



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, September 8, 2026

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, outside the gym at Delta Vista Middle School and outside the Library at Freedom High School. Agendas are also posted on the City's website at oakleyca.gov.

You can view reports on the City's website at oakleyca.gov. You can also view reports in person at City Hall, 3231 Main Street, during normal business hours. Any other documents distributed to members of the City Council regarding an item on this agenda are also made available in the lobby on the evening of the City Council meeting.

Pursuant to the Americans with Disabilities Act (ADA), the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance, please contact the City at least 48 hours prior to the meeting at 925-625-7000 or cityclerk@ci.oakley.ca.us.

Meeting online Link: <https://zoom.us/j/93455380825>

Meeting call in telephone number: 669-900-6833 | Meeting ID: 934 5538 0825 (*9 to request to speak | *6 to unmute/mute)

Online Participation:

Members of the public may attend the City Council meeting online via Zoom using the link above or watch the City Council meeting at oakleyca.gov or [YouTube](#). Technical difficulties may occur from time to time. The City will follow the adopted Technology Disruption Policy outlined in City Council Resolution 36-26.

Public Comments:

Members of the public may address the Council on items of interest that are within the City's jurisdiction. In compliance with the Brown Act, the Council may not take action or have discussion on any item that is not 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 item. Please note that public comments are limited to three (3) minutes. The timer on the dais in front of the Mayor will change from green to yellow at one (1) minute and will turn red and beep at three (3) minutes.

In person public comment:

To provide an in-person public comment, please fill out a speaker card located in the lobby and give it to the City Clerk. Please indicate on the card if the topic is for general public comment or for a specific agenda item. The Mayor will call speakers to the podium by name when the item is opened for public comment.

Online Public Comment:

To provide public comment via Zoom, connect to the meeting online at the link above. Use the Raise Hand feature to request to speak (*9 on a telephone) when the Mayor opens public comment. The City Clerk will announce the names of online participants with their hands raised and invite each participant requesting to speak into the meeting as a panelist when it is their turn to speak. Once in the meeting as a panelist, unmute your microphone, turn on your camera if desired, and begin speaking. Once you are done speaking, the City Clerk will move you back to being an attendee.

Written public comment:

If you wish to enter comments into the public record, please complete the [online public comment form](#) by 4 pm the day of 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.

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

1.2 Pledge of Allegiance to the Flag (Chandler Mulogawa, Almond Grove Elementary School)

1.3 Proclamation Honoring Ashley Hopwood on Earning her Girl Scout Gold Award [Proclamation](#)

1.4 Oakley Library Update (Lucia Flores, Oakley's Youth Services Librarian and Gia Paolini, Library Services Manager)

1.5 California Main Street Update (Brooke Fox, State Coordinator)

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 Minutes from the Special Meeting held August 11, 2026 (Kim Snodgrass, City Clerk)

[Minutes](#)

4.2 Approve Minutes from the Regular Meeting held August 11, 2026 (Kim Snodgrass, City Clerk)

[Minutes](#)

4.3 Approve Minutes from the Special Meeting held August 20, 2026 (Kim Snodgrass, City Clerk)

[Minutes](#)

4.4 Closed Session Report-Out Memo from the Special Meeting held August 11, 2026 (Derek Cole, City Attorney)

[Memo](#)

4.5 Closed Session Report-Out Memo from the Regular Meeting held August 11, 2026 (Derek Cole, City Attorney)

[Memo](#)

4.6 Ratify Election: Adopt Ordinance No. 7-26 Authorizing the Levy of a Special Tax on Parcels of Land Within Tax Area Zone 202 Within the Oakley Special Police Tax Area for Police Protection Services for the Delta Pointe Plaza Project Located North of Newman Way and Journey Way (APN 037-160-047-9) (Billilee Saengchalern, Public Works Director/City Engineer)

[Staff Report](#)

[1. Ballot - Signed](#)

[2. Ordinance](#)

[2.1 Exhibit A - Boundary Map for Police Tax Area Zone 202](#)

[2.2 Exhibit B - Tax Rate Schedule for Fiscal Year 2025-26](#)

4.7 Waive the Second Reading and Adopt Ordinance No. 10-26 Amending OMC Chapter 5.15 Short-Term Rentals (Jose Cortez, Senior Planner)
[Ordinance](#)

4.8 Waive the Second Reading and Adopt Ordinance No. 11-26 Modifying Oakley Municipal Code Section 2.3.002 to Clarify Training Requirements for Planning Commissioners (Derek P. Cole, City Attorney)
[Ordinance](#)

4.9 Adopt a Resolution Authorizing the Award of Contract to ODP Business Interiors for the Purchase and Installation of Cubicles and Office Furniture for the Police Department Remodeling Project, Capital Improvement Project Number 343 (Billilee Saengchalern, Public Works Director/City Engineer)
[Staff Report](#)
[1. Resolution](#)
[2. ODP Proposal](#)

4.10 Annexation No. 50 (Delta Pointe Plaza) to the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape, and Stormwater Services) (Billilee Saengchalern, Public Works Director/City Engineer)
[Staff Report](#)
[1. Unanimous Approval Annex No. 50-Signed.pdf](#)
[2. Resolution](#)
[3. Amended Boundary Map](#)
[4. Amendment to Notice of Special Tax Lien](#)

4.11 Adopt a Resolution Authorizing the Contract Amendment of the East Cypress Road Widening Project (Knightsen Avenue to Jersey Island Road) Project – Capital Improvement Project (CIP) Number 247 (Billilee Saengchalern, Public Works Director/City Engineer)
[Staff Report](#)
[1. Resolution](#)

5. PUBLIC HEARINGS

6. REGULAR CALENDAR

6.1 Adoption of a Resolution Appointing One Planning Commissioner to Fill a Vacancy for a Two-Year Term Expiring on February 28, 2027 (Ken Strelo, Community Development Director)
[Staff Report](#)
[1. Application from Pierre Rojan Reyes](#)
[2. Application from Louis Gentry](#)
[3. Application from Adam Sterud](#)
[4. Proposed Resolution](#)

6.2 Appeal of Planning Commission Decision on 5279 Neroly Road (Evan Gorman, Associate Planner)

Select Method to Review Appeal.

Staff Report

1. Vicinity Map
2. Planning Commission Staff Report, dated August 18, 2026
3. Planning Commission Resolution 14-26
4. Transcript of August 18, 2026 Planning Commission Meeting
5. Planning Commission Meeting Powerpoint
6. Zoning Administrator Determination, dated June 8, 2026
7. Appellant's De Novo Hearing Request
8. Appellant's Council Appeal Supporting Documentation
9. Appellant's July 6 Supplemental Memorandum
10. Relevant Code Excerpts
11. Proposed Resolution to Uphold Planning Commission's Decision Based on Record

6.3 Adopt a Resolution Superseding Resolution No. 36-26 to Update Remote Public Participation Guidelines and Public Comment Time Limits (Kim Snodgrass, City Clerk)

Staff Report

1. Proposed Resolution with tracked changes
2. Proposed Resolution (clean copy)

7. REPORTS

7.1 City Manager

(a) City Manager

(b) Business License Update

(c) Police Department Update (Paul Beard, Police Chief)

(d) Fireworks Update (Kevin Morris, Lieutenant)

August 2026 New Business Licenses

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. CLOSED SESSION

9.1 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One potential case)

10. ADJOURN



Proclamation

Honoring Ashley Hopwood Girl Scout Gold Award Recipient

WHEREAS, the Girl Scout Gold Award is the highest and most prestigious achievement in Girl Scouts, earned exclusively by Senior and Ambassador High School Girl Scouts who demonstrate extraordinary leadership, community impact and dedication; and

WHEREAS, fewer than one percent of Girl Scouts possess the perseverance and vision required to complete the rigorous requirements needed for this award; and

WHEREAS, Ashley is a hardworking, dedicated, kindhearted person who has been an active member of the Girl Scouts community since kindergarten; and

WHEREAS, Ashley is currently a Senior at Freedom High School, maintaining membership in the National Honor Society and numerous other clubs, while simultaneously pursuing college coursework at Los Medanos College toward her goal of becoming a Crime Scene Investigator; and

WHEREAS, for her Gold Award project, Ashley dedicated over 80 hours to designing, planning and constructing one standing-height and two wheelchair-accessible garden beds for the residents at Commons at Dallas Ranch Assisted Living; and

WHEREAS, Ashley hosted a special event at the facility, inviting attending seniors to participate in planting the new gardens; and

WHEREAS, the Assisted Living Facility now has a Garden Club where residents meet regularly to take care of the gardens.

NOW, THEREFORE, BE IT RESOLVED that I, Hugh Henderson, Mayor of the City of Oakley, along with the members of the Oakley City Council do hereby recognize and honor Ashley Hopwood for earning the Girl Scout Gold Award and commend her exceptional service and lasting contribution to the community.

Dated: September 8, 2026

Hugh Henderson, Mayor



**Minutes of the Special City Council Meeting Held
August 11, 2026**

1) CALL TO ORDER AND ROLL CALL

The Meeting was called to order at 5:30 p.m.

2) PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Henderson led the Pledge of Allegiance to the Flag.

3) PUBLIC COMMENTS

None

4) CLOSED SESSION

**4.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section
54956.9: (One potential case)**

Mayor Henderson announced the Closed Session Item and mentioned the meeting will adjourn after the Closed Session, and the Regular meeting will begin at 6:30.

5) ADJOURN

There being no further business, the meeting was adjourned at 6:02 p.m.

Respectfully Submitted,

Kim Snodgrass
City Clerk



**Minutes of Oakley City Council/Oakley City Council Acting as the
Successor Agency to the Oakley Redevelopment Agency/Oakley
Public Financing Authority held
August 11, 2026**

1) OPENING MATTERS

1.1 Call to Order and Roll Call

The meeting was called to order at 6:30 p.m.

Councilmember Shaw, Councilmember Williams, Vice Mayor Meadows, and Mayor Henderson were present. Councilmember Fuller was absent.

1.2 Pledge of Allegiance to the Flag

Mayor Henderson led the Pledge of Allegiance to the Flag.

1.3 Tri Delta Transit Update (Rashidi Barnes, CEO)

Augustin Diaz provided an update on Tri Delta Transit.

1.4 Contra Costa County Advisory Council on Aging Update (Chalo Buckman)

Chalo Buckman provided an update on the Contra Costa Advisory Council on Aging.

**1.5 Recognizing USSSA National All-State - California - McGee 10u on winning
the USSSA National All-State Tournament (Team Manager, Jason McGee)**

Team Manager Jason McGee provided information on the team and the competition after which Mayor Henderson provided a Certificate of Recognition.

2) PUBLIC COMMENTS

Public comments were provided by Tracy Kasamoto, J Contr B. Ortega, D Xiang, and Logan Nelson.

Online public comments were provided by Lynee George and Roneel Sharma and will be entered into the public record.

3) COUNCILMEMBER COMMENTS

There were no Councilmember Comments.

4) CONSENT CALENDAR

- 4.1 **Approve Minutes from the Special Meeting held July 14, 2026
(Kim Snodgrass, City Clerk)**
- 4.2 **Approve Minutes from the Regular Meeting held July 14, 2026
(Kim Snodgrass, City Clerk)**
- 4.3 **Approve Minutes from the Joint Meeting of the Oakley City Council and
Planning Commission held July 21, 2026 (Kim Snodgrass, City Clerk)**
- 4.4 **Report out of Closed Session Memo from the Special Meeting held July 14,
2026 (Derek Cole, City Attorney)**
- 4.5 **Report out of Closed Session Memo from the Regular Meeting held July 14,
2026 (Derek Cole, City Attorney)**
- 4.6 **Receive City of Oakley Investment Report (4th Quarter FY 2025/26) (Jeri
Tejeda, Administrative Services Director)**
- 4.7 **Receive the City of Oakley as the Successor Agency to the Oakley
Redevelopment Agency Quarterly Investment Report (4th Quarter FY
2025/26) (Jeri Tejeda, Administrative Services Director)**
- 4.8 **Adopt a Resolution Designating Councilmember Anissa Williams as Voting
Delegate and Councilmember Shannon Shaw as an Alternate Voting
Delegate at the League of California Cities Annual Conference and Expo
September 23-25, 2026 at the Anaheim Convention Center (Kim Snodgrass,
City Clerk)**
- 4.9 **Adopt a Resolution Authorizing the City Manager to Execute a
Construction Agreement with Consolidated Engineering Inc. for the
Construction of Capital Improvement Project (CIP) Number 333B - Fiscal
Year (FY) 2025/26 Street Repair and Resurfacing Project (Billilee
Saengchalern, Public Works Director/City Engineer)**
- 4.10 **Adopt a Resolution Authorizing the City Manager to Execute a
Construction Agreement with R&R Pacific Construction for the
Construction of Capital Improvement Project (CIP) Number 320 - O'Hara
Avenue Widening Project (600' South of Laurel Road to 300' South of**

Grapevine Lane) (Billilee Saengchalern, Public Works Director/City Engineer)

- 4.11 Adopt a Resolution Authorizing the City Manager to Execute a Construction Agreement with Redgwick Construction Co., for the Construction of Capital Improvement Project (CIP) Number 211 - Main Street / Rose Avenue Intersection Improvement Project (Billilee Saengchalern, Public Works Director/City Engineer)**
- 4.12 Adopt a Resolution Authorizing the City Manager to Execute a Construction Agreement with S&H Construction Inc., for the Construction of Capital Improvement Project (CIP) Number 268 - Main Street / Delta Road Intersection Signalization Project (Billilee Saengchalern, Public Works Director/City Engineer)**
- 4.13 Adopt a Resolution Adopting an Updated Policy for Online Meeting Comments (Derek Cole, City Attorney)**

Vice Mayor Meadows pulled items 4.10, 4.11, and 4.12

Councilmember Williams pulled item 4.9

It was moved by Vice Mayor Meadows and seconded by Councilmember Shaw to approve the remainder of the consent calendar. **AYES:** Shaw, Williams, Meadows, Henderson **NOES:** None **ABSENT:** Fuller **RESULT:** 4-0

Item 4.9

Councilmember Williams mentioned she pulled this item to highlight the Capital Improvement Projects and noted that the staff report includes details on what is being resurfaced and repaved.

It was moved by Councilmember Williams and seconded by Vice Mayor Meadows to adopt the resolution approving the construction agreement with Consolidated Engineering, Inc., for the Construction of CIP 333B **AYES:** Shaw, Williams, Meadows, Henderson **NOES:** None **ABSENT:** Fuller **RESULT:** 4-0

Item 4.10, 4.11 and 4.12

Vice Mayor Meadows mentioned he pulled these items to highlight the projects that are being approved.

Councilmember Shaw wanted to highlight the speed at which projects are getting approved; she mentioned that the Budget Work session was held in April, the budget was approved in June, and projects are being authorized in August.

It was moved by Vice Mayor Meadows and seconded by Councilmember Williams to adopt the following resolutions:

1. (Item 4.10) - Approving the construction agreement with R&R Pacific Construction, for the Construction of Capital Improvement Project Number 320 – O’Hara Avenue Widening Project
2. (Item 4.11) - Approving the construction agreement with Redgwick Construction Co., for the Construction of Capital Improvement Project Number 211 – Main Street / Rose Avenue Intersection Improvement Project
3. (Item 4.12) - approving the construction agreement with S&H Construction Inc., for the Construction of Capital Improvement Project Number 211– Main Street / Delta Road Intersection Signalization Project

AYES: Shaw, Williams, Meadows, Henderson **NOES:** None **ABSENT:** Fuller **RESULT:** 4-0

5) PUBLIC HEARINGS

5.1 Unhosted Stay Short-Term Rentals in the Downtown Specific Plan and an Update on SB 346 (Short-Term Rental Facilitator Act of 2025) - Adopt an Ordinance Amending Chapter 5.15, titled “Short-Term Rentals” (Jose Cortez, Senior Planner)

Senior Planner Jose Cortez presented the report.

Councilmember Shaw and Councilmember Williams provided questions; Mr. Cortez responded.

Mayor Henderson opened the Public Hearing.

There were no public comments, so he closed the Public Hearing.

Councilmember Williams, Vice Mayor Meadows, Councilmember Shaw and Mayor Henderson provided feedback to staff.

It was moved by Vice Mayor Meadows and seconded by Councilmember Williams to waive the first reading and introduce the ordinance amending the Oakley Municipal Code with the following revisions: Lowering the number of permits allowed from 15 to 10 and bringing it back for review in one year. **AYES:** Shaw, Williams, Meadows, Henderson **NOES:** None **ABSENT:** Fuller **RESULT:** 4-0

6) REGULAR CALENDAR

6.1 **Adopt a Resolution Approving the Salary Schedule for Fiscal Year 2026/27 and Adding Two New Classifications (Jeri Tejada, Administrative Services Director)**

Administrative Services Director Jeri Tejada presented the report.
Councilmember Williams provided a question; Ms. Tejada responded.

It was moved by Vice Mayor Meadows and seconded by Councilmember Shaw to adopt the resolution approving the Salary Schedule for Fiscal Year 2026/2027 with an effective date of July 5, 2026, and adding the new classifications of Full-Time Senior Recreation Leader and Deputy City Clerk. **AYES:** Shaw, Williams, Meadows, Henderson **NOES:** None **ABSENT:** Fuller **RESULT:** 4-0

6.2 **Waive the First Reading and Introduce an Ordinance Modifying Oakley Municipal Code Section 2.3.002 to Clarify Training Requirements for Planning Commissioners (Derek P. Cole, City Attorney)**

City Attorney Derek Cole presented the report.

It was moved by and Councilmember Shaw and seconded by Councilmember Williams to waive the first reading and introduce the ordinance amending the Oakley Municipal Code to clarify training requirements for Planning Commissioners. **AYES:** Shaw, Williams, Meadows, Henderson **NOES:** None **ABSENT:** Fuller **RESULT:** 4-0

7) REPORTS

7.1 **City Manager**

- (a) **City Manager**
- (b) **Business License Update**

City Manager Joshua McMurray reported that the Heart of Oakley Festival is scheduled for September 19th and noted that Studio 55 will be bringing back some programs and adding some new programs. He added that the July new business license update was attached to the agenda.

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**

Councilmember Shaw reported attending a Cal Cities Board Zoom meeting, a Nextdoor Meet and Greet Luncheon, and the Special Joint City Council/Planning Commission

meeting. She met with Tri Delta Transit CEO Rashidi Barnes, attended the Liberty Union High School Districts annual convocation, the Elected Women's Luncheon, and the Mt. Diablo Resource Recovery ribbon cutting. Additionally, she participated in a roadside clean up with the Oakley Rotary, a "Stuff the Bus" backpack giveaway, and a "Fill the Boot" event. She also attended National Night Out, the Contra Costa County Mayors Conference, Lori Wilson's AD 11 Day, Friday Night Bites, and the Fishing Derby. She announced that Congressman Josh Harder will hold a community outreach event at City Hall on August 13th.

Vice Mayor Meadows reported attending a Contra Costa Transportation Authority Board meeting, an MCE Board meeting, the Joint City Council/Planning Commission meeting, the Mt. Diablo Resource Recovery ribbon cutting, National Night Out, and the Contra Costa County Mayors Conference.

Councilmember Williams reported attending the Joint City Council/Planning Commission meeting, the Liberty Union High School Districts annual convocation, and National Night Out. She noted attending a webinar on property rates in California, and meeting with Tri Delta Transit CEO Rashidi Barnes. Additionally, she reported attending the Contra Costa County Mayors Conference, Lori Wilson's AD11 Day and a meeting with Senator Cabaldon's staff.

Mayor Henderson reported attending the Joint City Council/Planning Commission meeting, the Mt. Diablo Resource Recovery ribbon cutting, and the Ironhouse Sanitary District Board of Directors meeting. He noted attending a special Diablo Water District meeting, National Night Out, the Contra Costa County Mayors Conference, Friday Night Bites, the Kids Fishing Tournament, and Delta 6. Additionally, he expressed appreciation to staff for their hard work on recent events.

(b) Requests for Future Agendas

None

8) WORK SESSIONS

None

9) CLOSED SESSION

9.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One potential case)

Mayor Henderson announced the Closed Session item and mentioned the meeting will adjourn after the Closed Session.

10) ADJOURN

There being no further business, the meeting was adjourned at 7:44 p.m.

Respectfully Submitted,

Kim Snodgrass
City Clerk



MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD AUGUST 20, 2026

1) CALL TO ORDER AND ROLL CALL

Mayor Henderson called the meeting to order at 5:30 p.m.

Councilmember Shaw, Councilmember Williams, Vice Mayor Meadows and Mayor Henderson were present. Councilmember Fuller was absent.

2) PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Henderson led the Pledge of Allegiance to the Flag.

3) PUBLIC COMMENTS

4) REGULAR CALENDAR

4.1 Adopt Resolutions Accepting the City Clerk's Notice of Facts and Available Options Pursuant to California Elections Code § 10229 and Either Appointing the Sole Nominees or Directing Elections for City Council Districts 2 and 4 at the November 3, 2026 General Municipal Election (Kim Snodgrass, City Clerk)

City Clerk Kim Snodgrass presented the staff report.

Councilmember Shaw provided questions; City Manager Joshua McMurray responded.

It was moved by Councilmember Williams and seconded by Vice Mayor Meadows to adopt the resolution [Accepting the City Clerk's Notice of Facts and Available Options and] Appointing the nominated candidate, Shannon Shaw, to District 4 for the November 3, 2026 City of Oakley General Municipal Election.

AYES: Henderson, Meadows, Williams **NOES:** None **ABSTENTIONS:** Shaw **ABSENT:** Fuller **RESULT:** Motion carried 3-0-1

It was moved by Councilmember Williams and seconded by Vice Mayor Meadows to adopt the resolution [Accepting the City Clerk's Notice of Facts and Available Options and] Appointing the nominated candidate, Hugh Henderson, to District 2 for the November 3, 2026 City of Oakley General Municipal Election.

AYES: Meadows, Shaw, Williams **NOES:** None **ABSTENTIONS:** Henderson **ABSENT:** Fuller **RESULT:** Motion carried 3-0-1

Councilmember Shaw provided a question about reallocating the budgeted election funding to another purpose; City Manager Joshua McMurray responded.

5) ADJOURN

There being no further business, the meeting was adjourned at 5:38 p.m.

Respectfully Submitted,

Kim Snodgrass
City Clerk

Date: August 12, 2026
To: Mayor and City Councilmembers
From: Derek P. Cole, City Attorney
Subject: Closed Session Report-Out Memo

For Consideration at the City Council Meeting of September 8, 2026

Background and Analysis

The City Council considered the following closed session items during its Special meeting held August 11, 2026:

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One potential case

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

Fiscal Impact

None.

Recommendation

Receive and file this report.

Attachments

None



Date: August 12, 2026
To: Mayor and City Councilmembers
From: Derek P. Cole, City Attorney
Subject: Closed Session Report-Out Memo

For Consideration at the City Council Meeting of September 8, 2026

Background and Analysis

The City Council considered the following closed session item during its Regular meeting held August 11, 2026:

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:
(One potential case)

On motion by Councilmember Shaw, seconded by Councilmember Meadows, the City Council authorized the filing of a civil action regarding a residential property that is in violation of several City municipal, health and safety, and building codes. To ensure the City's ability to effect service of process, the parties against whom this action will be commenced shall be disclosed only following the service of process on them. The Council vote was 4 to 0, with Councilmember Fuller absent.

Fiscal Impact

None.

Recommendation

Receive and file this report.

Attachments

None



DATE: September 8, 2026
TO: Joshua McMurray, City Manager
FROM: Billilee Saengchalern, Public Works Director/City Engineer

Approved and
Forwarded to the
City Council

SUBJECT: Ratify Election: Adopt Ordinance No. 7-26 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 202 within the Oakley Special Police Tax Area for Police Protection Services for the Delta Pointe Plaza project located north of Newman Way and Journey Way (APN 037-160-047-9)

Background and Analysis

On March 7, 2024, the City Planning Department approved plans with certain Conditions of Approval for the proposed Delta Pointe Plaza project (the "Project"). The Project is designated as Commercial Downtown in the Oakley General Plan and zoned SP-4 (Downtown Specific Plan) district on the City of Oakley Zoning Map. The Project is currently comprised of APN 037-160-047-9, which is expected to be developed into a mixed-use building with one residential unit and 6,800 square feet of commercial space on the first floor and seven residential units on the second floor.

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.

On April 14, 2026, the City Council introduced Ordinance No. 7-26 which would authorize a special tax for police services within Zone 202 subject to property owner voter approval. On May 18, 2026, the City Clerk conducted the property owner election. There was one (1) ballot issued to the property owner representing the Project. The City Clerk tabulated the property owner ballot, and the property owner was in favor of annexing into the Oakley Special Police Tax Area as Zone 202.

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 202 to the Oakley Special Police Tax Area. The Fiscal Year 2025-26 special tax rate is \$2,695.08/parcel for developed commercial parcels and \$673.77/parcel for vacant commercial parcels. The Project is anticipated to consist of 6,800 square feet of commercial space and eight residential units. Successful creation of the Zone is expected to provide up to \$2,695.08 (in Fiscal Year 2025-26 dollars) in revenue annually at build-out. The taxes can be collected on the property tax rolls commencing in Fiscal Year 2027-28.

Staff Recommendation

Staff recommend that the City Council ratify the election and adopt Ordinance No. 7-26 authorizing the levy of a special tax on parcels of land within Tax Area Zone 202 within the Oakley Special Police Tax Area for Police Protection Services for the Delta Pointe Plaza project located north of Newman Way and Journey Way (APN 037-160-047-9)

Attachments

1. One (1) Signed Ballot
2. Ordinance No. 7-26
 1. Exhibit A – Boundary Map for Police Tax Area Zone 202
 2. Exhibit B – Tax Rate Schedule for Fiscal Year 2025-26



SPECIAL POLICE TAX AREA BALLOT
CREATING ZONE 202 FOR THE DELTA POINTE PLAZA
PROJECT LOCATED NORTH OF NEWMAN WAY AND JOURNEY WAY

Parcel Description: Assessor Parcel Number 037-160-047-9

Record Owner: Delta Pointe LLC

Address: Main St

Shall Ordinance No. 07-26 of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 202 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 31 (Commercial Stores - Not Supermarkets) is \$2,695.08/parcel for developed commercial parcels and \$673.77/parcel for vacant commercial parcels per the current Fiscal Year 2025-26 rate schedule. I also acknowledge that the tax rate can be adjusted annually as described in Ordinance No. 07-26.

 X

Yes, Ordinance No. 07-26 shall be approved.

No, Ordinance No. 07-26 shall not be approved.

Paul Malendee
Signature

Paul Malendee
Printed Name

ORDINANCE NO. 7-26

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY
ESTABLISHING OAKLEY SPECIAL POLICE TAX AREA ZONE 202 WITHIN THE
OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL TAX FOR POLICE
PROTECTION SERVICES FOR THE DELTA POINTE PLAZA PROJECT
LOCATED NORTH OF NEWMAN WAY AND JOURNEY WAY
(APN 037-160-047-9)**

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 202 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 XIII A 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 202.

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 202 (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 the Zone, 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 roll 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, 2025 through June 30, 2026) 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, 2026 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 May 18, 2026 so that taxes shall first be collected hereunder for the tax year beginning July 1, 2027. If not confirmed by two-thirds of the voters participating in the election, this Ordinance and the tax approved herein shall not become effective.

PASSED AND ADOPTED by the City Council of the City of Oakley this 8th day of September 2026 by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

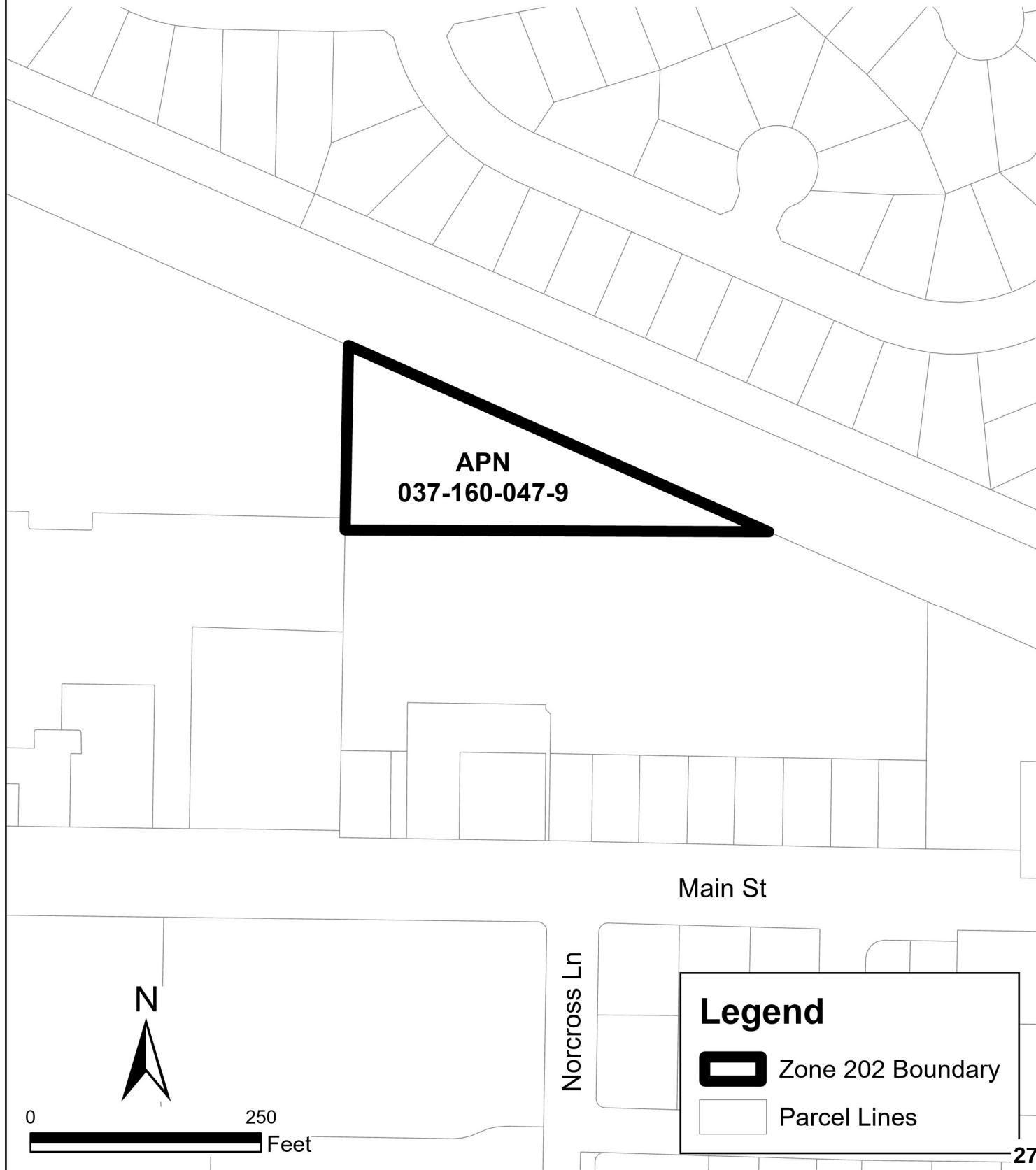
Hugh Henderson, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA (P-6) ZONE 202
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
Delta Pointe Plaza



**CITY OF OAKLEY SCHEDULE FOR POLICE SERVICE TAX
FOR FISCAL YEAR 2025/2026**

PROPERTY USE CODE CATEGORY	DESCRIPTION	FY24/25 TAX PER PARCEL	FY25/26 TAX PER PARCEL
11	Single Family Residence – 1res., 1 site	\$1,330.64	\$1,347.54
12	Single Family Residence – 1 res., 2 or more sites	\$1,330.64	\$1,347.54
13	Single Family Residence – 2 res., on 1 or more sites	\$2,129.02	\$2,156.06
14	Single Family Residence – other than single fam. Land	\$1,330.64	\$1,347.54
15	Misc. Improvements – 1 site	\$1,330.64	\$1,347.54
16	Misc. Improvements – 2 or more sites	\$1,330.64	\$1,347.54
17	Vacant – 1 site	\$665.32	\$673.77
18	Vacant – 2 or more sites	\$665.32	\$673.77
19	Single Family Residence – Det. W/common area	\$1,330.64	\$1,347.54
20	Vacant – Multiple	\$665.32	\$673.77
21	Duplex	\$2,129.02	\$2,156.06
22	Triplex	\$3,193.54	\$3,234.10
23	Fourplex	\$4,258.05	\$4,312.13
24	Combinations	\$1,330.64	\$1,347.54
25	Apartments (5 –12 Units)	\$5,322.56	\$5,390.16
26	Apartments (13 – 24 Units)	\$13,838.66	\$14,014.42
27	Apartments (25 – 59 Units)	\$26,612.80	\$26,950.80
28	Apartments (60+ units)	\$63,870.72	\$64,681.92
29	Attached PUDs: Cluster Homes, Condos, etc.	\$1,330.64	\$1,347.54
30	Vacant – Commercial	\$665.32	\$673.77
31	Commercial Stores – Not Supermarkets	\$2,661.28	\$2,695.08
32	Small Grocery Stores – (7-11, etc.)	\$3,991.92	\$4,042.62
33	Office Buildings	\$2,661.28	\$2,695.08
34	Medical, Dental	\$2,661.28	\$2,695.08
35	Service Stations, Car Wash	\$2,661.28	\$2,695.08
36	Garages	\$2,661.28	\$2,695.08
37	Community Facilities (Recreational, etc.)	\$5,322.56	\$5,390.16
38	Golf Courses	\$2,661.28	\$2,695.08
39	Bowling Alleys	\$1,330.64	\$1,347.54
40	Boat Harbors	\$3,326.60	\$3,368.85
41	Supermarkets – (not shopping centers)	\$3,991.92	\$4,042.62
42	Shopping Centers	\$5,322.56	\$5,390.16
43	Financial Buildings – (Ins., Title, Banks, S&L)	\$1,330.64	\$1,347.54
44	Motels, Hotels & Mobile Home Parks	\$6,653.20	\$6,737.70
45	Theaters	\$2,993.94	\$3,031.97
46	Drive-in Restaurants	\$1,995.96	\$2,021.31
47	Restaurants	\$1,995.96	\$2,021.31
48	Multiple & Commercial	\$1,995.96	\$2,021.31
49	New Car Agencies	\$1,995.96	\$2,021.31
50	Vacant Land (not part of Ind. Park or P. & D.)	\$498.99	\$505.33
51	Industrial Park	\$3,991.92	\$4,042.62
52	Research & Development	\$1,995.96	\$2,021.31
53	Light Industrial	\$1,995.96	\$2,021.31
54	Heavy Industrial	\$1,995.96	\$2,021.31
55	Mini Warehouses (public storage)	\$3,991.92	\$4,042.62
56	Misc. Improvements	\$3,991.92	\$4,042.62
61	Rural, Res., Improvement 1A-10A	\$997.98	\$1,010.66
62	Rural, w/or w/o structure 1A-10A	\$997.98	\$1,010.66
70	Convalescent Hospitals / Rest Homes	\$1,995.96	\$2,021.31
73	Hospitals	\$1,995.96	\$2,021.31
74	Cemeteries / Mortuaries	\$1,995.96	\$2,021.31
75	Fraternal & Service Organizations	\$1,995.96	\$2,021.31
76	Retirement Housing Complex	\$6,653.20	\$6,737.70
78	Parks & Playgrounds	\$3,991.92	\$4,042.62
85	Public & Private Parking	\$1,995.96	\$2,021.31
87	Common Area	\$1,995.96	\$2,021.31
88	Mobile Homes	\$997.98	\$1,010.66
89	Other (split parcels in different tax code areas)	\$997.98	\$1,010.66
99	Homeowner's Association Owned Common Areas	\$798.38	\$808.52

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 Fiscal Year 2024-25 in the San Francisco-Oakland-Bay Area Consumer Price Index for All Urban Consumers.

