avenue (APN 035-220-035-6); and
2. Introduce the Ordinance Establishing a Special Tax for Police Protection.

Attachments

1. Resolution Creating Oakley Special Police Tax Zone 192
    1. Exhibit A - Diagram
2. Ordinance Establishing a Special Tax
    1. Exhibit A – Diagram
    2. Exhibit B – Schedule for Police Service Tax

RESOLUTION NO. ___-24

A RESOLUTION CREATING OAKLEY SPECIAL POLICE TAX AREA ZONE 192 WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR THE ROSEWOOD ESTATES PROJECT (SUBDIVISION 8787) LOCATED AT 4073 ROSE AVENUE (APN 035-220-035-6)

WHEREAS, it is the intention of the City Council to create Oakley Special Police Tax Area Zone 192 (Zone 192) within the Oakley Special Police Tax Area and authorize an election; and

WHEREAS, it is the intention of the City Council to adopt an ordinance establishing a special tax for police services within Zone 192; and

WHEREAS, the City recognizes the need for increased police protection services within Zone 192 and the difficulty of funding the current or increased level of police services with revenues now available; and

WHEREAS, it is the intention of the City Council to direct the City Clerk to conduct the election required by Government Code Section 53978, to be conducted by mail ballot pursuant to Elections Code Section 4108 and to be held on the earliest date permitted by law; and

WHEREAS, the property located at 4073 Rose Avenue known as Rosewood Estates (the "Project") is designated as Single Family Residential, High Density (SH) in the Oakley 2020 General Plan and zoned R-6 (Single-Family Residential) on the City of Oakley Zoning Map. The Project is currently comprised of APN 035-220-035-6, which is expected to be subdivided into 58 single-family residential parcels at build-out. The Conditions of Approval for the Project require the Developer to mitigate the financial impact that their project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area that authorizes the levy of an annual special tax on parcels to mitigate their financial impact to the City's police services budget. The property owner for the Project has requested the City assist with annexing the Project into the Oakley Special Police Tax Area to satisfy their Conditions of Approval. The initial annual special tax rate for single family parcels is $1,330.64/parcel (FY 2024-25 rates) per the rate schedule that was adopted by the City Council on July 12, 2016, by Resolution No. 113-16; and

WHEREAS, this Resolution is adopted pursuant to Government Code section 53978; and

WHEREAS, under Government Code section 53978 and for the purposes of this Resolution, a "voter" entitled to vote on the creation of Zone 192 is a person who owns real property within Zone 192 at the time Ordinance No. __-24 is adopted, as shown on the last equalized assessment roll prepared by the Contra Costa County Assessor's Office.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley hereby finds and determines as follows:

1. All of the City of Oakley shall be considered as the Oakley Special Police Tax Area.

2. That portion of the City of Oakley shown on the plats titled Exhibit "A" is established as Zone 192 of the Oakley Special Police Tax Area.

3. That Ordinance No. __-24 introduced this date is to be presented for approval of the voters of Zone 192 by a mail ballot election, to be held on September 3, 2024. The ballot proposition shall read as follows:

   "Shall Ordinance No. __-24 of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 192 of the Oakley Special Police Tax Area to maintain the present level of police protection service and provide additional funding for increased police protection service? The initial annual special tax rate for County use code 11 (Single Family Residence – 1 res., 1 site) is $1,330.64 per parcel and $665.32 per vacant parcel per the current FY 2024-25 rate schedule."

4. The City Clerk is directed to take all steps necessary to conduct the election required by this order. Said election shall be conducted by mailed ballot pursuant to Elections Code Section 4000 and shall be held on a date other than the same date as a statewide direct primary election or statewide general election as specified above.

5. Zone 192 of the Oakley Special Police Tax Area shall not be created, and the tax authorized in Ordinance No. __-24 shall not be imposed if the Ordinance is not approved by two-thirds of the voters participating in the election called in Ordinance No. __-24.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on July 9, 2024, by the following vote:

AYES:
NOES:
ABSTENTION:
ABSENT:

APPROVED:

_____

Anissa Williams, Mayor

ATTEST:

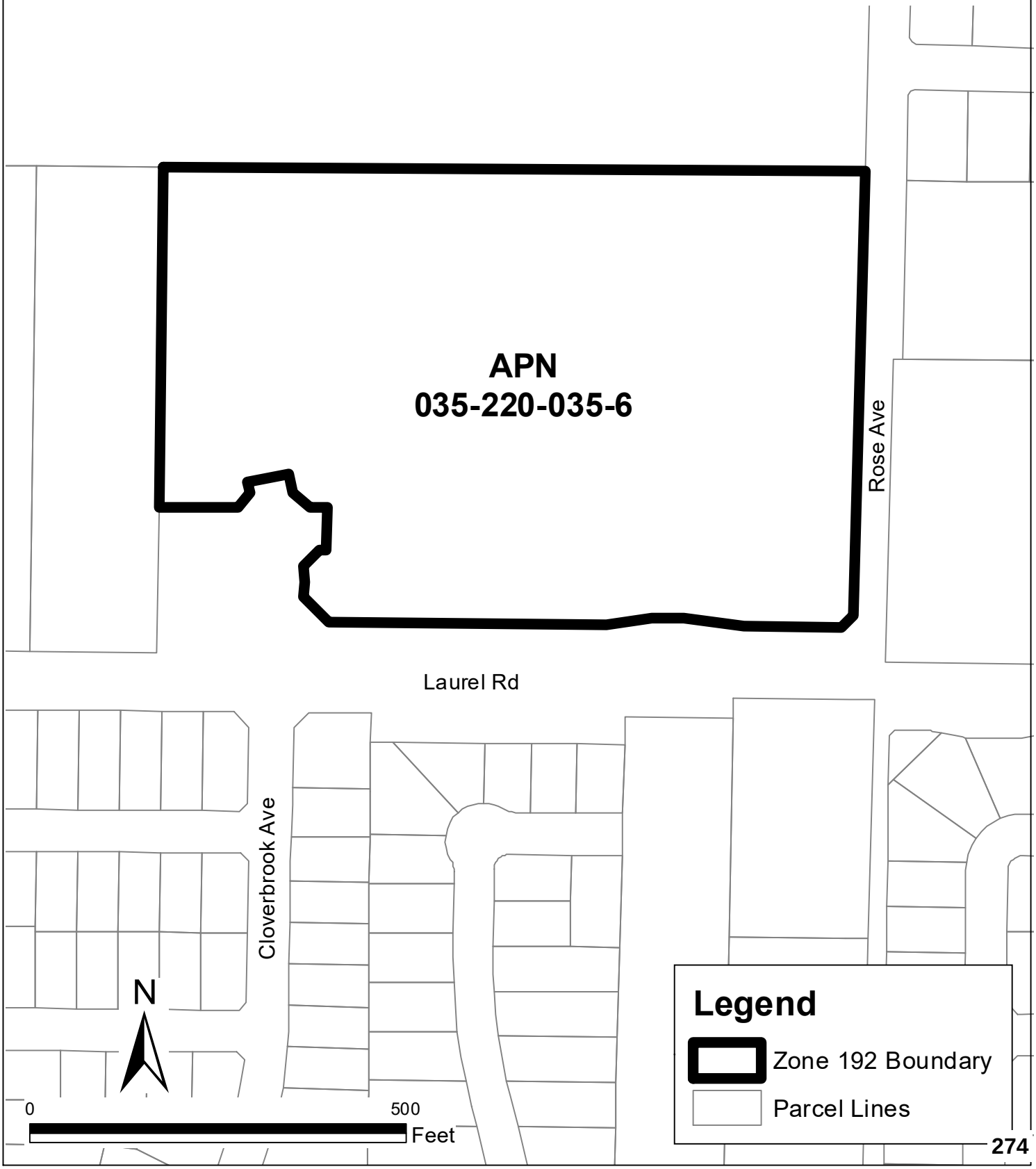
_____ _____

Libby Vreonis, City Clerk Date

EXHIBIT A - BOUNDARY MAP

CITY OF OAKLEY SPECIAL POLICE TAX AREA (P-6) ZONE 192

CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
ROSEWOOD ESTATES (SUBDIVISION 8787)



ORDINANCE NO. __-24

AN ORDINANCE OF THE CITY OF OAKLEY ESTABLISHING OAKLEY SPECIAL POLICE TAX AREA ZONE 192 WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL TAX FOR POLICE PROTECTION SERVICES FOR THE ROSEWOOD ESTATES PROJECT (SUBDIVISION 8787) LOCATED AT 4073 ROSE AVENUE (APN 035-220-035-6)

The Voters of the City of Oakley do ordain as follows:

Section 1. Purpose, Intent and Authority.

It is the purpose and intent of this Ordinance to authorize the levy of a special tax on real property that is within Oakley Special Police Tax Area Zone 192 of the Oakley Special Police Tax Area as shown on the Exhibit A map attached hereto in order to provide funding for police protection to serve the property and persons within said Zone.

This Tax is a special tax within the meaning of Section 4 of Article XIIIA of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary for the benefit of the residents of Zone 192.

This Ordinance is enacted pursuant to the authority of Government Code Section 53978.

Section 2. Definitions.

The following definitions shall apply throughout this Ordinance.

A. "Constant first year dollars" shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing price as the base amount in first fiscal year dollars as measured by the actual cost of services for the City of Oakley's cost of obtaining police services. The base amount shall be the

amount of tax per parcel as specified in Section 3.A herein. The adjustments from actual to constant dollars shall be made by use of the actual cost of services, as specified in Section 3.B herein.

B. "Fiscal year" means the period of July 1 through the following June 30.

C. "Oakley Special Police Tax Area" includes all properties within the jurisdictional limits of the City of Oakley.

D. Oakley Special Police Tax Area Zone 192 (hereinafter called "Zone") means that portion of the incorporated area of the City of Oakley located within the boundaries as shown on the map Exhibit A hereto.

E. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of this Ordinance, parcel does not include any land or improvements outside the boundaries of Zone 192, nor any land or improvements owned by any governmental entity.

F. Pursuant to Government Code §53978, "voter" means a person owning real property within the Zone at the time this Ordinance was adopted, as shown on the last equalized assessment role prepared by the Contra Costa County Assessor's Office.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2024, through June 30, 2025) shall be the amount of Tax Per Parcel for a Property Use Code Category as set forth on Exhibit B hereto. If any new development, including new residential units, is completed prior to the tax being effective for the first fiscal year, the owner of the Parcel, as shown on the latest assessment roll, shall pay the tax for the remainder of such fiscal year on a pro-rated basis to the City, no later than receipt of Certificate of Occupancy or final building permit inspection.

B. For Subsequent Fiscal Year:

The tax rates shown in Exhibit B shall be automatically adjusted on July 1 of each year, beginning on July 1, 2025, by the increase in the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland Bay Area and applying that rate to the prior year amounts for each property use code category. However, the City Council reserves the right to itself the opportunity to adjust the rate in the following year if the CPI adjustment is insufficient to reimburse the City for the costs of providing levels of police services as approved by the City Council.

In no event shall the tax per parcel for any fiscal year be less than the amount established for the previous fiscal year.

C. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Section 4, below.

Section 4. Collection and Administration.

A. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

B. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and are to be collected in the same manner in which the County of Contra Costa collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedure regarding exceptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

i) The secured roll tax bills shall be the only notices required for this tax, and
ii) The homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

C. Costs of Administration by County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

Section 5. Severability Clause.

If any article, section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the Zone hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentenced phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

Section 6. Effective Date and Posting.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within the Zone in an election to be held on September 3, 2024, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2025. If not confirmed by two-thirds of the voters participating in the election, this Ordinance and the tax approved herein shall not become effective.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on September 10, 2024, by the following vote:

AYES:
NOES:
ABSTENTION:
ABSENT:

APPROVED:

_____
Anissa Williams, Mayor

ATTEST:

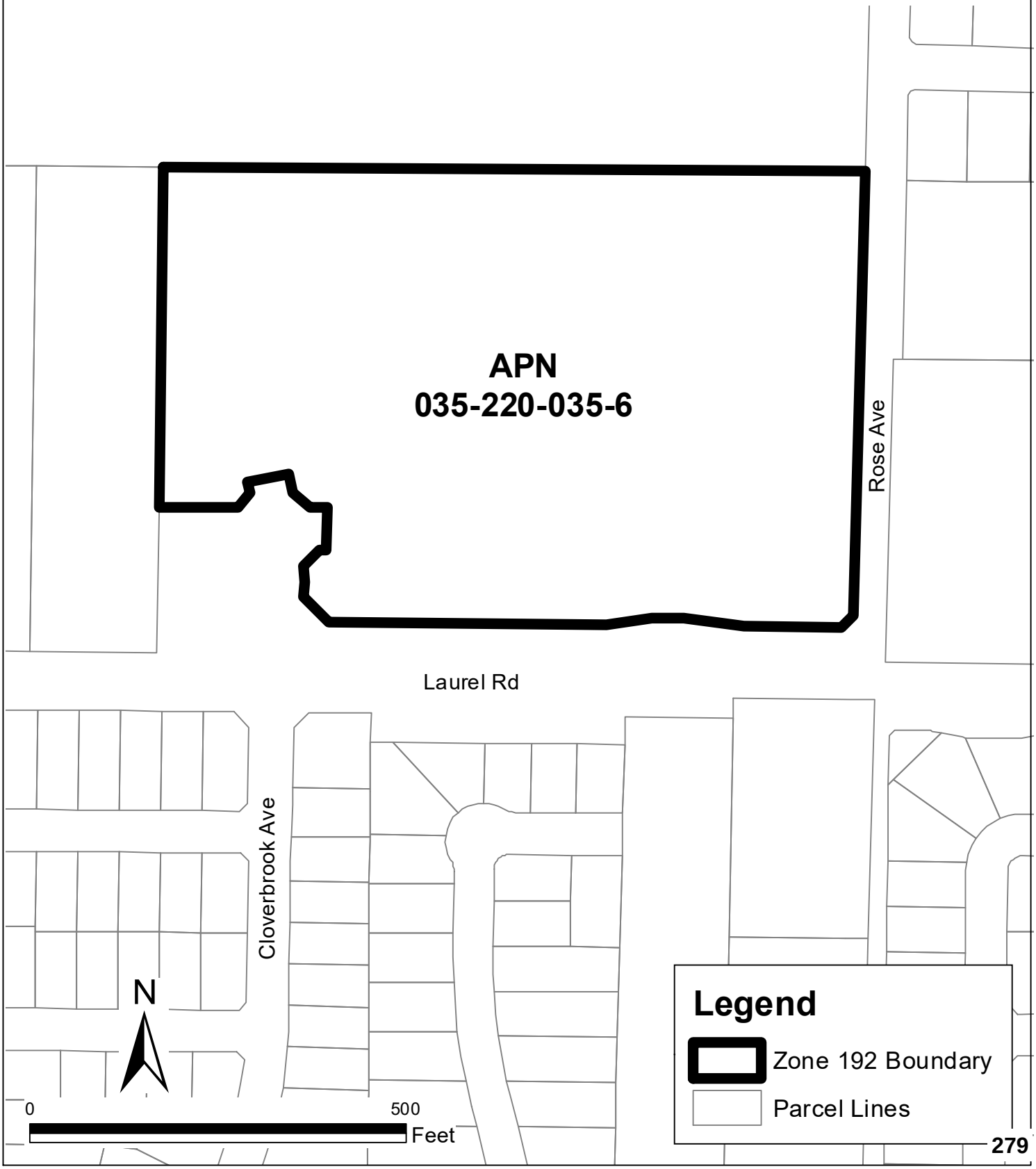
_____
Libby Vreonis, City Clerk

_____
Date

EXHIBIT A - BOUNDARY MAP

CITY OF OAKLEY SPECIAL POLICE TAX AREA (P-6) ZONE 192

CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
ROSEWOOD ESTATES (SUBDIVISION 8787)



CITY OF OAKLEY SCHEDULE FOR POLICE SERVICE TAX
FOR FISCAL YEAR 2024/2025

PROPERTY USE CODE CATEGORY	DESCRIPTION	FY23/24 TAX PER PARCEL	FY24/25 TAX PER PARCEL
11	Single Family Residence – 1res., 1 site	$1,282.30	$1,330.64
12	Single Family Residence – 1 res., 2 or more sites	$1,282.30	$1,330.64
13	Single Family Residence – 2 res., on 1 or more sites	$2,051.68	$2,129.02
14	Single Family Residence – other than single fam. Land	$1,282.30	$1,330.64
15	Misc. Improvements – 1 site	$1,282.30	$1,330.64
16	Misc. Improvements – 2 or more sites	$1,282.30	$1,330.64
17	Vacant – 1 site	$641.15	$665.32
18	Vacant – 2 or more sites	$641.15	$665.32
19	Single Family Residence – Det. W/common area	$1,282.30	$1,330.64
20	Vacant – Multiple	$641.15	$665.32
21	Duplex	$2,051.68	$2,129.02
22	Triplex	$3,077.52	$3,193.54
23	Fourplex	$4,103.36	$4,258.05
24	Combinations	$1,282.30	$1,330.64
25	Apartments (5 –12 Units)	$5,129.20	$5,322.56
26	Apartments (13 – 24 Units)	$13,335.92	$13,838.66
27	Apartments (25 – 59 Units)	$25,646.00	$26,612.80
28	Apartments (60+ units)	$61,550.40	$63,870.72
29	Attached PUDs: Cluster Homes, Condos, etc.	$1,282.30	$1,330.64
30	Vacant – Commercial	$641.15	$665.32
31	Commercial Stores – Not Supermarkets	$2,564.60	$2,661.28
32	Small Grocery Stores – (7-11, etc.)	$3,846.90	$3,991.92
33	Office Buildings	$2,564.60	$2,661.28
34	Medical, Dental	$2,564.60	$2,661.28
35	Service Stations, Car Wash	$2,564.60	$2,661.28
36	Garages	$2,564.60	$2,661.28
37	Community Facilities (Recreational, etc.)	$5,129.20	$5,322.56
38	Golf Courses	$2,564.60	$2,661.28
39	Bowling Alleys	$1,282.30	$1,330.64
40	Boat Harbors	$3,205.75	$3,326.60
41	Supermarkets – (not shopping centers)	$3,846.90	$3,991.92
42	Shopping Centers	$5,129.20	$5,322.56
43	Financial Buildings – (Ins., Title, Banks, S&L)	$1,282.30	$1,330.64
44	Motels, Hotels & Mobile Home Parks	$6,411.50	$6,653.20
45	Theaters	$2,885.18	$2,993.94
46	Drive-in Restaurants	$1,923.45	$1,995.96
47	Restaurants	$1,923.45	$1,995.96
48	Multiple & Commercial	$1,923.45	$1,995.96
49	New Car Agencies	$1,923.45	$1,995.96
50	Vacant Land (not part of Ind. Park or P. & D.)	$480.86	$498.99
51	Industrial Park	$3,846.90	$3,991.92
52	Research & Development	$1,923.45	$1,995.96
53	Light Industrial	$1,923.45	$1,995.96
54	Heavy Industrial	$1,923.45	$1,995.96
55	Mini Warehouses (public storage)	$3,846.90	$3,991.92
56	Misc. Improvements	$3,846.90	$3,991.92
61	Rural, Res., Improvement 1A-10A	$961.73	$997.98
62	Rural, w/or w/o structure 1A-10A	$961.73	$997.98
70	Convalescent Hospitals / Rest Homes	$1,923.45	$1,995.96
73	Hospitals	$1,923.45	$1,995.96
74	Cemeteries / Mortuaries	$1,923.45	$1,995.96
75	Fraternal & Service Organizations	$1,923.45	$1,995.96
76	Retirement Housing Complex	$6,411.50	$6,653.20
78	Parks & Playgrounds	$3,846.90	$3,991.92
85	Public & Private Parking	$1,923.45	$1,995.96
87	Common Area	$1,923.45	$1,995.96
88	Mobile Homes	$961.73	$997.98
89	Other (split parcels in different tax code areas)	$961.73	$997.98
99	Homeowner's Association Owned Common Areas	$769.38	$798.38

The tax rates shown in this schedule shall be automatically adjusted on July 1 of each year, beginning on July 1, 2016 by the increase in the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland-Bay Area and applying that rate to the prior year amounts for each property use code category. However, the City Council reserves the right to itself the opportunity to adjust the rate in the following year if the CPI adjustment is insufficient to reimburse the City for the costs of providing levels of police services as approved by the City Council.

CALCULATION OF COST OF LIVING INCREASE	
Percent increase from FY 2023-24 in the San Francisco-Oakland-Bay Area Consumer Price Index for all Urban Consumers.	3.77%

OAKLEY
CALIFORNIA

DATE: July 9, 2024

TO: Joshua McMurray, City Manager

FROM: Ken Strelo, Community Development Director

Approved and Forwarded to the City Council

SUBJECT: Zoning Text Amendments – Winery-Related Uses and Carwash Highway Buffers (RZ 02-24)

Summary

This is a City-initiated application requesting approval of a Rezoning (RZ 02-24) consisting of zoning text amendments to amend 1) Oakley Municipal Code ("OMC") section 9.1.404.c.9 so that wineries, tasting rooms, and processing of agricultural products are not only conditionally permitted in the R-20 and R-40 District, but also in other R Districts on properties of at least 20,000 square feet that have an existing vineyard; and 2) OMC section 9.1.1238.c.6, a performance standard for applicable to Carwashes, by adding an exclusion to the 1,000-foot minimum buffer between carwashes when within 1,000 of a highway on/off ramp ("Project").

Background

WINERIES, TASTING ROOMS, AND PROCESSING OF AGRICULTURAL PRODUCTS

Oakley Municipal Code ("OMC") section 9.1.404.c.9, which governs regulations for residentially zoned properties, conditionally permits (I.e., requires approval of a conditional use permit) "Wineries, tasting rooms, and processing of agricultural products only in the R-20 and R-40 residential districts." These uses are also conditionally permitted in the AL (Limited Agricultural) District, per OMC section 9.1.402.c.9.

The R-20 and R-40 Districts have minimum lot sizes required in each district, which are 20,000 square feet and 40,000 square feet, respectively. The OMC does not permit the use of Wineries, tasting rooms, and processing of agricultural products in any of the single family residential districts with minimum lot sizes less than 20,000 square feet (R-6, R-7, R-10, or R-15). The AL District has a minimum lot size of 1 acre, which equates to 43,560 square feet.

CARWASHES

OMC section 9.1.1238 "Carwashes" is a Special Land Use section that addresses performance and operational standards required for all proposed carwash uses.

Details of the performance standards state there shall be no more than one carwash located within any shopping center or contiguous commercial properties that have internally shared access. In addition to capping the number of carwashes on a site or within a shopping center, another performance standard requires that a proposed carwash be a minimum of 1,000 feet from any existing carwash as measured between the shortest distance from either the perimeter of the carwash operation or parcel lines.

OMC section 9.1.1240 "Gas Stations" has a similar performance standard that requires a 500-foot buffer between gas station uses; however, that standard also states that the 500-foot buffer does not apply if a gas station is located within 1,000 feet of a highway on/off ramp or is part of a larger master development of at least 45,000 square feet of building floor area. This proposed zoning text amendment proposes to add a similar buffer exclusion for carwashes.

PLANNING COMMISSION PUBLIC HEARING (MAY 7, 2024)

On May 7, 2024, the Planning Commission held a duly noticed public hearing on the item. One item of discussion was on the 20,000-foot requirement related to wineries, tasting rooms, and processing of agricultural products. It was clarified that the minimum size requirement applied to the entire parcel and not just the size of an existing vineyard. Another question related to carwash use of recycled water. Information was provided that carwashes have recycling systems to filter and re-use water within their systems to reduce overall water usage. No public comments were received. After deliberations, the Planning Commission voted 5-0 to adopt Planning Commission Resolution 9-24 recommending the City Council adopt an ordinance approving the project.

Proposed Ordinance

The proposed ordinance would modify two sections of the municipal code as follows (underline represents added language; strikethrough represents deleted language)

WINERIES, TASTING ROOMS, AND PROCESSING OF AGRICULTURAL PRODUCTS

OMC 9.1.404 Single Family Residential District (R-6; R-7; R-10; R-15; R-20; R-40).

c. Uses Requiring a Conditional Use Permit. The following uses are permitted upon the issuance of a conditional use permit.

> 9. Wineries, tasting rooms, and processing of agricultural products ~~only~~ in the R-20 and R-40 residential districts and in the other R districts when a lot is a

minimum 20,000 square feet in size and contains an existing vineyard at the time of the application.

CARWASHES

OMC 9.1.1238 Carwashes.

c. Performance Standards.

6) There shall be no more than one carwash located within any shopping center or contiguous commercial properties that have internally shared access. In addition, no new carwash shall be proposed within one thousand (1,000) feet of an existing carwash as measured between the shortest distance from either the perimeter of the carwash operations or parcel lines, subject to the determination by the Community Development Director. An exception to the one thousand (1,000) foot buffer may be considered if a carwash is located within one thousand (1,000) feet of a highway on/off ramp, subject to the approval of the applicable decision-making body.

Analysis

The main purpose of the proposed zoning text amendments is to encourage further economic development within the City of Oakley.

WINERIES, TASTING ROOMS, AND PROCESSING OF AGRICULTURAL PRODUCTS

The existing code is written so that wineries and related uses are only allowed to be proposed on a lot of at least 20,000 square feet in size that is also zoned AL, R-20, or R-40 District. Oakley has a rich history in viticulture and there are many scattered vineyards on residential properties of at least 20,000 square feet, but that are zoned R-6 through R-15; thereby, not being eligible to apply for a conditional use permit for a winery/tasting room, etc. Vineyards are often faced with the dilemma of trying to maintain a vineyard in a growing city or sell the land to a perspective developer/speculator. Passing this ordinance will provide small vineyard owners on properties of at least 20,000 square feet the option to apply for a conditional use permit for a commercial winery, tasting room, or other processing of their viticulture products, which will result in helping viticulturalists continue their practices by opening new avenues for financial stability and opportunities for more small businesses in the City of Oakley. These additional use options are expected to be sought after by some property owner/vineyard owners, which would help to further preserve some of Oakley's smaller vineyards.

CARWASHES

Currently, the maximum number of carwashes on a single site or within a single shopping center is capped at one. Also, a carwash is required to be 1,000 feet from any other carwash on a different site. As infill development continues within the growing City of Oakley, the applicable performance standard serves to reduce potential over-saturation of carwashes in a given area. Adoption of a buffer exclusion for uses within 1,000 feet of a highway on/off ramp would not change how the municipal code applies to most of the commercial areas in Oakley, such as along Empire Avenue, O'Hara Avenue, Laurel Road, or Cypress Road. The exclusion would apply to the four corners at the intersection of Main Street, Neroly Road and Bridgehead Road, which is an area near Highway 160 and mostly surrounded by other commercial uses. This area is unique in the City as one surrounded by commercial and light industrial development that is not as walkable from nearby residential as many other commercial areas in Oakley. Adopting this buffer exclusion would open new opportunities for development/redevelopment of this intersection without the potential impact of carwash saturation.

Findings

Draft findings can be found in the proposed resolution.

Consistency with the Oakley Strategic Plan 27+

Approval of this application would be consistent with the Oakley Strategic Plan 27+ Community and Economic Development Goal to inspire and encourage Community and Economic Development through Strategic and thoughtful growth, a business friendly environment, and local employment opportunities.

Environmental Determination

The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption in that the proposed ordinance would only establish and clarify administrative processes and would not facilitate new construction or other groundbreaking activities. There is no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment. None of the circumstances described in CEQA Guidelines Section 15300.2 applies.

Fiscal Impact

No fiscal impact is associated with the preparation of this staff report and accompanying attachments. Costs associated with amending the Zoning Code on City-initiated projects, including staff time associated with this zoning text amendment, are funded through the City's General Fund.

Staff Recommendation

Staff recommends the City Council waive the first reading and introduce an ordinance amending Oakley Municipal Code sections 9.1.404.c.9 and 9.1.1238.b.6 and finding the action exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

Attachments

1. Notice of Public Hearing
2. Planning Commission Resolution 9-24
3. Draft Ordinance

City of Oakley
3231 Main Street
Oakley, CA 94561

This is a Notice of Public Hearing

OAKLEY
CALIFORNIA

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **July 9, 2024,** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council 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 project as described below:

Project Name: Zoning Text Amendments – Winery-Related Uses and Carwash Highway Buffers (RZ 02-24).

Project Location: In applicable Zoning Districts within the City of Oakley's jurisdiction.

Applicant: City of Oakley, 3231 Main Street, Oakley, CA 94561.

Request: City-initiated application requesting approval of a Rezoning (RZ 02-24) consisting of zoning text amendments that are proposed to amend 1) Oakley Municipal Code ("OMC") Section 9.1.404.c.9 so that wineries, tasting rooms, and processing of agricultural products are not only conditionally permitted in the R-20 and R-40 District, but also in other R Districts on properties of at least 20,000 square feet that have an existing vineyard; and 2) OMC Section 9.1.1238.c.6, a performance standard for applicable to Carwashes, by adding an exclusion to the 1,000-foot minimum buffer between carwashes when within 1,000 of a highway on/off ramp ("Project").

How to Review: The Staff Report and its attachments will be available for public review, on or before **July 2, 2024** 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 **July 9, 2024** City Council 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 Ken Strelo, Community Development Director at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to strelo@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.

PLANNING COMMISSION
RESOLUTION NO. 9-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OAKLEY RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPT AN ORDINANCE AMENDING OAKLEY MUNICIPAL CODE SECTIONS 9.1.404.C.9 AND 9.1.1238.B.6 (RZ 02-24) AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, this is a City-initiated application requesting approval of a Rezoning (RZ 02-24) consisting of zoning text amendments to amend 1) Oakley Municipal Code ("OMC") section 9.1.404.c.9 so that wineries, tasting rooms, and processing of agricultural products are not only conditionally permitted in the R-20 and R-40 District, but also in other R Districts on properties of at least 20,000 square feet that have an existing vineyard; and 2) OMC section 9.1.1238.c.6, a performance standard for applicable to Carwashes, by adding an exclusion to the 1,000-foot minimum buffer between carwashes when within 1,000 of a highway on/off ramp ("Project"); and

WHEREAS, on or before April 26, 2024, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution, 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 was mailed out to outside agencies and to parties requesting such notice; and

WHEREAS, on May 7, 2024, the Planning Commission held a duly noticed public hearing to consider the proposed Rezone (RZ 02-24), received the staff report and staff presentation, received comments from the public and interested parties, and discussed the matter; 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.