1.27%

ORDINANCE NO. 10-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY AMENDING OAKLEY MUNICIPAL CODE CHAPTER 5.15 RELATED TO UNHOSTED STAY SHORT TERM RENTALS IN THE DOWNTOWN SPECIFIC PLAN, AND SB 346 (SHORT TERM RENTAL FACILITATOR ACT OF 2025), AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, this is a City-initiated application requesting approval of text amendments to amend Oakley Municipal Code (“OMC”) Chapter 5.15 related to Unhosted Stay Short-Term Rentals in the Downtown Specific Plan and SB 346 (Short-Term Rental Facilitator Act of 2025), (“Project”); and

WHEREAS, on February 10, 2026, the City Council held a public work session to Discuss the Feasibility of Permitting Unhosted Stay Short-Term Rentals in the Downtown Specific Plan and an Update on SB 346 (Short-Term Rental Facilitator Act of 2025), received the staff report and staff presentation, received comments from the public and interested parties, and discussed the matter. During the work session City Council provided staff with feedback and requested additional information; and

WHEREAS, on April 28, 2026, the City Council held a public work session to Discuss the Feasibility of Permitting Unhosted Stay Short-Term Rentals in the Downtown Specific Plan and an Update on SB 346 (Short-Term Rental Facilitator Act of 2025), received the staff report and staff presentation, received comments from the public and interested parties, and discussed the matter. During the work session City Council provided staff with feedback and direction on the proposed ordinance; and

WHEREAS, on or before July 30, 2026, the Notice of Public Hearing for the Project was duly noticed in the East Bay 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 April 28, 2026 the City Council held a duly noticed public hearing to consider the proposed Ordinance related to the Text Amendments amending Oakley Municipal Code Chapter 5.15 related to Unhosted Stay Short-Term Rentals in the Downtown Specific Plan and SB 346 (Short-Term Rental Facilitator Act of 2025), received the staff report and staff presentation, received comments from the public and interested parties; 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 Chapter 5.15 related to Unhosted Stay Short-Term Rentals in the Downtown Specific Plan and SB 346 (Short-Term Rental Facilitator Act of 2025) would open new opportunities for Short Term Rental and additional accommodation options for those visiting the City of Oakley throughout the year.

SECTION 3. Section 5.15.107 of the Oakley Municipal Code titled, “Vacation Rentals Prohibited” is hereby amended, as follows:

“5.15.107 Vacation Rentals Prohibited.

Vacation rentals, as defined in this chapter, are a prohibited use and shall not be operated within the City of Oakley, except as set forth below.

- a. Vacation Rental. The short-term rental may be a vacation rental only if the residence is located within the boundaries of the adopted SP-4 (Downtown Specific Plan) District, subject to the regulations in Section 5.15.124 (Vacation Rental Regulations).”

SECTION 4. Section 5.15.116 of the Oakley Municipal Code titled, “Operational Requirements and Standard Conditions” is hereby amended as follows:

“5.15.116 Operational Requirements and Standard Conditions.

- h. The short-term rental shall be a hosted rental for the duration of any occupancy by a transient, except as set forth below.
 - 1) Unhosted Stay. The short-term rental may be an unhosted (stay) rental only if the residence is located within the boundaries of the adopted SP-4 (Downtown Specific Plan) District.”

SECTION 5. Section 5.15.124 of the Oakley Municipal Code titled, "Vacation Rental Regulations" is hereby added to Chapter 5.15 as follows:

"5.15.124 Vacation Rental Regulations.

- a. Applicability. Vacation rentals, as defined in this chapter, are prohibited within the City of Oakley except as authorized pursuant to Section 5.15.107. No person shall operate a vacation rental unless a valid Short Term Rental permit has been issued and continues to be renewed annually in a timely manner pursuant to this chapter.
- b. Permit Limit. Vacation rentals authorized pursuant to Section 5.15.107 shall be subject to a maximum of ten (10) active Short-Term Rental permits at any given time.
- c. Initial Permit Selection. If the number of complete applications received during an application period exceeds the number of permits available, the City shall review the applications in the order they were submitted.
- d. Failure to submit the required information within the prescribed time shall constitute grounds for denial of the application or removal from the waiting list, as applicable.
- e. Denial of Application. If the City Manager determines that an applicant has failed to satisfy the requirements of this section or any other applicable provision of this chapter, the City Manager may deny the application by providing written notice to the applicant stating the basis for the denial.
- f. Permit Conditions. In addition to the Operations standards in Subsection 5.15.116, the Vacation Rental must comply with the following:
 - 1) It is the intent of the City to enforce sections of the Streets and Highways Code related to the provision for emergency vehicle access. Accordingly, no limousine or bus parking, and no stopping without the driver's presence, shall be allowed in any manner that would interfere with emergency vehicle access. In the event of an emergency, the vehicle driver shall immediately move the vehicle from the emergency access area.
 - 2) The permittee shall ensure that the renters and/or guests of the vacation rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise or disorderly conduct; provided, however, that the City does not intend to authorize, and the City does not authorize, the permittee to act as a peace officer or place himself or herself in harm's way. The permittee shall, upon notification that renters and/or guests of his or her vacation rental have violated any house rules (including any unreasonable noise or disturbances, disorderly conduct, or violations of this Code or state law) promptly act to stop the violation and prevent a recurrence of the violation.

- 3) It is prohibited to use the vacation rental unit for any wedding, auction, commercial function, or other similar event that is inconsistent with the use of the property for transient occupancy in a residential neighborhood.
- g. Notice of Permit Approval. Upon issuance of a vacation rental permit, the City Manager may provide notice to property owners within five hundred (500) feet of the vacation rental unit. The notice may include:
- 1) A summary of the terms of the permit, including the maximum number of overnight and daytime occupants, any applicable parking requirements, and any special conditions or restrictions imposed on the permit;
 - 2) The contact information for the owner or other responsible contact person available twenty-four (24) hours per day, seven days per week;
 - 3) Information on how to report potential violations to the City; and
 - 4) Information regarding any applicable appeal rights or procedures established by this Code.
- h. Waiting List. The City shall maintain a waiting list when all ten (10) vacation rental permits have been issued. The Community Development Department will maintain and update the waiting list. Applicants shall be placed on the waiting list according to the order established through the City's application selection process.
- 1) The City shall maintain a waiting list when all ten (10) permits have been issued.
 - 2) Applicants shall be placed on the waiting list according to the order established through the City's application selection process.
 - 3) If a permit becomes available because of expiration, revocation, surrender, or non-renewal, the City Manager may offer the permit to the next eligible applicant on the waiting list. The applicant will have fifteen (15) days to respond if they want to proceed with applying, not proceed, and/or the choice to remain on the wait list or be removed.
 - 4) Applicants remaining on the waiting list shall continue in order until issued a permit, withdrawn by the applicant, or removed by the City for failure to maintain eligibility.
 - 5) Applicants on the waiting list shall remain eligible for two (2) years unless withdrawn, determined ineligible, or removed for failure to respond to City requests as set forth in the subsection.
- i. Permit Expiration and Reissuance. Upon expiration, revocation, surrender, or nonrenewal in a timely manner of a Short-Term Rental permit allowing a vacation rental, the vacation rental status will be forfeited and it shall become available for

reissuance in accordance with the waiting list established under this section. Failure to renew prior to expiration shall result in automatic expiration without a grace period.

- j. Additional Restrictions. Only one rental agreement per vacation rental unit shall be in effect at any one time.”

SECTION 6. Section 5.15.126 of the Oakley Municipal Code titled, “Implementation of SB 346 (Short-Term Rental Facilitator Act of 2025)” is hereby added to Chapter 5.15 as follows:

“5.15.126 Implementation of SB 346 (Short Term Rental Facilitator Act of 2025).

- a. “Short-Term Rental Facilitator” for the purposes of this Chapter shall have the same meaning as defined in the text for SB 346 (Short-Term Rental Facilitator Act of 2025), codified in Chapter 4.6 (commencing with Section 50990) of Part 1 of Division 1 of Title 5 of the California Government Code.
- b. Upon request by the City, each Short-Term Rental Facilitator shall report, for each short-term rental listed or booked through its platform within the City, the physical address, Assessor Parcel Number, ZIP code, and URL of the listing for each reporting period, as defined by the City.
- c. Each Short-Term Rental Facilitator shall ensure that all listings for short-term rentals located within the City display the property's valid local license number and Transient Occupancy Tax certification.
- d. Failure to comply with reporting or listing requirements under this chapter shall subject the Short-Term Rental Facilitator to an administrative citation, pursuant to Chapter 1.5 (Penalties and Remedies) of the Oakley Municipal Code.
- e. A Short-Term Rental Facilitator shall be found to be out of compliance with this chapter for each short-term rental not listed in compliance with this chapter, and each short-term rental found to be listed out of compliance with this chapter may result in a separate administrative citation.”

SECTION 7. 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 8. 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.

PASSED AND ADOPTED by the City Council of the City of Oakley this 8th day of September 2026 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Hugh Henderson, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

I HEREBY CERTIFY that in accordance with Government Code Section 40806, this ordinance is a true and correct copy of a city ordinance. It has been published or posted pursuant to law.

Kim Snodgrass, CMC
City Clerk

ORDINANCE NO. 11-26

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY
AMENDING SECTION 2.3.002 OF THE OAKLEY MUNICIPAL CODE
REGARDING THE TRAINING REQUIREMENTS FOR MEMBERS OF
THE PLANNING COMMISSION**

THE CITY COUNCIL OF THE CITY OF OAKLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. Upon the effective date of this Ordinance, Oakley Municipal Code 2.3.002 shall be amended to read as follows:

2.3.002 Creation of Planning Commission; Residency; Trainings Required.

- a. Planning Commission. A Planning Commission is established to consist of five members appointed by the City Council in the manner prescribed in subsection (b) of this section.
- b. Method of Selection. Members shall be appointed to the Planning Commission on an at- large basis by the City Council. Members of the Planning Commission shall be residents of the City.
- c. Applications for Planning Commission shall be made available and the closing date announced at least two months prior to the expiration of the Commissioner's term to be filled.
- d. All members of the Commission shall be residents of the City of Oakley. Proof of residency shall be submitted at time of application to the Commission through a California driver's license, voter registration, or utility bill identifying residence at a physical address within the City boundaries. Residency shall be confirmed prior to appointment and maintained throughout the term served.
- e. No person serving as an appointed or elected member of any local or regional governmental agency that includes any portion of Oakley City limits within its jurisdictional territory shall serve as a member of the Planning Commission.
- f. ~~Prior to taking office~~ Within six months of assuming office, a member of the Planning Commission shall ~~have completed~~ public ethics training required by California statute (2005 AB 1234). Each member of the Planning Commission shall thereafter complete at least two hours of ethics training every two years of service. ~~Under direction of the City Attorney, each member of the Planning Commission shall also complete at least three hours of Planning Commissioner training and training regarding the Ralph M. Brown Act prior to assuming office.~~ Planning Commissioners may take such trainings online or in-person and from the Fair

Political Practices Commission or any provider that provides trainings that satisfy the requirements of California Code of Regulations, Title 2, section 18371.

- g. Within six months of assuming office, each member of the Planning Commission shall complete at least three hours of Planning Commissioner training by attending the Planning Commissioners Academy provided by the League of California Cities or any similar program the City Attorney determines will provide equivalent coverage of California planning laws and procedures.

SECTION 2. CEQA.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. SEVERABILITY.

The City Council of the City of Oakley hereby declares that should any section, paragraph, sentence, phrase, term or word of this Ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid. If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

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 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.

PASSED AND ADOPTED by the City Council of Oakley on this ___th day of _____ by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Hugh Henderson, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

I HEREBY CERTIFY that in accordance with Government Code Section 40806, this ordinance is a true and correct copy of a city ordinance. It has been published or posted pursuant to law.

Kim Snodgrass, CMC
City Clerk

DATE: September 8, 2026
TO: Joshua McMurray, City Manager
FROM: Billilee Saengchalern, Public Works Director / City Engineer
SUBJECT: Adopt a Resolution Authorizing the Award of Contract to ODP Business Interiors for the Purchase and Installation of Cubicles and Office Furniture for the Police Department Remodeling Project, Capital Improvement Project (CIP) Number 343

Approved and
Forwarded to the
City Council

Background and Analysis

The City Hall Remodeling Project, CIP 343 is a continuation of the remodeling and expansion work that had taken place at the Police Department and City Hall in prior years. The continued growth of the Oakley Police Department requires further facility expansion to provide a functional and efficient workspace for the Police Department staff and their operations.

On July 8, 2025, the City Council awarded a design contract to Perkins, Williams & Cotterill Architects, Inc. for Architectural Design Services for the Police Department Remodeling Project, CIP 343. The scope of this project involves the conversion of the open courtyard between City Hall and the Police Department to an enclosed space for use by the Police Department for the interior remodeling of the Police Department to accommodate the expansion of the records and evidence section, a new report writing room, new office spaces, new armory, new cubicles in the Detective room, new carpet and paint, and the remodeling of the front Police Department reception area.

The majority of the office layout at the Police Department is comprised of packaged cubicles and paneled workstations. The cubicle configurations are perfect for facilities that need basic workspaces in a cost-effective fashion with the flexibility to change the layouts as facility operation needs change. The new cubicles and furniture will be the same style as the ones that were installed at City Hall.

Staff have been working with the project design architect since last year, culminating with bidding of the project and award of construction contract on September 8, 2026.

Concurrently staff have been working with ODP Business Interiors on the design of new cubicles and office furniture for the Police Department. Staff were able to secure a cost proposal in the amount of \$346,159.27 from ODP Business Interiors for this project. The proposed furniture is priced per the City's cooperative agreement, Omnia Partners Region 4 Contract #240112, including piggy-backable bid pricing. This is a



very competitive price, especially in the current climate of economic uncertainty and tariffs that have had an impact on the cost of all phases of construction projects.

The replacement of the cubicles, office furniture, and the new carpet and paint will take place after the actual construction work is completed and will be performed in phases to minimize operational impacts to the Police Department and in times where the regular workload is lighter at the department.

ODP Business Interiors is the original office furniture vendor for the City of Oakley and is the most familiar with the City Hall buildings, office configurations, and changes that have been made since 2007.

Consistency with the Oakley Strategic Plan 27+

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

Fiscal Impact

This item was included in the FY 2026/27 budget with a total budget of \$2,185,000. This project is funded by the General Capital Project Fund. To date \$55,890.28 has been spent and/or encumbered. No additional funding is needed at this time to fund this contract.

Staff Recommendation

Staff recommend that the City Council adopt the resolution approving the proposal with ODP Business Interiors for the purchase and installation of cubicles, workstations, and furniture in the amount of \$346,159.27 associated with the Police Department Remodeling Project, CIP 343.

Attachments

1. ODP Business Interiors Proposal
2. Resolution



RESOLUTION NO. XX-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AGREEMENT WITH ODP BUSINESS INTERIORS FOR THE PURCHASE AND INSTALLATION OF CUBICLES AND OFFICE FURNITURE FOR THE POLICE DEPARTMENT REMODELING PROJECT, CAPITAL IMPROVEMENT PROJECT (CIP) NUMBER 343

WHEREAS, the remodeling of the Police Department will provide much needed functional space across all operations of the department; and

WHEREAS, this work is continuation of the similar remodeling work at City Hall over past few years; and

WHEREAS, staff worked with ODP Business Interiors to secure a cost proposal for the replacement of cubicles and office furniture; and

WHEREAS, ODP Business Interiors submitted a very cost competitive proposal for a total cost of \$346,159.27 for the work, as shown in Exhibit A; and

WHEREAS, the proposed furniture is priced per the City's cooperative agreement, Omnia Partners Region 4 Contract #240112, including piggy backable bid pricing.

WHEREAS, this item was included in the FY 2026/27 budget with a total budget of \$2,185,000. This project is funded by the General Capital Project Fund 201. To date, \$55,890.28 has been spent and/or encumbered. No additional funding is needed at this time to fund this contract.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley that the Agreement with ODP Business Interiors for the Police Department Remodeling project – CIP 343, for an amount not to exceed \$346,159.27 is approved, and the City Manager is hereby authorized to execute said Agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 8th day of September 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Hugh Henderson, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

Matt Phillips
209.456.6285 matthew.phillips@odpbusiness.com

City of Oakley, Police Dept - FINAL, PHASE 1

SOLD TO:

CITY OF OAKLEY

SHIP TO:

CITY OF OAKLEY
3231 MAIN ST

OAKLEY CA 94561
CHIEF PAUL BEARD
925-625-8829

NOTES:

Pricing in this proposal is based on current market conditions and may change due to tariff adjustments or government fees. Any increases before order invoice could adjust the final pricing.

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
0NOTES				
1	1	NOTE **AUDITED BY KIM KIRACK 2-9-26**	\$0.00	\$0.00
2	1	NOTE **REVISIONS AUDITED BY MICHELLE EVANS 3-12-26**	\$0.00	\$0.00
3	1	DESIGN COMPLIMENTARY DESIGN (STD RATE \$90/HR) - TOTAL 41.50 HOURS OF DESIGN TIME	\$0.00	\$0.00
0NOTES Subtotal				\$0.00

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
ADMIN ASST 107				
4	1	HNLRC3072 72W x 30D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$299.23	\$299.23
5	1	HNLRC2472 72W x 24D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$257.76	\$257.76
6	1	HNLEP2428R 1-1/8Wx23-1/8Dx28-1/2H End Panel for 24D Right Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$144.93	\$144.93
7	1	HNLEP2428L 1-1/8Wx23-1/8Dx28-1/2H End Panel for 24D Left Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$144.93	\$144.93
8	2	HNLMP7228 72W x 27-7/8H Modesty / Back Panel Select Grommet Color .X No Grommet Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$204.24	\$408.48
9	1	HNL231628PBBF 15-3/4Wx23-1/8Dx28-1/2H Box/Box/File Pedestal Select Handle Detail .E Loop/Satin Select Grommet Color .X No Grommet Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$496.34	\$496.34

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
10	1	HNL233028PSL 30Wx23-1/8Dx28-1/2H Shelf/Box/Box/Lat File Ped Select Handle Detail .E Loop/Satin Select Grommet Color .P Black Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$845.51	\$845.51
11	1	HHATW2448CT 48W x 24D Rect Worksurface - C/T Base Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum	\$156.93	\$156.93
12	1	HHATB2S2LT 2 Stage 2 Leg Rectangle T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$467.39	\$467.39
13	1	HUSLMOD1348 Laminate Modesty 13h x 48w Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Color Option .P Black	\$203.19	\$203.19
14	1	HJTRGH24 24" Cable Management Tray - Black Only Select Paint Color .P Black	\$30.36	\$30.36
15	1	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$101.72

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
16	1	HNL4972LD 72x15x48-5/8 Stack-on Storage lam doors Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$1,134.04	\$1,134.04
17	1	H90056 10500 Series Tckbd for 72"W Stack on Strg Bck Enclosure Fabric Selection \$(B) Grd B Fab Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster	\$204.69	\$204.69
18	1	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$233.55
19	1	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$38.59
20	1	HNL2436LD2 36x24x29-1/2 Lateral File two drawer Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Handle Detail .E Loop/Satin Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Chassis Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$810.73	\$810.73
21	1	HNL4936BHLD 36x15x48-5/8 Bookcase Hutch lam doors Select Handle Detail .E Loop/Satin Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$636.81	\$636.81

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
22	3	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X107E 107E	\$37.42	\$112.26
23	1	VI-QS-4836-GL-M-WHT Wall Mount VITA Quick Ship, 47.24x35.43 Nominal, White, Magnetic 4mm Premium Low-iron Glass, Gloss Finish, Frameless, Includes Microfiber Cloth, Integrated Wall Mount, Z-Strips included	\$559.47	\$559.47
24	1	AC-SET-BLK Black Magnetic Pen Holder, 6 Magnetic Pucks, Magnetic Eraser	\$216.00	\$216.00
25	2	N51GFA TIZELLE,GUEST,ARMS,WOOD UPHOLSTERY GRADE 1 GRADE 1 PRIMARY UPH PATTERN COLOR 11611 CALI BOULDER FINISH PT PORTICO	\$809.83	\$1,619.66
26	1	7780 Executive Performance Chair Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial and Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JR69 JR69 : Removeable, Height & Width adjustable T-arms, w Cylinder Selection 5AF 5AF : 5" Black Cylinder (121mm stroke) formerly CYL5-AF Caster Option 55MS 55MS : 55mm Multi-Surface Soft Caster (STD) formerly C Base BLKNYLN Black Nylon Back Shell DUB-B Ballistic Nylon	\$542.40	\$542.40
ADMIN ASST 107 Subtotal				\$9,664.97

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
ADMIN CONF RM 105				
28	1	HTLC4284 84"Wx42"D Rect Shaped Lam Top Edge Option .G 2MM/Flat Select Edge Finish DP Portico Teak Select Grommet .G2 Cut Out For Flip Top Port Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$546.94	\$546.94
29	1	HTLHP84 Lam Hollow Pan Base For 84" W Table Tops Select Laminate Finish \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Endcap Finish .LPT1 Portico Teak	\$1,057.20	\$1,057.20
30	1	HTG2PWR-3P-1U-W ElloraB G2 Flptop-3 AC Pwr-1 Dual USB-A-Qi Lid Select Paint Color .SVR Silver	\$504.90	\$504.90
31	6	2670-2 High Back, Knee-Tilter, Std Fixed Arms, Std Polished Aluminum Base, Std 2" Dual Wheel Carpet Casters, GLOBAL ACCORD Textile {10 04} ~03 Grade 03 Grade 03 Textile {GR} ~GPM3 Graded In Grade 03 Graded In Grade 03 Textile {FR} GPM3 1-Graded In Grade 03 Fabrics Frame Finish {20} AL F-(STD) Aluminum Frame ALU Caster Type or Glide Type {60} C1 C-2" Black Caster for Carpeted Surfaces Seat Foam Type {80} SF M-Regular Foam Packing Type {75} ST M-(STD) RTA Code in Pricebook per Model Commercial or GSA Offering ~STD Commercial Furniture Offering	\$939.64	\$5,637.84
ADMIN CONF RM 105 Subtotal				\$7,746.88

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
CHIEF OFFICE 108				
32	1	HNL3672LPBB 72x36x29-1/2 Lf Ped Desk bow top bkft mod Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Handle Detail .E Loop/Satin Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Chassis Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$1,438.18	\$1,438.18
33	1	HNLRC2472 72W x 24D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$257.76	\$257.76
34	1	HNLEP2428L 1-1/8Wx23-1/8Dx28-1/2H End Panel for 24D Left Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$144.93	\$144.93
35	1	HNLMP7228 72W x 27-7/8H Modesty / Back Panel Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$204.24	\$204.24
36	1	HNL233028PSL 30Wx23-1/8Dx28-1/2H Shelf/Box/Box/Lat File Ped Select Handle Detail .E Loop/Satin Select Grommet Color .P Black Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$845.51	\$845.51

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
37	1	HHATW2448CT 48W x 24D Rect Worksurface - C/T Base Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum	\$156.93	\$156.93
38	1	HHATB2S2LT 2 Stage 2 Leg Rectangle T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$597.65	\$597.65
39	1	HUSLMOD1348 Laminate Modesty 13h x 48w Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Color Option .P Black	\$203.19	\$203.19
40	1	HJTRGH24 24" Cable Management Tray - Black Only Select Paint Color .P Black	\$30.36	\$30.36
41	1	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$101.72
42	1	HNL4972LL 72x15x48-5/8 Stack-on Storage lam lock drs Lock Finish Selection .SA Satin Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$1,188.45	\$1,188.45
43	1	H90056 10500 Series Tckbd for 72"W Stack on Strg Bck Enclosure Fabric Selection \$(B) Grd B Fab Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster	\$204.69	\$204.69

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
44	1	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$233.55
45	1	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$38.59
46	1	HNL2436LD2 36x24x29-1/2 Lateral File two drawer Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Handle Detail .E Loop/Satin Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Chassis Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$810.73	\$810.73
47	1	HNL4936BHXD 36x14-1/4x48-5/8 Bookcase Hutch no drs/open Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$507.49	\$507.49
48	1	HNL243679WL 36x24x78-1/8 Wardrobe/Storage Cab lam drs Select Handle Detail .E Loop/Satin Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$1,808.31	\$1,808.31
49	4	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X108E 108E	\$37.42	\$149.68
50	2	HF27S Satin Removable Lock Core Kit Select Key Number .X108E 108E	\$23.19	\$46.38

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
51	1	VI-QS-4836-GL-M-WHT Wall Mount VITA Quick Ship, 47.24x35.43 Nominal, White, Magnetic 4mm Premium Low-iron Glass, Gloss Finish, Frameless, Includes Microfiber Cloth, Integrated Wall Mount, Z-Strips included	\$559.47	\$559.47
52	1	AC-SET-BLK Black Magnetic Pen Holder, 6 Magnetic Pucks, Magnetic Eraser	\$216.00	\$216.00
53	2	N51GFA TIZELLE,GUEST,ARMS,WOOD UPHOLSTERY GRADE 1 GRADE 1 PRIMARY UPH PATTERN COLOR 11611 CALI BOULDER FINISH PT PORTICO	\$809.83	\$1,619.66
54	1	PT79PD Intensive Use Police Department Task Chair, High Back Oversized Carton (PT79PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial and Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft : Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$793.44	\$793.44
CHIEF OFFICE 108 Subtotal				\$12,156.91

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
LIEUTENANT 109 & 110				
56	2	HNLRC3060 60W x 30D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$258.65	\$517.30
57	2	HNLRC2472 72W x 24D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$257.76	\$515.52
58	4	HNLEP2428L 1-1/8Wx23-1/8Dx28-1/2H End Panel for 24D Left Select Grommet Color .X No Grommet Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$144.93	\$579.72
59	2	HNLEP2428R 1-1/8Wx23-1/8Dx28-1/2H End Panel for 24D Right Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$144.93	\$289.86
60	2	HNLMP6028 60W x 27-7/8H Modesty / Back Panel Select Grommet Color .X No Grommet Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$175.26	\$350.52
61	2	HNLMP7228 72W x 27-7/8H Modesty / Back Panel Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$204.24	\$408.48

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
62	2	HNL233028PSL 30Wx23-1/8Dx28-1/2H Shelf/Box/Box/Lat File Ped Select Handle Detail .E Loop/Satin Select Grommet Color .P Black Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$845.51	\$1,691.02
63	2	HHATW2448CT 48W x 24D Rect Worksurface - C/T Base Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum	\$156.93	\$313.86
64	2	HHATB2S2LT 2 Stage 2 Leg Rectangle T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$467.39	\$934.78
65	2	HUSLMOD1348 Laminate Modesty 13h x 48w Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Color Option .P Black	\$203.19	\$406.38
66	2	HJTRGH24 24" Cable Management Tray - Black Only Select Paint Color .P Black	\$30.36	\$60.72
67	2	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$203.44

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
68	2	HNL241879WLR 18x24x78-1/8 Wardrobe/Storage Cab lam dr Rt Select Handle Detail .E Loop/Satin Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$1,184.88	\$2,369.76
69	2	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X109E 109E	\$37.42	\$74.84
70	2	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X110E 110E	\$37.42	\$74.84
71	2	VI-QS-4836-GL-M-WHT Wall Mount VITA Quick Ship, 47.24x35.43 Nominal, White, Magnetic 4mm Premium Low-iron Glass, Gloss Finish, Frameless, Includes Microfiber Cloth, Integrated Wall Mount, Z-Strips included	\$559.47	\$1,118.94
72	2	AC-SET-BLK Black Magnetic Pen Holder, 6 Magnetic Pucks, Magnetic Eraser	\$216.00	\$432.00
73	4	N51GFA TIZELLE,GUEST,ARMS,WOOD UPHOLSTERY GRADE 1 GRADE 1 PRIMARY UPH PATTERN COLOR 11611 CALI BOULDER FINISH PT PORTICO	\$809.83	\$3,239.32

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
74	2	PT79PD	\$793.44	\$1,586.88
		Intensive Use Police Department Task Chair, High Back Oversized Carton (PT79PD)		
		Fabric Grade Selection	GR1	Grade 1/COM - Basic, Celestial and Spice
		Grade 1 Fabric Choices	CEL	Celestial
		Celestial Fabric Colors	1200	Oberon
		Arm Selection	JRPD	JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft :
		Cylinder Selection	5HD	5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form
		Base Option	28TMX	28TMX : Titanium Composite (STD) formerly BSEM84
		Caster Option	65MS	65MS : 65mm Dual Color Soft Casters (STD) formerly CAS
		Back Shell	DUB-B	Ballistic Nylon
LIEUTENANT 109 & 110 Subtotal				\$15,168.18