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

A. The Planning Commission recommends that the City Council finds the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption in that the proposed ordinance would only establish and clarify administrative processes and would not facilitate new construction or other groundbreaking activities. There is no potential to result in either a direct physical change to the

environment or a reasonably foreseeable indirect physical change to the environment. None of the circumstances described in CEQA Guidelines Section 15300.2 applies.

B. Amending OMC section 9.1.404.c.9 related to wineries, tasting rooms, and processing of agricultural products will provide small vineyard owners on properties of at least 20,000 square feet the option to apply for a conditional use permit for a commercial winery, tasting room, or other processing of their viticulture products, which will result in helping viticulturalists continue their practices by opening new avenues for financial stability and opportunities for more small businesses in the City of Oakley. These additional use options are expected to be sought after by some property owner/vineyard owners, which would help to further preserve some of Oakley's smaller vineyards.

C. Amending OMC section 9.1.1238.b.6 related to carwash highway buffers would open new opportunities for development/redevelopment of this intersection without the potential impact of carwash saturation.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, The Planning Commission hereby recommends that the City Council adopt an ordinance amending Oakley Municipal Code sections 9.1.404.c.9 and 9.1.1238.b.6 as shown in the Exhibit "A" to this Resolution and finding the action exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

PASSED AND ADOPTED by the Planning Commission of the City of Oakley this 7th day of May 2024, by the following vote:

AYES: Chuiko, Krieg, Price, Ramirez, Verduzco
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

Oleksii Chuiko, Chair

ATTEST:

Libby Vreonis, City Clerk

05/08/2024

Date

ORDINANCE NO. -24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY AMENDING OAKLEY MUNICIPAL CODE SECTIONS 9.1.404.C.9 RELATED TO WINERIES, TASTING ROOMS, AND PROCESSING OF AGRICULTURAL PRODUCTS AND 9.1.1238.B.6 (RZ 02-24) RELATED TO CARWASHES, AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, this is a City-initiated application requesting approval of a Rezoning (RZ 02-24) consisting of zoning text amendments to amend 1) Oakley Municipal Code ("OMC") section 9.1.404.c.9 so that wineries, tasting rooms, and processing of agricultural products are not only conditionally permitted in the R-20 and R-40 District, but also in other R Districts on properties of at least 20,000 square feet that have an existing vineyard; and 2) OMC section 9.1.1238.c.6, a performance standard for applicable to Carwashes, by adding an exclusion to the 1,000-foot minimum buffer between carwashes when within 1,000 of a highway on/off ramp ("Project"); and

WHEREAS, on May 7, 2024, the Planning Commission held a duly noticed public hearing to consider the proposed Rezone (RZ 02-24), received the staff report and staff presentation, received comments from the public and interested parties, and discussed the matter. Following the public hearing, the Planning Commission adopted Planning Commission Resolution No. 9-24 recommending the City Council adopt the proposed Ordinance; and

WHEREAS, on or before June 28, 2024, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution, 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 was mailed out to outside agencies and to parties requesting such notice; and

WHEREAS, on July 9, 2024, the City Council held a duly noticed public hearing to consider the proposed Ordinance, received the staff report and staff presentation, received comments from the public and interested parties, considered the recommendation of the Planning Commission and discussed the matter; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLEY, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2. Additional Findings.

A. The City Council finds the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption in that the proposed ordinance would only establish and clarify administrative processes and would not facilitate new construction or other groundbreaking activities. There is no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment. None of the circumstances described in CEQA Guidelines Section 15300.2 applies.

B. Amending OMC section 9.1.404.c.9 related to wineries, tasting rooms, and processing of agricultural products will provide small vineyard owners on properties of at least 20,000 square feet the option to apply for a conditional use permit for a commercial winery, tasting room, or other processing of their viticulture products, which will result in helping viticulturalists continue their practices by opening new avenues for financial stability and opportunities for more small businesses in the City of Oakley. These additional use options are expected to be sought after by some property owner/vineyard owners, which would help to further preserve some of Oakley's smaller vineyards.

C. Amending OMC section 9.1.1238.b.6 related to carwash highway buffers would open new opportunities for development/redevelopment of this intersection without the potential impact of carwash saturation.

SECTION 3. Subsection 9.1.404.c.9 of the Oakley Municipal Code Section 9.1.404 titled, "Single-Family Residential Districts (R-6; R-7; R-10; R-12; R-15; R-20; R-40)" is hereby repealed and amended, as follows:

> "9. Wineries, tasting rooms, and processing of agricultural products ~~only~~ in the R-20 and R-40 residential districts and in the other R districts when a lot is a minimum 20,000 square feet in size and contains an existing vineyard at the time of the application."

SECTION 4. Subsection 9.1.1238.b.6 of the Oakley Municipal Code Section 9.1.1238 titled, "Carwashes" is hereby amended, as follows:

> "6) There shall be no more than one carwash located within any shopping center or contiguous commercial properties that have internally shared access. In addition, no new carwash shall be proposed within one thousand (1,000) feet of an existing carwash as measured between the shortest distance from either the perimeter of the carwash operations or parcel lines, subject to the determination by the Community Development Director. An exception to the one thousand (1,000) foot buffer may be considered if a carwash is located within one thousand

(1,000) feet of a highway on/off ramp, subject to the approval of the applicable decision-making body."

SECTION 5. California Environmental Quality Act (CEQA).

This project is exempt from environmental analysis under the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that the proposed amendments will not have a significant effect on the environment.

SECTION 6. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2024 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Anissa Williams, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

DATE: July 9, 2024

TO: Joshua McMurray, City Manager

FROM: Evan Gorman, Associate Planner

Approved and Forwarded to the City Council

SUBJECT: Bernard Corners Rezone (RZ 01-24) – Request to Rezone a Parcel from Planned Unit Development to General Commercial

Summary

This is an application by Brian J. Kelly ("Applicant") requesting approval of a Rezone (RZ 01-24) to accommodate commercial development of a property ("Project"). The subject property is a 1.68-acre triangular parcel at the corner of Bernard Road and Main Street. The property is currently zoned P-1 (Planned Unit Development) District and the owner is requesting to rezone the property to C (General Commercial) District in order to make the parcel consistent with its Commercial (CO) General Plan land use designation and accommodate commercial development. (APN 033-320-033)

Background

GENERAL PLAN AND ZONING

- The General Plan Land Use Designation for the project site is Commercial (CO). The Commercial (CO) designation allows for a wide range of retail, service, office, restaurant, lodging, auto-service, and public/semi-public uses. The specific uses and development form permitted on a particular site depend on the zoning and surrounding land uses, with potentially incompatible uses like those generating noise or vibration not allowed near residential areas.
- The site is zoned P-1 (Planned Unit Development) District as depicted on the City of Oakley Zoning Map. P-1 zoning is typically utilized by large-scale development requiring cohesive design with flexible regulations whereas the application of conventional regulation, designed primarily for individual lot development may create a monotonous and inappropriate neighborhood or development. It is typically used at the neighborhood or industrial complex scale.

After reviewing all available records, City Staff were unable to determine the reason for the original zoning designation for the parcel and were unable to find an associated resolution for a Planned Unit Development that included the site. It is assumed the site was included as part of an adjacent P-1 District during a subdivision that occurred in 1991, but that it was not included as part of the development.

PLANNING COMMISSION PUBLIC HEARING

On June 4, 2024, the application was presented to the Planning Commission as

a public hearing item. The role of the Planning Commission at that hearing was to receive the Staff Report from Staff and public testimony from the applicant, public, and any interested parties, and make a recommendation to the City Council on the project. At the end of that public hearing, the Planning Commission adopted Resolution 11-24 recommending the City Council make findings and approve the Rezoning. A copy of the adopted resolution is included as an attachment to this report for additional reference and background. No public comment was submitted regarding this item at that meeting.

Project Description

The applicant is requesting approval of a Rezone to C (General Commercial) District to accommodate commercial development of the property. Commercial development may not move forward with the property's current P-1 zoning unless it was accompanied by a Rezone application at the time of other entitlement requests. The applicant finds that rezoning will remove potential barriers and allow themselves the same abilities to utilize their property as other nearby commercial properties may be used.

Applications for Rezonings are governed by section 2.4.012, *Rezoning,* of the Oakley Municipal Code. Rezonings may be granted when it can be shown the project shall comply with the following:

1) The change proposed will substantially comply with the general plan;

2) The uses authorized or proposed in the land use district are compatible within the district and to uses authorized in adjacent districts; and

3) Community need, but not necessarily future financial success, has been demonstrated for the use proposed.

Analysis

The applicant's proposal is consistent with the criteria for rezonings outlined in the municipal code. The rezone to C (General Commercial) District is consistent with the property's Commercial (CO) General Plan Land Use Designation. The land uses that would be permitted on the property as a result of the rezoning are the same as those permitted and established on the commercial properties north of the project site. The surrounding community has a need for additional Commercial land uses in this area of the City, especially on corner parcels along primary thoroughfares such as in this case.

Environmental Review

The request for a rezone to General Commercial District on a property designated commercial in the general plan is deemed to be exempt from the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines Section 15061(b)(3), *Common Sense Exemption*. The project is consistent with the general plan

and cannot be expected to impact the physical environment or public health, safety, or welfare.

Findings

Complete draft findings are included in the attached resolution.

Consistency with the Oakley Strategic Plan 27+

Approval of this application would be consistent with the goals in the section of the Oakley Strategic Plan 27+ entitled, “Community and Economic Development Goal”. Reviewing applications for compliance with Oakley’s development standards ensures strategic and thoughtful growth.

Fiscal Impact

The approval of this extension would not impact the General Fund. This is a developer funded account. All Staff time and City of Oakley generated materials are charged to the developer account funded by the developer.

Staff Recommendation

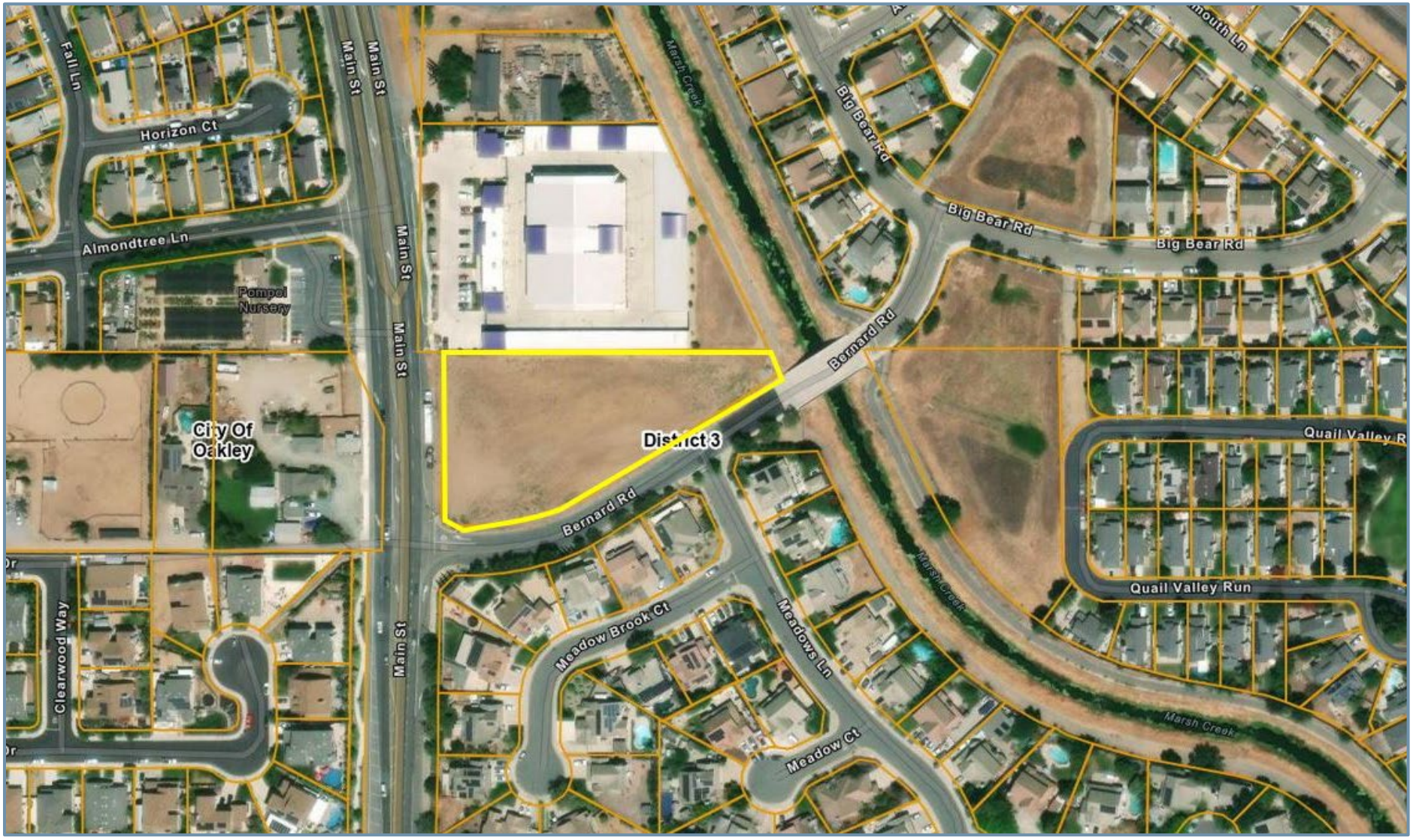
Staff recommends the City Council waive the first reading and introduce the proposed ordinance rezoning the subject parcel.

Attachments

1. Vicinity Map
2. Notice of Public Hearing
3. Planning Commission Resolution 11-24
4. Draft Ordinance

Vicinity Map

Bernard Corners Rezone (RZ 01-24)



OAKLEY
CALIFORNIA

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **July 9, 2024 at 6:30 p.m.**, or as soon thereafter as the matter may be heard, the City Council 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 application as described below:

Project Name: Bernard Corners Rezone (RZ 01-24)

Project Location: The project site is a vacant parcel at the corner of Main Street and Bernard Way, Oakley, CA 94561 APN 033-320-033

Applicant: Brian J Kelly, 12241 Saratoga Sunnyvale Road, Saratoga, CA 95070, kellygordon@aol.com, 408-873-8774

Request: This is an application by Brian J. Kelly ("Applicant") requesting approval of a Rezone (RZ 01-24) to accommodate commercial development of a property ("Project"). The subject property is a 1.68-acre triangular parcel at the corner of Bernard Road and Main Street. The property is currently zoned P-1 (Planned Unit Development) District and the owner is requesting to rezone the property to C (General Commercial) District in order to make the parcel consistent with its Commercial (CO) General Plan land use designation and accommodate commercial development. (APN 033-320-033)

How to Review: The Staff Report and its attachments will be available for public review, on or before **July 2, 2024** 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 **July 9, 2024** City Council 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 Evan Gorman, Associate Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to **Gorman@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.

PLANNING COMMISSION
RESOLUTION NO. 11-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OAKLEY RECOMMENDING THE CITY COUNCIL MAKE FINDINGS AND ADOPT AN ORDINANCE APPROVING A REZONE FROM P-1 (PLANNED UNIT DEVELOPMENT) TO C (GENERAL COMMERCIAL) DISTRICT FOR THE PROPERTY AT THE NORTHEAST CORNER OF MAIN STREET AND BERNARD ROAD APN 033-320-033.

WHEREAS, on March 13, 2024, Brian J Kelly ("Applicant"), submitted an application to rezone (RZ 01-24) the property at the northeast corner of Main Street and Bernard Road from P-1 (Planned Unit Development) to C (General Commercial) ("Project"). The project site is zoned P-1 (Planned Unit Development) District. (APN: 033-320-033); and

WHEREAS, on April 11, 2024, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project is designated as Commercial (CO) in the Oakley General Plan, and zoned P-1 (Planned Unit Development) District; and

WHEREAS, the project is exempt from further environmental analysis under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), Common Sense Exemption; and

WHEREAS, on or before May 24, 2024, 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 4, 2024, the Planning Commission opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and adopted this resolution recommending the City Council approve the project, as conditioned; 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 upon the City's General Plan, the City's Zoning Ordinance, and the information submitted to the Planning Commission at its June 4, 2024,

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 (hereinafter the "Record").

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above findings of fact and the entire Record, the Planning Commission makes the following additional findings in support of the recommendation to the City Council to approve the Project, as conditioned:

A. Regarding the application requesting approval of a Rezoning (RZ 01-24) of the property at the northeast corner of Main Street and Bernard Road from P-1 (Planned Unit Development) to C (General Commercial):

1. The rezone to C (General Commercial) District is consistent with the property's Commercial (CO) General Plan Land Use Designation, and the description of the General Plan Land Use area provided in the General Plan describes the intention of accommodating uses that exactly align with those permitted within the proposed zoning district, and those uses have been permitted on other properties with the same General Plan Land Use District and Zoning District over the City's history.

2. The land uses that would be permitted on the property as a result of the rezoning are the same as those permitted and established on the commercial properties north of the project site; and

3. The surrounding community has a distinct need for additional Commercial land uses in this area of the City, especially on corner parcels along primary thoroughfares such as in this case; and

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 recommends the City Council approves of the Applicant's request for a **Rezoning (RZ 01-24),** 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 application received by the Planning Division dated **March 13, 2024**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO ESTABLISHING THE USE UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. **Rezoning (RZ 01-24)** is approved, as described in the application date stamped by the Planning Division on **March 13, 2024**, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.

2. 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.

3. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

4. Approval of this request shall not waive compliance with any sections of the Municipal Code, State Fire Marshal's regulations, the California Building Code, or any City Ordinances.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL 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. Comply with the requirements of the Ironhouse Sanitary District.

C. Comply with the requirements of the Contra Costa County Fire Protection District.

D. Comply with the requirements of the Diablo Water District.

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

PASSED AND ADOPTED by the Planning Commission of the City of Oakley this 4th day of June, 2024 by the following vote:

AYES: Chuiko, Krieg, Price
NOES:
ABSTENTIONS:
ABSENT: Ramirez, Verduzco

APPROVED:

Oleksii Chuiko, Chair

ATTEST:

Libby Vreonis, City Clerk

06/06/2024
Date

ORDINANCE NO. -24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING A REZONE TO REZONE A 1.68-ACRE SITE FROM P-1 (PLANNED UNIT DEVELOPMENT) DISTRICT TO C (GENERAL COMMERCIAL) DISTRICT APN 033-320-033

FINDINGS

WHEREAS, on March 13, 2024, Brian J Kelly ("Applicant") filed an application requesting approval of the following entitlements ("Project"):

- Rezone (RZ 01-24) of 1.68 acres from P-1 (Planned Unit Development) District to C (General Commercial) District;

WHEREAS, the project site is located at the northeast corner of Bernard Road and Main Street and is zoned P-1 (Planned Unit Development) District. (APN: 033-320-033); and

WHEREAS, the proposal complies with the requirements of the rezoning application requirements of Section 2.4.012 (a) of the Oakley Municipal Code; and

WHEREAS, on June 4, 2024, the Planning Commission held a duly noticed public hearing on the project at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission held a vote and adopted Planning Commission Resolution No. XX-XX recommending the City Council approve the project; and

WHEREAS, on or before June 28, 2024, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution, was posted at the Project site, at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, and outside the library at Freedom High School located at 1050 Neroly Road, was posted to the City's website, and was mailed out to all owners of property within a 500-foot radius of the project's boundaries, to parties requesting such notice, and to outside agencies; and

WHEREAS, on July 9, 2024, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution approving the project, as conditioned; and

The City Council of the City of Oakley does ordain as follows:

SECTION 1. Findings

A. Pursuant to Section 2.4.012 of the Oakley Municipal Code, the City Council of the City of Oakley hereby finds and determines as follows:

1. The rezone to C (General Commercial) District is consistent with the property's Commercial (CO) General Plan Land Use Designation, and the description of the General Plan Land Use area provided in the General Plan describes the intention of accommodating uses that exactly align with those permitted within the proposed zoning district, and those uses have been permitted on other properties with the same General Plan Land Use District and Zoning District over the City's history; and

2. The land uses that would be permitted on the property as a result of the rezoning are the same as those permitted and established on the commercial properties north of the project site; and

3. The surrounding community has a distinct need for additional Commercial land uses in this area of the City, especially on corner parcels along primary thoroughfares such as in this case; and

SECTION 2. Property Defined and Rezoned

A. 1.68-acre of real property located at the northeast corner of Bernard Road and Main Street, Oakley, CA 94561 (APN 033-320-033).

SECTION 3. California Environmental Quality Act (CEQA) Finding

The request for a rezone to General Commercial District on a property designated commercial in the general plan is deemed to be exempt from the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines Section 15061(b)(3), *Common Sense Exemption*. The project is consistent with the general plan and cannot be expected to impact the physical environment or public health, safety, or welfare.

SECTION 4. Severability

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

SECTION 5. Effective Date and Posting

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed office in the City

Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2024 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Anissa Williams, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

DATE: July 9, 2024

TO: Joshua McMurray, City Manager

FROM: Evan Gorman, Associate Planner

Approved and Forwarded to the City Council

SUBJECT: Oakley Village Subdivision 9577 Tentative Map Extension (TME 01-24) – Request for a Three Year Extension to an Approved Subdivision Map

Summary

This is an Application by Edgemont Station LLC ("Applicant") requesting approval of a Tentative Map Extension (TME 01-24) for Subdivision 9577 (known as "Oakley Village") for a period of three (3) additional years ("Project"). This will be the first discretionary extension for this approval. The approved Tentative Map consists of approximately 14.75 acres subdivided into 42 single-family residential lots (minimum lot size of 10,000 square feet). The project site is located west of the intersection of Sellers Avenue and BNSF Railroad tracks and zoned R-10 (Single Family Residential) District. APNs: 033-150-011 and 033-150-018.

Background

GENERAL PLAN AND ZONING

- The General Plan Land Use Designation for the project site is Residential Low (RL) (Designated in Oakley's 2020 Focused General Plan update; the land was designated Single Family Residential, Medium Density (SM) at the time of the original approval).
- The site is zoned R-10 (Single-Family Residential) District as depicted on the City of Oakley Zoning Map.

PREVIOUS ENTITLEMENTS

On November 9, 2021, the City Council approved Tentative Map 9577 and the associated Mitigated Negative Declaration through City Council Resolution No. 135-21. The Tentative Map received a three (3) year entitlement period from its resolution approval date, and therefore, was originally set to expire on November 9, 2024. The applicant submitted a written request for an extension on April 3, 2024.

PLANNING COMMISSION PUBLIC HEARING (JUNE 4, 2024)

On June 4, 2024, the application was presented to the Planning Commission as a public hearing item. The role of the Planning Commission at that hearing was to receive the Staff Report from Staff and public testimony from the applicant, public, and any interested parties, and make a recommendation to the City Council on the project. At the end of that public hearing, the Planning Commission adopted Resolution 13-24 recommending the City Council make findings and approve the

Tentative Map Extension. A copy of the adopted Planning Commission resolution is included as an attachment to this report. A Public Comment was submitted expressing concern for an owl on the property. Any development on this property will be subject to the requirements of the Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP).

Project Description

The applicant is requesting an extension of three (3) years to the entitlement of the approved Tentative Map. If approved, the map would not expire until November 9, 2027. The Subdivision Map Act permits an additional three (3) year extension beyond this application, should it be approved.

Environmental Review

The request for an extension to the Tentative Map will not result in any new physical impacts on the project, and therefore will not result in any new significant impacts when reviewed for conformance with the California Environmental Quality Act ("CEQA"). The project falls within the scope of the original CEQA analysis and no further environmental analysis is required.

Analysis

The Subdivision Map Act (Government Code 66452.6 (e)) allows the governing body with authority to approve a tentative map to extend that approval for a period not to exceed six (6) additional years from the original expiration date, excluding any automatic extensions passed by the State legislature that may apply. Following Planning Commission review, the City Council may grant multiple approvals on the same tentative map, so long as requests for extensions are submitted prior to expiration of the map, pursuant to the Subdivision Map Act.

The applicant is requesting a three (3) year extension to the Tentative Map to provide more time to feasibly develop the project. Approval of this extension would ensure the Tentative Map would still be valid for an additional three years. Staff finds that allowing for a three-year extension to the Oakley Village approval will not result in any direct or indirect public health, safety, or welfare issues. If this proposal were denied and a new project was proposed in the future, it would likely have similar right of way improvement requirements and the community would not see an added benefit from that.

CONDITIONS OF APPROVAL

Pursuant to the Subdivision Map Act, following Planning Commission review the City Council may approve or conditionally approve extensions to a tentative map. It is noted here and referenced in the proposed resolution's findings that all conditions of

approval in City Council Resolution 135-21 that are not modified in the proposed resolution are still in full effect for this Tentative Map. Proposed conditions of approval reflect references to previous entitlements, standard language related to indemnification and applicant's responsibilities, the new expiration date, and updates to condition language regarding establishing funding mechanisms to cover ongoing financial impacts to fire protection services, police services, and maintenance and operation services associated with public landscaping, parks, streetlighting, and stormwater facilities. These updates will supersede previous conditions that relied only on Community Facilities Districts (CFDs) to establish those funding mechanisms.

Findings

Complete draft findings are included in the attached resolution.

Consistency with the Oakley Strategic Plan 27+

Approval of this application would be consistent with the goals in the section of the Oakley Strategic Plan 27+ entitled, "Community and Economic Development Goal". Reviewing applications for compliance with Oakley's development standards ensures strategic and thoughtful growth.

Fiscal Impact

The approval of this extension would not impact the General Fund. This is a developer funded account. All Staff time and City of Oakley generated materials are charged to the developer account funded by the developer.

Staff Recommendation

Staff recommends the City Council adopt the resolution approving the Tentative Map Extension (TME 01-24), which would extend the approval for an additional three (3) years, as conditioned.

Attachments

1. Vicinity Map
2. Notice of Public Hearing
3. Approved Tentative Map
4. Planning Commission Resolution 13-24
5. Draft Resolution

Vicinity Map

Oakley Village Subdivision 9577 Tentative Map Extension (TME 01-24)



OAKLEY
CALIFORNIA

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **July 9, 2024 at 6:30 p.m.**, or as soon thereafter as the matter may be heard, the City Council 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 application as described below:

Project Name: Oakley Village Subdivision 9577 Tentative Map Extension (TME 01-24)

Project Location: The project site is located west of the intersection of Sellers Avenue and BNSF Railroad tracks, APNs: 033-150-011 and 033-150-018, Oakley, CA 94561

Applicant: Edgemont Station LLC, 2443 Fair Oaks Blvd. #445 Sacramento, CA 95825, smonfared@edgemontstation.com, 916-267-3861

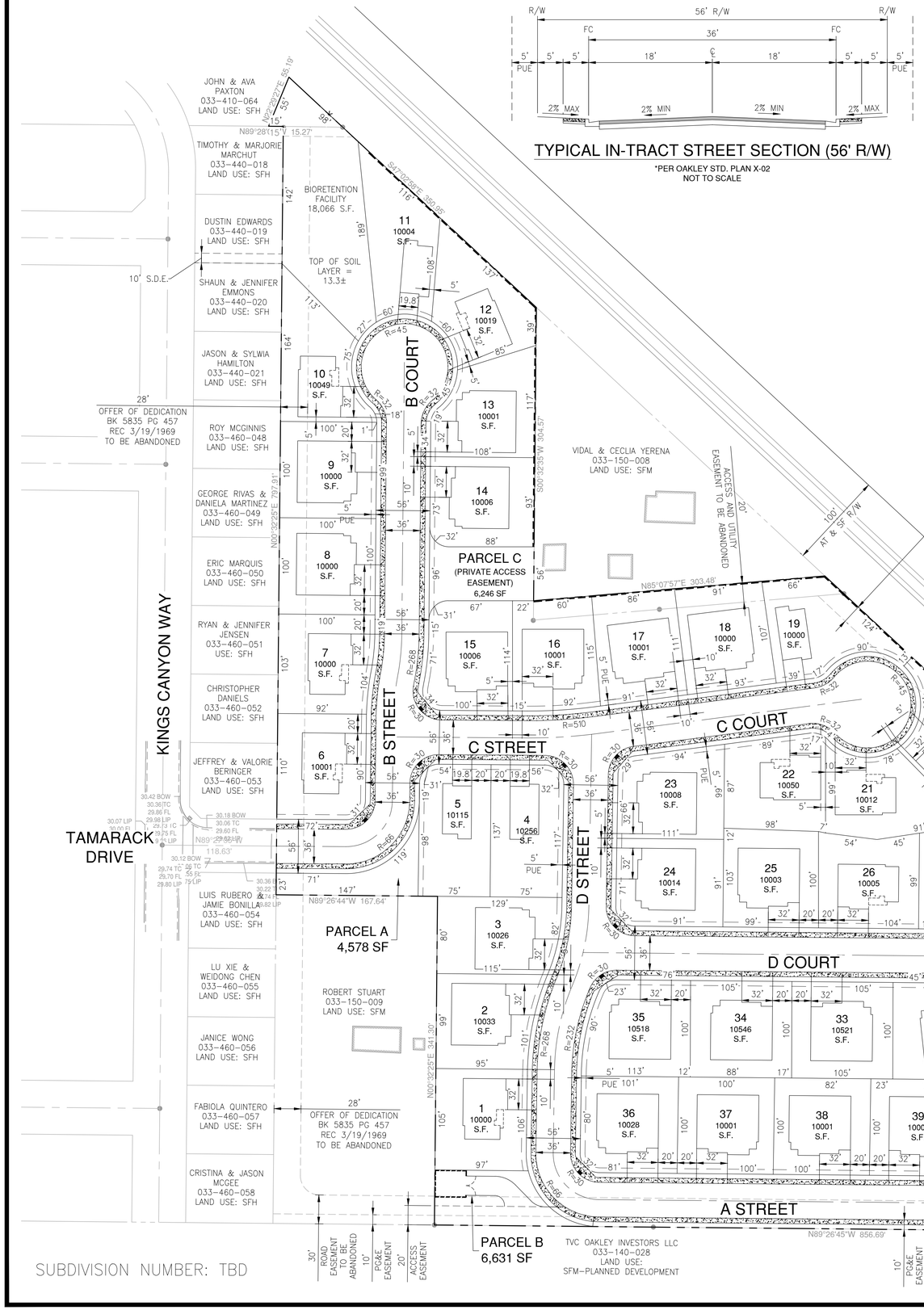
Request: This is an Application by Edgemont Station LLC ("Applicant") requesting approval of a Tentative Map Extension (TME 01-24) for Subdivision 9577 (known as "Oakley Village") for a period of three (3) additional years ("Project"). This will be the first discretionary extension for this approval. The approved Tentative Map consists of approximately 14.75 acres subdivided into 42 single-family residential lots (minimum lot size of 10,000 square feet). The project site is located west of the intersection of Sellers Avenue and BNSF Railroad tracks and zoned R-10 (Single Family Residential) District. APNs: 033-150-011 and 033-150-018.