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
TRAINING RM 112				
76	12	HMT2460E Huddle 24x60 Table Top w/T-mold Select Grommet .N No Grommets Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak	\$343.09	\$4,117.08
77	12	HMAGANG Interlink IQ Elect Ganging Hardware	\$82.22	\$986.64
78	2	65K193033CBH2LL ALTERNA,18DX30WX33H,CABINET,BASE,HINGED DOUBLE DOORS,TFL PULL 56_501 FACET,PLATINUM METALLIC LOCK KS SPECIFY CORE SEPARATELY HINGE TYPE STD CONCEALED HINGE SHELF OPTION A1 ONE ADJUSTABLE SHELF DOOR/FRONT TFL COLOR PT PORTICO CHASSIS TFL COLOR PT PORTICO	\$686.34	\$1,372.68
79	1	65K193033BCD3LL ALTERNA,18DX30WX33H,CABINET,BASE,THREE DRAWERS,TFL PULL 56_501 FACET,PLATINUM METALLIC LOCK KSA SPECIFY CORE SEPARATE,ALL DRWR DOOR/FRONT TFL COLOR PT PORTICO CHASSIS TFL COLOR PT PORTICO	\$1,062.72	\$1,062.72
80	1	65K1990WSRL ALTERNA,19DX90W,SURFACE,LAMINATE RIM PROFILE P 1/8" (3MM) VINYL RIM FINISHED EDGE LR 3MM VINYL RIM,LEFT & RIGHT SURFACE LAMINATE PRICE GROUP STD STANDARD GROUP 1 LAMINATE COLOR PT PORTICO VINYL RIM COLOR PT PORTICO MODIFIED WIDTH X NO MODIFIED WIDTH	\$331.12	\$331.12
81	1	65K9004CFMLL ALTERNA,90WX4H,TOE KICK,TFL CHASSIS TFL COLOR PT PORTICO MODIFIED WIDTH 89.5000 89 1/2	\$85.61	\$85.61

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
82	1	VCCB1CK INTERWOVEN,LOCK CORE,CHANGE KEY	\$13.28	\$13.28
83	5	VCCG001 INTERWOVEN,LOCK CORE,SILVER,KEY 001	\$15.25	\$76.25
TRAINING RM 112 Subtotal				\$8,045.38
Z				
85	6	3220TG DELUXE GUEST CHAIR WITH NO ARMS FAB: BLACK 9106	\$129.65	\$777.90
86	6	27/2800CASTSET CASTERS	\$11.33	\$67.98
87	1	FUEL SURCHARGE	\$33.84	\$33.84
Z Subtotal				\$879.72
ZFREIGHT				
88	4	FREIGHT ESTIMATED INBOUND FREIGHT OM	\$56.00	\$224.00
ZFREIGHT Subtotal				\$224.00
ZINSTALL				
90	1	INSTALL RECEIVE,DELIVER AND INSTALL DURING NORMAL BUSINESS HOURS	\$6,462.00	\$6,462.00
ZINSTALL Subtotal				\$6,462.00

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
ZSURCHARGE				
89	1	FUEL SURCHARGE	\$1,426.49	\$1,426.49
ZSURCHARGE Subtotal				\$1,426.49

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
			Subtotal	\$61,774.53
			ESTIMATED SALES TAX *WILL	\$5,405.27
			BILL ACTUAL	\$67,179.80
			GRAND TOTAL	

~Ordering Notes~

- * Deposit may be due at time of order
- * The applicable tax will be applied at the time of invoicing
- * Pricing in this proposal is based on current market conditions and may change due to tariff adjustments or government fees. Any increases before order invoicing could adjust the final pricing.
- * Estimated leadtime is subject to the manufactures production / shipping schedules
- * This proposal contains Special Order items that are Not Returnable
- * Once an order is placed, cancellations are Not Allowed

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
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TERMS AND CONDITIONS OF PURCHASE

(FURNITURE - ODP BUSINESS SOLUTIONS WORKSPACE INTERIORS)

1. ODP Business Solutions, LLC ("ODP Business Solutions") shall make commercially reasonable efforts to install all products as quickly as possible. However, any delivery and/or installation dates quoted to Customer are approximate, and ODP Business Solutions obligation shall be only to deliver and/or install the products within a reasonable time. Also, due to certain factory shipment schedules, it is possible that ODP Business Solutions will be able to deliver and install portions of the job in phases. Customer will be invoiced for the items as they are delivered and payment will be due as set forth in Section 3 below
2. All prices are firm for thirty (30) days from date of proposal.
3. Payment terms are net twenty (20) days from date of invoice, unless otherwise agreed to and as documented on the order or quote. Customer will be invoiced for items when delivery and installation (if applicable) is complete, and any punch issues are less than 10% of the value of the entire order. In no event shall payment be withheld for delivered products and services. Customer shall pay 90% of the invoice and may withhold 10% until completion of the job. The balance is payable immediately after any outstanding issues are resolved.
4. All orders are subject to credit approval.
5. ODP Business Solutions requires a minimum deposit equaling 50% on all orders over \$20,000. Said deposit will be applied to Customer's account until such product is delivered and invoiced. Each invoice, less its proportionate share of the deposit, will be due and payable as set forth in Section 4 above.
6. All products and materials are subject to applicable taxes, as well as any applicable inbound freight and fabrication charges.
7. An order is not cancelable once in production. "Quick ships" and fabric orders are not cancelable.
8. Any quotation for special order products or materials shall be approved by an authorized Customer representative for correct product number, fabric, specifications and quantities. Any services rendered to Customer to change or modify the specification and layout before or during installation will be charged to Customer at prevailing rates. If such changes or modifications result in additional products, parts, materials or labor, they will be billed to Customer at prevailing rates.
9. Delivery and installation services are conducted during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. If services are requested outside of normal business hours, if special handling or equipment is required, if moving of products other than delivered is required, or if there are any unusual condition not made known to ODP Business Solutions at the time of sale, extra labor charges at prevailing rates may apply.
10. If during installation, additional products are necessary or required to complete the job, such additional products and labor will be charged to Customer at prevailing rates.
11. Floors shall be smooth, level and free from debris.
12. Condition of Jobsite - Customer agrees to have premises available on the requested date of installation and for a reasonable time thereafter for installation during the regular business day. Customer's job site shall be clean, clear, and free of debris prior to installation. Delivery and installation encumbrances which necessitate additional labor will result in extra charges. If installation is to be placed over carpeting, tiles, or other floor covering, Customer hereby assures ODP Business Solutions that all such coverings will be completed prior to time installation is scheduled. The job site shall be free of interference from all trades in the work areas, and if the job site is not free of such trade interference, the delivery and installation shall not proceed until such interference has been eliminated, or other arrangements are agreed to in writing. ODP Business Solutions shall be held harmless and shall not assume liability for job delay due to failure to meet any of the preceding conditions.
13. Jobsite Services. Electric current, light, heat, trash disposal facilities, hoisting and/or elevator service, and adequate facilities for off-loading, staging, moving, and handling of the Furnishings will be furnished without charge to ODP Business Solutions. Customer acknowledges that if the installed Furnishings require electrical hook-ups, outlets, wiring, or other similar services, at Customer's election, ODP Business Solutions may provide such services through licensed subcontractors at an additional fee or Customer shall be responsible for engaging appropriate licensed professionals.
14. Permits are the responsibility of the Customer unless expressly provided in the Proposal.
15. If Customer is unwilling or unable to accept delivery or installation of the products according to the specified schedule, the products will be stored at Customer's expense. Customer shall pay a warehouse charge payable monthly. Any double handling of a product will be charged at our normal hourly rate.
16. ODP Business Solutions makes no warranties, expressed or implied, as to merchantability or as the suitability of the products for any particular purpose, except those made by the manufacturer of the products. Any claim must be made to ODP Business Solutions in writing within five (5) days after delivery or installation of the products and if no claim is so received by ODP Business Solutions it will be conclusively presumed that Customer has accepted and that the products are as represented.
17. No liability shall accrue against ODP Business Solutions as a result of breach of terms and conditions caused by any strike, act of God, lockout, accident, or delay beyond its control.
18. ODP Business Solutions retains, and Customer hereby grants to ODP Business Solutions, a security interest in the products to secure the purchase price therefore. The products shall remain personal property regardless of being fixed to any real property. If Customer defaults in the payment of the purchase price when due, ODP Business Solutions shall have all rights and remedies granted by the Uniform Commercial Code. A finance charge of 2% per month (annual percentage rate 24%) will be charged on all past due balances. Customer shall pay all collection costs, including attorneys fee, in the event any claim is referred to a collection agency or attorney.
19. Products shipped directly to Customer shall be the responsibility of Customer except if agreed in writing that ODP Business Solutions will provide delivery and installation services. The receiving Customer is responsible to inspect products and file any necessary freight claims with freight provider.
20. Manufacturer warranties apply for parts only. Labor is not included.
21. All items set forth in the quotation are non-returnable.
22. IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR CONSEQUENTIAL, SPECIAL, INDIRECT OR INCIDENTAL DAMAGES, WHETHER IN AN ACTION BASED ON CONTRACT, TORT (INCLUDING NEGLIGENCE) OR ANY OTHER LEGAL THEORY, EVEN IF THE PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
23. Each party shall indemnify and hold harmless the other party from and against any and all third-party claims, demands, actions, suits, losses, liabilities, damages and all related costs and expenses, including without limitation reasonable attorneys' fees due to, arising from or relating to the negligent, willful or reckless act or omission of the indemnifying party.
24. These terms and conditions shall be governed by the law of the State of Florida, without regard to conflict of laws principles.

Customer: _____

Customer's Signature: _____

Print Name: _____

Customer PO: _____

Title: _____

Date: _____

Matt Phillips
209.456.6285 matthew.phillips@odpbusiness.com

City of Oakley, Police Dept - FINAL, PHASE 2

SOLD TO:

CITY OF OAKLEY

SHIP TO:

CITY OF OAKLEY
3231 MAIN ST

OAKLEY CA 94561
CHIEF PAUL BEARD
025-625-8829

NOTES:

Pricing in this proposal is based on current market conditions and may change due to tariff adjustments or government fees. Any increases before order invoice could adjust the final pricing.

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
0NOTES				
1	1	NOTE **AUDITED BY KIM KIRACK 2-9-26**	\$0.00	\$0.00
2	1	NOTE **REVISIONS AUDITED BY MICHELLE EVANS 3-12-26**	\$0.00	\$0.00
3	1	DESIGN COMPLIMENTARY DESIGN (STD RATE \$90/HR) - TOTAL 41.50 HOURS OF DESIGN TIME	\$0.00	\$0.00
0NOTES Subtotal				\$0.00

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
EVIDENCE ROOM				
4	1	TEAR OUT AND REMOVAL OF EXISTING SHELVING	\$16,295.00	\$16,295.00
		INCLUDING RAILS AND RAISED FLOORS		
5	1	NEW SPACESAVER HD MOBILE SHELVING	\$25,446.95	\$25,446.95
		ADD (4) EW CARRIAGES,RAILS AND RAISED FLOOR		
6	1	INSTALLATION OF NEW (4) CARRIAGES	\$28,538.89	\$28,538.89
		(3) EXISTING CARRIAGES, (1) FIXED PLATFORM, NEW RAILS AND NEW RAISED FLOOR		
7	4	STORAGE FEES MONTHLY STORAGE FEES	\$312.50	\$1,250.00
		FOR EXISTING (3) CARRIAGES AND (1) FIXED PLATFORM * PER MONTH		
8	1	FREIGHT ESTIMATED INBOUND FREIGHT	\$5,729.16	\$5,729.16
EVIDENCE ROOM Subtotal				\$77,260.00

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
EVIDENCE STORAGE 106				
9	1	HNLRC3072 72W x 30D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$299.23	\$299.23
10	1	HNLEP3028L 1-1/8Wx29-1/8Dx28-1/2H End Panel for 30D Left Select Grommet Color .X No Grommet Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$164.55	\$164.55
11	1	HNLEP3028R 1-1/8Wx29-1/8Dx28-1/2H End Panel for 30D Right Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$164.55	\$164.55
12	1	HNL11SUPP 1-1/8Wx10-1/2Dx28-1/2H Support Brace Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$108.36	\$108.36
13	1	HNLMP7228 72W x 27-7/8H Modesty / Back Panel Select Grommet Color .X No Grommet Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$204.24	\$204.24
14	1	HNL1772RT 72x17x14-5/8 Recpt Trans Cntr for desk Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Chassis Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$385.74	\$385.74

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
15	1	HHATW2472CT 72W x 24D Rect Worksurface - C/T Base Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum Select Color Option .P Black	\$208.86	\$208.86
16	1	HHATB2S2LT 2 Stage 2 Leg Rectangle T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$467.39	\$467.39
17	1	HJTRGH36 36" Cable Management Tray - Black Only Select Paint Color .P Black	\$36.89	\$36.89
18	1	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$101.72
19	1	H15923R Flagship B/F Mobile Ped 22H x15W x 22-7/8D/R Pull Lock/Omt Opts .X OMT Core to Order Key Alike Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$254.27	\$254.27
20	1	HPSEAT24ND Contain 15x24 Pedestal Cushion Select Upholstery for PSEAT24 \$(1) Grd 1 Uph Grade 1 Fab .DAPR Dapper Dapper 01 Charcoal	\$86.84	\$86.84
21	1	HF80 Follower Block	\$22.42	\$22.42

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
22	1	H519495 10500 Series Dbl-Rail Hanging File Rack	\$16.18	\$16.18
23	1	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X106E 106E	\$38.47	\$38.47
24	2	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$735.36	\$1,470.72
25	1	B3230013 BenchPro™ Kennedy Mobile Workbench with Stainless Steel Square Edge Top, 60"W x 30"D, Black	\$1,486.80	\$1,486.80
26	1	B3230024 BenchPro™ Kennedy Mobile Workbench with Stainless Steel Square Edge Top, 72"W x 30"D, Black	\$1,638.00	\$1,638.00
27	1	243010 Nexel; Reach In Freezer, 2 Solid Doors, 47 Cu. Ft., Stainless Steel	\$3,598.80	\$3,598.80
28	1	243008 Nexel; Reach In Refrigerator, 2 Solid Doors, 47 Cu. Ft., Stainless Steel	\$2,998.80	\$2,998.80

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
29	1	FREIGHT Per Quote Received, Shipping to Zip Code 95336	\$531.99	\$531.99

EVIDENCE STORAGE 106 Subtotal \$14,284.82

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
TRAFFIC/REPORT WRITING 100				
31	8	HLSLR3048 Voi 30"D x 48" W Rectangle Worksurface Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Top Laminate Color .LPT1 Portico Teak Select Edge Color DP Portico Teak Select Grommet .G Grommets Select Grommet Color T1 Platinum Flat	\$274.58	\$2,196.64
32	1	HLSLR3060 Voi 30"D x 60" W Rectangle Worksurface Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Top Laminate Color .LPT1 Portico Teak Select Edge Color DP Portico Teak Select Grommet .G Grommets Select Grommet Color T1 Platinum Flat	\$341.51	\$341.51
33	1	HLSLR3066 Voi 30"D x 66" W Rectangle Worksurface Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Top Laminate Color .LPT1 Portico Teak Select Edge Color DP Portico Teak Select Grommet .G Grommets Select Grommet Color T1 Platinum Flat	\$366.28	\$366.28
34	5	HLSL3028O 30"D x 28"H O-Leg Support for Wksf (single leg) Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$291.97	\$1,459.85
35	7	HLSL3028SL 30Dx28H Shared O-Leg Sup for Wksf (single leg) Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$362.07	\$2,534.49
36	1	HLSLZ5SC60 48"W External Stiffener Select Color Option .P Black	\$68.68	\$68.68
37	1	HLSLZ5SC66 54"W External Stiffener Select Color Option .P Black	\$71.35	\$71.35

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
38	8	HJTRGH24 24" Cable Management Tray - Black Only Select Paint Color .P Black	\$30.36	\$242.88
39	2	HJTRGH36 36" Cable Management Tray - Black Only Select Paint Color .P Black	\$36.89	\$73.78
40	10	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$1,017.20
41	9	H18823R Flagship Series Pedestal "R" Pull Mobile F/F 23D 2 Lock/Omt Opts .X OMT Core to Order Key Alike Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$324.65	\$2,921.85
42	18	HF80 Follower Block	\$22.42	\$403.56
43	18	H519495 10500 Series Dbl-Rail Hanging File Rack	\$16.18	\$291.24
44	2	HLSL1448D Voi 14.25D 48Wx13H Overhead Cab 3 doors Select Chassis Laminate Finish \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Door Laminate Finish \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Bracket .X No Brackets	\$881.72	\$1,763.44

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
45	1	HLSL1460D 14.25"D x 60"W x 14"H Overhead Cab - 4 Doors Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Door Material/Color \$(1) Grade 1-Laminate Select Laminate Finish .LPT1 Portico Teak Select Bracket .X No Brackets	\$963.41	\$963.41
46	3	HLSL65OS 65" High O-leg SOS Support (2 pack) Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$387.36	\$1,162.08
47	2	HLED17AS 17" LED Light w/Power Supply (Single)	\$174.53	\$349.06
48	1	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$233.55
49	3	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$115.77
50	1	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X161E 161E	\$38.47	\$38.47
51	1	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X162E 162E	\$38.47	\$38.47
52	1	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X163E 163E	\$38.47	\$38.47

LINE	QTY	PRODUCT			UNIT SELL	EXT SELL
53	1	HF23C			\$38.47	\$38.47
		Lock Core Replacement Kit	Brushed Chrome			
		Select Key Number	.X164E	164E		
54	1	HF23C			\$38.47	\$38.47
		Lock Core Replacement Kit	Brushed Chrome			
		Select Key Number	.X165E	165E		
55	1	HF23C			\$38.47	\$38.47
		Lock Core Replacement Kit	Brushed Chrome			
		Select Key Number	.X166E	166E		
56	1	HF23C			\$38.47	\$38.47
		Lock Core Replacement Kit	Brushed Chrome			
		Select Key Number	.X167E	167E		
57	1	HF23C			\$38.47	\$38.47
		Lock Core Replacement Kit	Brushed Chrome			
		Select Key Number	.X168E	168E		
58	1	HF23C			\$38.47	\$38.47
		Lock Core Replacement Kit	Brushed Chrome			
		Select Key Number	.X169E	169E		
59	1	HSCLP652418LLE			\$3,827.80	\$3,827.80
		Contain 65Hx24Wx18D CubbyLckr Plinth LamFrt LH 8 Dr eLock				
		Select Base Type	.BX	Recessed Plinth		
		Select Pull	.E	Keypad Electronic Lock		
		Select Case Paint	\$(P2)	P2 Paint Opts		
		Select Grade 2 Paint	.T1	Platinum Metallic		
		Select Laminate	\$(L2STD)	Grd L2 Standard Laminates		
		Select Grade 2 Laminate Finish	.LPT1	Portico Teak		

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
60	5	HSQLP422418LLE Contain 42Hx24Wx18D QuadLckr Plinth LamFronts 4 Dr eLock Select Base Type .BX Recessed Plinth Select Pull .E Keypad Electronic Lock Select Case Paint \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$2,268.85	\$11,344.25
61	1	HSISLAUTNPNB4818S2 Islds Top 18Dx48W Span 2 Laminate Grade Options \$(L2STD) Grd L2 Standard Laminate Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak	\$256.66	\$256.66
62	1	HSISLAUTNPNB7218S1 Islds Top 18Dx72W Span 1 Laminate Grade Options \$(L2STD) Grd L2 Standard Laminate Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak	\$289.86	\$289.86
63	1	HSLDIGMGR Digilock Manager Key	\$103.30	\$103.30
64	1	HSLDIGPRG Digilock Programming Key	\$131.76	\$131.76
65	9	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$735.36	\$6,618.24
TRAFFIC/REPORT WRITING 100 Subtotal				\$39,494.72

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
ZFREIGHT				
67	11	FREIGHT ESTIMATED INBOUND FREIGHT	\$56.00	\$616.00
ZFREIGHT Subtotal				\$616.00
ZINSTALL				
69	1	INSTALL RECEIVE,DELIVER AND INSTALL DURING NORMAL BUSINESS HOURS INCLUDES CUTTING DOWN THE 4 SEAT KI BENCH TO A 3 SEATER INCLUDES REMOUNTING TO THE FLOOW	\$7,692.00	\$7,692.00
ZINSTALL Subtotal				\$7,692.00
ZSURCHARGE				
68	1	FUEL SURCHARGE	\$1,594.64	\$1,594.64
ZSURCHARGE Subtotal				\$1,594.64

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
			Subtotal	\$140,942.18
			ESTIMATED SALES TAX *WILL	\$12,332.44
			BILL ACTUAL	\$153,274.62
			GRAND TOTAL	

~Ordering Notes~

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- * Pricing in this proposal is based on current market conditions and may change due to tariff adjustments or government fees. Any increases before order invoicing could adjust the final pricing.
- * Estimated leadtime is subject to the manufactures production / shipping schedules
- * This proposal contains Special Order items that are Not Returnable
- * Once an order is placed, cancellations are Not Allowed

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
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TERMS AND CONDITIONS OF PURCHASE

(FURNITURE - ODP BUSINESS SOLUTIONS WORKSPACE INTERIORS)

1. ODP Business Solutions, LLC ("ODP Business Solutions") shall make commercially reasonable efforts to install all products as quickly as possible. However, any delivery and/or installation dates quoted to Customer are approximate, and ODP Business Solutions obligation shall be only to deliver and/or install the products within a reasonable time. Also, due to certain factory shipment schedules, it is possible that ODP Business Solutions will be able to deliver and install portions of the job in phases. Customer will be invoiced for the items as they are delivered and payment will be due as set forth in Section 3 below
2. All prices are firm for thirty (30) days from date of proposal.
3. Payment terms are net twenty (20) days from date of invoice, unless otherwise agreed to and as documented on the order or quote. Customer will be invoiced for items when delivery and installation (if applicable) is complete, and any punch issues are less than 10% of the value of the entire order. In no event shall payment be withheld for delivered products and services. Customer shall pay 90% of the invoice and may withhold 10% until completion of the job. The balance is payable immediately after any outstanding issues are resolved.
4. All orders are subject to credit approval.
5. ODP Business Solutions requires a minimum deposit equaling 50% on all orders over \$20,000. Said deposit will be applied to Customer's account until such product is delivered and invoiced. Each invoice, less its proportionate share of the deposit, will be due and payable as set forth in Section 4 above.
6. All products and materials are subject to applicable taxes, as well as any applicable inbound freight and fabrication charges.
7. An order is not cancelable once in production. "Quick ships" and fabric orders are not cancelable.
8. Any quotation for special order products or materials shall be approved by an authorized Customer representative for correct product number, fabric, specifications and quantities. Any services rendered to Customer to change or modify the specification and layout before or during installation will be charged to Customer at prevailing rates. If such changes or modifications result in additional products, parts, materials or labor, they will be billed to Customer at prevailing rates.
9. Delivery and installation services are conducted during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. If services are requested outside of normal business hours, if special handling or equipment is required, if moving of products other than delivered is required, or if there are any unusual condition not made known to ODP Business Solutions at the time of sale, extra labor charges at prevailing rates may apply.
10. If during installation, additional products are necessary or required to complete the job, such additional products and labor will be charged to Customer at prevailing rates.
11. Floors shall be smooth, level and free from debris.
12. Condition of Jobsite - Customer agrees to have premises available on the requested date of installation and for a reasonable time thereafter for installation during the regular business day. Customer's job site shall be clean, clear, and free of debris prior to installation. Delivery and installation encumbrances which necessitate additional labor will result in extra charges. If installation is to be placed over carpeting, tiles, or other floor covering, Customer hereby assures ODP Business Solutions that all such coverings will be completed prior to time installation is scheduled. The job site shall be free of interference from all trades in the work areas, and if the job site is not free of such trade interference, the delivery and installation shall not proceed until such interference has been eliminated, or other arrangements are agreed to in writing. ODP Business Solutions shall be held harmless and shall not assume liability for job delay due to failure to meet any of the preceding conditions.
13. Jobsite Services. Electric current, light, heat, trash disposal facilities, hoisting and/or elevator service, and adequate facilities for off-loading, staging, moving, and handling of the Furnishings will be furnished without charge to ODP Business Solutions. Customer acknowledges that if the installed Furnishings require electrical hook-ups, outlets, wiring, or other similar services, at Customer's election, ODP Business Solutions may provide such services through licensed subcontractors at an additional fee or Customer shall be responsible for engaging appropriate licensed professionals.
14. Permits are the responsibility of the Customer unless expressly provided in the Proposal.
15. If Customer is unwilling or unable to accept delivery or installation of the products according to the specified schedule, the products will be stored at Customer's expense. Customer shall pay a warehouse charge payable monthly. Any double handling of a product will be charged at our normal hourly rate.
16. ODP Business Solutions makes no warranties, expressed or implied, as to merchantability or as the suitability of the products for any particular purpose, except those made by the manufacturer of the products. Any claim must be made to ODP Business Solutions in writing within five (5) days after delivery or installation of the products and if no claim is so received by ODP Business Solutions it will be conclusively presumed that Customer has accepted and that the products are as represented.
17. No liability shall accrue against ODP Business Solutions as a result of breach of terms and conditions caused by any strike, act of God, lockout, accident, or delay beyond its control.
18. ODP Business Solutions retains, and Customer hereby grants to ODP Business Solutions, a security interest in the products to secure the purchase price therefore. The products shall remain personal property regardless of being fixed to any real property. If Customer defaults in the payment of the purchase price when due, ODP Business Solutions shall have all rights and remedies granted by the Uniform Commercial Code. A finance charge of 2% per month (annual percentage rate 24%) will be charged on all past due balances. Customer shall pay all collection costs, including attorneys fee, in the event any claim is referred to a collection agency or attorney.
19. Products shipped directly to Customer shall be the responsibility of Customer except if agreed in writing that ODP Business Solutions will provide delivery and installation services. The receiving Customer is responsible to inspect products and file any necessary freight claims with freight provider.
20. Manufacturer warranties apply for parts only. Labor is not included.
21. All items set forth in the quotation are non-returnable.
22. IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR CONSEQUENTIAL, SPECIAL, INDIRECT OR INCIDENTAL DAMAGES, WHETHER IN AN ACTION BASED ON CONTRACT, TORT (INCLUDING NEGLIGENCE) OR ANY OTHER LEGAL THEORY, EVEN IF THE PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
23. Each party shall indemnify and hold harmless the other party from and against any and all third-party claims, demands, actions, suits, losses, liabilities, damages and all related costs and expenses, including without limitation reasonable attorneys' fees due to, arising from or relating to the negligent, willful or reckless act or omission of the indemnifying party.
24. These terms and conditions shall be governed by the law of the State of Florida, without regard to conflict of laws principles.

Customer: _____
Customer's Signature: _____
Print Name: _____

Customer PO: _____
Title: _____
Date: _____

Matt Phillips
209.456.6285 matthew.phillips@odpbusiness.com

City of Oakley, Police Dept - FINAL, PHASE 3

SOLD TO:

CITY OF OAKLEY

SHIP TO:

CITY OF OAKLEY
3231 MAIN ST

OAKLEY CA 94561
CHIEF PAUL BEARD
025-625-8829

NOTES:

Pricing in this proposal is based on current market conditions and may change due to tariff adjustments or government fees. Any increases before order invoice could adjust the final pricing.

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
0NOTES				
1	1	NOTE **AUDITED BY KIM KIRACK 2-9-26**	\$0.00	\$0.00
2	1	NOTE **REVISIONS AUDITED BY MICHELLE EVANS 3-12-26**	\$0.00	\$0.00
3	1	DESIGN COMPLIMENTARY DESIGN (STD RATE \$90/HR) - TOTAL 41.50 HOURS OF DESIGN TIME	\$0.00	\$0.00
0NOTES Subtotal				\$0.00

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
ARMORY STORAGE				
4	2	H-2424-86 Black Wire Shelving Unit, 4 Shelf Starter Unit, 60 x 18 x 86"	\$338.67	\$677.34
5	1	H-2424-86A Black Wire Shelving Unit, 4 Shelf Adder Unit, 60 x 18 x 86"	\$304.00	\$304.00
6	1	H-1749-86A Black Wire Shelving Unit, 4 Shelf Adder Unit, 48 x 18 x 86"	\$254.67	\$254.67
ARMORY STORAGE Subtotal				\$1,236.01
OFFICE AREA, CLERK				
8	3	7780 Executive Performance Chair Fabric Grade Selection Grade 1 Fabric Choices Celestial Fabric Colors Arm Selection Cylinder Selection Caster Option Base Back Shell GR1 CEL 1200 JR69 5AF 55MS BLKNYLN DUB-B Grade 1/COM - Basic, Celestial and Spice Celestial Oberon JR69 : Removeable, Height & Width adjustable T-arms, w 5AF : 5" Black Cylinder (121mm stroke) formerly CYL5-AF 55MS : 55mm Multi-Surface Soft Caster (STD) formerly C Black Nylon Ballistic Nylon	\$542.40	\$1,627.20
OFFICE AREA, CLERK Subtotal				\$1,627.20

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
OFFICE AREA, EXEC ASST				
10	1	HWV73AALP Systems 60x36x24x24 Lft Corner Cove Worksurface Edgebd Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$242.35	\$242.35
11	1	HWR2436P Systems Rectangular Worksurface Edgeband 24D x 36W Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$149.84	\$149.84
12	1	HHATM3S3LT Max 3 Stage 3 Leg T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$1,084.81	\$1,084.81
13	1	HHN831124 Flat Bracket 24D Select Color Option .S Charcoal	\$27.81	\$27.81
14	1	HLSLZ5SC48 36"W External Stiffener Select Color Option .P Black	\$59.76	\$59.76
15	1	HUSLMOD1360 Laminate Modesty 13h x 60w Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Color Option .P Black	\$242.35	\$242.35
16	1	HJTRGH36 36" Cable Management Tray - Black Only Select Paint Color .P Black	\$36.89	\$36.89

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
17	1	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$101.72
18	1	HNL233628PSL 36Wx23-1/8Dx28-1/2H Shelf/Box/Box/Lat File Ped Select Handle Detail .E Loop/Satin Select Grommet Color .X No Grommet Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$864.69	\$864.69
19	1	HNLRC2436 36W x 24D Rectangle Worksurface / Ped Top Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$165.45	\$165.45
20	1	HNLMP3628 36W x 27-7/8H Modesty / Ped Back Panel Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$135.12	\$135.12
21	1	HNL4936LD 36x15x48-5/8 Stack-on Storage lam doors Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$816.08	\$816.08
22	1	H90051 10500 Series Tckbd for 36"W Stack on Strg Bck Enclosure Fabric Selection \$(B) Grd B Fab Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster	\$133.78	\$133.78
23	1	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$233.55

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
24	1	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$38.59
25	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X150E 150E	\$37.42	\$37.42
26	2	HIGS6 Ignition Guest/Multi-Purpose Chair Four-Leg Stacking Select Arm Type .N Armless Select Caster/Glide Option .E Nylon Glide Select Back .U Upholstered Select Upholstery \$(3) Grade 3 Uph Grade 3 Fab .SX Moxie Moxie 23 Basalt Select Frame Color .PLAT Textured Platinum Metallic	\$361.54	\$723.08
27	1	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$735.36	\$735.36
OFFICE AREA, EXEC ASST Subtotal				\$5,828.65

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
OFFICE AREA, FLEET MNGR 102				
29	1	HWV93AALP Systems 72x36x24x24Left Corner Cove Worksurface Edgebd Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$267.61	\$267.61
30	1	HWR2430P Systems Rectangular Worksurface Edgeband 24D x 30W Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$137.35	\$137.35
31	1	HHATM3S3LT Max 3 Stage 3 Leg T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$1,084.81	\$1,084.81
32	1	HHN831124 Flat Bracket 24D Select Color Option .S Charcoal	\$27.81	\$27.81
33	1	HLSLZ5SC48 36"W External Stiffener Select Color Option .P Black	\$59.76	\$59.76
34	1	HJTRGH36 36" Cable Management Tray - Black Only Select Paint Color .P Black	\$36.89	\$36.89
35	1	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$101.72

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
36	1	HNL233628PSL 36Wx23-1/8Dx28-1/2H Shelf/Box/Box/Lat File Ped Select Handle Detail .E Loop/Satin Select Grommet Color .X No Grommet Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$864.69	\$864.69
37	1	HNLRC2436 36W x 24D Rectangle Worksurface / Ped Top Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$165.45	\$165.45
38	1	HNLMP3628 36W x 27-7/8H Modesty / Ped Back Panel Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$135.12	\$135.12
39	1	HNL4936LD 36x15x48-5/8 Stack-on Storage lam doors Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$816.08	\$816.08
40	1	H90051 10500 Series Tckbd for 36"W Stack on Strg Bck Enclosure Fabric Selection \$(B) Grd B Fab Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster	\$133.78	\$133.78
41	1	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$233.55
42	1	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$38.59

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
43	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X157E 157E	\$37.42	\$37.42
44	1	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$735.36	\$735.36
OFFICE AREA, FLEET MNGR 102 Subtotal				\$4,875.99

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
OFFICE AREA, INTERVIEW RM				
46	1	HNL3672RPRR 72x36x29-1/2 Rt Ped Desk rect top recess mod Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Handle Detail .E Loop/Satin Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Chassis Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$1,112.19	\$1,112.19
47	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X154E 154E	\$37.42	\$37.42
48	2	HISB6 Ignition Sled Bse Guest Chair Select Arm Type .F Fixed Select Caster/Glide Option .E Nylon Glide Select Back .U Upholstered Select Upholstery \$(3) Grade 3 Uph Grade 3 Fab .SX Moxie Moxie 23 Basalt Select Frame Color .PLAT Textured Platinum Metallic	\$381.04	\$762.08
49	1	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$735.36	\$735.36
OFFICE AREA, INTERVIEW RM Subtotal				\$2,647.05