How to Review: The Staff Report and its attachments will be available for public review, on or before **July 2, 2024** 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 **July 9, 2024** City Council 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 Evan Gorman, Associate Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to **Gorman@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.

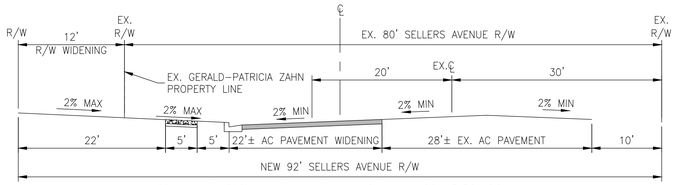
City of Oakley
Planning Division
3231 Main Street
Oakley, CA 94561

This is a Notice of Public Hearing



TYPICAL IN-TRACT STREET SECTION (56' R/W)

*PER OAKLEY STD. PLAN X-02
NOT TO SCALE



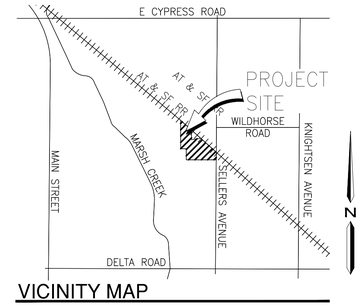
SELLERS AVENUE WIDENING (92' R/W)

NOT TO SCALE

LOT SUMMARY	
LOT AREA (SF)	NUMBER OF LOTS
10,000-10,500	35
10,501-11,000	7
TOTAL	42

LEGEND

CONCRETE



VICINITY MAP

GENERAL NOTES

1. LAND AREA SUMMARY

LOT AREA	11.04 AC
BIORETENTION FACILITY	0.42 AC
PARCEL A	0.11 AC
PARCEL B	0.15 AC
PARCEL C	0.14 AC
SELLERS AVENUE	0.34 AC
IN-TRACT STREETS	2.62 AC
TOTAL AREA	14.82 AC

2. TOTAL NUMBER OF LOTS = 42
3. DENSITY: 2.83 LOTS / ACRE
4. ZONING: R-10 10,000 SF. MIN. LOT AREA
5. GENERAL PLAN DESIGNATION: SINGLE FAMILY MEDIUM (033-150-011 & 033-150-018)
6. UTILITIES:

WATER	DIABLO WATER DISTRICT
SEWER	IRON HOUSE SANITARY DISTRICT
GAS/ELECTRIC	PG&E
TELEPHONE	AT&T CALIFORNIA

7. PROJECT SITE APN'S: 033-150-011 & 033-150-018
8. MULTIPLE FINAL MAPS MAY BE FILED ON THE LAND SHOWN ON THIS MAP
9. ALL TREES, FENCES AND BUILDINGS WITHIN DEVELOPED AREA TO BE REMOVED
10. FLOOD ZONE INFORMATION — ZONE X: ZONE IS OUTSIDE THE 100 YEAR FLOOD PLANE

    FLOOD ZONE INFORMATION FROM FEMA FLOOD MAP COMMUNITY PANEL NUMBER 06013C0360G EFFECTIVE 03/21/2017

ABBREVIATION LIST

AL	AGRICULTURAL LANDS
AT & SF	ATCHISON, TOPEKA & SANTA FE
℄	CENTERLINE
EX	EXISTING
FC	FACE OF CURB
FM	FORCE MAIN
MAX	MAXIMUM
MIN	MINIMUM
PG&E	PACIFIC GAS AND ELECTRIC
PUE	PUBLIC UTILITY EASEMENT
RR	RAILROAD
R/W	RIGHT OF WAY
S.D.E.	STORM DRAIN EASEMENT
S.F.	SQUARE FEET
SFH	SINGLE FAMILY HIGH
SFM	SINGLE FAMILY MEDIUM
SFVL	SINGLE FAMILY VERY LOW
SD	STORMDRAIN
SS	SANITARY SEWER
W	WATER

CONTACT INFORMATION

OWNER/APPLICANT: EDGEMONT STATION LLC.
8880 CAL CENTER DRIVE, SUITE 100
SACRAMENTO, CA 95826
CONTACT: SHAHRAIR MONFARED
(916) 267-3861

CIVIL ENGINEER: O'DELL ENGINEERING
1165 SCENIC DRIVE, SUITE A
MODESTO, CA 95350
CONTACT: MIKE PERSAK
(209) 497-4061

City of Oakley
Planning Division

APR 20, 2021

RECEIVED

Know what's below. Call before you dig.

PLAN REVISIONS		
NO.	DATE	REVISION

O'DELL ENGINEERING
1165 Scenic Drive, Suite A
Modesto, CA 95350
odellengineering.com

VESTING TENTATIVE MAP
OAKLEY VILLAGE
OAKLEY, CALIFORNIA

TENTATIVE MAP

APPROVED:

DESIGNED:	MP
DRAWN:	JJB
CHECKED:	MP
SCALE:	1" = 60'
DATE:	4/16/2021
JOB NO.:	JOB NO.:35750
FILE NO.:	TENTATIVE MAP8-1 35750.DWG

SHEET NO.
1
OF
2

H:\35750 Oakley Sellers Village\Civil\Exhibits\Oakley Sellers Village Tentative Map\CAD Drawings\TENATIVE MAP8-1 35750.dwg vadams 12:20:16 04/16/2021

PLANNING COMMISSION
RESOLUTION NO. 13-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OAKLEY RECOMMENDING THAT THE OAKLEY CITY COUNCIL ADOPT A RESOLUTION MAKING FINDINGS AND APPROVING A TENTATIVE MAP EXTENSION FOR THE PROJECT KNOWN AS OAKLEY VILLAGE SUBDIVISION 9577 (TME 01-24)

WHEREAS, on April 3, 2024, Edgemont Station, Inc. ("Applicant"), requested approval of a Tentative Map Extension. The applicant is requesting to extend the approval of Tentative Map 9577 (known as "Oakley Village Subdivision") for a period of three (3) additional years ("Project"). The approved Tentative Map consists of approximately 14.75 acres subdivided into forty-two (42) single-family residential lots. This project site is located west of the intersection of Sellers Avenue and BNSF Railroad tracks; APNs: 033-150-011 and 033-150-018; and

WHEREAS, the approved tentative map consists of an approximately 14.75 acre site subdivided into forty-two (42) lots; and

WHEREAS, the General Plan Land Use Designation for the project site is Residential Low (RL). The site is zoned "R-10" (Single Family Residential) District; and

WHEREAS, it can be seen with certainty that the request for an extension to the tentative parcel map will not result in any new physical impacts to the project, and therefore not result in any new significant environmental impacts. The project falls within the scope of the original California Environmental Quality Act ("CEQA") analysis which resulted in a Mitigated Negative Declaration. No further environmental analysis is necessary or required; and

WHEREAS, on or before May 24, 2024, the Notice of Public Hearing for the project was published in the Contra Costa Times, and 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, and outside the library at Freedom High School located at 1050 Neroly Road, and at the project location, and mailed out to all owners of property within 500 feet of the project boundaries, outside agencies, and parties requesting such notice; and

WHEREAS, on June 4, 2024, the Planning Commission opened the public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and adopted this resolution to recommend approval of the Tentative Map Extension to the City Council; 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 and Subdivision Ordinances, the Subdivision Map Act, Tentative Map 9577, the R-10 District, and the information submitted to the Planning Commission at its June 4, 2024 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 Subdivision (hereafter the "Record").

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

A. Regarding the application requesting approval of Oakley Village Subdivision 9577 Tentative Map Extension (TME 01-24), the Planning Commission finds that:

1. The proposed tentative map extension does not modify any of the original tentative map's design, and therefore, all of the findings made on the original tentative map (City Council Resolution 135-21) are still valid and apply to this extension; and

2. All conditions of approval in City Council Resolutions 135-21, not otherwise modified by this resolution, are still in effect.

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 hereby recommends that the City Council grant the Applicant's request for the Tentative Map Extension (TME 01-24), 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 application received by the Planning Division dated **April 3, 2024**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Division Conditions

1. Applicant shall comply with the requirements of the Oakley Municipal Code and applicable Conditions of Approval from City Council Resolution Nos. 135-21. Any exceptions must be stipulated in these Conditions of Approval.

2. This approval shall extend the approval of the tentative map for a period of three (3) additional years, resulting in Tentative Map 9577 expiring on November 9, 2027, unless it is further extended pursuant to the Subdivision Map Act or other automatic extensions. This extension shall constitute three (3) years of the maximum six (6) years of discretionary extension(s) allowed under Government Code section 66452.6(e).

3. The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on fire protection services provided in the City. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval. This condition supersedes condition 75(A) in City Council Resolution No. 135-21.

4. The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on police services provided in the City. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval. This condition supersedes condition 75(B) in City Council Resolution No. 135-21.

5. The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on maintenance and operation services associated with public landscaping, parks, streetlighting, and stormwater facilities. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval. This condition supersedes condition 75(C) in City Council Resolution No. 135-21.

6. 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.

7. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL 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. Comply with the requirements of the Ironhouse Sanitary District.

C. Comply with the requirements of the Contra Costa County Fire Protection District.

D. Comply with the requirements of the Diablo Water District.

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

PASSED AND ADOPTED by the Planning Commission of the City of Oakley this 4th day of June 2024 by the following vote:

AYES: Chuiko, Krieg, Price
NOES:
ABSTENTIONS:
ABSENT: Ramirez, Verduzco

APPROVED:

Oleksii Chuiko, Chair

ATTEST:

Libby Vreonis, City Clerk

06/06/2024
Date

RESOLUTION NO. -24

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING A TENTATIVE MAP EXTENSION FOR THE PROJECT KNOWN AS OAKLEY VILLAGE SUBDIVISION 9577 (TME 01-24)

WHEREAS, on April 3, 2024, Edgemont Station, Inc. ("Applicant"), requested approval of a Tentative Map Extension. The applicant is requesting to extend the approval of Tentative Map 9577 (known as "Oakley Village Subdivision") for a period of three (3) additional years ("Project"). The approved Tentative Map consists of approximately 14.75 acres subdivided into forty-two (42) single-family residential lots. This project site is located west of the intersection of Sellers Avenue and BNSF Railroad tracks; APNs: 033-150-011 and 033-150-018; and

WHEREAS, the approved tentative map consists of an approximately 14.75 acre site subdivided into forty-two (42) lots; and

WHEREAS, the General Plan Land Use Designation for the project site is Residential Low (RL). The site is zoned "R-10" (Single Family Residential) District; and

WHEREAS, it can be seen with certainty that the request for an extension to the tentative parcel map will not result in any new physical impacts to the project, and therefore not result in any new significant environmental impacts. The project falls within the scope of the original California Environmental Quality Act ("CEQA") analysis which resulted in a Mitigated Negative Declaration. No further environmental analysis is necessary or required; and

WHEREAS, on June 4, 2024, the Planning Commission held a duly noticed public hearing on the project at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and adopted Planning Commission Resolution No. 13-24 recommending the City Council approve the Tentative Map Extension; and

WHEREAS, on or before June 28, 2024, the Notice of Public Hearing for the project was published in the Contra Costa Times, and 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, and outside the library at Freedom High School located at 1050 Neroly Road, and at the project location, and mailed out to all owners of property within 500 feet of the project boundaries, outside agencies, and parties requesting such notice; and

WHEREAS, on July 9, 2024, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the City

Council took a vote and adopted this resolution to approve the Tentative Map Extension; 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 and Subdivision Ordinances, the Subdivision Map Act, Tentative Map 9577, the R-10 District, and the information submitted to the City Council at its July 9, 2024 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 Subdivision (hereafter the "Record").

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above findings of fact and the entire Record, the City Council makes the following additional findings in support of the approvals:

A. Regarding the application requesting approval of Oakley Village Subdivision 9577 Tentative Map Extension (TME 01-24), the City Council finds that:

   1. The proposed tentative map extension does not modify any of the original tentative map's design, and therefore, all of the findings made on the original tentative map (City Council Resolution 135-21) are still valid and apply to this extension; and

   2. All conditions of approval in City Council Resolutions 135-21, not otherwise modified by this resolution, are still in effect.

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 City Council approves the Applicant's request for the Tentative Map Extension (TME 01-24), 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 application received by the Planning Division dated **April 3, 2024**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Division Conditions

1. Applicant shall comply with the requirements of the Oakley Municipal Code and applicable Conditions of Approval from City Council Resolution Nos. 135-21. Any exceptions must be stipulated in these Conditions of Approval.

2. This approval shall extend the approval of the tentative map for a period of three (3) additional years, resulting in Tentative Map 9577 expiring on November 9, 2027, unless it is further extended pursuant to the Subdivision Map Act or other automatic extensions. This extension shall constitute three (3) years of the maximum six (6) years of discretionary extension(s) allowed under Government Code section 66452.6(e).

3. The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on fire protection services provided in the City. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval. This condition supersedes condition 75(A) in City Council Resolution No. 135-21.

   The applicant may choose to satisfy this condition through annexation into a Community Facilities District (CFD) for Fire Protection Services.

4. The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on police services provided in the City. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval. This condition supersedes condition 75(B) in City Council Resolution No. 135-21.

   The applicant may choose to satisfy this condition by voting to approve a special tax for the parcels created by the subdivision approval.

5. The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on maintenance and operation services associated with public landscaping, parks, streetlighting, and stormwater facilities. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval. This condition supersedes condition 75(C) in City Council Resolution No. 135-21.

The applicant may choose to satisfy this condition through annexation into a Community Facilities District (CFD) for public landscaping, parks, streetlighting, and stormwater facilities.

6. 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.

7. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL 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. Comply with the requirements of the Ironhouse Sanitary District.

C. Comply with the requirements of the Contra Costa County Fire Protection District.

D. Comply with the requirements of the Diablo Water District.

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

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 9th of July, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

_____

Anissa Williams, Mayor Date

ATTEST:

_____

Libby Vreonis, City Clerk Date

STAFF REPORT

OAKLEY
CALIFORNIA

DATE: July 9, 2024

TO: Joshua McMurray, City Manager

FROM: Ken Strelo, Community Development Director

Approved and Forwarded to the City Council

SUBJECT: Burroughs Subdivision 9557 Tentative Map Extension and Development Agreement Amendment (TME 02-24, DA 01-24)

Summary

This is an application by the City of Oakley and Westgate Ventures ("Applicant") requesting approval of 1) a Tentative Map Extension (TME 02-24) to extend the approval of Tentative Map 9557 (known as "Burroughs Subdivision 9557") for a period of six (6) additional years, and 2) a Development Agreement Amendment (DA 01-24) to amend the term of the existing Development Agreement for the project site from August 13, 2025 to the date of the Tentative Map Extension ("Project"). This will be the first discretionary extension for this approval. The approved Tentative Map consists of approximately 43.24 acres subdivided into 208 single-family residential lots, open space, and public right of way. The project site is located on the north side of East Cypress Road between Knightsen Avenue and the CCWD Canal Crossing and is zoned P-1 (Planned Unit Development) District. APNS 032-081-025 and 032-081-026.