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
OFFICE AREA, LIEUTENANT				
51	1	HWV93AALP Systems 72x36x24x24Left Corner Cove Worksurface Edgebd Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$267.61	\$267.61
52	1	HWV93AARP Systems 72x36x24x24Rt Corner Cove Worksurface Edgeband Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$267.61	\$267.61
53	2	HWR2430P Systems Rectangular Worksurface Edgeband 24D x 30W Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$137.35	\$274.70
54	2	HHATM3S3LT Max 3 Stage 3 Leg T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$1,084.81	\$2,169.62
55	2	HHN831124 Flat Bracket 24D Select Color Option .S Charcoal	\$27.81	\$55.62
56	2	HLSLZ5SC48 36"W External Stiffener Select Color Option .P Black	\$59.76	\$119.52
57	2	HJTRGH36 36" Cable Management Tray - Black Only Select Paint Color .P Black	\$36.89	\$73.78

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
58	2	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$203.44
59	2	HNL2116MBF 15-3/4x20-1/8x21-1/2 Mobile Pedestal box/file Select Handle Detail .E Loop/Satin Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$526.66	\$1,053.32
60	1	HNL2436LD2 36x24x29-1/2 Lateral File two drawer Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Handle Detail .E Loop/Satin Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Chassis Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$810.73	\$810.73
61	1	HNL4936BHLD 36x15x48-5/8 Bookcase Hutch lam doors Select Handle Detail .E Loop/Satin Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$636.81	\$636.81
62	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X151E 151E	\$37.42	\$37.42
63	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X152E 152E	\$37.42	\$37.42

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
64	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X153E 153E	\$37.42	\$37.42
65	2	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$735.36	\$1,470.72
OFFICE AREA, LIEUTENANT Subtotal				\$7,515.74

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
OFFICE AREA, OFFICE 5				
67	1	HHATW3066CT 66W x 30D Rect Worksurface - C/T Base	\$219.65	\$219.65
		Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates		
		Select Grade 2 Laminate Finish .LPT1 Portico Teak		
		Select Edgeband Color .DP Portico Teak		
		Select Grommet .G1 1 Grommet - Centered		
		Select Grommet Color T1 Platinum		
		Select Color Option .P Black		
68	1	HHATB2S2LT 2 Stage 2 Leg Rectangle T Foot	\$467.39	\$467.39
		Select Paint Grade \$(P2) P2 Paint Opts		
		Select Grade 2 Paint .PR6 Silver		
		Select Glide .X Standard Glide		
		Select Keypad .MEM Memory Preset		
69	1	HJTRGH36 36" Cable Management Tray - Black Only	\$36.89	\$36.89
		Select Paint Color .P Black		
70	1	HNLRC2472 72W x 24D Rectangle Worksurface	\$257.76	\$257.76
		Select Edge Detail .G Smooth Flat		
		Edgeband Color Selection DP Portico Teak		
		Select Grommet Color .T1 Platinum		
		Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates		
		Select Grade 2 Laminate Finish .LPT1 Portico Teak		
71	1	HNLRC2448 48W x 24D Rectangle Worksurface	\$194.43	\$194.43
		Select Edge Detail .G Smooth Flat		
		Edgeband Color Selection DP Portico Teak		
		Select Grommet Color .X No Grommet		
		Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates		
		Select Grade 2 Laminate Finish .LPT1 Portico Teak		
72	1	HNLEP2428L 1-1/8Wx23-1/8Dx28-1/2H End Panel for 24D Left	\$144.93	\$144.93
		Select Grommet Color .P Black		
		Select Laminate Color \$(L2STD) Grd L2 Standard Laminates		
		Select Grade 2 Laminate Finish .LPT1 Portico Teak		

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
73	1	HNLFXRTNSPT Exec HAT Fixed Rtrn Support Kit Select Chassis Laminate Color \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Grd L2 Standard Laminates Portico Teak	\$244.82	\$244.82
74	1	HNLMP7228 72W x 27-7/8H Modesty / Back Panel Select Grommet Color .P Select Laminate Color \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Black Grd L2 Standard Laminates Portico Teak	\$204.24	\$204.24
75	1	HNL233628PSL 36Wx23-1/8Dx28-1/2H Shelf/Box/Box/Lat File Ped Select Handle Detail .E Select Grommet Color .X Select Chassis Color \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Select Front Color \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Loop/Satin No Grommet Grd L2 Standard Laminates Portico Teak Grd L2 Standard Laminates Portico Teak	\$864.69	\$864.69
76	1	HNL4972LD 72x15x48-5/8 Stack-on Storage lam doors Select Chassis Color \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Select Front Color \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Grd L2 Standard Laminates Portico Teak Grd L2 Standard Laminates Portico Teak	\$1,134.04	\$1,134.04
77	1	H90056 10500 Series Tckbd for 72"W Stack on Strg Bck Enclosure Fabric Selection \$(B) Grade B Fabric Selection .SPIN Select Spin Fabric 02 Grd B Fab Spin Alabaster	\$204.69	\$204.69
78	1	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$233.55
79	1	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$38.59

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
80	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X160E 160E	\$37.42	\$37.42
81	1	HIGS6 Ignition Guest/Multi-Purpose Chair Four-Leg Stacking Select Arm Type .N Armless Select Caster/Glide Option .E Nylon Glide Select Back .U Upholstered Select Upholstery \$(3) Grade 3 Uph Grade 3 Fab .SX Moxie Moxie 23 Basalt Select Frame Color .PLAT Textured Platinum Metallic	\$361.54	\$361.54
82	1	7780 Executive Performance Chair Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial and Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JR69 JR69 : Removeable, Height & Width adjustable T-arms, w Cylinder Selection 5AF 5AF : 5" Black Cylinder (121mm stroke) formerly CYL5-AF Caster Option 55MS 55MS : 55mm Multi-Surface Soft Caster (STD) formerly C. Base BLKNYLN Black Nylon Back Shell DUB-B Ballistic Nylon	\$542.40	\$542.40
OFFICE AREA, OFFICE 5 Subtotal				\$5,187.03

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
OFFICE AREA, RECORDS 103				
84	2	HETP6536FP Tackable Panel w/o TC 65H x 36W Fabric Selection \$(B) Grd B Fabric Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$207.16	\$414.32
85	2	HETP6542FP Tackable Panel w/o TC 65H x 42W Fabric Selection \$(B) Grd B Fabric Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$224.19	\$448.38
86	2	HETC36 Panel Top Cap 36"W Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$33.20	\$66.40
87	2	HETC42 Panel Top Cap 42"W Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$34.05	\$68.10
88	1	HSCKTPS Straight Connector Kit Select Paint Color .X No Option	\$9.65	\$9.65
89	1	HEC65PLN 65H "L" Connector Post Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$66.12	\$66.12
90	1	HECSL "L" Connector Strap	\$7.09	\$7.09

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
91	2	HEWS65P Wall Starter Kit for Panels 65H Select Paint Color \$(P2) Select Grade 2 Paint .T1	\$49.66	\$99.32
92	2	HEFEC65P Panel Finished End Covers 65H Select Paint Color \$(P2) Select Grade 2 Paint .T1	\$32.35	\$64.70
93	2	HHATW2882CT 82W x 28D Rect Worksurface - C/T Base Laminate Top Selection \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Select Edgeband Color .DP Select Grommet .G2 Select Grommet Color T1 Select Color Option .P	\$267.89	\$535.78
94	2	HHATM3S2LT Max 3 Stage 2 Leg T Foot Select Paint Grade \$(P2) Select Grade 2 Paint .PR6 Select Glide .X Select Keypad .MEM	\$577.45	\$1,154.90
95	2	HJTRGH36 36" Cable Management Tray - Black Only Select Paint Color .P	\$36.89	\$73.78
96	2	HWR2448P Systems Rectangular Worksurface Edgeband 24D x 48W Select Laminate \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Select Edgeband Color .DP Select Grommet Color .T1	\$174.24	\$348.48
97	2	HSDEP2429F 24'D End-Panel Supports: Freestanding Select Paint Color \$(P2) Select Grade 2 Paint .T1	\$172.86	\$345.72

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
98	2	HSDSL2429F 24"D Support Leg: Freestanding Select Paint Color \$(P2) Select Grade 2 Paint .T1	P2 Paint Opts Platinum Metallic	\$181.82 \$363.64
99	2	HSDMP484 Half Hgt 14Hx48W Mod Pnl Select Paint Color \$(P2) Select Grade 2 Paint .T1	P2 Paint Opts Platinum Metallic	\$170.23 \$340.46
100	2	H19717R Box/box/file 28"Hx16 7/8"Dx14 15/16"W Lock/Omt Opts .X Select Paint \$(P2) Select Grade 2 Paint .T1	OMT Core to Order Key Alike P2 Paint Opts Platinum Metallic	\$298.26 \$596.52
101	2	H19817R File/file 28"Hx16 7/8"Dx14 15/16"W Lock/Omt Opts .X Select Paint \$(P2) Select Grade 2 Paint .T1	OMT Core to Order Key Alike P2 Paint Opts Platinum Metallic	\$298.26 \$596.52
102	6	HF80 Follower Block		\$22.42 \$134.52
103	6	H519495 10500 Series DbI-Rail Hanging File Rack		\$16.18 \$97.08
104	2	HEOHRTA1548FD 15H x 13"D x 48W Flipper Door Overhead Select Paint \$(P2) Select Grade 2 Paint .T1	P2 Paint Opts Platinum Metallic	\$229.01 \$458.02
105	2	HRVC35PCE Abound Wall Channel Ends(pair) Select Paint Color \$(P2) Select Grade 2 Paint .T1	P2 Paint Opts Platinum Metallic	\$189.73 \$379.46

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
106	2	HRVT1548T Abound Fabric Tile 15H x 48W Fabric Selection \$(B) Grd B Fabric Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster	\$83.80	\$167.60
107	4	HRVFSBW48 Abound Half Height Segment Bar 48"W	\$35.31	\$141.24
108	2	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$467.10
109	2	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$77.18
110	3	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X158E 158E	\$38.47	\$115.41
111	3	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X159E 159E	\$38.47	\$115.41
112	2	7780 Executive Performance Chair Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial and Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JR69 JR69 : Removeable, Height & Width adjustable T-arms, w Cylinder Selection 5AF 5AF : 5" Black Cylinder (121mm stroke) formerly CYL5-AF Caster Option 55MS 55MS : 55mm Multi-Surface Soft Caster (STD) formerly C Base BLKNYLN Black Nylon Back Shell DUB-B Ballistic Nylon	\$542.40	\$1,084.80
OFFICE AREA, RECORDS 103 Subtotal				\$8,837.70

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
OFFICE AREA, SERGEANT 101				
114	2	HWV93AARP Systems 72x36x24x24Rt Corner Cove Worksurface Edgeband Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$267.61	\$535.22
115	2	HWR2430P Systems Rectangular Worksurface Edgeband 24D x 30W Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$137.35	\$274.70
116	2	HHATM3S3LT Max 3 Stage 3 Leg T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$1,084.81	\$2,169.62
117	2	HHN831124 Flat Bracket 24D Select Color Option .S Charcoal	\$27.81	\$55.62
118	2	HLSLZ5SC48 36"W External Stiffener Select Color Option .P Black	\$59.76	\$119.52
119	2	HJTRGH36 36" Cable Management Tray - Black Only Select Paint Color .P Black	\$36.89	\$73.78
120	2	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$203.44

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
121	2	HNL233628PSL 36Wx23-1/8Dx28-1/2H Shelf/Box/Box/Lat File Ped Select Handle Detail .E Loop/Satin Select Grommet Color .X No Grommet Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$864.69	\$1,729.38
122	2	HNLRC2436 36W x 24D Rectangle Worksurface / Ped Top Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$165.45	\$330.90
123	2	HNLMP3628 36W x 27-7/8H Modesty / Ped Back Panel Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$135.12	\$270.24
124	2	HNL4936LD 36x15x48-5/8 Stack-on Storage lam doors Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$816.08	\$1,632.16
125	2	H90051 10500 Series Tckbd for 36"W Stack on Strg Bck Enclosure Fabric Selection \$(B) Grd B Fab Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster	\$133.78	\$267.56
126	2	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$467.10
127	2	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$77.18

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
128	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X155E 155E	\$37.42	\$37.42
129	1	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X156E 156E	\$37.42	\$37.42
130	2	HIGS6 Ignition Guest/Multi-Purpose Chair Four-Leg Stacking Select Arm Type .N Armless Select Caster/Glide Option .E Nylon Glide Select Back .U Upholstered Select Upholstery \$(3) Grade 3 Uph Grade 3 Fab .SX Moxie Moxie 23 Basalt Select Frame Color .PLAT Textured Platinum Metallic	\$361.54	\$723.08
131	2	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$735.36	\$1,470.72
OFFICE AREA, SERGEANT 101 Subtotal				\$10,475.06
ZFREIGHT				
133	13	FREIGHT ESTIMATED INBOUND FREIGHT	\$56.00	\$728.00
ZFREIGHT Subtotal				\$728.00
ZINSTALL				
135	1	INSTALL RECEIVE,DELIVER AND INSTALL DURING NORMAL BUSINESS HOURS	\$7,385.00	\$7,385.00
ZINSTALL Subtotal				\$7,385.00

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
ZSURCHARGE				
134	1	FUEL SURCHARGE	\$1,736.68	\$1,736.68
ZSURCHARGE Subtotal				\$1,736.68

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
			Subtotal	\$58,080.11
			ESTIMATED SALES TAX *WILL	\$5,082.01
			BILL ACTUAL	\$63,162.12
			GRAND TOTAL	

~Ordering Notes~

- * Deposit may be due at time of order
- * The applicable tax will be applied at the time of invoicing
- * Pricing in this proposal is based on current market conditions and may change due to tariff adjustments or government fees. Any increases before order invoicing could adjust the final pricing.
- * Estimated leadtime is subject to the manufactures production / shipping schedules
- * This proposal contains Special Order items that are Not Returnable
- * Once an order is placed, cancellations are Not Allowed

TERMS AND CONDITIONS OF PURCHASE

(FURNITURE - ODP BUSINESS SOLUTIONS WORKSPACE INTERIORS)

1. ODP Business Solutions, LLC ("ODP Business Solutions") shall make commercially reasonable efforts to install all products as quickly as possible. However, any delivery and/or installation dates quoted to Customer are approximate, and ODP Business Solutions obligation shall be only to deliver and/or install the products within a reasonable time. Also, due to certain factory shipment schedules, it is possible that ODP Business Solutions will be able to deliver and install portions of the job in phases. Customer will be invoiced for the items as they are delivered and payment will be due as set forth in Section 3 below
2. All prices are firm for thirty (30) days from date of proposal.
3. Payment terms are net twenty (20) days from date of invoice, unless otherwise agreed to and as documented on the order or quote. Customer will be invoiced for items when delivery and installation (if applicable) is complete, and any punch issues are less than 10% of the value of the entire order. In no event shall payment be withheld for delivered products and services. Customer shall pay 90% of the invoice and may withhold 10% until completion of the job. The balance is payable immediately after any outstanding issues are resolved.
4. All orders are subject to credit approval.
5. ODP Business Solutions requires a minimum deposit equaling 50% on all orders over \$20,000. Said deposit will be applied to Customer's account until such product is delivered and invoiced. Each invoice, less its proportionate share of the deposit, will be due and payable as set forth in Section 4 above.
6. All products and materials are subject to applicable taxes, as well as any applicable inbound freight and fabrication charges.
7. An order is not cancelable once in production. "Quick ships" and fabric orders are not cancelable.
8. Any quotation for special order products or materials shall be approved by an authorized Customer representative for correct product number, fabric, specifications and quantities. Any services rendered to Customer to change or modify the specification and layout before or during installation will be charged to Customer at prevailing rates. If such changes or modifications result in additional products, parts, materials or labor, they will be billed to Customer at prevailing rates.
9. Delivery and installation services are conducted during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. If services are requested outside of normal business hours, if special handling or equipment is required, if moving of products other than delivered is required, or if there are any unusual condition not made known to ODP Business Solutions at the time of sale, extra labor charges at prevailing rates may apply.
10. If during installation, additional products are necessary or required to complete the job, such additional products and labor will be charged to Customer at prevailing rates.
11. Floors shall be smooth, level and free from debris.
12. Condition of Jobsite - Customer agrees to have premises available on the requested date of installation and for a reasonable time thereafter for installation during the regular business day. Customer's job site shall be clean, clear, and free of debris prior to installation. Delivery and installation encumbrances which necessitate additional labor will result in extra charges. If installation is to be placed over carpeting, tiles, or other floor covering, Customer hereby assures ODP Business Solutions that all such coverings will be completed prior to time installation is scheduled. The job site shall be free of interference from all trades in the work areas, and if the job site is not free of such trade interference, the delivery and installation shall not proceed until such interference has been eliminated, or other arrangements are agreed to in writing. ODP Business Solutions shall be held harmless and shall not assume liability for job delay due to failure to meet any of the preceding conditions.
13. Jobsite Services. Electric current, light, heat, trash disposal facilities, hoisting and/or elevator service, and adequate facilities for off-loading, staging, moving, and handling of the Furnishings will be furnished without charge to ODP Business Solutions. Customer acknowledges that if the installed Furnishings require electrical hook-ups, outlets, wiring, or other similar services, at Customer's election, ODP Business Solutions may provide such services through licensed subcontractors at an additional fee or Customer shall be responsible for engaging appropriate licensed professionals.
14. Permits are the responsibility of the Customer unless expressly provided in the Proposal.
15. If Customer is unwilling or unable to accept delivery or installation of the products according to the specified schedule, the products will be stored at Customer's expense. Customer shall pay a warehouse charge payable monthly. Any double handling of a product will be charged at our normal hourly rate.
16. ODP Business Solutions makes no warranties, expressed or implied, as to merchantability or as the suitability of the products for any particular purpose, except those made by the manufacturer of the products. Any claim must be made to ODP Business Solutions in writing within five (5) days after delivery or installation of the products and if no claim is so received by ODP Business Solutions it will be conclusively presumed that Customer has accepted and that the products are as represented.
17. No liability shall accrue against ODP Business Solutions as a result of breach of terms and conditions caused by any strike, act of God, lockout, accident, or delay beyond its control.
18. ODP Business Solutions retains, and Customer hereby grants to ODP Business Solutions, a security interest in the products to secure the purchase price therefore. The products shall remain personal property regardless of being fixed to any real property. If Customer defaults in the payment of the purchase price when due, ODP Business Solutions shall have all rights and remedies granted by the Uniform Commercial Code. A finance charge of 2% per month (annual percentage rate 24%) will be charged on all past due balances. Customer shall pay all collection costs, including attorneys fee, in the event any claim is referred to a collection agency or attorney.
19. Products shipped directly to Customer shall be the responsibility of Customer except if agreed in writing that ODP Business Solutions will provide delivery and installation services. The receiving Customer is responsible to inspect products and file any necessary freight claims with freight provider.
20. Manufacturer warranties apply for parts only. Labor is not included.
21. All items set forth in the quotation are non-returnable.
22. IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR CONSEQUENTIAL, SPECIAL, INDIRECT OR INCIDENTAL DAMAGES, WHETHER IN AN ACTION BASED ON CONTRACT, TORT (INCLUDING NEGLIGENCE) OR ANY OTHER LEGAL THEORY, EVEN IF THE PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
23. Each party shall indemnify and hold harmless the other party from and against any and all third-party claims, demands, actions, suits, losses, liabilities, damages and all related costs and expenses, including without limitation reasonable attorneys' fees due to, arising from or relating to the negligent, willful or reckless act or omission of the indemnifying party.
24. These terms and conditions shall be governed by the law of the State of Florida, without regard to conflict of laws principles.

Customer: _____

Customer's Signature: _____

Print Name: _____

Customer PO: _____

Title: _____

Date: _____

Matt Phillips
209.456.6285 matthew.phillips@odpbusiness.com

City of Oakley, Police Dept - FINAL, PHASE 4

SOLD TO:	SHIP TO:
CITY OF OAKLEY	CITY OF OAKLEY
	3231 MAIN ST
	OAKLEY CA 94561
	CHIEF PAUL BEARD
	025-625-8829

NOTES:

Pricing in this proposal is based on current market conditions and may change due to tariff adjustments or government fees. Any increases before order invoice could adjust the final pricing.

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
0NOTES				
1	1	NOTE **AUDITED BY KIM KIRACK 2-9-26**	\$0.00	\$0.00
2	1	NOTE **REVISIONS AUDITED BY MICHELLE EVANS 3-12-26**	\$0.00	\$0.00
3	1	DESIGN COMPLIMENTARY DESIGN (STD RATE \$90/HR) - TOTAL 41.50 HOURS OF DESIGN TIME	\$0.00	\$0.00
0NOTES Subtotal				\$0.00

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
DETECTIVE OFFICE, FORENSIC OFC				
4	1	HHATW2460CT 60W x 24D Rect Worksurface - C/T Base Laminate Top Selection \$(L2STD) Select Grade 2 Laminate Finish .LPT1 Select Edgeband Color .DP Select Grommet .G1 Select Grommet Color T1 Select Color Option .P	\$188.15	\$188.15
		Grd L2 Standard Laminates Portico Teak Portico Teak 1 Grommet - Centered Platinum Black		
5	1	HHATB2S2LT 2 Stage 2 Leg Rectangle T Foot Select Paint Grade \$(P2) Select Grade 2 Paint .PR6 Select Glide .X Select Keypad .MEM	\$467.39	\$467.39
		P2 Paint Opts Silver Standard Glide Memory Preset		
6	1	HJTRGH24 24" Cable Management Tray - Black Only Select Paint Color .P	\$30.36	\$30.36
		Black		
7	1	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X	\$101.72	\$101.72
		Standard Color		
8	1	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1 Fabric Choices CEL Celestial Fabric Colors 1200 Arm Selection JRPD Cylinder Selection 5HD Base Option 28TMX Caster Option 65MS Back Shell DUB-B	\$735.36	\$735.36
		Grade 1/COM - Basic, Celestial Spice Celestial Oberon JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form 28TMX : Titanium Composite (STD) formerly BSEM84 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Ballistic Nylon		
DETECTIVE OFFICE, FORENSIC OFC Subtotal				\$1,522.98

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
DETECTIVE OFFICE, HR CONF				
10	1	HNLRC2442 42W x 24D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .X No Grommet Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$181.50	\$181.50
11	1	HMBPOST Post leg base 4 pk Select Caster/Glide .G Glide Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$319.38	\$319.38
DETECTIVE OFFICE, HR CONF Subtotal				\$500.88

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
DETECTIVE OFFICE, SERGEANT				
13	1	HNLRC3072 72W x 30D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$299.23	\$299.23
14	1	HNLRC2472 72W x 24D Rectangle Worksurface Select Edge Detail .G Smooth Flat Edgeband Color Selection DP Portico Teak Select Grommet Color .T1 Platinum Select Top Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$257.76	\$257.76
15	1	HNLEP2428L 1-1/8Wx23-1/8Dx28-1/2H End Panel for 24D Left Select Grommet Color .X No Grommet Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$144.93	\$144.93
16	1	HNLEP2428R 1-1/8Wx23-1/8Dx28-1/2H End Panel for 24D Right Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$144.93	\$144.93
17	2	HNLMP7228 72W x 27-7/8H Modesty / Back Panel Select Grommet Color .P Black Select Laminate Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$204.24	\$408.48
18	1	HNL231628PBBF 15-3/4Wx23-1/8Dx28-1/2H Box/Box/File Pedestal Select Handle Detail .E Loop/Satin Select Grommet Color .X No Grommet Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$496.34	\$496.34

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
19	1	HNL233028PSL 30Wx23-1/8Dx28-1/2H Shelf/Box/Box/Lat File Ped Select Handle Detail .E Loop/Satin Select Grommet Color .P Black Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$845.51	\$845.51
20	1	HHATW2448CT 48W x 24D Rect Worksurface - C/T Base Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum	\$156.93	\$156.93
21	1	HHATB2S2LT 2 Stage 2 Leg Rectangle T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$467.39	\$467.39
22	1	HUSLMOD1348 Laminate Modesty 13h x 48w Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Color Option .P Black	\$203.19	\$203.19
23	1	HJTRGH24 24" Cable Management Tray - Black Only Select Paint Color .P Black	\$30.36	\$30.36
24	1	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$101.72

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
25	1	HNL4972LD 72x15x48-5/8 Stack-on Storage lam doors Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$1,134.04	\$1,134.04
26	1	H90056 10500 Series Tckbd for 72"W Stack on Strg Bck Enclosure Fabric Selection \$(B) Grd B Fab Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster	\$204.69	\$204.69
27	1	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$233.55
28	1	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$38.59
29	1	HNL243679WL 36x24x78-1/8 Wardrobe/Storage Cab lam drs Select Handle Detail .E Loop/Satin Select Chassis Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Front Color \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak	\$1,808.31	\$1,808.31
30	3	HF23S Contain Satin Removable Lock Core Kit Select Key Number .X207E 207E	\$37.42	\$112.26
31	1	VI-QS-4836-GL-M-WHT Wall Mount VITA Quick Ship, 47.24x35.43 Nominal, White, Magnetic 4mm Premium Low-iron Glass, Gloss Finish, Frameless, Includes Microfiber Cloth, Integrated Wall Mount, Z-Strips included	\$559.47	\$559.47

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
32	1	AC-SET-BLK Black Magnetic Pen Holder, 6 Magnetic Pucks, Magnetic Eraser	\$216.00	\$216.00
33	2	HIGS6 Ignition Guest/Multi-Purpose Chair Four-Leg Stacking Select Arm Type .N Armless Select Caster/Glide Option .E Nylon Glide Select Back .U Upholstered Select Upholstery \$(3) Grade 3 Uph Grade 3 Fab .SX Moxie Moxie 23 Basalt Select Frame Color .PLAT Textured Platinum Metallic	\$361.54	\$723.08
34	1	PT79PD Intensive Use Police Department Task Chair, High Back Oversized Carton (PT79PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial and Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$793.44	\$793.44
DETECTIVE OFFICE, SERGEANT Subtotal				\$9,380.20

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
DETECTIVE OFFICE, WKSTS				
36	3	HETP4272FP	\$270.16	\$810.48
		Tackable Panel w/o TC 42.5H x 72W		
		Fabric Selection \$(B)	Grd B Fabric	
		Grade B Fabric Selection .SPIN	Spin	
		Select Spin Fabric 02	Alabaster	
		Select Paint Color \$(P2)	P2 Paint Opts	
		Select Grade 2 Paint .T1	Platinum Metallic	
37	1	HETP6520FP	\$177.93	\$177.93
		Tackable Panel w/o TC 65H x 20W		
		Fabric Selection \$(B)	Grd B Fabric	
		Grade B Fabric Selection .SPIN	Spin	
		Select Spin Fabric 02	Alabaster	
		Select Paint Color \$(P2)	P2 Paint Opts	
		Select Grade 2 Paint .T1	Platinum Metallic	
38	8	HETP6524FP	\$183.04	\$1,464.32
		Tackable Panel w/o TC 65H x 24W		
		Fabric Selection \$(B)	Grd B Fabric	
		Grade B Fabric Selection .SPIN	Spin	
		Select Spin Fabric 02	Alabaster	
		Select Paint Color \$(P2)	P2 Paint Opts	
		Select Grade 2 Paint .T1	Platinum Metallic	
39	2	HETP6530FP	\$193.26	\$386.52
		Tackable Panel w/o TC 65H x 30W		
		Fabric Selection \$(B)	Grd B Fabric	
		Grade B Fabric Selection .SPIN	Spin	
		Select Spin Fabric 02	Alabaster	
		Select Paint Color \$(P2)	P2 Paint Opts	
		Select Grade 2 Paint .T1	Platinum Metallic	
40	2	HETP6536FP	\$207.16	\$414.32
		Tackable Panel w/o TC 65H x 36W		
		Fabric Selection \$(B)	Grd B Fabric	
		Grade B Fabric Selection .SPIN	Spin	
		Select Spin Fabric 02	Alabaster	
		Select Paint Color \$(P2)	P2 Paint Opts	
		Select Grade 2 Paint .T1	Platinum Metallic	

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
41	1	HETP6542FP Tackable Panel w/o TC 65H x 42W Fabric Selection \$(B) Grd B Fabric Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$224.19	\$224.19
42	9	HETP6548FP Tackable Panel w/o TC 65H x 48W Fabric Selection \$(B) Grd B Fabric Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$235.82	\$2,122.38
43	3	HETP6560FP Tackable Panel w/o TC 65H x 60W Fabric Selection \$(B) Grd B Fabric Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$252.00	\$756.00
44	1	HETP6572FP Tackable Panel w/o TC 65H x 72W Fabric Selection \$(B) Grd B Fabric Grade B Fabric Selection .SPIN Spin Select Spin Fabric 02 Alabaster Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$328.62	\$328.62
45	1	HETC20 Panel Top Cap 20"W Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$24.41	\$24.41
46	8	HETC24 Panel Top Cap 24"W Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$24.41	\$195.28

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
47	2	HETC30 Panel Top Cap 30"W Select Paint Color Select Grade 2 Paint	\$(P2) .T1	P2 Paint Opts Platinum Metallic
			\$27.53	\$55.06
48	2	HETC36 Panel Top Cap 36"W Select Paint Color Select Grade 2 Paint	\$(P2) .T1	P2 Paint Opts Platinum Metallic
			\$33.20	\$66.40
49	1	HETC42 Panel Top Cap 42"W Select Paint Color Select Grade 2 Paint	\$(P2) .T1	P2 Paint Opts Platinum Metallic
			\$34.05	\$34.05
50	9	HETC48 Panel Top Cap 48"W Select Paint Color Select Grade 2 Paint	\$(P2) .T1	P2 Paint Opts Platinum Metallic
			\$36.32	\$326.88
51	3	HETC60 Panel Top Cap 60"W Select Paint Color Select Grade 2 Paint	\$(P2) .T1	P2 Paint Opts Platinum Metallic
			\$43.70	\$131.10
52	4	HETC72 Panel Top Cap 72"W Select Paint Color Select Grade 2 Paint	\$(P2) .T1	P2 Paint Opts Platinum Metallic
			\$51.36	\$205.44
53	4	HEBPLATE372 Accelerate Base cover 3 knockout 72"W Select Paint Color Select Grade 2 Paint	\$(P2) .T1	Select P2 Paint Platinum Metallic
			\$47.68	\$190.72
54	2	HEBPLATE360 Accelerate Base cover 3 knockout 60"W Select Paint Color Select Grade 2 Paint	\$(P2) .T1	Select P2 Paint Platinum Metallic
			\$43.14	\$86.28

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
55	7	HSCKTPS Straight Connector Kit Select Paint Color .X No Option	\$9.65	\$67.55
56	13	HEC65PLN 65H "L" Connector Post Select Paint Grade \$(P2) Select Grade 2 Paint .T1 P2 Paint Opts Platinum Metallic	\$66.12	\$859.56
57	11	HECSL "L" Connector Strap	\$7.09	\$77.99
58	3	HEC65PTN 65H "T" Connector Post Select Paint Grade \$(P2) Select Grade 2 Paint .T1 P2 Paint Opts Platinum Metallic	\$63.85	\$191.55
59	1	HECST "T" Connector Strap	\$10.50	\$10.50
60	4	HECS1 Single Connector Strap	\$7.09	\$28.36
61	6	HECVH22P Variable Height Connector Kit 22.5H Select Paint Color \$(P2) Select Grade 2 Paint .T1 P2 Paint Opts Platinum Metallic	\$32.92	\$197.52
62	1	HEWS65P Wall Starter Kit for Panels 65H Select Paint Color \$(P2) Select Grade 2 Paint .T1 P2 Paint Opts Platinum Metallic	\$49.66	\$49.66

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
71	6	HH871502 Duplex Receptacle Circuit 2 3-1 & 2-2 Systems Select Duplex Color .TI Titanium	\$19.01	\$114.06
72	6	HH871503 Duplex Receptacle Circuit 3 3-1 System Only Select Duplex Color .TI Titanium	\$19.01	\$114.06
73	6	HH871504 Duplex Receptacle Circuit 4 3-1 & 2-2 Systems Select Duplex Color .TI Titanium	\$19.01	\$114.06
74	1	HHATCC584622R 58x46x22x22 Corner Cove - RH Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum Select Color Option .P Black	\$267.32	\$267.32
75	1	HHATCC584622L 58x46x22x22 Corner Cove - LH Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum Select Color Option .P Black	\$267.32	\$267.32
76	2	HHATCC704622L 70x46x22x22 Corner Cove - LH Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum Select Color Option .P Black	\$331.74	\$663.48