Background

GENERAL PLAN AND ZONING

- The General Plan Land Use Designation for the project site is Residential Low/Medium (RLM) (Designated in Oakley's 2020 Focused General Plan update; the land was designated Single Family Residential, High Density (SH) at the time of the original approval).

- The site is zoned P-1 (Planned Unit Development) District as depicted on the City of Oakley Zoning Map.

PREVIOUS ENTITLEMENTS

On May 25, 2021, the City Council approved Subdivision 9557 and the associated Mitigated Negative Declaration through City Council Resolution No. 58-21. The Tentative Map received a three-year entitlement period from its resolution approval date, and therefore, was originally set to expire on May 25, 2024. The application requesting a Tentative Map Extension was submitted on submitted a written request for an extension on April 15, 2024.

PLANNING COMMISSION PUBLIC HEARING (JUNE 4, 2024)

On June 4, 2024, The Oakley Planning Commission held a public hearing on the project and unanimously adopted Planning Commission Resolution 14-24, recommending the City Council approve the Burroughs Subdivision 9557 Tentative Map Extension (TME 02-24) and Development Agreement Amendment (DA 01-24), which would extend the approval for an additional six years, as conditioned.

Project Description

TENTATIVE MAP EXTENSION (TM 02-24)

The applicant is requesting an extension of six years to the entitlement of the approved Tentative Map. If approved, the map would not expire until May 25, 2030. The Subdivision Map Act permits an additional six years of discretionary extensions whether done in a single request or multiple requests.

DEVELOPMENT AGREEMENT AMENDMENT (DA 01-24)

The applicant is requesting to amend the term agreed to in the First Amendment of the project site's Development Agreement titled, "First Amendment to the Development Agreement By and Between the City of Oakley and B&B Burroughs Revocable Trust, Mary E. Burroughs Revocable Living Trust, Robert C. Burroughs, Ward N. Burroughs, and Katherine Burroughs Treat for the Burroughs Property." The term of this First Amendment is set to expire on August 13, 2025, adopted by Ordinance 11-13. The applicant is requesting to extend the term to match the approved expiration of the related Tentative Map Extension with no other changes to the Development Agreement. If approved as proposed, the Development Agreement would be amended with a new term expiring on May 25, 2030.

Environmental Review

The request for an extension to the Tentative Map and amendment to the term of the Development Agreement will not result in any new physical impacts on the project, and therefore will not result in any new significant impacts when reviewed for conformance with the California Environmental Quality Act ("CEQA"). The project falls within the scope of the original CEQA analysis, which included an Initial Study that resulted in a Mitigated Negative Declaration (SCH# 2021040251). No further environmental analysis is required.

Analysis

The Subdivision Map Act (Government Code 66452.6 (e)) allows the governing body with authority to approve a tentative map to extend that approval for a period not to exceed six additional years from the original expiration date, excluding any automatic extensions that may apply. Following Planning Commission review, the City Council

may grant multiple approvals on the same tentative map, so long as requests for extensions are submitted prior to expiration of the map, pursuant to the Subdivision Map Act. Since this request is for a maximum of six years, it is expected to be the final discretionary extension request for this Tentative Map.

The applicant is requesting a six-year extension to the Tentative Map to provide more time to feasibly develop the project. Approval of this extension would ensure the Tentative Map would still be valid for an additional six years. Staff finds that allowing a six-year extension to the Burroughs Subdivision 9557 Tentative Map will not result in any direct or indirect public health, safety, or welfare issues. If this proposal were denied and a new project was proposed in the future, it would likely have similar right of way improvement requirements and the community would not see an added benefit from that.

Amending the Development Agreement to match the expiration date of the Tentative Map is a supportable request. Normally, Tentative Map expirations are extended to match Development Agreement expirations. In this case, the Tentative Map was adopted many years after the original Development Agreement was executed, and this would be the first request for an amendment to the Development Agreement since that time. The City Council would need to adopt an ordinance authorizing the City Manager to enter into a Second Amendment of the Development Agreement for the Burroughs Property. The Second Amendment would reference the First Amendment, which references the original Development Agreement. It would also include language that extends the term to the same date the approved for the Tentative Map Extension with that exact date explicitly stated.

CONDITIONS OF APPROVAL

Pursuant to the Subdivision Map Act, following Planning Commission review the City Council may approve or conditionally approve extensions to a tentative map. It is noted here and referenced in the proposed resolution approving the Tentative Map Extension that all conditions of approval in City Council Resolution 58-21 that are not modified in the proposed resolution are still in full effect for the approved Tentative Map.

Proposed conditions of approval reflect a modification tied to a Purchase and Sale Agreement between the City and KB Home North Bay, LLC executed on April 24, 2024, references to previous entitlements, standard language related to indemnification and applicant's responsibilities, the new expiration date, and updates to condition language regarding establishing funding mechanisms to cover ongoing financial impacts to fire protection services, police services, and maintenance and operation services associated with public landscaping, parks, streetlighting, and stormwater facilities. These updates will supersede previous conditions that relied

only on Community Facilities Districts (CFDs) to establish those funding mechanisms.

Findings

Complete draft findings are included in the attached resolution.

Consistency with the Oakley Strategic Plan 27+

Approval of this application would be consistent with the goals in the section of the Oakley Strategic Plan 27+ entitled, “Community and Economic Development Goal”. Reviewing applications for compliance with Oakley’s development standards ensures strategic and thoughtful growth.

Fiscal Impact

The approval of this extension would have a minor impact to the General Fund through the use of Staff time and generated materials to prepare the packets for the Planning Commission and City Council. Tentative Map Extensions typically require no more than $2,000 to fully process.

Staff Recommendation

Staff recommends:

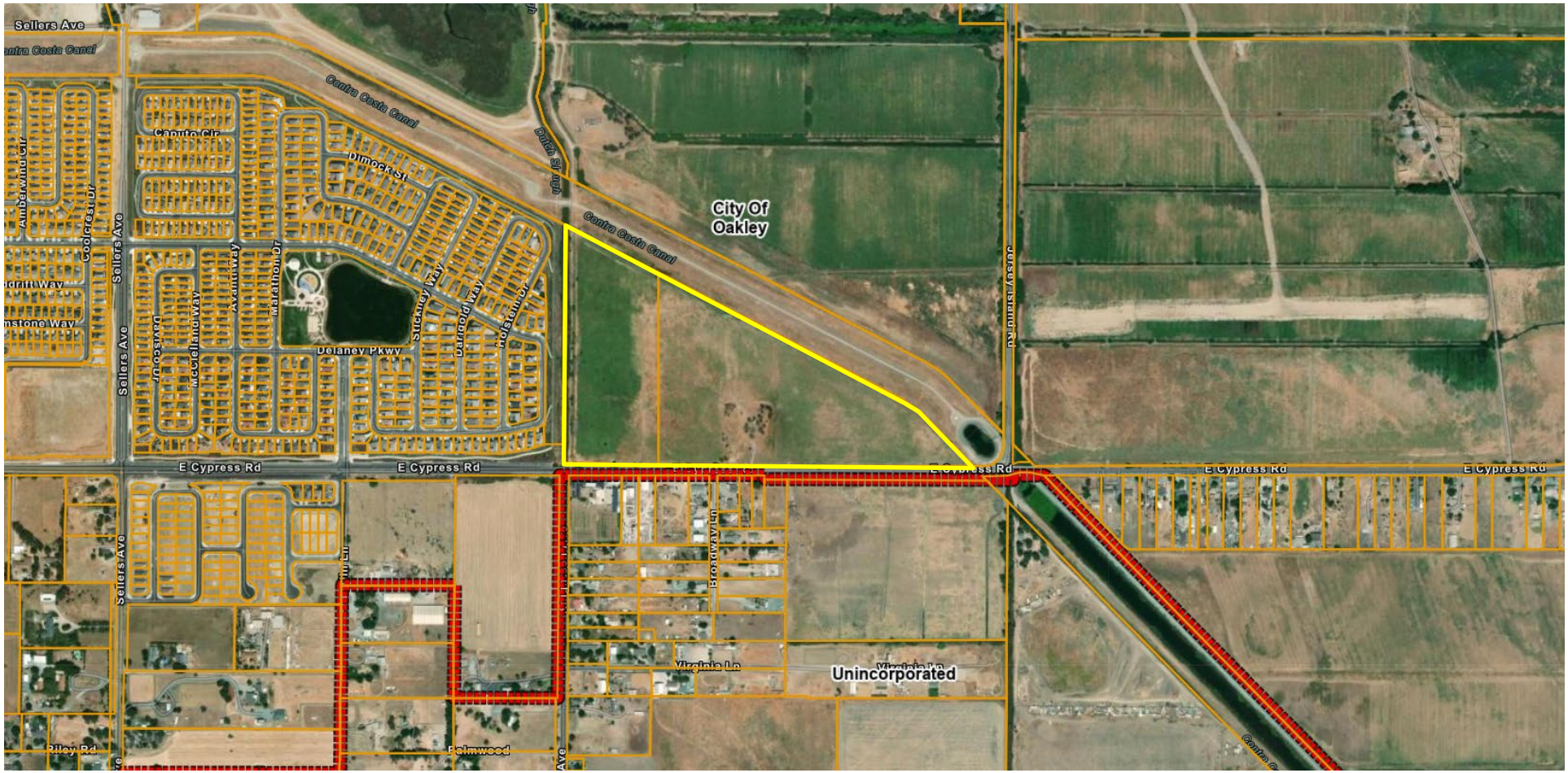
1. The City Council adopt the resolution approving the Burroughs Subdivision 9557 Tentative Map Extension (TME 02-24), which would extend the approval for an additional six years, as conditioned; and
2. The City Council waive the first reading and introduce an ordinance approving the Burroughs Subdivision 9557 Development Agreement Amendment (DA 01-24), which would extend the term of the agreement to match the expiration of the Tentative Map.

Attachments

1. Vicinity Map
2. Notice of Public Hearing
3. Approved Tentative Map 9557
4. Proposed Resolution
5. Proposed Ordinance
   a. Proposed Development Agreement (Second) Amendment

Vicinity Map

Burroughs Subdivision 9557 Tentative Map Extension and Development Agreement Amendment (TME 02-24, DA 01-24)
Oakley, CA 94561 APNs: 032-081-025 and 032-081-026



City of Oakley
3231 Main Street
Oakley, CA 94561

This is a Notice of Public Hearing

OAKLEY
CALIFORNIA

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **July 9, 2024,** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council 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 as described below:

Project Name: Burroughs Subdivision 9557 Tentative Map Extension and Development Agreement Amendment (TME 02-24, DA 01-24).

Project Location: The project site is located on the north side of East Cypress Road between Knightsen Avenue and the CCWD Canal Crossing. APNS 032-081-025 and 032-081-026.

Applicant: City of Oakley, 3231 Main Street, Oakley, CA 94561 and Westgate Ventures, 2551 San Ramon Valley Boulevard, Suite 224, San Ramon, CA 94583, c/o Jon Revells (jrevells@westgateventures.net)

Request: Application by the City of Oakley and Westgate Ventures ("Applicant") requesting approval of 1) a Tentative Map Extension (TME 02-24) to extend the approval of Tentative Map 9557 (known as "Burroughs Subdivision 9557") for a period of six (6) additional years, and 2) a Development Agreement Amendment (DA 01-24) to amend the term of the existing Development Agreement for the project site from August 13, 2025 to the date of the Tentative Map Extension ("Project"). This will be the first discretionary extension for this approval. The approved Tentative Map consists of approximately 43.24 acres subdivided into 208 single-family residential lots, open space, and public right of way. The project site is zoned P-1 Planned Unit Development) District.

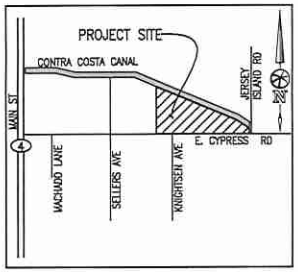
How to Review: The Staff Report and its attachments will be available for public review, on or before **July 2, 2024** at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **July 9, 2024** City Council agenda and clicking 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 Ken Strelo, Community Development Director at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to strelo@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.

SUBDIVISION 9557
VESTING TENTATIVE MAP
COVER SHEET

CITY OF OAKLEY
CONTRA COSTA COUNTY, CALIFORNIA

BELLECCI & ASSOCIATES, INC.
CONCORD, CALIFORNIA
APRIL 12, 2021 SCALE: 1"=100'



VICINITY MAP
NO SCALE

SHEET INDEX

1. COVER SHEET
2. EXISTING CONDITIONS AND CONSTRAINTS MAP
3. TYPICAL STREET SECTIONS
4. PRELIMINARY SITE PLAN
5. PRELIMINARY SITE PLAN
6. PRELIMINARY SITE PLAN
7. GRADING AND UTILITY PLAN
8. GRADING AND UTILITY PLAN
9. GRADING AND UTILITY PLAN
10. PRELIMINARY GRADING SECTIONS

NOTES:
THE OWNER RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS ON THE LANDS SHOWN ON THIS MAP

GENERAL NOTES

OWNER:	CITY OF OAKLEY 3231 MAIN STREET OAKLEY, CA 94561 (925)-625-7000	ROBERT BURROUGHS ET AL 4803 SISK ROAD #201 SALIDA, CA 95368 (209)-470-4499
DEVELOPER:	WESTGATE VENTURES, LLC 2551 SAN RAMON VALLEY BLVD #224 SAN RAMON, CA 94583 ADAM TENNANT – (650)-400-5078	
ENGINEER:	BELLECCI & ASSOCIATES, INC. 2280 DIAMOND BLVD #100 CONCORD, CA 94520 (925)-685-4569	
A.P.N.:	032-081-025 (CITY OF OAKLEY) 032-081-026 (BURROUGHS)	
SITE AREA:	43.24 ACRES	
EXISTING ZONING:	A-3	
PROPOSED ZONING:	P-1	
EXISTING USE:	VACANT	
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL	

SERVICES:	
WATER SUPPLY–	DIABLO WATER DISTRICT
SANITARY SEWER–	IRONHOUSE SANITARY DISTRICT
STORM DRAIN–	CITY OF OAKLEY
GAS & ELECTRIC–	PACIFIC GAS & ELECTRIC
FIRE–	EAST CONTRA COSTA FIRE PROTECTION DISTRICT
TELEPHONE–	AT&T
CABLE TV–	COMCAST
FLOODING:	SITE FALLS WITHIN FIRM PANEL NUMBERS 06013C 0360G, ZONE AE (EL 9, 1988NAVD) – DATED MARCH 21, 2017 100 YEAR FLOOD ELEVATION = 9.3± NOTE: THE ENTIRE SITE FALLS WITHIN THE 100 YEAR FLOOD PLAN
TOPOGRAPHY:	AERIAL TOPOGRAPHY PROVIDED BY: 360 AERIAL SURVEYS DATED JANUARY 10, 2020
BASIS OF ELEVATION:	ELEVATIONS SHOWN ARE BASED 1988 NAVD
BASIS OF BEARINGS:	CALIFORNIA COORDINATE SYSTEM, ZONE III (NAD 83).
BENCHMARK:	USGS DESIGNATION – 11.19 USBR, HS3789 ELEVATION 13.8. BENCHMARK LOCATED AT THE CONTRA COSTA CANAL FISH SCREEN, IN THE TOP OF THE SOUTHEAST END OF THE NORTHEAST CONCRETE ABUTMENT FOR THE HEADGATE STRUCTURE, 98± FEET SOUTHWEST OF THE DIRT ROAD ON THE NORTHEAST LEVEE, 3.8 FEET SOUTHEAST OF THE SOUTHEAST END OF A GATE ACROSS THE NORTHEAST END OF THE SOUTHEAST WALKWAY.

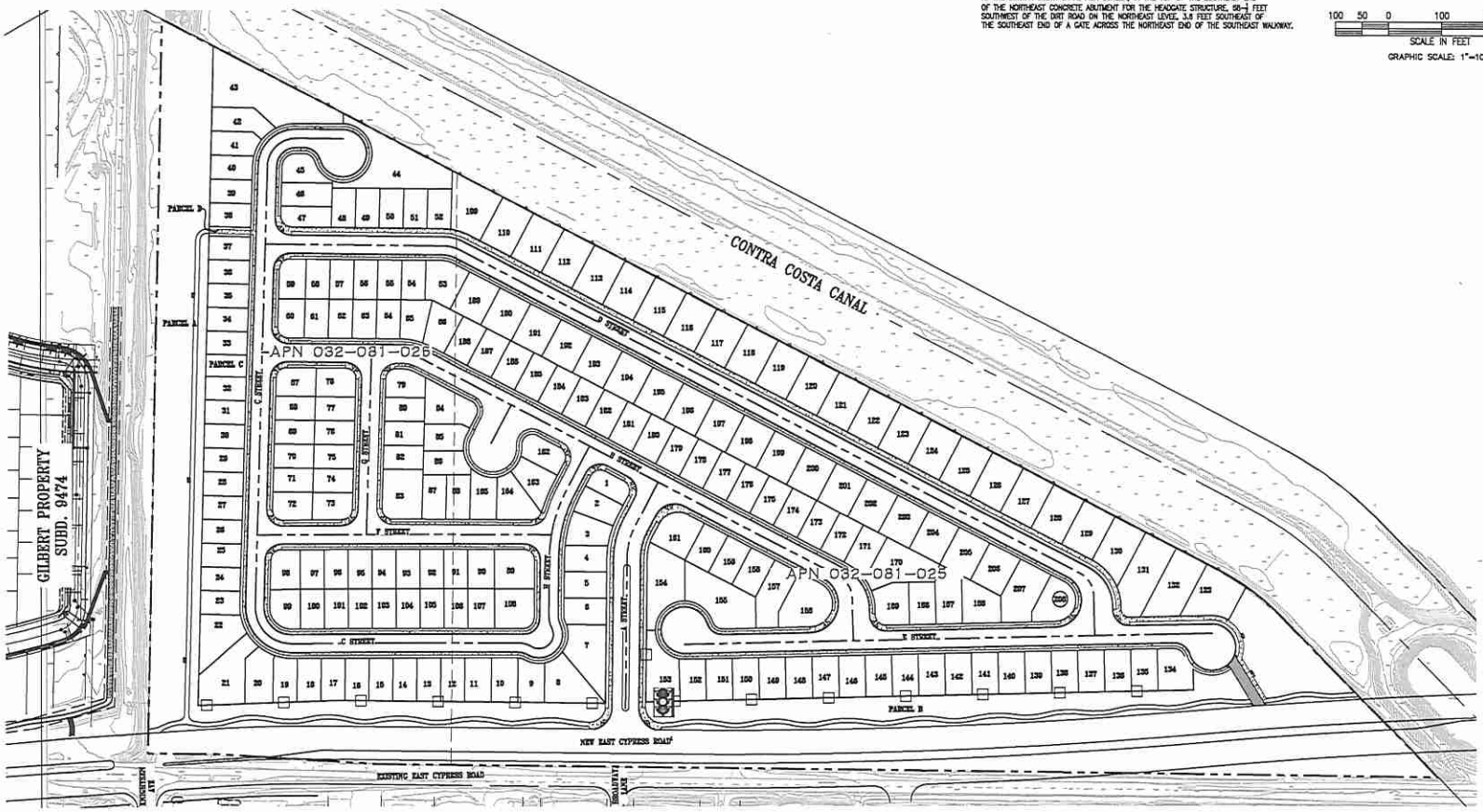
N

100 50 0 100 200 300
SCALE IN FEET
GRAPHIC SCALE: 1"=100'

TOTAL PROPOSED LOTS	208

PARCEL NAME	AREA (AC)	USAGE
A	3.27	OPEN SPACE
B	1.49	OPEN SPACE
C	0.08	OPEN SPACE
D	0.02	OPEN SPACE

GRADING SUMMARY QUANTITIES	
CUT	5,800 CY
FILL	176,100 CY
TOTAL IMPORT	170,300 CY



1. = NEW EAST CYPRESS ROAD SHOWN PER CITY OF OAKLEY APPROVED "EAST CYPRESS ROAD PRECISE PLAN". NEW ECR TO BE DESIGNED AND CONSTRUCTED BY THE CITY OF OAKLEY THROUGH THE CITY'S CIP PROGRAM.

SHEET 1 OF 10
JOB NO. 19115

RESOLUTION NO. -24

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL ADOPT A RESOLUTION MAKING FINDINGS AND APPROVING A TENTATIVE MAP EXTENSION FOR THE PROJECT KNOWN AS BURROUGHS SUBDIVISION 9557 (TME 02-24) (APNS 032-081-025 AND 032-081-026)

WHEREAS, on April 15, 2024 the City of Oakley and Westgate Ventures ("Applicant") filed an application requesting approval of 1) a Tentative Map Extension (TME 02-24) to extend the approval of Tentative Map 9557 (known as "Burroughs Subdivision 9557") for a period of six (6) additional years, and 2) a Development Agreement Amendment (DA 01-24) to amend the term of the existing Development Agreement for the project site from August 13, 2025 to the date of the Tentative Map Extension ("Project"). This will be the first discretionary extension for this approval. The approved Tentative Map consists of approximately 43.24 acres subdivided into 208 single-family residential lots, open space, and public right of way. The project site is located on the north side of East Cypress Road between Knightsen Avenue and the CCWD Canal Crossing and is zoned P-1 (Planned Unit Development) District. APNS 032-081-025 and 032-081-026; and

WHEREAS, the approved Tentative Map consists of an approximately 43.24 acre site subdivided into 208 single family residential lots; and

WHEREAS, the General Plan Land Use Designation for the project site is Residential Low (RLM). The site is zoned P-1 (Planned Unit Development) District; and

WHEREAS, it can be seen with certainty that the request for an extension to the Tentative Map will not result in any new physical impacts to the project, and therefore not result in any new significant environmental impacts. The project falls within the scope of the original CEQA analysis, which included an Initial Study that resulted in a Mitigated Negative Declaration (SCH# 2021040251). No further environmental analysis is required; and

WHEREAS, on June 4, 2024, the Planning Commission held a duly noticed public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and adopted Planning Commission Resolution 14-24 recommending the City Council approve the Tentative Map Extension and Development Agreement Amendment; and

WHEREAS, on or before June 28, 2024, the Notice of Public Hearing for the project was published in the Contra Costa Times, and 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, and outside the library at Freedom High School located at 1050 Neroly Road, and mailed out to all owners of property within 500 feet of the project boundaries, outside agencies, and parties requesting such notice; 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 and Subdivision Ordinances, the Subdivision Map Act, Tentative Map 9557, the project's P-1 District, and the information submitted to the City Council at its July 9, 2024 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 Subdivision (hereafter the "Record").

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above findings of fact and the entire Record, the City Council makes the following additional findings in support of the approvals:

A. Regarding the application requesting approval of Burroughs Subdivision 9557 Tentative Map Extension (TME 02-24), the City Council finds that:

1. The proposed Tentative Map Extension does not modify any of the approved Tentative Map's design, and therefore, all of the findings made on the approved Tentative Map (City Council Resolution 58-21) are still valid and apply to this extension; and

2. All conditions of approval in City Council Resolution 58-21, not otherwise modified by this resolution, are still in effect.

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 City Council hereby approves the Applicant's request for the Burroughs Subdivision 9557 Tentative Map Extension (TME 02-24), 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 application received by the Planning Division dated **April 15, 2024**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Division Conditions

1. Applicant shall comply with the requirements of the Oakley Municipal Code and Conditions of Approval found in City Council Resolution 58-21. Any exceptions must be stipulated in these Conditions of Approval.

2. This approval shall extend the approval of Tentative Map 9557 for a period of six additional years, resulting in Tentative Map 9557 expiring on May 25, 2030, unless it is further extended pursuant to the Subdivision Map Act or other automatic extensions. This extension shall constitute six years of the maximum six years of discretionary extension(s) allowed under Government Code section 66452.6(e).

3. In compliance with Section 7.06 of "The Purchase and Sale Agreement and Joint Escrow Instructions" ("PSA") between the City of Oakley ("Seller") and KB Home North Bay, LLC ("Buyer") executed on April 24, 2024, Condition of Approval ("COA") Nos. 60(a) and 60(b) of City Council Resolution No. 58-21 shall be modified per Section 7.05 of the PSA as follows (Underline represents new text, ~~Strikethrough~~ represents deleted text):

   "60. ROADWAY IMPROVEMENTS. The following improvements shall be installed by the developer as shown on the Tentative Map. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the City.

   a. Frontage Improvements. East Cypress Road shall be constructed with curb, gutter, sidewalk, street lights, pavement widening, signing, striping, and storm drainage as required and shown in the Tentative Map. Developer is responsible for constructing all frontage improvements back of curb along East Cypress Road. Developer shall ~~enter into a cost sharing agreement with~~ be required to reimburse the City of Oakley for the frontage improvements for APN 032-081-026 based on the exhibit prepared by Bellecci & Associates dated April 28, 2021 and updated May 2023. Developer shall not be required to reimburse the City of Oakley for frontage improvements for APN 032-081-025.

   ~~b. Offsite Improvements – The following improvements shall be installed consistent with the mitigation measures outlined in the Traffic Impact Report for the project to the satisfaction of the City Engineer:~~

      ~~i. East Cypress Road and Project Entrance Traffic Signal. Developer shall fully fund, design, and construct the traffic signal required at the project entrance per City of Oakley standards. Developer shall coordinate with City staff and pay for the necessary conduits to be installed in advance with the City's Capital Improvement Project to widen East Cypress Road.~~

4. 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.

5. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL 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. Comply with the requirements of the Ironhouse Sanitary District.
C. Comply with the requirements of the Contra Costa County Fire Protection District.
D. Comply with the requirements of the Diablo Water District.
E. Comply with the requirements of the Building Inspection Department. Building permits are required prior to the construction of most structures.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on _____, 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Anissa Williams, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

ORDINANCE NO. -24

AN ORDINANCE OF THE CITY OF OAKLEY CITY COUNCIL APPROVING THE BURROUGHS SUBDIVISION 9557 DEVELOPMENT AGREEMENT AMENDMENT (DA 01-24) BETWEEN THE CITY OF OAKLEY AND B&B BURROUGHS REVOCABLE TRUST, MARY E. BURROUGHS REVOCABLE LIVING TRUST, ROBERT C. BURROUGHS, WARD N. BURROUGHS, AND KATHERINE BURROUGHS TREAT FOR THE BURROUGHS PROPERTY APNS 032-081-025 AND 032-081-026

WHEREAS, the City has enacted a Development Agreement Ordinance codified as Chapter 3 of Title 9 of the Oakley Municipal Code ("OMC") establishing the procedures and requirements for the consideration of development agreements pursuant to California Government Code Section 65864 et seq.; and

WHEREAS, on April 15, 2024 the City of Oakley and Westgate Ventures ("Applicant") filed an application requesting approval of 1) a Tentative Map Extension (TME 02-24) to extend the approval of Tentative Map 9557 (known as "Burroughs Subdivision 9557") for a period of six (6) additional years, and 2) a Development Agreement Amendment (DA 01-24) to amend the term of the existing Development Agreement for the project site from August 13, 2025 to the date of the Tentative Map Extension ("Project"). This will be the first discretionary extension for this approval. The approved Tentative Map consists of approximately 43.24 acres subdivided into 208 single-family residential lots, open space, and public right of way. The project site is located on the north side of East Cypress Road between Knightsen Avenue and the CCWD Canal Crossing and is zoned P-1 (Planned Unit Development) District. APNS 032-081-025 and 032-081-026; and

WHEREAS, the approved Tentative Map consists of an approximately 43.24 acre site subdivided into 208 single family residential lots; and

WHEREAS, the General Plan Land Use Designation for the project site is Residential Low (RLM). The site is zoned P-1 (Planned Unit Development) District; and

WHEREAS, it can be seen with certainty that the request for an extension to the Tentative Map will not result in any new physical impacts to the project, and therefore not result in any new significant environmental impacts. The project falls within the scope of the original CEQA analysis, which included an Initial Study that resulted in a Mitigated Negative Declaration (SCH# 2021040251). No further environmental analysis is required; and

WHEREAS, on June 4, 2024, the Planning Commission held a duly noticed public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and adopted Planning Commission Resolution 14-

24 recommending the City Council approve the Tentative Map Extension and Development Agreement Amendment; and

WHEREAS, on or before June 28, 2024, the Notice of Public Hearing for the project was published in the Contra Costa Times, and 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, and outside the library at Freedom High School located at 1050 Neroly Road, and mailed out to all owners of property within 500 feet of the project boundaries, outside agencies, and parties requesting such notice; 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 and Subdivision Ordinances, the Subdivision Map Act, Tentative Map 9557, the project's P-1 District, and the information submitted to the City Council at its July 9, 2024 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 Subdivision (hereafter the "Record").

The City Council of the City of Oakley does ordain as follows:

SECTION1. Findings

A. Regarding the application requesting approval of a Development Agreement Amendment (DA 01-24) to extend the term of the existing "First Amendment to the Development Agreement By and Between the City of Oakley and B&B Burroughs Revocable Trust, Mary E. Burroughs Revocable Living Trust, Robert C. Burroughs, Ward N. Burroughs, and Katherine Burroughs Treat for the Burroughs Property:"

1. The Project is consistent with the objectives, policies, general land uses and programs specified in the Oakley General Plan;

2. The Project is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located in that the project is designed in compliance with the Oakley General Plan land uses on the subject property, and has received an entitlement for a vesting tentative map;

3. The Project is in conformity with public convenience, general welfare and good land use practice. The Burroughs Project Environmental Impact Report (EIR), certified May 25, 2021 by City Council Resolution No. 58-21, identified and provided mitigation measures for significant environmental

impacts associated with development of the Burroughs Subdivision 9557. The Development Agreement Second Amendment authorizes development consistent with the certified EIR and approved entitlements;

4. For the reasons set forth in Finding 3, the Project will not be detrimental to the health, safety and general welfare; and

5. The Project will not adversely affect the orderly development of property. The Project will actually enhance the orderly development of property by assuring that improvements to the property will be consistent with the certified EIR and applicable entitlements approved for the property.

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

SECTION 2. Approval of the Development Agreement Second Amendment

The City Council hereby approves the Development Agreement Second Amendment (Exhibit "A) and authorizes and directs the Mayor to sign it.

SECTION 3. Recordation of Development Agreement

Within ten (10) days after the Mayor executes the Development Agreement, the City Clerk shall submit the Agreement to the County Recorder for recordation.