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
77	2	HHATCC704622R 70x46x22x22 Corner Cove - RH Laminate Top Selection \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet .G1 1 Grommet - Centered Select Grommet Color T1 Platinum Select Color Option .P Black	\$331.74	\$663.48
78	6	HHATB2S3LT 2 Stage 3 Leg T Foot Select Paint Grade \$(P2) P2 Paint Opts Select Grade 2 Paint .PR6 Silver Select Glide .X Standard Glide Select Keypad .MEM Memory Preset	\$803.31	\$4,819.86
79	6	HJTRGH36 36" Cable Management Tray - Black Only Select Paint Color .P Black	\$36.89	\$221.34
80	6	HGRMTAC 4-Trac Electrical Power Hub 3" Grommet Mount Select Color .X Standard Color	\$101.72	\$610.32
81	1	HWR2430P Systems Rectangular Worksurface Edgeband 24D x 30W Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$137.35	\$137.35
82	3	HWR2448P Systems Rectangular Worksurface Edgeband 24D x 48W Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$174.24	\$522.72

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
83	1	HWR2460P Systems Rectangular Worksurface Edgeband 24D x 60W Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$205.74	\$205.74
84	1	HWR2466P Systems Rectangular Worksurface Edgeband 24D x 66W Select Laminate \$(L2STD) Grd L2 Standard Laminates Select Grade 2 Laminate Finish .LPT1 Portico Teak Select Edgeband Color .DP Portico Teak Select Grommet Color .T1 Platinum	\$219.93	\$219.93
85	5	HWSB2 Worksurface Bracket Kit Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$22.70	\$113.50
86	3	HCTL242 24D Cantilever One Pair Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$40.30	\$120.90
87	1	HCTL241R Right-hand Cantilever 24"D Select Paint Color \$(P2) Select P2 Paint Select Grade 2 Paint .T1 Platinum Metallic	\$24.12	\$24.12
88	2	H19723R Flagship Pedestal "R" Pull Freestanding B/B/F Lock/Omt Opts .X OMT Core to Order Key Alike Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$319.82	\$639.64
89	6	H19823R Flagship Series Pedestal "R" Pull Freestanding F/F Lock/Omt Opts .X OMT Core to Order Key Alike Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$319.82	\$1,918.92

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
90	4	H15923R Flagship B/F Mobile Ped 22H x15W x 22-7/8D/R Pull Lock/Omt Opts .X OMT Core to Order Key Alike Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$254.27	\$1,017.08
91	4	HPSEAT24ND Contain 15x24 Pedestal Cushion Select Upholstery for PSEAT24 \$(1) Grd 1 Uph Grade 1 Fab .DAPR Dapper Dapper 01 Charcoal	\$86.84	\$347.36
92	18	H519495 10500 Series DbI-Rail Hanging File Rack	\$16.18	\$291.24
93	18	HF80 Follower Block	\$22.42	\$403.56
94	1	H9195R Flagship 42W 5-Dr "R" Pull Lateral 64-1/4H 18D wo/PostShelf Lock/Omt Opts .X OMT Core to Order Key Alike Select Paint Color \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$1,699.76	\$1,699.76
95	2	HEOHRTA1530FD 15H x 13"D x 30W Flipper Door Overhead Select Paint \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$202.34	\$404.68
96	1	HEOHRTA1536FD 15H x 13"D x 36W Flipper Door Overhead Select Paint \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$211.42	\$211.42
97	3	HEOHRTA1548FD 15H x 13"D x 48W Flipper Door Overhead Select Paint \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$229.01	\$687.03

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
98	1	HEOHRTA1560FD 15H x 13"D x 60W Flipper Door Overhead Select Paint \$(P2) P2 Paint Opts Select Grade 2 Paint .T1 Platinum Metallic	\$296.55	\$296.55
99	1	HLED17AS 17" LED Light w/Power Supply (Single)	\$174.53	\$174.53
100	4	HLED31AS 31" LED LIGHT W/ POWER SUPPLY (SINGLE)	\$233.55	\$934.20
101	1	HLED17A 17" LED Light W/PwrSupplyForDaisyChain(STARTER)	\$191.27	\$191.27
102	1	HLED17AUO 17"LED Lt w/8"JmprCordDaisyChain(FOLLOWR)	\$156.65	\$156.65
103	7	HLEDOSA UnderCabOccupancySensor w/1"EndToEnd Connector	\$38.59	\$270.13
104	3	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X201E 201E	\$38.47	\$115.41
105	3	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X202E 202E	\$38.47	\$115.41

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
106	3	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X203E 203E	\$38.47	\$115.41
107	3	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X204E 204E	\$38.47	\$115.41
108	3	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X205E 205E	\$38.47	\$115.41
109	5	HF23C Lock Core Replacement Kit Brushed Chrome Select Key Number .X206E 206E	\$38.47	\$192.35
110	6	PT76PD Intensive Use Police Department Task Chair (PT76PD) Fabric Grade Selection GR1 Grade 1/COM - Basic, Celestial Spice Grade 1 Fabric Choices CEL Celestial Celestial Fabric Colors 1200 Oberon Arm Selection JRPD JRPD : Heigh Adjustable T-arms w/Fold-back, Memosoft Cylinder Selection 5HD 5HD : 5" Heavy Duty Cylinder (110mm stroke) (STD) form Base Option 28TMX 28TMX : Titanium Composite (STD) formerly BSEM84 Caster Option 65MS 65MS : 65mm Dual Color Soft Casters (STD) formerly CAS Back Shell DUB-B Ballistic Nylon	\$735.36	\$4,412.16
DETECTIVE OFFICE, WKSTS Subtotal				\$35,834.96
ZFREIGHT				
113	8	FREIGHT ESTIMATED INBOUND FREIGHT	\$56.00	\$448.00
ZFREIGHT Subtotal				\$448.00
ZINSTALL				
114	1	INSTALL RECEIVE,DELIVER AND INSTALL DURING NORMAL BUSINESS HOURS	\$8,000.00	\$8,000.00
ZINSTALL Subtotal				\$8,000.00

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
ZSURCHARGE				
112	1	FUEL SURCHARGE	\$1,823.54	\$1,823.54
ZSURCHARGE Subtotal				\$1,823.54

LINE	QTY	PRODUCT	UNIT SELL	EXT SELL
			Subtotal	\$57,510.56
			ESTIMATED SALES TAX *WILL	\$5,032.17
			BILL ACTUAL	\$62,542.73
			GRAND TOTAL	

~Ordering Notes~

- * Deposit may be due at time of order
- * The applicable tax will be applied at the time of invoicing
- * Pricing in this proposal is based on current market conditions and may change due to tariff adjustments or government fees. Any increases before order invoicing could adjust the final pricing.
- * Estimated leadtime is subject to the manufactures production / shipping schedules
- * This proposal contains Special Order items that are Not Returnable
- * Once an order is placed, cancellations are Not Allowed

TERMS AND CONDITIONS OF PURCHASE

(FURNITURE - ODP BUSINESS SOLUTIONS WORKSPACE INTERIORS)

1. ODP Business Solutions, LLC ("ODP Business Solutions") shall make commercially reasonable efforts to install all products as quickly as possible. However, any delivery and/or installation dates quoted to Customer are approximate, and ODP Business Solutions obligation shall be only to deliver and/or install the products within a reasonable time. Also, due to certain factory shipment schedules, it is possible that ODP Business Solutions will be able to deliver and install portions of the job in phases. Customer will be invoiced for the items as they are delivered and payment will be due as set forth in Section 3 below
2. All prices are firm for thirty (30) days from date of proposal.
3. Payment terms are net twenty (20) days from date of invoice, unless otherwise agreed to and as documented on the order or quote. Customer will be invoiced for items when delivery and installation (if applicable) is complete, and any punch issues are less than 10% of the value of the entire order. In no event shall payment be withheld for delivered products and services. Customer shall pay 90% of the invoice and may withhold 10% until completion of the job. The balance is payable immediately after any outstanding issues are resolved.
4. All orders are subject to credit approval.
5. ODP Business Solutions requires a minimum deposit equaling 50% on all orders over \$20,000. Said deposit will be applied to Customer's account until such product is delivered and invoiced. Each invoice, less its proportionate share of the deposit, will be due and payable as set forth in Section 4 above.
6. All products and materials are subject to applicable taxes, as well as any applicable inbound freight and fabrication charges.
7. An order is not cancelable once in production. "Quick ships" and fabric orders are not cancelable.
8. Any quotation for special order products or materials shall be approved by an authorized Customer representative for correct product number, fabric, specifications and quantities. Any services rendered to Customer to change or modify the specification and layout before or during installation will be charged to Customer at prevailing rates. If such changes or modifications result in additional products, parts, materials or labor, they will be billed to Customer at prevailing rates.
9. Delivery and installation services are conducted during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. If services are requested outside of normal business hours, if special handling or equipment is required, if moving of products other than delivered is required, or if there are any unusual condition not made known to ODP Business Solutions at the time of sale, extra labor charges at prevailing rates may apply.
10. If during installation, additional products are necessary or required to complete the job, such additional products and labor will be charged to Customer at prevailing rates.
11. Floors shall be smooth, level and free from debris.
12. Condition of Jobsite - Customer agrees to have premises available on the requested date of installation and for a reasonable time thereafter for installation during the regular business day. Customer's job site shall be clean, clear, and free of debris prior to installation. Delivery and installation encumbrances which necessitate additional labor will result in extra charges. If installation is to be placed over carpeting, tiles, or other floor covering, Customer hereby assures ODP Business Solutions that all such coverings will be completed prior to time installation is scheduled. The job site shall be free of interference from all trades in the work areas, and if the job site is not free of such trade interference, the delivery and installation shall not proceed until such interference has been eliminated, or other arrangements are agreed to in writing. ODP Business Solutions shall be held harmless and shall not assume liability for job delay due to failure to meet any of the preceding conditions.
13. Jobsite Services. Electric current, light, heat, trash disposal facilities, hoisting and/or elevator service, and adequate facilities for off-loading, staging, moving, and handling of the Furnishings will be furnished without charge to ODP Business Solutions. Customer acknowledges that if the installed Furnishings require electrical hook-ups, outlets, wiring, or other similar services, at Customer's election, ODP Business Solutions may provide such services through licensed subcontractors at an additional fee or Customer shall be responsible for engaging appropriate licensed professionals.
14. Permits are the responsibility of the Customer unless expressly provided in the Proposal.
15. If Customer is unwilling or unable to accept delivery or installation of the products according to the specified schedule, the products will be stored at Customer's expense. Customer shall pay a warehouse charge payable monthly. Any double handling of a product will be charged at our normal hourly rate.
16. ODP Business Solutions makes no warranties, expressed or implied, as to merchantability or as the suitability of the products for any particular purpose, except those made by the manufacturer of the products. Any claim must be made to ODP Business Solutions in writing within five (5) days after delivery or installation of the products and if no claim is so received by ODP Business Solutions it will be conclusively presumed that Customer has accepted and that the products are as represented.
17. No liability shall accrue against ODP Business Solutions as a result of breach of terms and conditions caused by any strike, act of God, lockout, accident, or delay beyond its control.
18. ODP Business Solutions retains, and Customer hereby grants to ODP Business Solutions, a security interest in the products to secure the purchase price therefore. The products shall remain personal property regardless of being fixed to any real property. If Customer defaults in the payment of the purchase price when due, ODP Business Solutions shall have all rights and remedies granted by the Uniform Commercial Code. A finance charge of 2% per month (annual percentage rate 24%) will be charged on all past due balances. Customer shall pay all collection costs, including attorneys fee, in the event any claim is referred to a collection agency or attorney.
19. Products shipped directly to Customer shall be the responsibility of Customer except if agreed in writing that ODP Business Solutions will provide delivery and installation services. The receiving Customer is responsible to inspect products and file any necessary freight claims with freight provider.
20. Manufacturer warranties apply for parts only. Labor is not included.
21. All items set forth in the quotation are non-returnable.
22. IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR CONSEQUENTIAL, SPECIAL, INDIRECT OR INCIDENTAL DAMAGES, WHETHER IN AN ACTION BASED ON CONTRACT, TORT (INCLUDING NEGLIGENCE) OR ANY OTHER LEGAL THEORY, EVEN IF THE PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
23. Each party shall indemnify and hold harmless the other party from and against any and all third-party claims, demands, actions, suits, losses, liabilities, damages and all related costs and expenses, including without limitation reasonable attorneys' fees due to, arising from or relating to the negligent, willful or reckless act or omission of the indemnifying party.
24. These terms and conditions shall be governed by the law of the State of Florida, without regard to conflict of laws principles.

Customer: _____

Customer's Signature: _____

Print Name: _____

Customer PO: _____

Title: _____

Date: _____

DATE: September 8, 2026
TO: Joshua McMurray, City Manager
FROM: Billilee Saengchalern, Public Works Director/City Engineer
SUBJECT: Annexation No. 50 (Delta Pointe Plaza) to the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)

Approved and
Forwarded to the
City Council

Background and Analysis

On March 7, 2024, the City Planning Department approved plans with certain Conditions of Approval for the proposed Delta Pointe Plaza project (the “Project”). The Project is designated as Commercial Downtown in the Oakley General Plan and zoned SP-4 (Downtown Specific Plan) district on the City of Oakley Zoning Map. The Project is currently comprised of APN 037-160-047-9, which is expected to be developed into a mixed-use building with one residential unit and 6,800 square feet of commercial space on the first floor and seven residential units on the second floor.

The Conditions of Approval for the Project require the property owner to mitigate their project’s financial impact on the City’s parks, streetlighting, landscape and stormwater service budgets. On January 12, 2016, the Oakley City Council formed City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services) (CFD No. 2015-2). CFD No. 2015-2 authorizes the annual levy of a special tax on parcels located within CFD No. 2015-2 to mitigate their financial impact to the City’s parks, streetlighting, landscape and stormwater service budgets. The property owner for the Project has requested that the City assist them with the annexation of their development into CFD No. 2015-2 to satisfy their conditions of approval.

Prior to the September 8th City Council meeting, the property owner for the Project executed the attached Unanimous Approval Form. This form constitutes unanimous approval and a unanimous vote by the property owner in favor of annexing their property to CFD No. 2015-2 including the subsequent annual levy of special taxes to mitigate their project’s financial impact on the City’s parks, streetlighting, landscape and stormwater service budgets.

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 their project to CFD No. 2015-2. The Fiscal Year 2026-27 maximum special tax rates per acre for developed non-residential parcels are as follows:

FY 2026-27 Maximum Special Tax Rates per Non-Residential Acre	
Special Tax Component	Maximum Annual Special Tax Rates
Regional Park Maintenance Tax	\$541.44
Community Parks Maintenance Tax	\$1,195.67
Streetlighting Maintenance Tax	\$236.07
Neighborhood Parks & Landscape Maintenance Tax	\$0.00
Stormwater/Water Quality Maintenance Tax	<u>\$1,367.06</u>
Total	<u>\$3,340.24</u>

The Project is anticipated to consist of one commercial parcel consisting of 1.01 acres. Therefore, successful annexation of the Project into CFD No. 2015-2 could provide up to \$3,374 (in Fiscal Year 2026-27 dollars) in revenue annually after the proposed lot split. The taxes will be collected on the property tax rolls commencing in Fiscal Year 2027-28.

Staff Recommendation

The conditions of approval for the Project require the property owner to mitigate their project's financial impact on the City's parks, streetlighting, landscape and stormwater service budgets. Staff recommend that the City Council:

1. Adopt a Resolution Approving the Annexation (Annexation No. 50) of Property Located North of Newman Way and Journey Way (APN 037-160-047-9) in the Future Annexation Area of the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)

Attachments

1. Unanimous Approval of Annexation to a Community Facilities District and Related Matters - City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)
 1. Exhibit A – Description of Services
 2. Exhibit B – Cost Estimate
 3. Exhibit C – Supplement to the Rate and Method of Apportionment of Special Tax – Tax Zone No. 22
2. Resolution Approving the Annexation (Annexation No. 50) of Property Located North of Newman Way and Journey Way (APN 037-160-047-9) in the Future Annexation Area



of the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)

3. Map – Annexation No. 50 to City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)
4. Amendment No. 50 to Notice of Special Tax Lien – City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)



**UNANIMOUS APPROVAL
of Annexation to a Community Facilities District
and Related Matters**

**CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Streetlight, Landscape and Stormwater Services)**

Annexation No. 50 – Tax Zone No. 22

September 8, 2026

To the Honorable City Council,
City of Oakley
3231 Main Street
Oakley, CA 94561

Members of the City Council:

This constitutes the Unanimous Approval (the "Unanimous Approval") of the record owner(s) (the "Property Owner") of the fee title to the real property identified below (the "Property") contemplated by Section 53339.3 et seq. of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") to annexation of the Property to the "City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)" (the "CFD"), and it states as follows:

1. Property Owner. This Unanimous Approval is submitted by the Property Owner as the record owner(s) of fee title to the Property. The Property Owner has supplied to the City current evidence of its ownership of fee title to the Property.

2. Approval of Annexation. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the annexation of the Property to the CFD. The CFD was formed to finance the municipal services (the "Services") described in Exhibit A hereto and made a part hereof.

3. Approval of Special Tax and the Services. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the levy of special taxes (the "Special Taxes") on the Property to finance the Services. The Special Taxes will be levied according to the "Supplement to the Rate and Method of Apportionment of Special Tax – Tax Zone No. 22" attached hereto as Exhibit C and

made a part hereof (the "Rate and Method"). The cost estimate for the Services is attached hereto as Exhibit B.

4. Waivers and Vote. The Property Owner hereby confirms that this Unanimous Approval constitutes its approval and unanimous vote as described herein and as contemplated by Section 53339.3 et seq. of the Act and Article XIII A of the California Constitution. The Property Owner hereby waives all other rights with respect to the annexation of the Property, the levy of the Special Taxes on the Property and the other matters covered in this Unanimous Approval.

5. Recordation of Amendment to Notice of Special Tax Lien. The Notice of Special Tax Lien for the CFD was recorded in the Office of the County Recorder of the County of Contra Costa, State of California on January 19, 2016, as Document No. 20160009045. The Property Owner hereby authorizes and directs the City Clerk to execute and cause to be recorded in the office of the County Recorder of the County of Contra Costa an amendment to the Notice of Special Tax Lien for the CFD as required by Section 3117.5 of the California Streets and Highways Code. The amendment to the Notice of Special Tax Lien shall include the Rate and Method as an exhibit thereto.

6. Authority Warranted. The Property Owner warrants to the City that the presentation of this Unanimous Approval, any votes, consents or waivers contained herein, and other actions mandated by the City for the annexation of the Property to the CFD shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Property Owner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property.

7. Due Diligence and Disclosures. The Property Owner agrees to cooperate with the City and its attorneys and consultants and to provide all information and disclosures required by the City about the Special Taxes to purchasers of the Property or any part of it.

8. Agreements. The Property Owner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions described in this Unanimous Approval, including any cash deposit required to pay for the City's costs in annexing the Property to the CFD.

9. The Property. The Property is identified as follows:

Assessor's Parcel No: 037-160-047-9

Acres: 1.01

By executing this Unanimous Approval, the Property Owner agrees to all the above.

Annexation No. 50 - Tax Zone No. 22

Property Owner

By: 

Name: DELTA POINTE LLC

Title: Managing Member

Notice Address: PO Box 1029

Woodland CA 95776

EXHIBIT A

CITY OF OAKLEY Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)

DESCRIPTION OF SERVICES

The captioned Community Facilities District will finance, in whole or in part, the following services ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982), including all related administrative costs, expenses and related reserves for replacement of vehicles, equipment and facilities:

Regional Parks

Maintenance, including servicing, repair, replacement and removal of regional parks (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Community Parks

Maintenance, including servicing, repair, replacement and removal of community parks (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Streetlighting

Maintenance, including servicing, repair, replacement and removal of streetlights (includes poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals and metering devices, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric and other utility costs.

Neighborhood Parks & Landscaping

Maintenance, including servicing, repair, replacement and removal of neighborhood parks (includes park amenities such as playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Maintenance, including servicing, repair, replacement and removal of parkways, landscape setbacks, landscaped roadway medians, open space, environmental preserves (including performance and management of environmental mitigation monitoring and annual reporting), publicly-owned masonry walls, fences, monuments and features, trails, bike paths, etc., both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Stormwater

Maintenance, including servicing, repair, replacement and removal of bio-retention facilities and drainage facilities (includes field inspections, record keeping, cost of permits and regulatory fees, environmental mitigation monitoring, annual reporting, vegetation management, removal of silt, sediment, trash and debris from the drainage areas, bio-retention basins and City catch basins, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

In addition, the following costs will also be financed by the special taxes levied within the CFD and be allocated to each improvement described above based upon their pro-rata share of needed administrative costs, operating reserves and capital reserves, and actual or estimated delinquencies.

1. Administrative Expenses including the costs incurred to determine, levy and collect the special taxes, including compensation of City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of the special taxes upon the general tax rolls, preparation of required reports, and any other costs incurred in the administration of the CFD by the City;
2. Any amounts needed for operating reserves and capital reserves; and
3. Any amounts needed to cure actual or estimated delinquencies in special taxes for the current or previous fiscal years.

EXHIBIT B

**CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Streetlight, Landscape and Stormwater Services)**

**Cost Estimate
(Fiscal Year 2026-27 Dollars)**

Special Tax Component	FY 2026-27 Special Tax Requirement
Regional Park Maintenance Tax	\$547
Community Parks Maintenance Tax	\$1,208
Streetlighting Maintenance Tax	\$238
Neighborhood Parks & Landscape Maintenance Tax	\$0
Stormwater/Water Quality Maintenance Tax	<u>\$1,381</u>
Total	<u>\$3,374</u>

EXHIBIT C

CITY OF OAKLEY Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)

SUPPLEMENT TO THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX – TAX ZONE NO. 22

Special Taxes in the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services) (the “CFD” or “CFD No. 2015-2”) shall be levied and collected according to the tax liability determined by the Administrator through the application of the appropriate amount or rate for Taxable Property, as described below. All the property in CFD No. 2015-2, unless exempted by law or by the provisions of Section E herein, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2015-2, unless a separate Rate and Method of Apportionment of Special Tax is adopted for such annexation area.

Property annexed to City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services) pursuant to Annexation No. 50 will be annexed to Tax Zone No. 22 per the Supplement to the Rate and Method of Apportionment of Special Tax shown below.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Accessory Unit” means a second residential unit of reduced size (e.g., granny cottage, etc.) that shares a Parcel with a Residential Unit.

“Acre” or “Acreage” means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable Final Map or other recorded County parcel map.

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311), Division 2, of Title 5 of the Government Code of the State of California.

“Administrative Expenses” means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2015-2: the costs of computing the Special Tax and preparing the annual Special Tax collection schedules (whether by the City or any designee thereof or both); the costs of collecting the Special Taxes; the costs to the City, CFD No. 2015-2, or any designee thereof of complying with

disclosure requirements associated with the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries, protests, or appeals regarding the Special Taxes; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2015-2 for any other administrative purposes of CFD No. 2015-2, including attorney's fees, costs associated with annexations to CFD No. 2015-2, and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Administrator" means an official of the City, or any designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the County Assessor designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" or "APN" means a unique number assigned to an Assessor's Parcel by the County Assessor for purposes of identifying a property.

"Authorized Services" means the public services authorized to be funded by CFD No. 2015-2 as set forth in the documents adopted by the Council when CFD No. 2015-2 was formed.

"Building Permit" means a building permit issued by the City and having a building structure improvement valuation over \$50,000. Building Permits for the construction of ancillary structures such as fences, swimming pools, retaining walls, etc. are excluded.

"CFD" or "CFD No. 2015-2" means the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services).

"City" means the City of Oakley.

"City Landscape Maintenance Standards" means the then applicable landscape maintenance standards or then applicable level of service for then applicable landscape maintenance contracts executed by the City that are in effect and relate to similar landscaping improvements.

"City Manager" means the City Manager of the City of Oakley.

"Commercial Unit" means an individual building structure for commercial uses as defined per the County Assessor (e.g., grocery stores, shopping centers, motel, hotel, service stations, and offices).

“Condominium Parcel” means a Parcel designated by the County Assessor as having a condominium, townhome, cluster home and co-op land use.

“Council” means the City Council of the City of Oakley, acting as the legislative body for CFD No. 2015-2.

“County” means the County of Contra Costa.

“County Assessor” means the Contra Costa County Assessor.

“County Land Use Code” means the land use code assigned to an Assessor’s Parcel as indicated in the records of the County Assessor.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a Building Permit was issued by the City for construction of a residential structure or a non-residential structure on or prior to June 30 of the preceding Fiscal Year. In the absence of a Building Permit, any Parcel of Taxable Property shall be classified as “Developed Property” if it has been occupied by a user as determined by the Administrator on or prior to June 30 of the preceding Fiscal Year.

“Final Map” or “Parcel Map” means a final map approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410, *et seq.*) that creates individual lots on which a Building Permit can be issued for construction of Residential Units without further subdivision of the lots.

“Fiscal Year” means the period starting on July 1 and ending on the following June 30.

“Industrial” means an individual building structure for industrial uses as defined per the County Assessor (e.g., research and development, mini-warehouse, etc.).

“Institutional” means an individual building structure for institutional uses as defined per the County Assessor (e.g., churches, hospitals, assisted living, schools, etc.).

“Land Use Classification” means the current or intended use of a Taxable Parcel as determined by the Taxable Parcel’s County Land Use Code.

“Maximum Special Tax” means, for each Special Tax Component, the maximum Special Tax, determined in accordance with Section C herein, which can be levied in any Fiscal Year.

“Mixed Use Parcel” means a Parcel designated by the County Assessor as having a multiple land uses such as residential land uses and commercial land uses, or multi-family land uses and commercial land uses.

“Multi-Family Parcel” means a Parcel designated by the County Assessor as having a multi-family residential land uses which includes duplexes, triplexes, fourplexes and apartments.

“Non-Residential Parcel” means for each Fiscal Year, all Assessor Parcels designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Non-Residential Parcel – In Compliance” this definition only applies for the purpose of calculating the annual neighborhood landscape maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional for which the Property Owner of the Commercial, Industrial, or Institutional Parcel has notified the City in writing by the preceding February 1st that it wishes to maintain its parcel’s frontage landscaping during the immediate following fiscal year and the City Manager or his/her designee has determined that the Property Owner has maintained its Parcel’s frontage landscaping in previous Fiscal Years to City Landscape Maintenance Standards. In addition, in order for any Commercial, Industrial, or Institutional Parcel to be defined as a Non-Residential Parcel – In Compliance, all Non-Residential Parcels within a Tax Zone of CFD No. 2015-2 must also be defined as Non-Residential Parcel – In Compliance.

“Non-Residential Parcel – Out of Compliance” this definition only applies for the purpose of calculating the annual neighborhood landscape maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional for which the Property Owner of the Non-Residential Parcel has not notified the City in writing by the preceding February 1st that it wishes to maintain its parcel’s frontage landscaping during the immediate following fiscal year and the City Manager or his/her designee has determined that the Property Owner has not maintained its Parcel’s frontage landscaping in previous Fiscal Years to City Landscape Maintenance Standards. In addition, if any Non-Residential Parcel is defined as a Non-Residential Parcel – Out of Compliance, then all Non-Residential Parcels within a Tax Zone CFD No. 2015-2 will also be defined as Non-Residential Parcel – Out of Compliance.

“Property Owner” means the Property Owner of record per current County Assessor records unless more current information is available such as recorded deed of sale, etc.

“Proportionately” means, for Developed Property, that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property.

For Undeveloped Property, "Proportionately" means that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor's Parcels of Undeveloped Property.

"Public Property" means, for each Fiscal Year: (i) any property within the boundaries of CFD No. 2015-2 that is owned by or irrevocably offered for dedication to the federal government, the State of California, the City or any other public agency; provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act (as such section may be amended or replaced) shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2015-2 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

"Residential Unit" means an individual building structure for residential or multi-family residential uses as defined per the County Assessor. An Accessory Unit that shares a Parcel with a Residential Unit shall not be considered a separate Residential Unit for purposes of this RMA.

"RMA" means this Rate and Method of Apportionment of Special Tax.

"Single-Family Parcel" means a Parcel designated by the County Assessor as having a single-family residential land use. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

"Special Tax" means any tax levied within CFD No. 2015-2 to pay the Special Tax Requirement, and includes each Special Tax Component.

"Special Tax Component" means one of the following components of the Special Tax: Community Park Maintenance Tax, Streetlighting Maintenance Tax, Neighborhood Parks and Landscape Maintenance Tax, or Stormwater Maintenance Tax.

"Special Tax Requirement" means, for each Special Tax Component, the amount of revenue needed in any Fiscal Year to pay for the following: (i) Authorized Services related to the Special Tax Component; (ii) Administrative Expenses attributable to the Special Tax Component; and (iii) amounts needed to cover any delinquencies in the payment of the Special Tax Component which occurred in the previous Fiscal Year or, based on delinquency rates in prior years, may be expected to occur in the Fiscal Year in which the Special Tax will be collected.

“Taxable Property” or “Taxable Parcels” means all Assessors’ Parcels within the boundaries of CFD No. 2015-2 that are not exempt from the Special Tax pursuant to law or Section E herein.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this RMA. All the property within CFD No. 2015-2 at the time of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to CFD No. 2015-2, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to CFD No. 2015-2 shall be identified by Assessor’s Parcel Number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

“Unanimous Approval Form” means that form executed by the record owner of fee title to a Parcel or Parcels annexed into CFD No. 2015-2 that constitutes the property owner’s approval and unanimous vote in favor of annexing into CFD No. 2015-2, the levy of the Special Tax against his/her Parcel or Parcels pursuant to this RMA.

“Undeveloped Property” means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2015-2 that are not classified as Developed Property.

B. DATA FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel Numbers for all Parcels of Taxable Property within CFD No. 2015-2. The Administrator shall also determine: (i) whether each Assessor’s Parcel of Taxable Property is Developed Property or Undeveloped Property, and (ii) the Special Tax Requirement for each Special Tax Component for the then-current Fiscal Year. Each Special Tax Component shall be levied only to pay for the related Special Tax Requirement.

In any Fiscal Year, if it is determined that (i) a Final Map or Parcel Map for a portion of property in CFD No. 2015-2 was recorded after the last date upon which the County Assessor will incorporate the newly-created Parcels into the then current tax roll, (ii) because of the date the Final Map or Parcel Map was recorded, the County Assessor does not yet recognize the new Parcels that will be created by the Final Map or Parcel Map, and (iii) one or more of the newly-created Parcels would meet the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map or Parcel Map by determining the Special Tax that applies separately to each new Parcel that will be created by that Final Map or Parcel Map, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the Final Map or Parcel Map.

C. MAXIMUM SPECIAL TAXES

1. **Developed Property** - The Fiscal Year 2020-21 Maximum Special Tax for each Special Tax Component for all Parcels of Developed Property shall be as shown in Table 1 below:

Table 1: Developed Property		
Special Tax Component	Land Use Classification	FY 2020-21 Maximum Tax
Regional Park Maintenance Tax	Single-Family Parcel	\$145.44 per Parcel
Regional Park Maintenance Tax	Condominium Parcel	\$109.08 per Parcel
Regional Park Maintenance Tax	Multi-Family Parcel	\$72.72 per Unit
Regional Park Maintenance Tax	Non-Residential Parcel	\$436.33 per Acre
Community Parks Maintenance Tax	Single-Family Parcel	\$321.19 per Parcel
Community Parks Maintenance Tax	Condominium Parcel	\$240.89 per Parcel
Community Parks Maintenance Tax	Multi-Family Parcel	\$160.60 per Unit
Community Parks Maintenance Tax	Non-Residential Parcel	\$963.57 per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	\$63.41 per Parcel
Street Lighting Maintenance Tax	Condominium Parcel	\$47.56 per Parcel
Street Lighting Maintenance Tax	Multi-Family Parcel	\$31.71 per Unit
Street Lighting Maintenance Tax	Non-Residential Parcel	\$190.24 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Single-Family Parcel	\$0.00 per Parcel
Neighborhood Parks & Landscape Maintenance Tax	Condominium Parcel	\$0.00 per Parcel
Neighborhood Parks & Landscape Maintenance Tax	Multi-Family Parcel	\$0.00 per Unit
	Non-Residential	
Neighborhood Parks & Landscape Maintenance Tax	In Compliance Parcel	\$0.00 per Acre
	Non-Residential	
Neighborhood Parks & Landscape Maintenance Tax	Out of Compliance Parcel	\$0.00 per Acre
Stormwater/Water Quality Maintenance Tax	Single-Family Parcel	\$1,101.69 per Parcel
Stormwater/Water Quality Maintenance Tax	Condominium Parcel	\$1,101.69 per Parcel
Stormwater/Water Quality Maintenance Tax	Multi-Family Parcel	\$1,101.69 per Unit
Stormwater/Water Quality Maintenance Tax	Non-Residential Parcel	\$1,101.69 per Acre

Mixed Use Parcels will have their Maximum Tax calculated each Fiscal Year based upon their combined uses on the Parcel. For example, if a one-acre parcel has commercial on the ground floor and 50 condominiums on the second floor the property owner will be charged the Non-Residential Parcel rate for one acre and the Condominium Parcel Rate for the 50 condominiums.