SECTION 4. Effective Date and Posting

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2024 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____

Anissa Williams, Mayor Date

ATTEST:

_____

Libby Vreonis, City Clerk Date

Exhibit "A" to City Council Ordinance -24

SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF OAKLEY AND B&B BURROUGHS REVOCABLE TRUST, MARY E. BURROUGHS REVOCABLE LIVING TRUST, ROBERT C. BURROUGHS, WARD N. BURROUGHS, AND KATHERINE BURROUGHS TREAT FOR THE BURROUGHS PROPERTY

Parties

This Second Amendment, dated _____, is entered into by the City of Oakley, a municipal corporation ("City") and B&B Burroughs Revocable Trust, Mary E. Burroughs Revocable Living Trust, Robert C. Burroughs, Ward N. Burroughs, And Katherine Burroughs Treat ("Developer").

Recitals

1. City and Developer entered into a Development Agreement, approved by City Council Ordinance 06-03 and dated August 13, 2003, for the Burroughs Property ("Development Agreement"), whereby Section 4.2 set forth the term so the agreement would expire 10 years after its effective date (or August 13, 2013), unless otherwise modified and agreed to by City and Developer; and

2. On August 19, 2015, City and Developer entered into a First Amendment to the Development Agreement, approved by the City Council through adoption of Ordinance 11-13, for the Burroughs Property ("First Amendment to the Development Agreement"), whereby Section 4.2 of the original Development Agreement was modified to extend the "Term" of the Development Agreement an additional 12 years from August 13, 2013, to August 13, 2025, unless otherwise modified and agreed to by City and Developer; and

3. The First Amendment to the Development Agreement also included modifications to the "Fee" section to ensure language in the development agreement was consistent with other recently amended development agreements; and

4. On April 14, 2024, the City of Oakley and Westgate Ventures filed a request to modify the Development Agreement to extend the term of expiration for the Development Agreement to match the extended expiration date of the Tentative Map (TM 9557), which was extended to May 25, 2030.

Agreement

NOW, THEREFORE, City and Developer agree as follows:

1. Pursuant to Section 10.2 of the Development Agreement, the Development Agreement is hereby amended a second time to:

   a. Modify Section 4.2 “Term”, to reflect extending the expiration date of the Development Agreement to May 25, 2030.

2. All other provisions of the Development Agreement remain unchanged.

3. This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

4. Each person and party signing this Amendment warrants that he/she has the authority to execute this Amendment on behalf of the principal and that the party will be bound by such signature.

IN WITNESS WHEREOF, City and Developer hereto have caused this Amendment to be executed the date first written above.

CITY OF OAKLEY:

_____ Date:_____
Anissa Williams, Mayor

Attest:

_____ Date:_____
Libby Vreonis, City Clerk

Approved to Form:

_____ Date:_____
Derek P. Cole, City Attorney

B&B BURROUGHS REVOCABLE TRUST:

_____ Date:_____
Signature:

_____
Print Name:

_____ Date:_____
Signature:

_____
Print Name:

MARY E. BURROUGHS REVOCABLE LIVING TRUST;

_____ Date:_____
Signature:

_____
Print Name:

_____ Date:_____
Robert C. Burroughs

_____ Date:_____
Ward N. Burroughs

_____ Date:_____
Katherine Burroughs Treat

STAFF REPORT

OAKLEY
CALIFORNIA

Approved and Forwarded to the City Council

DATE: July 9, 2024
TO: City Council
FROM: Joshua McMurray, City Manager
SUBJECT: Adopt a Resolution to Establish an Oakley Senior Center Specific Sub-Committee

Background and Analysis

The City continues to make progress on the new Library and Community Center project. As it has well been established, part of that project requires the demolition of the current senior center, which is a City-owned facility that the Oakley Senior Citizen (OSC) non-profit organization runs programming, special events and food distribution out of. Staff would like to start setting up a series of meetings over the next six months with the OSC and they have agreed to such meetings. The purpose of these meetings will be to listen to the OSC members designated to attend the meetings and discuss the future of the OSC and both interim and long-range plans for the group once the building is demolished.

Staff is requesting the City Council establish a specific sub-committee that will focus on information gathering over the next six months. Contrary to local standing committees, project specific subcommittees are not subject to the Brown Act because they are of limited duration, have a very specific scope and meet infrequently.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Community and Collaborative Partnerships goal of the Strategic Plan 27+.

Fiscal Impact

There is no fiscal impact associated with establishing this specific City Council Sub-Committee.

Staff Recommendation

Staff recommends that the City Council approve the resolution establishing the Oakley Senior Center Specific Sub-Committee and appoint no more than two Councilmembers to the committee.

Attachments

1. Draft Resolution

RESOLUTION NO. XX-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ESTABLISHING AN OAKLEY SENIOR CENTER SPECIFIC SUB-COMMITTEE

WHEREAS, the City Council has determined that an Oakley Senior Center Specific Sub-Committee would be beneficial to the City at this current time; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley, that the Oakley Senior Center Specific Sub-Committee is hereby established. The City Council has appointed _____ and _____ to serve on the committee; and

BE IT FURTHER RESOLVED that the committee shall end on December 31, 2024, if not extended prior to that date.

PASSED AND ADOPTED by the City Council of the City of Oakley this 9th day of July 2024 by the following vote:

AYES:
NOES:
ABSTENTION:
ABSENT:

APPROVED:

_____
Anissa Williams, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

Business Name	Primary Contact Email Address	Primary Address Phone #	Full Primary Address	Active Licenses
PACIFIC LANDSCAPE SERVICE		(925) 752-4868	1460 QUAIL VALLEY RUN OAKLEY CA 94561-3424	HOME BASED BUSINESS LICENSE
PATTY'S PERMANENT SPARKLE	PERMANENTSPARKLES@GMAIL.COM	(925) 457-7141	848 IBIS DR OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
THE BEER AISLE		(626) 390-9705	3350 MAIN ST STE F OAKLEY CA 94561	BUSINESS LICENSE
THE WATER STORE	GERARDOLAEXPO@AOL.COM	(925) 497-2931	2055 MAIN ST OAKLEY CA 94561	BUSINESS LICENSE
THOMAS N. WILLIAMS SR STAFFING	PEOCHO@YAHOO.COM	(625) 207-5704	4815 MAMMOUTH LN OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
5				



July 1, 2024

Mr. Josh McMurray, City Manager
City of Oakley
3231 Main Street
Oakley, CA 94561

RE: Monthly update - The Oaks Rental Community

Per the ongoing request of the Oakley City Council, I am submitting the update for the month of June 2024. After your review, should you have further questions, please feel free to contact me. Unfortunately, I will not be available on July 9thth to be in person for the meeting. The Property Manager will be present at the meeting and will be able to make note of any specific questions from the Council. I look forward to attending the City Council meeting on August 13th.

I hosted the residents for a meeting at The Oaks on Wednesday, June 26th, notes from that meeting are included below. During that meeting I committed to host quarterly meetings at the property with the residents.

Sincerely,

Oke Johnson
Executive Vice President
Winn Residential

THE OAKS

An Affordable Housing Community

Staff

POSITION	NAME	CONTACT INFO
Onsite Property Manager	Karla Aguilar	kaguilar@winnco.com or 925-625-1300
Regional Property Manager	Katherine Aguirre	kaguirre@winnco.com
Divisional Vice President	Sheyla Batres	sbatres@winnco.com
Oke Johnson	Executive Vice President	okejohnson@winnco.com

Administrative staff consists of an Assistant Property Manager, Bookkeeper, Community Coordinator and three Occupancy Specialists.

Maintenance staff consists of Maintenance Supervisor (currently open) and six maintenance technicians (one open positions).

We encourage anyone who is interested in the position to apply at: https://www.winncompanies.com/careers

Occupancy & Collections

	Buildings	Physical Occupancy	Economic Occupancy
Oak Creek	51 & 49	79%	72.75%
The Commons	53 & 59	79%	71.85%
Oak Grove Terrace	65	83%	77.64%
Oak Place	67	76%	89.20%
Oak Forest	81	77%	96.57%
Oak Meadows	69	95%	79.49%
Oak Ridge	73	93%	84.74%

**Physical Occupancy = occupancy expressed as a percentage based on occupied units divided by total units*
**Economic Occupancy = occupancy expressed as a percentage based on charged rent divided by collected rent*

Administration

Legal

- 18 residents are eviction for nonpayment of rent and other lease violations.

Compliance & Recertifications

- 25 annual certifications due in May and 23 have been completed, 2 pending completion (In legal)
- 37 annual certifications due in June and 34 have been completed, 3 Pending completion
- 37 annual certifications due in July and 32 have been completed, 5 pending completion
- 30 Annual Certifications due in August and 12 have been completed, 15 pending completion
- 23 Annual Certifications due in August and 8 have been completed, 15 pending completion

Resident Engagement

Resident Meetings

- Meeting June 26th was led by the Oke Johnson, Executive Vice President

AGENDA

Community Updates – A reminder that the community is non-smoking, discussion of ongoing clubroom improvements, doors & locks, landscaping, the Heritage Grove area.
Maintenance – How to report a service request, emergency situations and what to do, and ongoing maintenance schedule for the whole property.
Parking – discussion of how to handle disabled vehicles.
Resident Events – The Community Services Coordinator reviewed the planned activities for July and discussed how the residents could be more involved.
Resident Services – Reminder about all services offered free to all.
Open Discussion – Comments, questions, suggestions
Requests for: Update of common space in building 59, request for updated laundry equipment, speed bumps and safety campaign, request for more regular power washing of the trash rooms, how to improve communication with the residents.

Next Meeting – Winn Residential Regional Property Manager Katherine Aguirre meeting with residents on July 19th. Focus will be on emergency planning and preparedness.

The minutes from the meetings will be available for all residents no later than Wednesday, July 3rd.

Email Communications

- The property is able to send regular emails to our residents through the Active Building portal. These vary in frequency and are often reinforced with printed notices to the residents.

Repairs & Maintenance

Capital Projects – 2nd Quarter – Underway

- Clubroom Improvements – Buildings 59, 65, 67 and 81 all refreshed with new furniture (if needed), flooring and paint. Building 73 – new furniture will be ordered.
- Heritage Grove area Maintenance – the grasses have been cut, but the trees will remain in a natural condition.
- Spring cleaning of Buildings- ongoing work addressing interior doors, floor repairs, lighting replacements and cleaning of lens covers.
- Balcony Inspections – Balconies inspections were completed by 5/31/2024.
- Building & Unit Inspections – HVAC, roofs, windows, fascia, stucco and common area building inspections to be completed in June. Common area building inspections completed and all life & safety items have been repaired. Non-urgent items will be scheduled for completion in 3rd quarter. Unit inspections are scheduled for August and September.
- Tree Removal – At risk trees have been removed.
- Trash Compactor replacement – New compactor was installed on May 2nd. All new trash carts were received at the same time.

Day-to-day Maintenance

As we have discussed in the past the property continues to make progress on clearing old work orders, many of which were previously completed but not properly logged in the property software. The average days to complete a work order will continue to be skewed extremely high as a result of the progress the team has made towards clearing both the administrative backlog of work orders and completing the low priority items.

The property completed more than 360 work orders during the month of June, which has significantly reduced the number of outstanding work orders. Over the last 90 days the property has completed more than 700 work orders!

REALPAGE

WinnResidential LLC
Work Order Completions
As of Last 3 Months
Date Range: Apr 1, 2024 - Jun 28, 2024

Property Name	Total Unit Count	Open Work Orders	New Work Orders	New Work Orders Cancelled This Period	Completed This Period	Pending Work Orders	% Completed This Period	Avg Days to Complete
Commons @ Oak Grove - 3125	208	264	206	8	281	181	60.8%	92.6
Oak Creek - 3131	75	88	56	0	91	53	63.2%	100.8
Oak Forest Senior Villas - 3090	44	67	43	2	94	14	87.0%	111.9
Oak Grove Terrace - 3130	54	32	60	1	68	23	74.7%	34.3
Oak Meadows - 3091	44	83	46	0	82	47	63.6%	88.5
Oak Place Senior Villas - 3092	54	36	42	0	67	11	85.9%	52.1
Oak Ridge - 3093	30	37	23	0	48	12	80.0%	140.1
Total	**509**	**607**	**476**	**11**	**731**	**341**	**68.2%**	**89.6**

To ensure focus on meeting the needs of our residents and the community, we took the following actions in the month of June.

- 2nd Quarter projects continued with a focus on the deep cleaning of the buildings common areas.
- Additional staff has been deployed from other developments to focus on completing aging work orders.
    - In the month of June we completed 361 work orders
- Additional staff has been deployed to complete the make ready progress to allow for new move-ins.
- A trainer will from our corporate office visited the site to evaluate processes and work with the maintenance staff. The two most impactful changes from that meeting are --
    - New weekly calls with the maintenance team from Facilities VP
    - Elevate maintenance supervisor position to a Regional Maintenance Manager

Keys, Locks & Doors

- The Director of Facilities has taken over the supervision of this task.
    - Common area doors are to be inspected weekly.
    - Ongoing repairs and inspections are scheduled for each building as we prepare for annual fire inspections.
    - We will be reviewing options for more durable locking mechanisms that may be less vulnerable to vandalism, but still meet code requirements for safety.

Cameras

- All camera systems were inspected last on 6/3/2024 and all were operational. Inspections occur biweekly on Monday.

Gates

- The motherboard on the communication system which was vandalized on 4/19/2024, is still down while the vendor is trying to find a compatible motherboard for replacement. The owner has approved the replacement, prior to installation we are seeking options to better protect the equipment from vandalism.

Enhanced Resident Service Programming

During the month of June, staff at The Oaks provided unique resident service events. Examples include:

- Regular community meetings. June 26th with Executive Vice President. 20 attendees
- Panera Bread donation every Wednesday – average of 20 residents per week.
- St. Paul's food box distribution for shelf stable goods – 18 – 20 residents bi-weekly
- Contra Costa County Food Bank distribution for fresh goods – 25 – 30 residents bi-weekly
- Spring Fling – 27 residents
- Donut day – 60 residents
- Saving $ through Healthy Living – 6 residents

There are currently 26 resident activities scheduled for the month of July. The next update will include details on the number of attendees at each.

Ongoing enhanced services, free of charge to the residents include:

- After School Programming
  This program is open to school age children 5 – 17, five days per week for 3 hours and is free of charge to the resident and children. – more than 60 children have taken advantage of this service during the month of June.

- Scholarships
  Scholarships are available for continuing education, advanced education, and certification programs. Applications are available in the management office.

- Adult Programming
  Programs are open to all residents. Some programming is specific to seniors 55 years or older. The programs are designed to support the needs of the seniors aging in place.

  Examples of enhanced ongoing programming will include:

  - Adult computer classes
  - Employment development
  - Healthy Lifestyle & Living classes
  - Art classes
  - Advanced Healthcare Directives, Wills & Trusts, Scam Prevention
  - Financial Literacy classes - reducing monthly costs – cable, cell phones, insurance, RX costs, reduced utility costs through the CARES program, free and reduced eyeglasses, free tax preparations

- Food Security
  Food security exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets dietary needs and food preferences for an active and healthy life. Our programs are based on these fundamentals and include access to free food giveaways.
  - Free foods are provided to the seniors on Wednesday and Fridays each week. Families have the same opportunity on Tuesdays of each week. The food is donated from local agencies and religious organizations. Fresh produce, pantry items, bakery items, eggs, canned goods, dry produce are among the many items the residents can choose from and rely upon.
  - Antioch Unified School District Meal Program provides one daily meal to children who have signed up to participate in this service. This is free of charge to parents.