2. Undeveloped Property - The Fiscal Year 2020-21 Maximum Special Tax for each Special Tax Component for all Parcels of Undeveloped Property shall be as shown in Table 2 below:

Table 2: Undeveloped Property		
Special Tax Component	Land Use Classification	FY 2020-21 Maximum Tax
Regional Park Maintenance Tax	Single-Family Parcel	\$436.33 per Acre
Regional Park Maintenance Tax	Condominium Parcel	\$327.25 per Acre
Regional Park Maintenance Tax	Multi-Family Parcel	\$218.17 per Acre
Regional Park Maintenance Tax	Non-Residential Parcel	\$218.17 per Acre
Community Parks Maintenance Tax	Single-Family Parcel	\$963.57 per Acre
Community Parks Maintenance Tax	Condominium Parcel	\$722.68 per Acre
Community Parks Maintenance Tax	Multi-Family Parcel	\$481.79 per Acre
Community Parks Maintenance Tax	Non-Residential Parcel	\$481.79 per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	\$190.24 per Acre
Street Lighting Maintenance Tax	Condominium Parcel	\$142.68 per Acre
Street Lighting Maintenance Tax	Multi-Family Parcel	\$95.13 per Acre
Street Lighting Maintenance Tax	Non-Residential Parcel	\$95.13 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Single-Family Parcel	\$0.00 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Condominium Parcel	\$0.00 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Multi-Family Parcel	\$0.00 per Acre
	Non-Residential	
Neighborhood Parks & Landscape Maintenance Tax	In Compliance Parcel	\$0.00 per Acre
	Non-Residential	
Neighborhood Parks & Landscape Maintenance Tax	Out of Compliance Parcel	\$0.00 per Acre
Stormwater/Water Quality Maintenance Tax	Single-Family Parcel	\$1,101.69 per Acre
Stormwater/Water Quality Maintenance Tax	Condominium Parcel	\$1,101.69 per Acre
Stormwater/Water Quality Maintenance Tax	Multi-Family Parcel	\$1,101.69 per Acre
Stormwater/Water Quality Maintenance Tax	Non-Residential Parcel	\$1,101.69 per Acre

3. Escalation of Maximum Special Tax

On July 1, 2021, and each July 1 thereafter, the Maximum Special Tax for each Special Tax Component for the current Fiscal Year for Developed Property and Undeveloped Property shall be increased from the Maximum Special Tax for the respective Special Tax Component for the previous Fiscal Year by Consumer Price Index – All Urban Consumers (San Francisco-Oakland-San Jose, CA) (from February) with a minimum annual increase of three (3.00%) percent and a maximum annual increase of five (5.00%) percent for any given year.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement for each Special Tax Component for that Fiscal Year and levy each Special Tax Component on all Parcels of Taxable Property as follows:

Step 1: Each Special Tax Component shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel of Developed Property for such Fiscal Year until the amount levied is equal to the Special Tax Requirement for such Special Tax Component;

Step 2: If additional revenue is needed after Step 1, each Special Tax Component shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property for such Fiscal Year until the amount levied, when combined with the amount of the Special Tax Component levied pursuant to Step 1, is equal to the Special Tax Requirement for such Special Tax Component.

The Special Tax for CFD No. 2015-2 shall be collected at the same time and in the same manner as ordinary ad valorem property taxes provided, however, that the City may (under the authority of Government Code Section 53340) collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2015-2, and the Special Tax shall be subject to foreclosure if delinquent regardless of the manner in which it was collected.

E. EXEMPTIONS

No Special Tax shall be levied on Parcels of Public Property or any privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, parks, etc. except as otherwise provided in this RMA and in the Act.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that does not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City through a resolution of the Council for purposes of clarifying any vagueness or ambiguity in this RMA.

G. TERM OF THE SPECIAL TAX

The Special Tax shall be levied in perpetuity as necessary to pay the Special Tax Requirement.

H. REPEAL OF THE SPECIAL TAX

CFD No. 2015-2 was established to levy the Special Tax to finance the Authorized Services as a condition of the entitlement to develop the Developed Property in CFD No. 2015-2. If the levy of the Special Tax is repealed by initiative or any other action participated in by the owners of Parcels in CFD No. 2015-2, the City shall cease to levy the Special Tax and shall cease to be obligated to provide the Authorized Services for which the Special Tax was levied.

I. SEVERABILITY

The invalidity or unenforceability of any provisions of this Rate and Method of Apportionment of Special Tax shall not affect the validity or enforceability of any other provision of this Rate and Method of Apportionment of Special Tax, which shall remain in full force and effect.

RESOLUTION NO. XX-26

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING
THE ANNEXATION (ANNEXATION NO. 50) OF PROPERTY LOCATED NORTH OF
NEWMAN WAY AND JOURNEY WAY (APN 037-160-047-9) IN THE FUTURE
ANNEXATION AREA OF**

**CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Streetlight, Landscape and Stormwater Services)**

WHEREAS, this Council has adopted a resolution entitled “Resolution of Formation of Community Facilities District” (the “Resolution of Formation”), ordering the formation of the (i) the “City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)” (the “CFD”) and (ii) the “City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services) (Future Annexation Area),” authorizing the levy of a special tax on property within the CFD, and preliminarily establishing an appropriations limit for the CFD, all pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the “Act”).

WHEREAS, under the Resolution of Formation and a resolution calling special election heretofore adopted by this Council, the propositions of the levy of the special tax and the establishment of the appropriations limit were submitted to the qualified electors of the CFD as required by the Act.

WHEREAS, on January 12, 2016, a special election was held among the landowner voters within the CFD, wherein such propositions were approved by the two-thirds vote required by the Act, as confirmed by resolution of this Council.

WHEREAS, on January 19, 2016, a notice of special tax lien (the “Notice of Special Tax Lien”) was recorded with the Contra Costa County Recorder’s office, thereby giving notice that the lien to secure payment of the Special Tax was imposed on the land in the CFD.

WHEREAS, the owner (the “Property Owner”) of Assessor’s Parcel Number 037-160-047-9 located within the Future Annexation Area (the “Property”) has agreed to mitigate certain impacts of the proposed development of the Property by paying for certain services financed by the CFD.

WHEREAS, pursuant to the Act, the Property Owner has executed a Unanimous Approval constituting a unanimous approval and unanimous vote by the Property Owner in favor of the annexation of the Property to the CFD and the levy of the Special Tax.

BE IT RESOLVED by the City Council of the City of Oakley that the following is hereby approved:

- 1. Recitals.** The foregoing recitals are all true and correct.
- 2. Approval of Annexation.** The City Council hereby determines that Assessor's Parcel Number 037-160-047-9 is annexed into Tax Zone No. 22 of the CFD.
- 3. Amendment to Notice of Special Tax Lien.** The City Council hereby directs the Clerk of the City Council to record an Amendment to Notice of Special Tax Lien, evidencing that Assessor's Parcel Number 037-160-047-9 is added to the CFD.
- 4. Boundaries Described.** The revised boundaries of the CFD including Assessor's Parcel Number 037-160-047-9 are described in an amended boundary map, which this City Council hereby directs the City Clerk to record with the Contra Costa County Recorder's office.
- 5. General Authority; Ratification of Previous Actions.** The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the transactions described herein or to otherwise effectuate the purposes of this resolution. Any actions previously taken by such officers that are consistent with the purposes of this resolution are hereby ratified and confirmed.
- 6. Effective Date.** This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Oakley this 8th day of September 2026 by the following vote.

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Hugh Henderson, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

ANNEXATION MAP NO. 50 TO
CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT NO. 2015-2
(PARKS, STREETLIGHTS, LANDSCAPE MAINTENANCE AND STORMWATER)

CITY OF OAKLEY
CONTRA COSTA COUNTY, STATE OF CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF OAKLEY THIS
____ DAY OF _____, 2026.

KIM SNODGRASS, CITY CLERK
CITY OF OAKLEY
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING ANNEXATION
NO. 50 TO CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT NO. 2015-2
(PARKS, STREETLIGHTS, LANDSCAPE MAINTENANCE AND STORMWATER),
CITY OF OAKLEY, CONTRA COSTA COUNTY, STATE OF CALIFORNIA,
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF OAKLEY, AT A
REGULAR MEETING THEREOF, HELD ON THE ____ DAY OF
_____, 2026, BY ITS RESOLUTION NO. _____.

KIM SNODGRASS, CITY CLERK
CITY OF OAKLEY
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

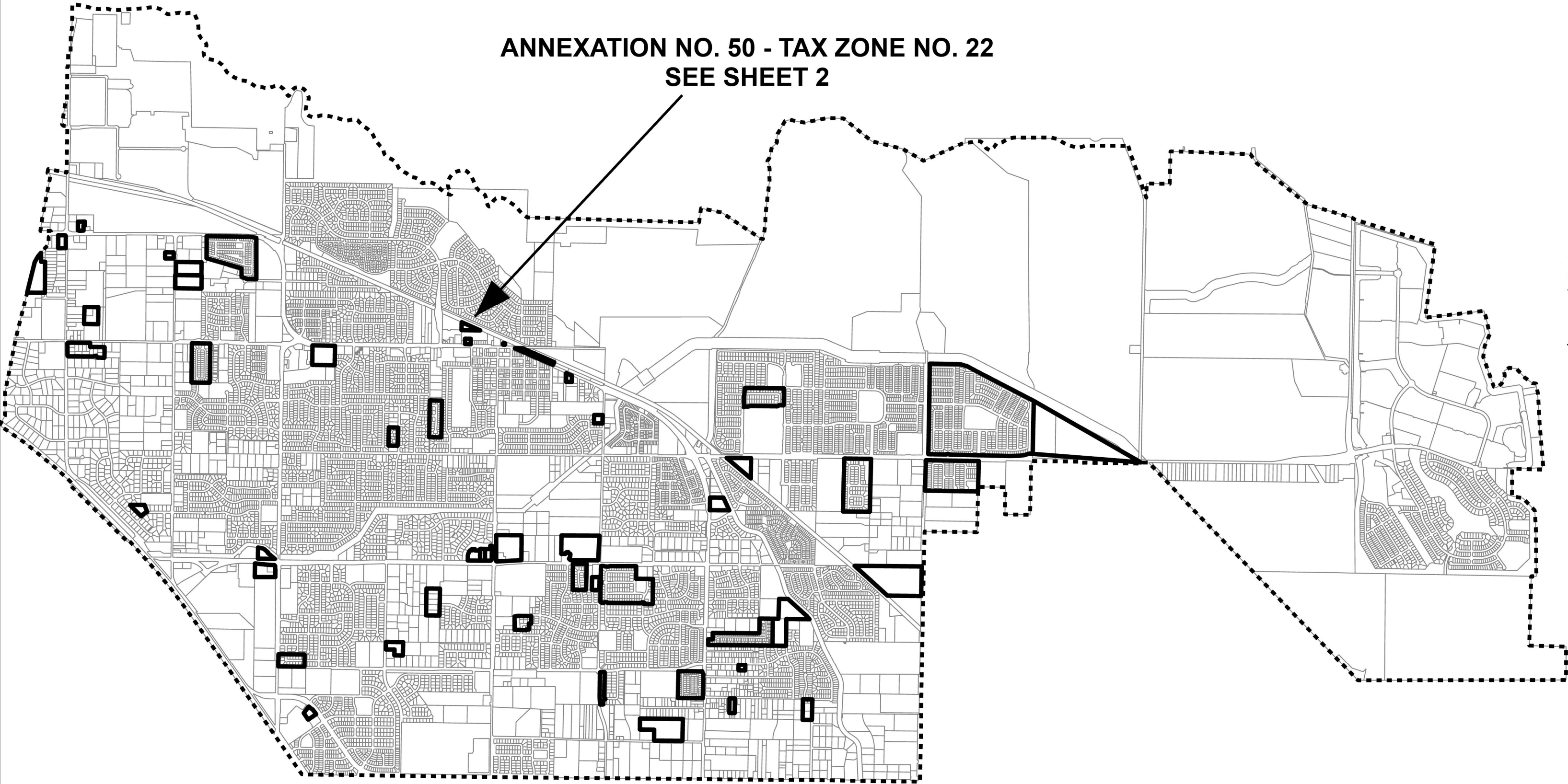
FILED THIS ____ DAY OF _____, 2026, AT THE HOUR
OF ____ M IN BOOK ____ OF MAPS OF ASSESSMENT
AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____, DOCUMENT
NO. _____ IN THE OFFICE OF THE COUNTY RECORDER
IN CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

COUNTY RECORDER
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

NOTE: THIS ANNEXATION MAP ANNEXES TERRITORY TO CITY OF OAKLEY
COMMUNITY FACILITIES DISTRICT NO. 2015-2 (PARKS,
STREETLIGHTS, LANDSCAPE MAINTENANCE AND STORMWATER),
CITY OF OAKLEY, CONTRA COSTA COUNTY, STATE OF CALIFORNIA,
FILED IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA
COSTA COUNTY, STATE OF CALIFORNIA, ON THE 9TH DAY OF
NOVEMBER, 2015 IN BOOK 85 OF MAPS OF ASSESSMENT AND
COMMUNITY FACILITIES DISTRICT AT PAGE 20.

ASSESSOR PARCELS WITHIN BOUNDARY: FOR PARTICULARS OF
LINES AND DIMENSIONS OF PARCELS, REFERENCE IS MADE TO
ASSESSOR'S PARCEL NO. 037-160-047-9.

ANNEXATION NO. 50 - TAX ZONE NO. 22
SEE SHEET 2

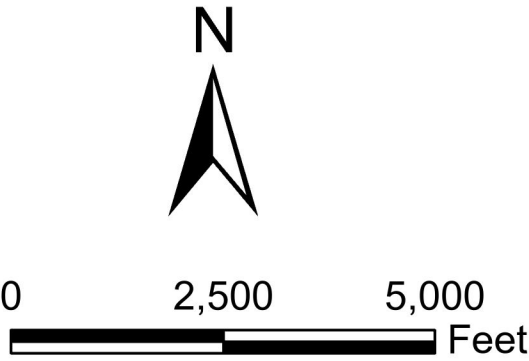


Legend

CFD No. 2015-2 Boundary

Oakley City Limits/CFD No. 2015-2 Future Annexation Area

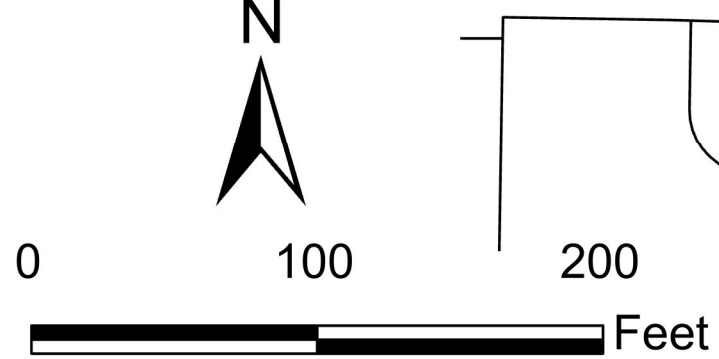
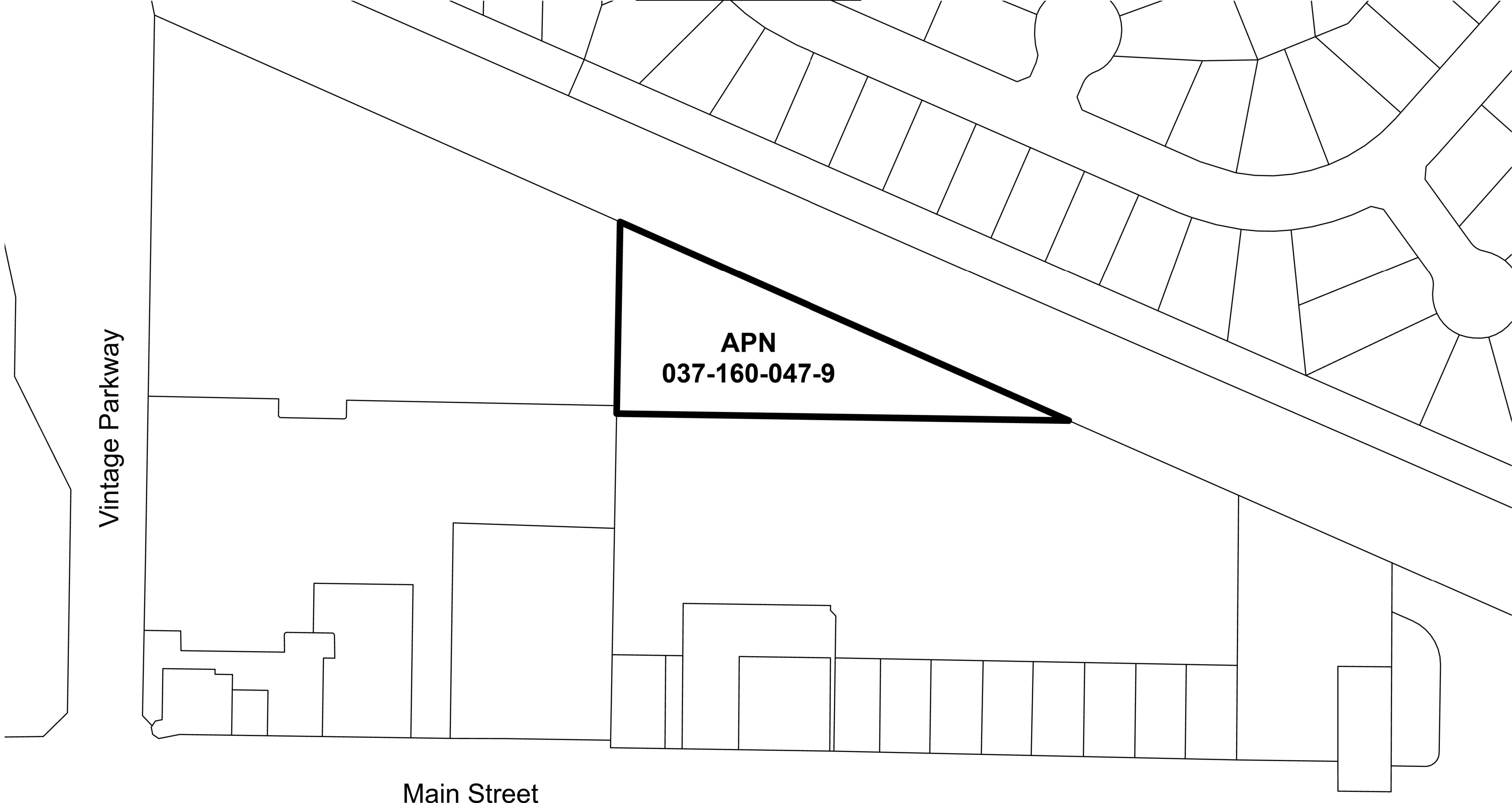
Parcel Lines



ANNEXATION MAP NO. 50 TO
CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT NO. 2015-2
(PARKS, STREETLIGHTS, LANDSCAPE MAINTENANCE AND STORMWATER)

CITY OF OAKLEY
CONTRA COSTA COUNTY, STATE OF CALIFORNIA

Annexation No. 50 - Tax Zone No. 22
(Delta Pointe Plaza)



Legend

 CFD No. 2015-2 Annexation Area No. 50

 Parcel Lines

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

City Clerk
City of Oakley
City Hall
3231 Main Street
Oakley, California 94561

**AMENDMENT NO. 50 TO
NOTICE OF SPECIAL TAX LIEN**

**CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Streetlight, Landscape and Stormwater Services)**

**Annexation No. 50 - Tax Zone No. 22
(Delta Pointe Plaza)**

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, section 53311, et seq., of the California Government Code (the "Act"), the undersigned City Clerk of the City of Oakley (the "City"), County of Contra Costa, State of California, hereby gives notice that a lien to secure payment of a special tax, which the City is authorized to levy, is hereby imposed on the property described herein. The special tax secured by this lien is authorized to be levied for the purpose of paying for certain municipal services set forth in that certain Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder of the County of Contra Costa, State of California on January 19, 2016, as Document No. 20160009045, to which reference is hereby made and the provisions of which are hereby incorporated by this reference.

This Amendment No. 50 to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory of the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services) (the "CFD"). The territory included in the existing CFD is set forth in the map of the CFD heretofore recorded as Document No. 15-234174 in the Office of the County Recorder of the County of Contra Costa, State of California on November 9, 2015, in Book 85 at Page 20 of Maps of Assessment and Community Facilities Districts, to which reference is hereby made. The territory to be added is set forth in that certain "Annexation Map No. 50 to Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services), County of Contra Costa, State of California," heretofore recorded at _____ on _____, 2026, in Book _____ at Page _____ of Maps of Assessment and Community Facilities Districts in the office of the County Recorder of the County of Contra Costa, State of California.

The rate, method of apportionment, and manner of collection of the authorized special tax, as supplemented with respect to the annexation of the territory described herein to the

CFD, is set forth in Exhibit B hereto and hereby made a part hereof. The lien of the special tax is a continuing lien which shall secure the annual levy of the special tax and which shall continue in force and effect until the special tax obligation is permanently satisfied and canceled in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Government Code Section 53330.5.

Notice is further given that upon the recording of this notice in the office of the county recorder, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within the territory to be added to the CFD in accordance with Section 3115.5 of the Streets and Highways Code.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Amendment No. 50 to Notice of Special Tax Lien, together with the name(s) of the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the City are as set forth in Exhibit A hereto and hereby made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Finance Director of the City of Oakley, City Hall, 3231 Main Street, Oakley, California 94561, telephone number (925) 625-7000.

Dated: As of _____, 2026

By: _____
Kim Snodgrass, City Clerk,
City of Oakley

EXHIBIT A

**CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Streetlight, Landscape and Stormwater Services)**

Annexation No. 50 – Tax Zone No. 22

**PARCEL DESCRIPTION AND OWNER OF LAND WITHIN
ANNEXATION NO. 50 – TAX ZONE NO. 22**

Assessor's Parcel No.

Name(s) of Property Owner(s)

037-160-047-9

DELTA POINTE LLC

EXHIBIT B

CITY OF OAKLEY Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services)

SUPPLEMENT TO THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX – TAX ZONE NO. 22

Special Taxes in the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services) (the “CFD” or “CFD No. 2015-2”) shall be levied and collected according to the tax liability determined by the Administrator through the application of the appropriate amount or rate for Taxable Property, as described below. All the property in CFD No. 2015-2, unless exempted by law or by the provisions of Section E herein, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2015-2, unless a separate Rate and Method of Apportionment of Special Tax is adopted for such annexation area.

Property annexed to City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services) pursuant to Annexation No. 50 will be annexed to Tax Zone No. 22 per the Supplement to the Rate and Method of Apportionment of Special Tax shown below.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Accessory Unit” means a second residential unit of reduced size (e.g., granny cottage, etc.) that shares a Parcel with a Residential Unit.

“Acre” or **“Acreage”** means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable Final Map or other recorded County parcel map.

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311), Division 2, of Title 5 of the Government Code of the State of California.

“Administrative Expenses” means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2015-2: the costs of computing the Special Tax and preparing the annual Special Tax collection schedules (whether by the City or any designee thereof or both); the costs of collecting

the Special Taxes; the costs to the City, CFD No. 2015-2, or any designee thereof of complying with disclosure requirements associated with the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries, protests, or appeals regarding the Special Taxes; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2015-2 for any other administrative purposes of CFD No. 2015-2, including attorney's fees, costs associated with annexations to CFD No. 2015-2, and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Administrator" means an official of the City, or any designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax.

"Assessor's Parcel" or **"Parcel"** means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the County Assessor designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" or **"APN"** means a unique number assigned to an Assessor's Parcel by the County Assessor for purposes of identifying a property.

"Authorized Services" means the public services authorized to be funded by CFD No. 2015-2 as set forth in the documents adopted by the Council when CFD No. 2015-2 was formed.

"Building Permit" means a building permit issued by the City and having a building structure improvement valuation over \$50,000. Building Permits for the construction of ancillary structures such as fences, swimming pools, retaining walls, etc. are excluded.

"CFD" or "CFD No. 2015-2" means the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape and Stormwater Services).

"City" means the City of Oakley.

"City Landscape Maintenance Standards" means the then applicable landscape maintenance standards or then applicable level of service for then applicable landscape maintenance contracts executed by the City that are in effect and relate to similar landscaping improvements.

"City Manager" means the City Manager of the City of Oakley.

“Commercial Unit” means an individual building structure for commercial uses as defined per the County Assessor (e.g., grocery stores, shopping centers, motel, hotel, service stations, and offices).

“Condominium Parcel” means a Parcel designated by the County Assessor as having a condominium, townhome, cluster home and co-op land use.

“Council” means the City Council of the City of Oakley, acting as the legislative body for CFD No. 2015-2.

“County” means the County of Contra Costa.

“County Assessor” means the Contra Costa County Assessor.

“County Land Use Code” means the land use code assigned to an Assessor’s Parcel as indicated in the records of the County Assessor.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a Building Permit was issued by the City for construction of a residential structure or a non-residential structure on or prior to June 30 of the preceding Fiscal Year. In the absence of a Building Permit, any Parcel of Taxable Property shall be classified as “Developed Property” if it has been occupied by a user as determined by the Administrator on or prior to June 30 of the preceding Fiscal Year.

“Final Map” or “Parcel Map” means a final map approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410, *et seq.*) that creates individual lots on which a Building Permit can be issued for construction of Residential Units without further subdivision of the lots.

“Fiscal Year” means the period starting on July 1 and ending on the following June 30.

“Industrial” means an individual building structure for industrial uses as defined per the County Assessor (e.g., research and development, mini-warehouse, etc.).

“Institutional” means an individual building structure for institutional uses as defined per the County Assessor (e.g., churches, hospitals, assisted living, schools, etc.).

“Land Use Classification” means the current or intended use of a Taxable Parcel as determined by the Taxable Parcel’s County Land Use Code.

“Maximum Special Tax” means, for each Special Tax Component, the maximum Special Tax, determined in accordance with Section C herein, which can be levied in any Fiscal Year.

“Mixed Use Parcel” means a Parcel designated by the County Assessor as having a multiple land uses such as residential land uses and commercial land uses, or multi-family land uses and commercial land uses.

“Multi-Family Parcel” means a Parcel designated by the County Assessor as having a multi-family residential land uses which includes duplexes, triplexes, fourplexes and apartments.

“Non-Residential Parcel” means for each Fiscal Year, all Assessor Parcels designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Non-Residential Parcel – In Compliance” this definition only applies for the purpose of calculating the annual neighborhood landscape maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional for which the Property Owner of the Commercial, Industrial, or Institutional Parcel has notified the City in writing by the preceding February 1st that it wishes to maintain its parcel’s frontage landscaping during the immediate following fiscal year and the City Manager or his/her designee has determined that the Property Owner has maintained its Parcel’s frontage landscaping in previous Fiscal Years to City Landscape Maintenance Standards. In addition, in order for any Commercial, Industrial, or Institutional Parcel to be defined as a Non-Residential Parcel – In Compliance, all Non-Residential Parcels within a Tax Zone of CFD No. 2015-2 must also be defined as Non-Residential Parcel – In Compliance.

“Non-Residential Parcel – Out of Compliance” this definition only applies for the purpose of calculating the annual neighborhood landscape maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional for which the Property Owner of the Non-Residential Parcel has not notified the City in writing by the preceding February 1st that it wishes to maintain its parcel’s frontage landscaping during the immediate following fiscal year and the City Manager or his/her designee has determined that the Property Owner has not maintained its Parcel’s frontage landscaping in previous Fiscal Years to City Landscape Maintenance Standards. In addition, if any Non-Residential Parcel is defined as a Non-Residential Parcel – Out of Compliance, then all Non-Residential Parcels within a Tax Zone CFD No. 2015-2 will also be defined as Non-Residential Parcel – Out of Compliance.

“Property Owner” means the Property Owner of record per current County Assessor records unless more current information is available such as recorded deed of sale, etc.

“Proportionately” means, for Developed Property, that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property. For Undeveloped Property, “Proportionately” means that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Undeveloped Property.

“Public Property” means, for each Fiscal Year: (i) any property within the boundaries of CFD No. 2015-2 that is owned by or irrevocably offered for dedication to the federal government, the State of California, the City or any other public agency; provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act (as such section may be amended or replaced) shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2015-2 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

“Residential Unit” means an individual building structure for residential or multi-family residential uses as defined per the County Assessor. An Accessory Unit that shares a Parcel with a Residential Unit shall not be considered a separate Residential Unit for purposes of this RMA.

“RMA” means this Rate and Method of Apportionment of Special Tax.

“Single-Family Parcel” means a Parcel designated by the County Assessor as having a single-family residential land use. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Special Tax” means any tax levied within CFD No. 2015-2 to pay the Special Tax Requirement, and includes each Special Tax Component.

“Special Tax Component” means one of the following components of the Special Tax: Community Park Maintenance Tax, Streetlighting Maintenance Tax, Neighborhood Parks and Landscape Maintenance Tax, or Stormwater Maintenance Tax.

“Special Tax Requirement” means, for each Special Tax Component, the amount of revenue needed in any Fiscal Year to pay for the following: (i) Authorized Services related to the Special Tax Component; (ii) Administrative Expenses attributable to the Special Tax Component; and (iii) amounts needed to cover any delinquencies in the payment of the Special Tax Component which occurred in the previous Fiscal Year or, based on delinquency rates in prior years, may be expected to occur in the Fiscal Year in which the Special Tax will be collected.

“Taxable Property” or “Taxable Parcels” means all Assessors’ Parcels within the boundaries of CFD No. 2015-2 that are not exempt from the Special Tax pursuant to law or Section E herein.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this RMA. All the property within CFD No. 2015-2 at the time of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to CFD No. 2015-2, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to CFD No. 2015-2 shall be identified by Assessor’s Parcel Number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

“Unanimous Approval Form” means that form executed by the record owner of fee title to a Parcel or Parcels annexed into CFD No. 2015-2 that constitutes the property owner’s approval and unanimous vote in favor of annexing into CFD No. 2015-2, the levy of the Special Tax against his/her Parcel or Parcels pursuant to this RMA.

“Undeveloped Property” means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2015-2 that are not classified as Developed Property.

B. DATA FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel Numbers for all Parcels of Taxable Property within CFD No. 2015-2. The Administrator shall also determine: (i) whether each Assessor’s Parcel of Taxable Property is Developed Property or Undeveloped Property, and (ii) the Special Tax Requirement for each Special Tax Component for the then-current Fiscal Year. Each Special Tax Component shall be levied only to pay for the related Special Tax Requirement.

In any Fiscal Year, if it is determined that (i) a Final Map or Parcel Map for a portion of property in CFD No. 2015-2 was recorded after the last date upon which the County Assessor will incorporate the newly-created Parcels into the then current tax roll, (ii) because of the date the Final Map or Parcel Map was recorded, the County Assessor does not yet recognize the new Parcels that will be created by the Final Map

or Parcel Map, and (iii) one or more of the newly-created Parcels would meet the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map or Parcel Map by determining the Special Tax that applies separately to each new Parcel that will be created by that Final Map or Parcel Map, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the Final Map or Parcel Map.

C. MAXIMUM SPECIAL TAXES

1. Developed Property - The Fiscal Year 2020-21 Maximum Special Tax for each Special Tax Component for all Parcels of Developed Property shall be as shown in Table 1 below:

Table 1: Developed Property		
Special Tax Component	Land Use Classification	FY 2020-21 Maximum Tax
Regional Park Maintenance Tax	Single-Family Parcel	\$145.44 per Parcel
Regional Park Maintenance Tax	Condominium Parcel	\$109.08 per Parcel
Regional Park Maintenance Tax	Multi-Family Parcel	\$72.72 per Unit
Regional Park Maintenance Tax	Non-Residential Parcel	\$436.33 per Acre
Community Parks Maintenance Tax	Single-Family Parcel	\$321.19 per Parcel
Community Parks Maintenance Tax	Condominium Parcel	\$240.89 per Parcel
Community Parks Maintenance Tax	Multi-Family Parcel	\$160.60 per Unit
Community Parks Maintenance Tax	Non-Residential Parcel	\$963.57 per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	\$63.41 per Parcel
Street Lighting Maintenance Tax	Condominium Parcel	\$47.56 per Parcel
Street Lighting Maintenance Tax	Multi-Family Parcel	\$31.71 per Unit
Street Lighting Maintenance Tax	Non-Residential Parcel	\$190.24 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Single-Family Parcel	\$0.00 per Parcel
Neighborhood Parks & Landscape Maintenance Tax	Condominium Parcel	\$0.00 per Parcel
Neighborhood Parks & Landscape Maintenance Tax	Multi-Family Parcel	\$0.00 per Unit
	Non-Residential	
Neighborhood Parks & Landscape Maintenance Tax	In Compliance Parcel	\$0.00 per Acre
	Non-Residential	
Neighborhood Parks & Landscape Maintenance Tax	Out of Compliance Parcel	\$0.00 per Acre
Stormwater/Water Quality Maintenance Tax	Single-Family Parcel	\$1,101.69 per Parcel
Stormwater/Water Quality Maintenance Tax	Condominium Parcel	\$1,101.69 per Parcel
Stormwater/Water Quality Maintenance Tax	Multi-Family Parcel	\$1,101.69 per Unit
Stormwater/Water Quality Maintenance Tax	Non-Residential Parcel	\$1,101.69 per Acre

Mixed Use Parcels will have their Maximum Tax calculated each Fiscal Year based upon their combined uses on the Parcel. For example, if a one-acre parcel has commercial on the ground floor and 50 condominiums on the second floor the property owner will be charged the Non-Residential Parcel rate for one acre and the Condominium Parcel Rate for the 50 condominiums.

2. Undeveloped Property - The Fiscal Year 2020-21 Maximum Special Tax for each Special Tax Component for all Parcels of Undeveloped Property shall be as shown in Table 2 below:

Table 2: Undeveloped Property		
Special Tax Component	Land Use Classification	FY 2020-21 Maximum Tax
Regional Park Maintenance Tax	Single-Family Parcel	\$436.33 per Acre
Regional Park Maintenance Tax	Condominium Parcel	\$327.25 per Acre
Regional Park Maintenance Tax	Multi-Family Parcel	\$218.17 per Acre
Regional Park Maintenance Tax	Non-Residential Parcel	\$218.17 per Acre
Community Parks Maintenance Tax	Single-Family Parcel	\$963.57 per Acre
Community Parks Maintenance Tax	Condominium Parcel	\$722.68 per Acre
Community Parks Maintenance Tax	Multi-Family Parcel	\$481.79 per Acre
Community Parks Maintenance Tax	Non-Residential Parcel	\$481.79 per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	\$190.24 per Acre
Street Lighting Maintenance Tax	Condominium Parcel	\$142.68 per Acre
Street Lighting Maintenance Tax	Multi-Family Parcel	\$95.13 per Acre
Street Lighting Maintenance Tax	Non-Residential Parcel	\$95.13 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Single-Family Parcel	\$0.00 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Condominium Parcel	\$0.00 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Multi-Family Parcel	\$0.00 per Acre
	Non-Residential	
Neighborhood Parks & Landscape Maintenance Tax	In Compliance Parcel	\$0.00 per Acre
	Non-Residential	
Neighborhood Parks & Landscape Maintenance Tax	Out of Compliance Parcel	\$0.00 per Acre
Stormwater/Water Quality Maintenance Tax	Single-Family Parcel	\$1,101.69 per Acre
Stormwater/Water Quality Maintenance Tax	Condominium Parcel	\$1,101.69 per Acre
Stormwater/Water Quality Maintenance Tax	Multi-Family Parcel	\$1,101.69 per Acre
Stormwater/Water Quality Maintenance Tax	Non-Residential Parcel	\$1,101.69 per Acre

3. Escalation of Maximum Special Tax

On July 1, 2021, and each July 1 thereafter, the Maximum Special Tax for each Special Tax Component for the current Fiscal Year for Developed Property and Undeveloped Property shall be increased from the Maximum Special Tax for the respective Special Tax Component for the previous Fiscal Year by Consumer Price Index – All Urban Consumers (San Francisco-Oakland-San Jose, CA) (from February) with a minimum annual increase of three (3.00%) percent and a maximum annual increase of five (5.00%) percent for any given year.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement for each Special Tax Component for that Fiscal Year and levy each Special Tax Component on all Parcels of Taxable Property as follows:

Step 1: Each Special Tax Component shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel of Developed Property for such Fiscal Year until the amount levied is equal to the Special Tax Requirement for such Special Tax Component;

Step 2: If additional revenue is needed after Step 1, each Special Tax Component shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property for such Fiscal Year until the amount levied, when combined with the amount of the Special Tax Component levied pursuant to Step 1, is equal to the Special Tax Requirement for such Special Tax Component.

The Special Tax for CFD No. 2015-2 shall be collected at the same time and in the same manner as ordinary ad valorem property taxes provided, however, that the City may (under the authority of Government Code Section 53340) collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2015-2, and the Special Tax shall be subject to foreclosure if delinquent regardless of the manner in which it was collected.

E. EXEMPTIONS

No Special Tax shall be levied on Parcels of Public Property or any privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, parks, etc. except as otherwise provided in this RMA and in the Act.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that does not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City through a resolution of the Council for purposes of clarifying any vagueness or ambiguity in this RMA.

G. TERM OF THE SPECIAL TAX

The Special Tax shall be levied in perpetuity as necessary to pay the Special Tax Requirement.

H. REPEAL OF THE SPECIAL TAX

CFD No. 2015-2 was established to levy the Special Tax to finance the Authorized Services as a condition of the entitlement to develop the Developed Property in CFD No. 2015-2. If the levy of the Special Tax is repealed by initiative or any other action participated in by the owners of Parcels in CFD No. 2015-2, the City shall cease to levy the Special Tax and shall cease to be obligated to provide the Authorized Services for which the Special Tax was levied.

I. SEVERABILITY

The invalidity or unenforceability of any provisions of this Rate and Method of Apportionment of Special Tax shall not affect the validity or enforceability of any other provision of this Rate and Method of Apportionment of Special Tax, which shall remain in full force and effect.

DATE: September 8, 2026
TO: Joshua McMurray, City Manager
FROM: Billilee Saengchalern, Public Works Director/City Engineer
SUBJECT: Adopt a Resolution Authorizing the Contract Amendment of the East Cypress Road Widening Project (Knightsen Avenue to Jersey Island Road) Project – Capital Improvement Project (CIP) Number 247

Approved and
Forwarded to the
City Council

Background and Analysis

The improvements to East Cypress Road have been a key part of the City's CIP program as established by the City Council and the Strategic Goals, and a top priority for the community to accommodate the growth of the residential neighborhood of the East Cypress Road corridor and far east Oakley and improve safety for this area including the surrounding unincorporated Contra Costa County communities.

On October 25, 2022, the City Council approved the construction contract with R&R Pacific Construction, Inc. for CIP 247 East Cypress Road Widening Project between Knightsen Avenue to Contra Costa Water District (CCWD) Canal. This is the first segment of the East Cypress Road widening project. During that time, the city only had funding for this segment in coordination with the development project associated with the frontage improvements along the Burroughs Subdivision. The original design of the CIP 247 project alignment depicts an s-curve at the easterly boundary of the project adjacent to CCWD property and connecting the widened roadway back to the existing two lanes at the eastern limits. The physical construction of the project was delayed until July 15, 2024, almost two years later, due to environmental constraints and approval of the water inclusion process for this project to proceed forward. During these 2 years inflation and economic impacts of the pandemic, and supply chain issues had impacted the cost of construction project negatively. Finally, after 2 years, the construction of CIP 247 began. These financial impacts to such infrastructure projects were Bay Area wide and affected all other municipalities and their projects.

The city continued its efforts to collaborate with CCWD to further develop a plan to underground the canal and move forward with the second segment of the roadway widening of East Cypress Road from CCWD's westerly property line to approximately 300 feet east of Jersey Island Road. Through an executed reimbursement agreement with CCWD and additional City funding resources, city staff completed the design of CIP 310 both for the canal undergrounding and the roadway widening for the second segment of the overall East Cypress Road Widening Project.

On December 10, 2024, the City Council approved a construction contract with Sukut Construction LLC for the undergrounding of the CCWD canal. Given the complexity of all the utility undergrounding the traffic handling needed at the second segment of this project, City staff considered the continuation of the roadway widening of the second segment of the



project (CIP 310) to the first segment of the project (CIP 247). This would allow staff to coordinate with the roadway contractor to adjust the location of the temporary s-curve of the project from the westerly limit of CCWD's right of way to approximately 300 feet east of Jersey Island Road. Furthermore, this allowed for the continuation of the alignment of various utilities between the two segments of the project and streamline the coordination between numerous utility companies and property owners in the area. The complexity of CIP 310 East Cypress Road intersection widening at Jersey Island Road is magnified further because of the elevation difference of approximately 14 feet above the existing grade at Jersey Island Road to align with the future regional levee crossing at this intersection. Coordinating with one roadway contractor between segment one and two was instrumental for a successful execution of traffic handling needed for this complex project.

On February 25, 2025, the City Council adopted a Resolution Authorizing the Amendment of the Budget for the East Cypress Road Widening Project (Knightsen Avenue to Jersey Island Road) Project – Capital Improvement Project (CIP) Number 247 to cover the construction cost of roadway and utility improvements for East Cypress Road intersection widening at Jersey Island Road Project CIP 310 and amend the existing construction contract for CIP 247 accordingly.

Both segments of the roadway widening project have progressed substantially within the last two years and traffic was temporarily shifted to the northern half of the ultimate width of new East Cypress Road in June 2026. This allowed the underground canal contractor to complete the southern half of the CCWD canal pipeline by the end of September 2026. All these improvements to date came with significant challenges such as: existing utility conflicts due to limited as built information of utilities installed along East Cypress several decades ago, groundwater dewatering challenges, availability of borrow fill material, additional paving necessary to make the transitions adhere to ultimate design of East Cypress Road, additional excavation of unsuitable material at East Cypress and Jersey Island Road along an old irrigation canal, soil stabilization/lime treatment of native soil material to allow for construction to proceed during the winter months, addition of bioretention basin bracing to ensure structural longevity of the structure, and pothole repairs/safety striping enhancements to the existing East Cypress Road pavement during all the construction activities in the area.

The first and second segments of the East Cypress Road project are slated for completion in early summer of 2027 pending weather conditions this winter. To complete the project, the following remaining costs are anticipated: increased cost for concrete material such as curb, gutter, curb ramps, and sidewalks are completed. There is also anticipated cost for restoring the borrow site for the additional fill needed to complete the grading improvements of the southern half of the ultimate roadway. It has been four years since the original contract was established in 2022 and the project completion date is beyond its original completion date due to unforeseen circumstances outside the terms of the contract. It is anticipated that there are cost increases for rock, asphalt, and labor as the project progresses to the final paving improvements of these two segments.



The total base bid for both the first and second segment of the East Cypress Road Widening Project in the contract with R&R Pacific Construction is \$16,474,712.25 with a contingency of \$1,602,000. At this time, staff is requesting an additional \$860,000 for contingency to cover material cost increase, unforeseen change orders, necessary extra work, and labor cost increases to complete both roadway segments CIP 247 and 310.

The Public Works engineering staff will continue to manage the day-to-day construction of these high-profile projects to ensure the timely delivery of these projects for the community.

Consistency with the Oakley Strategic Plan 27+

The approval of this agreement is consistent with the Oakley Strategic Plan under our Community Health and Safety Goal, and Finance and Fiscal Responsibility to provide safe streets in Oakley.

Fiscal Impact

This project had funds allocated to this project since 2021. The total allocation for CIP 247 is \$19,180,000. The contract for R&R Pacific Construction was approved for \$16,474,712.25 with a contingency of \$1,602,000 on February 25, 2025. To date the project expenditures total approximately \$18,120,200. The total available budget is approximately \$1,059,800. The requested \$860,000 for an increase in the contract contingency amount is available in the budget. No additional funding is required for this project at this time.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving the amendment of the construction contract with R&R Pacific Construction, Inc. for C247,247 and to authorize the City Manager to execute the contract amendment for a not to exceed additional amount of \$860,000.

Attachments

1. Resolution



RESOLUTION NO. XX-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AUTHORIZING THE AMENDMENT OF THE CONTRACT FOR THE EAST CYPRESS ROAD WIDENING PROJECT (KNIGHTSEN AVENUE TO JERSEY ISLAND ROAD) PROJECT – CAPITAL IMPROVEMENT PROJECT (CIP) NUMBER 247

WHEREAS, Sanbell prepared the plans and specifications for both CIP Number 247 and 310 East Cypress Road Widening between Knightsen Avenue to Jersey Island Road (Segments 1 and 2); and,

WHEREAS, on October 25, 2022, the City Council approved the construction contract with R&R Pacific Construction, Inc. for CIP 247 East Cypress Road Widening Project between Knightsen Avenue to Contra Costa Water District (CCWD) Canal; and,

WHEREAS, on February 25, 2025, the City Council adopted a Resolution Authorizing the Amendment of the Budget for the East Cypress Road Widening Project (Knightsen Avenue to Jersey Island Road) Project – Capital Improvement Project (CIP) Number 247 to cover the construction cost of roadway and utility improvements for East Cypress Road intersection widening at Jersey Island Road Project CIP 310 and amend the existing construction contract for CIP 247 accordingly; and,

WHEREAS, both segments of the roadway widening project have progressed substantially within the last two years and the project had encountered several significant challenges such as: existing utility conflicts due to limited as built information of utilities installed along East Cypress several decades ago, groundwater dewatering challenges, availability of borrow fill material, additional paving necessary to make the transitions adhere to ultimate design of East Cypress Road, additional excavation of unsuitable material at East Cypress and Jersey Island Road at along an old irrigation canal, soil stabilization/lime treatment of native soil material to allow for construction to proceed during the winter months, addition of bioretention basin bracing to ensure structural longevity of the structure, and pothole repairs/safety striping enhancements to the existing East Cypress Road pavement during all the construction activities in the area.; and,

WHEREAS, to complete the project, the following remaining costs are anticipated: increased costs for concrete material such as curb, gutter, curb ramps, and sidewalks are completed. There is also anticipated cost for restoring the borrow site for the additional fill needed to complete the grading improvements of the southern half of the ultimate roadway. It has been four years since the original contract was established in 2022 and it is anticipated that there are cost increases for the rock, asphalt, and labor as the project progresses to the final paving improvements of these two segments.; and,

WHEREAS, the total base bid for both the first and second segment of the East Cypress Road Widening Project in the contract with R&R Pacific Construction, Inc. is \$16,474,712.25 with a contingency of \$1,602,000. At this time, staff is requesting an additional \$860,000 for contingency to complete both roadway segments CIP 247 and 310; and,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley approving Amendment of the construction contract with R&R Pacific Construction, Inc. for the East Cypress Road Widening Project (Knightsen Avenue to Jersey Island Road) Project – CIP 247 in amount of \$860,000 and authorize the City Manager to execute the contract amendment.

PASSED AND ADOPTED by the City Council of the City of Oakley this 8th day of September 2026 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Hugh Henderson, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

DATE: September 8, 2026
TO: Joshua McMurray, City Manager
FROM: Ken Strelo, Community Development Director
SUBJECT: Adoption of a Resolution Appointing One Planning Commissioner to Fill a Vacancy for a Two-Year Term Expiring on February 28, 2027

Approved and
Forwarded to the
City Council

Background

At the July 13, 2021, City Council Meeting, the City Council adopted Ordinance No. 06-21, which amended and updated the Municipal Code establishing the five-member Planning Commission. The current Planning Commission consists of two two-year term seats which expire February 28, 2027, and three four-year term seats which expire October 11, 2029. One of the two-year term seats was recently vacated due to the resignation of Planning Commissioner Oliveros on July 7, 2026. The City Council will interview three candidates and may choose to appoint one of them to fill the vacant seat and finish out the two-year term.

Planning Commission Requirements

Per Oakley Municipal Code Section 2.3.002 Creation of Planning Commission; Residency, the following apply:

- The Planning Commission shall consist of five members appointed by the City Council;
- Members shall be appointed on an at-large basis and shall be residents of the City of Oakley;
- Proof of residency is required to be confirmed prior to appointment and must be maintained throughout duration of the term served;
- No person serving as a Planning Commissioner shall be an appointed or elected member of any local or regional government agency that includes any portion of Oakley City limits within its jurisdictional territory;
- Newly appointed Planning Commissioners are required to complete ethics training consistent with AB 1234 (2005) within six months of the start of their term, consistent with California statute. AB 1234 ethics training also covers Ralph M. Brown Act training requirements.



Application Process and Applicants

The City Clerk accepted applications for the Planning Commission vacancy from July 13, 2026 through August 20, 2026 at 5:00 PM. Three applications were received within that time frame. A list of the applicants is included below. The order for interviews was determined by the order in which the applications were received and will follow the order of the list below.

APPLICANTS

- Pierre Rojan Reyes
- Louis Gentry
- Adam Sterud

Proof of residency has been confirmed for all three applicants. The applications and any additional information provided with the applications are included as attachments to this Staff Report. Sensitive information, such as personal addresses, phone numbers and emails have been redacted from the applications.

Consistency with the Oakley Strategic Plan 27+

This agenda item is consistent with the Strategic Plan 27+'s Community and Collaborative Partnerships Goal and specifically supports the Sub-Goal of Community Outreach and Engagement by increasing our communication and engaging our residents.

Fiscal Impact

None.

Staff Recommendation

Staff recommends the City Council interview the applicants and adopt a resolution appointing one of the applicants to fill the vacant two-year term expiring February 28, 2027.

Attachments

1. Application from Pierre Rojan Reyes
2. Application from Louis Gentry
3. Application from Adam Sterud
4. Proposed Resolution





PLANNING COMMISSION APPOINTMENT APPLICATION

The City of Oakley is seeking applications to fill a vacancy on the Planning Commission for the remainder of a term ending February 28, 2027.

The Oakley Planning Commission consists of five members appointed by the City Council. All members of the Planning Commission must be residents of the City of Oakley.

The Planning Commission conducts Public Hearings on land use entitlements and may either serve as the approving body or make recommendations to the City Council, depending on the type of application. Entitlements subject to Planning Commission approval include tentative parcel maps, conditional use permits, and design reviews.

Regular meetings may be held on the first and third Tuesdays of each month at 6:30 p.m. in the City Hall Council Chambers located at 3231 Main Street, Oakley, CA 94561. Normally, only one of the two meetings is scheduled for a given month with the second meeting only held when necessary. Meeting dates for each year are approved prior to the start of that year.

Applications will be accepted from Monday, July 13 through Thursday, August 20, at 5:00 p.m.

Upon appointment, commissioners will be required to file a Conflict-of-Interest disclosure statement and complete two hours of certified Ethics Training (in accordance with AB 1234) and two hours of certified Anti-Harassment Training (in accordance with AB 1661).

For additional information please contact Kim Snodgrass, City Clerk, at (925) 625-7013 or snodgrass@ci.oakley.ca.us.

Application

Please type or print clearly on this application or attach typed responses and return it to the City Clerk's Office via email to snodgrass@ci.oakley.ca.us, by mail or in person at 3231 Main Street, Oakley, California 94561. Applications will be accepted until Thursday, August 20, 2026, at 5:00 p.m.

All information contained in this application is public data and will be made available for public review and copying for anyone requesting it and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will therefore be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be used to determine your suitability for appointment to the committee.

Name: Pierre Rojan Reyes

Home Address:

[REDACTED]

Oakley, CA 94561

Phone Number:

[REDACTED]

E-Mail Address:

[REDACTED]

This appointment will be for the remainder of a term ending February 28, 2027.

1. **How long have you lived in the City of Oakley?** 5 years

2. **Briefly explain why you would like to serve on the Planning Commission.**

I care deeply about Oakley and want to help guide its responsible, thoughtful growth.

As a substitute teacher, parent, PTA member, and active Delaney Park community member, I see how
affect families, neighborhoods, schools, parks, traffic, businesses, and public spaces.

The Oakley Leadership Program taught me how City departments work and inspired me to serve.

I hope to listen carefully, review projects fairly, and help preserve Oakley's character.

3. Please describe your education, work and other experiences that would qualify you for the position of Planning Commissioner.

I hold a bachelor's degree in Marriage and Family Studies, a minor in Human Resource

Management, and a master's degree in Management with an Educational Management emphasis.

I work as a substitute teacher in OUESD and serve as a PTA member at Summer Lake Elementary.

My prior work as a Registered Dental Assistant required accuracy, ethics, teamwork, and patient care.

Oakley Leadership also gave me direct exposure to City departments, services, and operations.

4. Please describe the professional preparation or expertise that you would bring to this position, if any.

I bring experience in education, leadership, management, communication, and community involvement.

Substitute teaching requires adaptability, sound judgment, communication, and working with diverse needs.

My PTA involvement strengthens my understanding of families, schools, collaboration, and local concerns.

As a former Registered Dental Assistant, I followed standards, maintained accuracy, and worked ethically.

These skills would help me carefully evaluate proposals, staff reports, policies, and public input.

5. What do you believe is the most important role of a Planning Commissioner?

The most important role is making fair, informed, and legally sound land-use decisions.

A commissioner should review the facts, listen respectfully, and follow the General Plan and law.

The role requires balancing responsible growth with neighborhood quality, safety, and infrastructure.

Commissioners should ask thoughtful questions and consider both current and future residents.

Every decision should be transparent, objective, and focused on Oakley's long-term interests.

6. What do you hope to accomplish in your role as a Planning Commissioner, if selected?

If selected, I hope to support responsible development while preserving Oakley's family character.

I would consider effects on traffic, schools, public safety, infrastructure, parks, and neighborhoods.

I also want residents to feel heard and understand how planning decisions are made.

I would approach each application with an open mind, ask meaningful questions, and review evidence.

My goal is to make fair, transparent decisions that benefit current and future Oakley residents.

7. Having been a resident of Oakley, what do you see as the strengths of the community? Conversely, what are its weaknesses?

Oakley's strengths include its family-oriented atmosphere, diversity, parks, schools, and neighbors.

Through Delaney Park involvement, I have seen how community activities build connection and belonging.

A key challenge is ensuring infrastructure and public services keep pace with continued growth.

Traffic, road capacity, schools, local services, and recreation should remain planning priorities.

The City should also keep strengthening public understanding and participation in development decisions.

8. Are you currently serving as an appointed or elected member of any local or regional government agency that includes any portion of Oakley City limits within its jurisdictional territory?

No. I am not currently serving as an appointed or elected member of a local or regional

government agency that includes any portion of the City of Oakley within its jurisdiction.

9. Have you previously served on any board or commission for Oakley or any other government agency?

No. I have not previously served on a board or commission for Oakley or another government agency.

However, the Oakley Leadership Program allowed me to learn about City departments, services, leadership, and responsibilities. That experience increased my interest in public service and gave me a stronger understanding of how local government serves residents and makes decisions.

10. Are you or have you been involved in any local, civic or community groups?

Yes. I am an active member of the Delaney Park community and support neighborhood engagement.

I have helped encourage communication, participation, and family-friendly neighborhood activities.

I also participated in the Oakley Leadership Program and learned about City operations and services.

I am also a PTA member at Summer Lake Elementary and serve local students as a substitute teacher.

These experiences have strengthened my connection to Oakley families and commitment to public service.

11. Please provide any additional relevant comments.

Oakley is where my family lives, where I substitute teach, and where I hope to continue serving.

I understand this role requires preparation, impartiality, ethics, and respectful communication.

I am prepared to review materials, attend meetings, complete required training, and participate fully.

Although this would be my first City commission, I bring a collaborative approach and willingness to learn.

I would be honored to help support Oakley's responsible growth and long-term success.

Louis Gentry

Oakley, CA 94561

1. How long have you lived in the city of Oakley?

I became an Oakley resident in 2022.

2. Briefly explain why you would like to serve on the Planning Commission.

Since becoming a resident, I've fallen in love with the community and want to continue to strengthen its reputation as a welcoming place that provides a high quality of life for all. Prior to moving to Oakley, I lived in Santa Clara, Fremont, and Union City since moving to California in 1998. Having grown up in a military family and lived several years in the South, the lack of neighborly hospitality in and around Silicon Valley was one of my starkest observations upon settling in the Bay Area. I was not used to receiving no acknowledgement when greeting neighbors and passers-by with a friendly "hello"; which took some adjustment. After relocating to Oakley, I was pleasantly surprised to be reunited with the Southern hospitality I missed; as residents from all walks of life would openly greet, acknowledge, and simply converse.

In addition to the hospitality, I get more of a sense of "convenience" and "completeness" in Oakley that was absent for me in the other Bay Area cities in which I lived. Most of the time, I was not able to find all of my goods, services, and other needs within my city and accepted the inconvenience of driving to other cities as the norm. In Oakley, I find most neighborhoods have basic goods and services conveniently located; and even walkable in many cases. The cleanliness of the retail spaces and myriad of beautiful parks and green spaces makes it really inviting for me to run errands and interact with other residents while walking my dog.

Those are a few reasons why I want to be involved in ensuring Oakley continues to be a safe, enriching, and welcoming place for all.

3. Please describe your education, work, and other experiences that would qualify you for the position of Planning Commissioner.

I have a Bachelor of Science degree in Computer Science from Washington University in St. Louis and have worked as a software engineer for over 30 years. I've developed systems of different scales for various industries (TV, graphics, financial, etc.). Appropriate "software literacy" is essential for navigating the rapidly changing landscape of artificial intelligence; especially when determining the best technological future for Oakley. By now, the threat of A.I. data centers is widely known, but the "Trojan horse" methods and disguised terminology that corporations employ to fast-track harmful projects unbeknownst to residents is less so. With my background, I can "smell foul play" when such underhanded methods are attempted, call them out, and communicate projects and proposals to residents in ways easy for all to comprehend. No more "sneak attacks" by big tech.

Although I haven't worked professionally in government, I have had some civics training, and my engineering problem solving skills are transferable. I'm well-versed in reading and understanding technology regulations and compliance documents and would be comfortable digesting municipal codes and civic policy documents in-kind. I would use my knowledge and experience to filter out projects and proposals that go against Oakley's values and support those that do.

4. Please describe the professional preparation or expertise that you would bring to this position, if any.

As aforementioned, my expertise as a software engineer can help inform harmonious technology paths for Oakley's future. Whether it's low-level assembly language, C++, or web development, I have a deep and holistic understanding of hardware and software pipelines and can discern when upgrade paths are truly necessary for the betterment of the community versus the betterment of an individual or corporation.

I also have some debate and training in public speaking so I'm comfortable communicating topics of any size and complexity on-the-fly.

5. What do you believe is the most important role of a Planning Commissioner?

I believe the most important role of a Planning Commissioner is to receive, assess, and advise regarding new development proposals, community complaints, and other concerns while upholding city values, protecting long and short-term economic health, and keeping the community safe and well-informed.

6. What do you hope to accomplish in your role as Planning Commissioner, if selected?

If selected, I hope to make myself and experience a "resource" for Oakley in any way as I learn the existing municipal workflows, conditions, and challenges. I will identify existing metrics used to track performance towards city goals and provide suggestions as needed. Learning as much as possible will be my priority.

7. Having been a resident of Oakley, what do you see as the strengths of the community? Conversely, what are its weaknesses?

I can't talk about Oakley's strengths without leading with its environmental beauty. Oakley "presents" very well with its cleanliness, signage, murals, and the myriad of awesome parks! As mentioned, many neighborhoods have parks and retail within walking distance, and I see more pedestrians out here than any of the cities in which I've lived prior. I too walk my dog more now as a result of the convenience. And regularly seeing city workers pickup street trash and fixing tennis nets at playgrounds is a joyful sight.

Conversely, not all neighborhoods have such balance; as some lack convenient retail needs and, instead, have an overabundance of car washes (hehe). Cleanliness could be improved in some areas as well. Having more local jobs and more activities for seniors are also topics of concern.

8. Are you currently serving as an appointed or elected member of any local or regional government agency that includes any portion of Oakley city limits within its jurisdictional territory?

No

9. Have you previously served on any board or commission for Oakley or any government agency?

No

10. Are you or have you been involved in any local, civic, or community groups?

Over the years, I participated in "career day" at Washington and James Logan High Schools in Fremont and Union City respectively. I also used to help organize and perform in salsa dancing events for the community when I was part of Latin dance companies.

Since moving to Oakley I've been learning the community and seeing where I want to get more involved.

11. Please provide any additional relevant comments.

Just in case, I included a copy of my tech resume with this application.

Louis Gentry

Objective Seeking a leadership role in managing, designing, implementing, and deploying innovative mixed reality, scientific, financial, or machine learning software products and services.

Skills

- Programming Languages: C/C++, Java, C#, CUDA, Python, MQL
- Strong 3D math, OpenGL, and GPU shader knowledge
- Neural network APIs: Keras/TensorFlow and PyTorch
- Written video processing systems using Aja libraries and hardware
- Real-time visual effects for live television sports broadcasts
- Experienced in photogrammetry, computer vision, and machine learning
- Game Engines: Unity3D, Unreal Engine, Godot
- Qt application development
- Multi-threaded application development
- Windows and Unix TCP/IP Sockets network programming
- Project management experience using Agile and Jira
- Metatrader 4 and 5 indicator and expert advisor development

Professional experience 10/2024 – Current **Orbilus, LLC** Fremont, CA

Proprietor / Principal Software Engineer

- Designing and implementing machine learning models for enhancing live sports broadcast graphics.
- Designing and implementing sports machine learning models for new player and coaching metrics.
- Designing and implementing FOREX trading indicators and expert advisors in Metatrader 5 using quantitative analysis

5/2004 – 4/2024 **Sportvision Inc./SMT** Fremont, CA

Principal Software Engineer

- Co-developed real-time camera calibration system for broadcast effects; product computes AR camera parameters from live broadcast video. The system uses OpenGL / GLSL, CUDA, and computer vision and places no constraints on the intrinsic and extrinsic properties of the camera producing the video.
- Designed and implemented a generative A.I. network using Keras and TensorFlow that was used to create images and 3D models of people to virtually populate empty stadium stands during the pandemic for NFL games using the Unreal Engine.
- Designed and implemented a multi-layered, discriminative neural network for classifying different offensive and defensive fronts and coverages in

American football. The network operated in real-time using NFL player tracking data as input and provided new presentation opportunities for the NFL's Next Gen Stats product.

- Integrated Unity3D with our bespoke broadcast rendering pipeline by implementing native plugins in C++ with Aja and CUDA for video processing; resulting in improved content creation tools and increased productivity for our artists.
- Improved the release process of our camera calibration software by designing and implementing a GTest-based regression testing framework to ensure software quality. I trained and directed a QA team on how to run regression tests for all releases.

Managing Software Engineer

- Managed a small team of QA and software engineers while overseeing all football software development and release management.
- Designed and implemented the "1st & 10" rendering system used for Fox NFL and ESPN Monday Night Football and college football broadcasts.
- Designed and implemented the rendering sub-system for Major League Baseball's PitchFX/FoxTrax pitch tracking system.
- Developed numerous OpenGL 3D visual effects for NFL, NBA, MLB, NASCAR, and MLS sports broadcasts which were camera calibrated and composited over HD live or replayed video.
- Developed the rendering system for PassTrack – a real-time 3D visualization of football pass trajectories; accurately rendered and matched-moved to broadcast video using OpenGL API and shaders for transform, texturing, and lighting.
- Designed and implemented "RenderStation"; a plug-in based common rendering platform used for rendering real-time virtual, match-moved broadcast effects for all sports. The engine receives SD and HD input and outputs enhanced video using OpenGL API and shaders to render and composite 3D graphics on the video frames. The new architecture improved engineering productivity and reduced "tech debt" through module reuse.
- Implemented the chroma keying / "green screen" software as seen on Fox and ESPN football games using OpenGL API and shaders to mask background graphics from football players and foreground video elements in real-time.
- Years of experience developing with Aja-based HD/SD video capture and playback hardware and software.
- Designed and implemented the revised Raceview product for Turner Sports and NASCAR using C# and Unity3D; providing users with a state-of-the-art, real-time 3D recreation of the live race.
- Wrote a prototype football application that ingests real-time data from sensors worn by NFL players to create a virtual view of the game in Unity3D; allowing users to view various stats and the game action from any camera angle.

5/2003 – 5/2004

Pinnacle Systems

Mountain View, CA

Applications and DirectShow Software Engineer (Contractor)

- Integrated a new user interface for the "Instant Video Album" video editing product using C++, DirectShow, and MFC.
- Worked on a small team to create a streaming DVD engine for directly

capturing video to a writable DVD media while generating chapter and menu information during streaming using C++ and DirectShow.

- Improved the streaming DVD engine by adding support for AC-3 packetized elementary audio streams.

9/2001 – 4/2003

Zinio Systems

Brisbane, CA

Digital Magazine Reader Development Engineer

- Technical lead for the C++ Direct3D animation and rendering subsystem in the Win32/ATL based Zinio Reader magazine reading application.
- Developed multimedia support for the Zinio Reader. Media types include Flash, QuickTime, and DirectShow supported formats.
- Designed and implemented the “just-in-time” media asset downloading subsystem in which the Zinio Reader uses COM to submit download requests to the Zinio Delivery Manager for download using WinINet.
- Designed and implemented the media asset extraction and storage system that extracts media assets from the digital magazine file, parses the meta-data using MSXML, and persistently caches assets on disk.
- Implemented magazine inking support using the MS Ink SDK for the TabletPC.

10/1999 – 9/2001

Iris Financial Engineering

San Francisco, CA

Application/Systems Engineer

- Technical lead for the ticketing subsystem of a Unix distributed basket trading system used by Deutsche Bank.
- Designed and implemented a platform-independent client-server modularized replacement for the application’s ticketing system in C++. The existing system logic was extracted and put into a library for use by a load-balanced skeleton server using POSIX threads. A protocol was then created to allow Windows and Unix based client applications to monitor and feed the ticketing server with client orders to be sent to the stock exchange. Client applications were implemented with Win32/MFC and Motif.

6/1998 – 10/1999

SGI

Mountain View, CA

Member of Technical Staff

- Developed Windows (Win32) OpenGL graphics applications in C++ for the Cobalt graphics chip in the Silicon Graphics 320 and 540 workstations. Sample applications were developed to illustrate how to use the new Cobalt graphics extensions in existing OpenGL applications.
- Implemented application optimizations through algorithmic improvements, proper use of graphics state changes, and Intel assembly optimizations. Optimizations included the use of spatial sorting data structures to reduce the number of unnecessary triangles sent to the graphics hardware for large scenes, grouping objects by render state to reduce the number of state changes between rendering calls, and using assembly to speed up certain object transformations.

Education

1994 - 1998

Washington University

St. Louis, MO

School of Engineering and Applied Sciences

- BS in Computer Science

Awards

Nominated for a 2005 Emmy Award for developing the PassTrack system for Monday Night Football.

Patent: Multi-View Camera Registration (2018) : A system for registering one or more cameras and/or creating an accurate three dimensional (3D) model of a world space environment includes back projecting at least one image from at least one of a plurality of camera views to the 3D model based on a set of existing camera parameters.

References

Available upon request.



PLANNING COMMISSION APPOINTMENT APPLICATION

The City of Oakley is seeking applications to fill a vacancy on the Planning Commission for the remainder of a term ending February 28, 2027.

The Oakley Planning Commission consists of five members appointed by the City Council. All members of the Planning Commission must be residents of the City of Oakley.

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Upon appointment, commissioners will be required to file a Conflict-of-Interest disclosure statement and complete two hours of certified Ethics Training (in accordance with AB 1234) and two hours of certified Anti-Harassment Training (in accordance with AB 1661).

For additional information please contact Kim Snodgrass, City Clerk, at (925) 625-7013 or by email at: snodgrass@ci.oakley.ca.us.

Application

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All information contained in this application is public data and will be made available for public review and copying for anyone requesting it and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will therefore be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be used to determine your suitability for appointment to the committee.

Name:	Adam N. Sterud
Home Address:	Oakley, CA 94561
Phone Number:	
E-Mail Address:	

This appointment will be for the remainder of a term ending February 28, 2027.

1. How long have you lived in the City of Oakley? years and months.

2. Briefly explain why you would like to serve on the Planning Commission.

I'd like to take an active role in the responsible development and expansion of the city; while keeping conservation of the community in mind.

3. Please describe your education, work and other experiences that would qualify you for the position of Planning Commissioner.

I served a 5-year apprenticeship program to become a Journeyman Steamfitter (2015-2020). I also am an active California Real Estate Agent, licensed since 2021. I've worked construction for 15 years in residential, commercial, and industrial.

4. Please describe the professional preparation or expertise that you would bring to this position, if any.

I've served as a Recording Secretary at my union since 2022, and have been a Bylaws committee member since 2017. I enjoy taking rigorous notes, following procedures, and I do well at balancing a hectic schedule.

5. What do you believe is the most important role of a Planning Commissioner?

I believe the most important role of a Planning Commissioner would be maintaining a non-biased and objective approach while reviewing plans, and making approvals and recommendations; while keeping in mind the city's mission plan and vision.

6. What do you hope to accomplish in your role as a Planning Commissioner, if selected?

I would hope to serve my tenure well, while continually learning all aspects of how the city approves future projects. I'd also like to get creative as to how we can attract new business that align with our mission statement.

7. Having been a resident of Oakley, what do you see as the strengths of the community? Conversely, what are its weaknesses?

The strength of Oakley is the strong sense of community itself; resembled in block parties, city sponsored events/festivals, and small business engagement. Our weakness is the lack of recreational activities, and participation in them.

8. Are you currently serving as an appointed or elected member of any local or regional government agency that includes any portion of Oakley City limits within its jurisdictional territory?

No.

Full disclosure: I am in an elected union officer, but Oakley is not in our jurisdictional work area, nor does my position involve territory jurisdiction.

9. Have you previously served on any board or commission for Oakley or any other government agency?

No.

10. Are you or have you been involved in any local, civic or community groups?

I am a volunteer wrestling and baseball coach. I have my background check and coaching credentials through USA Wrestling.

11. Please provide any additional relevant comments.

At the time of the interview, my son will be 4, daughter 2, and twin boys 1 month old. I plan on being a life-long resident. I have a strong vested interest in the preservation of our community, and will for decades to come.

RESOLUTION NO. XX-26

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPOINTING
ONE PLANNING COMMISSIONER TO FILL A VACANCY FOR A TWO-YEAR TERM
EXPIRING ON FEBRUARY 28, 2027**

WHEREAS, on July 13, 2021, the City Council of the City of Oakley adopted Ordinance No. 06-21, which amended provisions of Chapters 3 and 4 of Title 2 of the Oakley Municipal Code concerning the Oakley Planning Commission; and

WHEREAS, on July 7, 2026, Planning Commission Oliveros submitted a resignation from the Planning Commission effective immediately. That resignation resulted in a vacancy for one of the two-year terms expiring on February 28, 2027; and

WHEREAS, the City solicited applications for the Planning Commission through a formal application process. The period ran from July 13, 2026 through August 20, 2026 at 5:00 PM. The City Clerk received a total of three applications; and

WHEREAS, on September 8, 2026, the City Council conducted interviews of three applicants and adopted this resolution appointing one of the applicants to serve the remainder of the vacant two-year term on the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley hereby appoints the following individual to the Oakley Planning Commission for the remainder of one of the two-year terms expiring on February 28, 2027:

- [Name and Term]

BE IT FURTHER RESOLVED that the City Council of the City of Oakley hereby authorizes City Staff to provide the above-appointed individual instruction, training materials and assistance per the Oakley Municipal Code.

PASSED AND ADOPTED by the City Council of the City of Oakley this 8th day of September 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

APPROVED:

Hugh Henderson, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

DATE: September 8, 2026
TO: Joshua McMurray, City Manager
FROM: Evan Gorman, Associate Planner
SUBJECT: 5279 Neroly Road Appeal (PLN-2026-1001) – Select Method to Review Appeal.

Approved and
Forwarded to the
City Council

Summary

This item concerns an appeal filed by Martin Barajas (“Appellant”), acting through his authorized agent Henry David Catalan, of the Planning Commission’s decision denying the appeal of the Zoning Administrator’s determination concerning the property located at 5279 Neroly Road. Pursuant to OMC Section 2.4.020(i), the purpose of this initial City Council item is for the Council to determine how it wishes to process the appeal. The Council may affirm the Planning Commission’s action without a public hearing, refer the matter back to the Planning Commission, decide the appeal based on review of the Planning Commission record, appoint an independent hearing officer, or conduct a de novo public hearing within 30 days. If the Council takes no action on the method of review, a de novo public hearing will be scheduled. The property is zoned Light Industrial (LI) and contains a legal nonconforming single-family residential use. The Zoning Administrator and Planning Commission determined that an unpermitted attached addition could not be legalized under Oakley Municipal Code Section 9.1.1502 and that a separate, proposed Accessory Dwelling Unit (ADU) could not be established on the property. (APN 051-220-030)

Background

GENERAL PLAN

The subject property has a Light Industrial (“LI”) General Plan land use designation. This designation provides for limited fabrication, manufacturing, processing, packaging and assembling uses; wholesale, distribution, warehousing and storage uses; vehicle and machinery repair; research and development; industrial parks; public/semi-public uses and similar and compatible uses.

ZONING

The subject property is zoned LI (Light Industrial) District, which accommodates limited manufacturing and other light-industrial uses. Residential uses are not permitted except for legal non-conforming residences that were constructed before the property was zoned LI.



PROPERTY HISTORY

The property at 5279 Neroly Road is an approximately half-acre parcel designated and zoned Light Industrial (LI). It is improved with a single-family residence constructed in 1944, which predates the City's incorporation and current zoning designations. The City recognizes the residence as a legal nonconforming residential use within a nonresidential district under Oakley Municipal Code Section 9.1.1502. An attached addition was constructed on the south side of the residence without a building permit between February 2025 and November 2025, based on Google Earth images. City and County building records show no permit was submitted or issued prior to the addition being constructed, and the property owner does not claim one was submitted or issued. Following notices from the City's Code Enforcement Division, the property owner inquired about pathways to legalize the addition.

Figure 1 – Google Earth Aerial Image Comparison Showing the New Addition



On June 8, 2026, the Community Development Director, acting as Zoning Administrator, issued a written determination finding that the existing residence may continue as a legal nonconforming use under OMC Section 9.1.1502(d)(2), but that the same provision expressly prohibits expansion or intensification of that use. The determination concluded that the unpermitted attached addition constituted an enlargement and addition to the nonconforming residential use and could not be permitted. It further concluded that a future accessory dwelling unit, proposed by the applicant, would increase the number of dwellings on the LI-zoned property, constituting an additional prohibited expansion. The property owners were directed to coordinate with Code Enforcement on abatement of the unpermitted work.

APPEAL PROCEEDINGS

The property owner, Martin Barajas, through his authorized agent Henry David Catalan, filed a timely appeal on June 11, 2026. The appellant contended that OMC



Section 9.1.1502(d)(2) afforded the property R-6 Single-Family Residential development standards and that compliance with those standards provided a basis for permitting the addition and a future ADU regardless of the property's LI zoning and nonconforming status. The appellant further argued that the proposed work would not constitute an expansion of the residential use, but rather an effort to bring the property into conformity with the applicable R-6 standards. The appellant also contended that State ADU law required ministerial approval of an ADU.

Staff's analysis found that the R-6 reference in Section 9.1.1502(d)(2) provides development standards for work that is otherwise allowed, such as a residential shed, but does not override the prohibition on expanding the nonconforming residential use. Staff further found that the Code defines expansion or intensification to include an enlargement, addition, or increase in the number of dwellings, and that both the attached addition and a future ADU fall within that definition. With respect to ADUs, both the local code and State law, including guidance from the California Department of Housing and Community Development, limit ADU eligibility to lots zoned for residential use, a condition the LI District does not satisfy. Staff recommended the Planning Commission deny the appeal and affirm the determination, with one modification: removing reliance on OMC Section 9.1.1502(d)(4), which concerns nonresidential uses in residential districts and does not apply to this situation. That correction does not change the outcome because Sections 9.1.1502(d)(2) and (d)(7) independently prohibit expansion or intensification. In speaking with the Zoning Administrator, the original reference to part "d.4" was unintentional.

At the August 18, 2026 Planning Commission hearing, Commissioner Ireland asked a series of questions confirming the Commission's understanding of the applicable code provisions: that Section 9.1.1502(d)(2) allows the existing residence to continue but expressly prohibits expansion or intensification, that the Code's definition of expansion includes enlargements, additions, and increases in dwelling units, and that the R-6 standards govern otherwise permissible work but do not override the expansion prohibition. City Attorney Derek Cole confirmed each of these readings and stated that the City cannot legally allow the expansion, as doing so would expressly violate the code. Commissioner Goudie asked about the relevance of Section 9.1.1502(c)(4) (a reference included in the Appellant's documents), and staff confirmed that provision addresses repair and alterations of nonconforming residences in residential zones and does not cover residences in nonresidential zones such as the applicable LI District. The appellant's representative spoke during the public hearing, arguing that the code distinguishes between nonconforming structures and nonconforming uses, that the property is not seeking to expand its use but to bring it into conformity with R-6 standards, and that the abatement order could jeopardize the property's nonconforming status. Following deliberation, the Commission voted 3-0 to deny the appeal and affirm the Zoning Administrator's determination as modified. The



Commission's decision could be appealed to the City Council within 15 calendar days under OMC Section 2.4.020(b) and the appellant has done so.

Figure 2 – Picture of Home and Addition with Visible Exposed Plywood



Appeal Procedure

Pursuant to OMC Section 2.4.020(b), any person interested in or affected by a decision of the Planning Commission may appeal that decision to the City Council by filing a written notice of appeal with the City Clerk within 15 calendar days, together with payment of the applicable filing fee. Upon receipt of the notice of appeal, OMC Section 2.4.020(i)(1) requires the City Clerk to place the matter on the next regular City Council meeting agenda so the Council may determine how it wishes to process the appeal. The Council may, by majority vote, select one of the following methods:

- Conduct a de novo public hearing on the appeal. If this option is chosen, staff would schedule an appeal hearing before the City Council within 30 days.
- Affirm the Planning Commission's action without a public hearing and without reviewing the record. Staff would bring back a resolution. Since the Planning Commission's record is included as attachments to this Staff Report and is assumed to have been reviewed by the City Council, this option should not be considered.
- Refer the matter back to the Planning Commission for further proceedings. Staff would schedule another hearing with the Planning Commission.
- Affirm, deny, or affirm with conditions the decision of the Planning Commission without a public hearing after reviewing the transcript and record.



Attachment 11 is a resolution accommodating this path. This option would represent the final determination.

- Appoint an independent hearing officer to conduct a hearing and recommend a decision, which the Council may then adopt or reject in favor of its own findings and decision.

If the Council takes no action on the method of review at the meeting at which the appeal first appears on the agenda, or at a meeting to which it continues that consideration, a de novo public hearing will be scheduled within 30 calendar days. If a de novo hearing is held, the Council may receive testimony from the appellant and any other interested parties. By majority vote, the Council could affirm, reverse, or modify the Planning Commission's decision based upon findings of fact. A tie vote results in affirmation of the decision being appealed. This item is the initial appearance of the appeal on the City Council agenda. Staff recommends the Council select its preferred method for processing the appeal at this meeting.

Appellants Request

The Appellant requests that the City Council either conduct a de novo public hearing on the appeal or, alternatively, review the full administrative record and provide an opportunity for oral argument at the September 8, 2026 City Council meeting. In support of this request, the Appellant raises several arguments:

- The Appellant contends that certain provisions of the Municipal Code were not adequately analyzed during the prior proceedings, specifically OMC Sections 9.1.1502(c)(1), 9.1.1502(c)(4), and 9.1.1102(i).
- The Appellant notes that the Planning Commission modified the original Zoning Administrator determination by removing reliance on OMC Section 9.1.1502(d)(4), which the Appellant characterizes as a significant change warranting further review.
- The Appellant references a pending building permit application associated with the unpermitted addition.

Analysis

Because this is a procedural item, the Staff Analysis is limited to the appellant's request regarding the method of review and the factual assertions in that request.

MUNICIPAL CODE SECTIONS

The Appellant contends that staff and the Planning Commission did not address Section 9.1.1502(c)(4). Staff did address this section during the Planning Commission hearing in response to a question from Commissioner Goudie. Staff explained that the repair-and-alteration provisions in subsection (c)(4) apply only to residences in residential zoning districts. The subsection's reference to new construction establishes



applicable standards for such work; it does not separately authorize new construction on this LI-zoned property. The written staff report addressed the related question raised by Section 9.1.1502(c)(1): whether meeting R-6 development standards is enough, on its own, to allow construction that would expand or intensify a legal nonconforming residential use. Staff concluded that it is not. R-6 standards govern work that is otherwise allowed, but they do not override Article 15's prohibition on expanding or intensifying a nonconforming use. The Planning Commission adopted findings that incorporate this interpretation.

The Appellant also points to the Planning Commission's decision to remove the Zoning Administrator's reliance on Section 9.1.1502(d)(4). The de novo hearing before the Planning Commission is the process the Municipal Code provides for independently reviewing, and where appropriate correcting, the Zoning Administrator's determination. During that review, staff agreed that subsection (d)(4), which applies to nonresidential uses in residential zoning districts, did not apply to this property. Staff further concluded that removing that citation did not change the outcome because Sections 9.1.1502(d)(2) and (d)(7) independently prohibit expanding or intensifying the nonconforming residential use. The Planning Commission incorporated the correction into its final decision. This change is a normal part of how de novo review works, not an unresolved procedural problem.

BUILDING PERMIT APPLICATION

The Appellant references a recently submitted building permit application as a reason to hold another hearing. This is not the first time a building permit has been sought for the addition. Following a Code Enforcement notice, a building permit application was submitted in 2025, fees were collected, and the application moved to plan review. During that review, the addition was found not to comply with the Zoning Ordinance. The Planning Commission appeal addressed the resulting zoning determination: whether the addition could be legalized under the property's existing LI zoning and legal nonconforming status. Submitting a new building permit application does not change the zoning provisions that apply to the proposed work, and it does not require a particular method of appellate review.

ORAL ARGUMENT REQUESTED BY APPELLANT

Finally, the Appellant requests an opportunity for oral argument if the Council chooses to review the existing administrative record rather than hold a de novo hearing. Staff does not recommend creating a separate oral argument process outside of the hearing methods identified in the Municipal Code. Section 2.4.020 gives the Council two distinct options to consider with this request: review of the Planning Commission transcript and entire record without a public hearing, or a de novo public hearing at which testimony and other evidence may be received. Allowing a merits presentation during a record review would blend those two options and create a process not provided for in the Code. If the Council believes that additional testimony or oral



presentation would help its review, staff recommends selecting the de novo public hearing option.

Consistency with the Oakley Strategic Plan 27+

Following the Oakley Municipal Code's appeal procedures supports the "Community and Economic Development Goal" in the Oakley Strategic Plan 27+. Consistent enforcement of the municipal code, including the rules for appeals and nonconforming uses, promotes orderly development within the City of Oakley.

Fiscal Impact

The appeal has no anticipated impact on the General Fund. The Appellant paid an appeal deposit, and staff time and City-generated materials are charged to that account.

Staff Recommendation

Staff recommends that the City Council select one of the methods of review available under OMC Section 2.4.020(i)(1), either by motion or, should the Council choose to uphold the Planning Commission's decision based on the record, by adoption of the proposed resolution.

Attachments

- 1) Vicinity Map
- 2) Planning Commission Staff Report, dated August 18, 2026
- 3) Planning Commission Resolution No. 14-26
- 4) Transcript of August 18, 2026 Planning Commission Meeting, Item 4.3
- 5) Planning Commission Meeting Powerpoint
- 6) Zoning Administrator Determination, dated June 8, 2026
- 7) Appellant's De Novo Hearing Request
- 8) Appellant's Council Appeal Supporting Documentation
- 9) Appellant's July 6 Supplemental Memorandum
- 10) Relevant Code Excerpts
- 11) Proposed Resolution to Uphold Planning Commission's Decision Based on Record

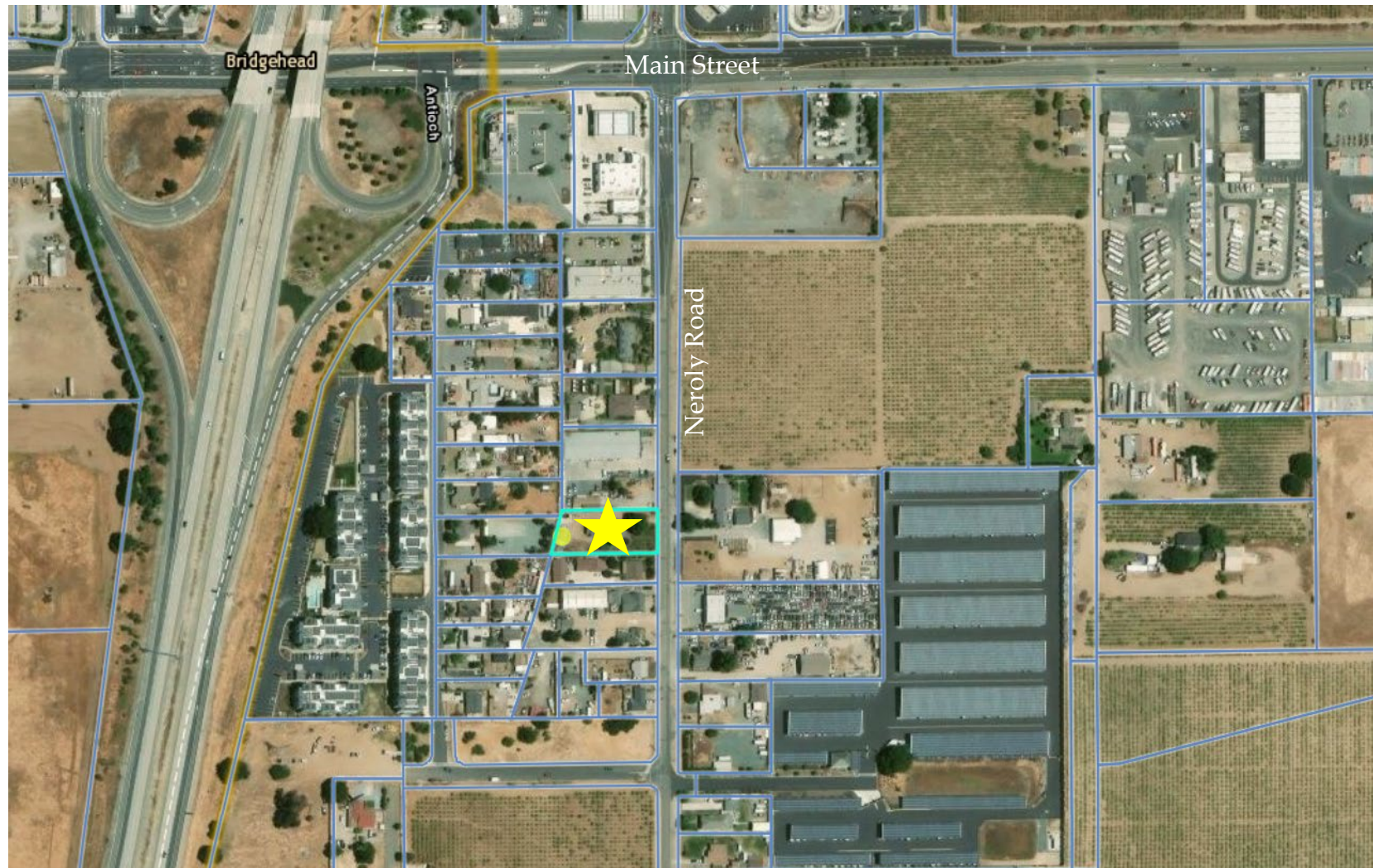




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Vicinity Map

5279 Neroly Road Appeal (PLN-2026-1001)
APNs: 051-220-030



DATE: August 18, 2026
TO: Joshua McMurray, City Manager
FROM: Evan Gorman, Associate Planner
SUBJECT: 5279 Neroly Road Appeal (PLN-2026-1001) - Deny the appeal and affirm the Zoning Administrator's determination, as modified

Approved and
Forwarded to the
Planning Commission

Summary

This is a public hearing on an appeal filed by Martin Barajas ("Appellant"), acting through his authorized agent Henry David Catalan, of a determination issued by the Zoning Administrator concerning the property at 5279 Neroly Road. The property is zoned Light Industrial (LI) and is improved with a single-family residence that the City recognizes as a legal nonconforming use. The determination found that an attached addition was constructed on the residence without the required building permits and cannot be permitted, because Oakley Municipal Code Section 9.1.1502 prohibits the expansion or intensification of a nonconforming use, and it directed that the unpermitted work be abated. The determination further found that a separate ADU could not be established on the property. The Appellant disagrees and contends that the residence is governed by the R-6 single-family residential standards and that the attached addition and future ADU can be legalized. The Planning Commission will independently consider the appeal and may affirm, reverse, or modify the Zoning Administrator's determination. (APN 051-220-030)

Background

GENERAL PLAN

The subject property has a Light Industrial ("LI") General Plan land use designation. This designation provides for limited fabrication, manufacturing, processing, packaging and assembling uses; wholesale, distribution, warehousing and storage uses; vehicle and machinery repair; research and development; industrial parks; public/semi-public uses and similar and compatible uses.

ZONING

The subject property is zoned LI (Light Industrial) District, which accommodates limited manufacturing and other light-industrial uses. Residential uses are not permitted except for legal non-conforming residences that were constructed before the property was zoned LI.

PROJECT SETTING

The approximately half-acre property at 5279 Neroly Road is located on the west side of Neroly Road, south of Main Street, within an area characterized by deep, narrow parcels extending between Neroly Road and Elm Lane. The property is developed with



a single-family residence constructed in 1944, the attached addition discussed below, and a detached garage. Access is provided by a driveway from Neroly Road. Because the residence predates the City's incorporation and the current Light Industrial zoning and General Plan designations, the City recognizes it as a legal nonconforming residential use within a nonresidential district. This means the residence was lawful when established and may continue to be used, even though a new single-family residence would not be permitted under the property's current zoning. The City's nonconforming-use regulations allow the residential use to continue while limiting its expansion or intensification so that the degree of inconsistency with the current zoning is not increased and the property may ultimately transition to a use permitted within the Light Industrial District.

The surrounding area contains a mix of residential, commercial, industrial, and agricultural uses. Several properties along the west side of Neroly Road are developed with older single-family residences that have a similar legal nonconforming status, interspersed with small commercial and contractor-related uses. Properties on the east side of Neroly Road include automobile repair, concrete cutting, and outdoor storage uses, with larger agricultural and greenhouse operations located farther east.

UNPERMITTED WORK AND PROCEDURAL HISTORY

An attached addition was constructed on the south side of the residence without a building permit. City and County building records show no permit for construction, and the Appellant does not claim one was ever issued. The addition does not appear in Google Earth aerial imagery from February 28, 2025, but it appears in imagery from November 30, 2025. Following notices from the City of Oakley's Code Enforcement Division to correct this, the Appellant inquired about pathways to legalization.

Figure 1 – Google Earth Aerial Image Comparison Showing the New Addition



On June 8, 2026, the Zoning Administrator, Ken Strelo, issued a written determination addressing the unpermitted addition to the residence and any proposed accessory dwelling unit (ADU) on the property. The Administrator determined that the provisions of the Oakley municipal code clearly allow the single family residence to continue as a legal nonconforming residential use under OMC Section 9.1.1502(d)(2). However, the Administrator further emphasized the remainder of Section 9.1.1502(d)(2), which expressly states that expansion or intensification of the nonconforming use is prohibited. In short, the code section permits a residential use to continue, accessory structures like sheds are permitted subject to R-6 standards, but the residential use may not be expanded or intensified.

The Administrator also relied on the ordinance's stated intent to prevent the expansion of nonconforming structures and uses and on its broad definition of "expansion or intensification," which includes an enlargement, addition, repair, remodeling, increase in the number of dwelling units, increase in occupancy, or other change in an activity or facility. Under this reading, compliance with R-6 setbacks and other development standards is a necessary condition for work that may otherwise be permitted, such as a new shed, but it does not itself authorize work prohibited by the nonconforming-use regulations.

Accordingly, the Administrator concluded that the attached addition constituted an enlargement or addition to the nonconforming residential use and could not be permitted. Because City and County records showed no prior permit or approval for the addition, the Administrator directed the property owners to coordinate with Code Enforcement to abate the unpermitted work. The Administrator further concluded that the property owner's planned future ADU, separate from the addition, would increase the number of dwelling units on the LI-zoned property and would therefore constitute an additional expansion or intensification of that use. The Appellant filed a timely appeal application on June 11 and followed up with a Supplemental Memorandum on July 6.



Figure 2 – Picture of Home and Addition with Visible Exposed Plywood



APPELLANT'S MEMORANDUM

The Appellant's Supplemental Memorandum presents arguments in support of reversing the Zoning Administrator's determination. The Appellant argues that OMC Section 9.1.1502(d)(2) affords the property the development rights provided by the R-6 Single-Family Residential District. According to the Appellant, this means that proposed construction associated with the residence should be evaluated under the R-6 development standards, including applicable requirements for setbacks, building height, lot coverage, and other residential development standards. The Appellant contends that compliance with the R-6 standards provides a basis for permitting residential construction on the Property, notwithstanding its LI zoning and legal nonconformity.

The Appellant further contends that their future plans for an accessory dwelling unit may be accommodated as that is typically permitted in the R-6 zone. The Appellant separately relies on State ADU law, arguing that qualifying ADUs must be reviewed ministerially and may not be denied solely because the underlying residence or property has a nonconforming zoning condition. Under the Appellant's interpretation, the Property's LI zoning and the nonconforming status do not prohibit ADU construction.

In a separate point, the Appellant disputes the Zoning Administrator's reliance on OMC Section 9.1.1502(d)(4). According to the Appellant, that subsection applies to a nonresidential use located in a residential zoning district, while the Property presents the opposite circumstance: a residential use located in a nonresidential district. The



Appellant therefore maintains that subsection (d)(4) does not govern this Property and that the addition should instead be evaluated under the provisions addressing residential uses and structures.

Even if the addition cannot be approved under the Property's present zoning and nonconforming status, the Appellant argues that the City should not conclude that no legalization path exists. The Supplemental Memorandum interprets that a conditional use permit is one possible mechanism and a General Plan Amendment combined with rezoning to the P-1 Planned Unit Development District is another. The Appellant's position is not that these approvals must necessarily be granted, but that the Code provides procedures through which the owners may request discretionary approval. The Appellant argues that the existence of those procedures prevents the City from treating removal as the only possible outcome without first allowing the owners to pursue an applicable land use entitlement.

The Planning Commission should review the full supplemental memo provided by the appellant (attachment 4).

Appeal Procedure and Scope

The Planning Commission reviews the challenged issues de novo and is not bound by staff's analysis or conclusions (OMC § 2.4.020(h)(2)). De novo means the Planning Commission reviews the disputed issues anew, using its own independent judgment. The Commission is not limited to deciding whether the Zoning Administrator made a reasonable decision or committed an error. It may review the record, hear testimony, interpret the applicable Code provisions, and reach its own conclusions. By a majority of those voting, the Commission can affirm, reverse, or modify the determination based on findings of fact. Those findings must explain the action and determine whether the subject of the appeal complies with the Municipal Code and other applicable laws. This appeal is limited to whether the June 8 determination correctly applies the Municipal Code and other applicable law to the addition and proposed ADU. Separate discretionary applications are not before the Commission.

If the Planning Commission denies the appeal and affirms the June 8 determination, its decision may be appealed to the City Council. An appeal may challenge all or part of the Commission's decision and must be filed with the City Clerk, together with the required filing fee, within 15 calendar days of the Commission's action. If a timely appeal is filed, the Commission's decision will not become effective until the City Council takes final action on the matter. (OMC § 2.4.020(b), (d), and (g)).



Analysis

THE EXISTING RESIDENCE

Oakley Municipal Code § 9.1.1502(d)(2) lets the existing residence continue “subject to the requirements of the R-6 zoning district,” but that same provision expressly prohibits “expansion or intensification of the nonconforming use.” The R-6 reference provides standards for work that is allowed, such as a residential shed. It does not rezone the LI parcel or override the ban on expanding the nonconforming residential use. OMC § 9.1.1502(d)(7) restates that same prohibition, “*Expansion or intensification of a nonconforming use is prohibited.*”

The Code defines “Expansion or Intensification” to include an “enlargement,” “addition,” “increase in the number of dwellings,” or any other change in an activity or facility (OMC § 9.1.1502(b)(1)). The attached construction qualifies as both an enlargement and an addition. Adding an ADU to the property would also increase the number of dwellings. Both outcomes are prohibited under the Municipal Code, and this reading lines up with the ordinance’s stated intent to prevent expansion of nonconforming structures and uses (OMC § 9.1.1502(a)). Notably, OMC § 9.1.1502(d)(8) expressly allows certain underutilized single-family residential uses to expand in residential districts. The Code permits expansion where it intends to; it does not do so for a nonconforming residential use in a nonresidential district.

The original determination should be modified in one respect. Section 9.1.1502(d)(4) concerns a nonresidential use located in a residential zoning district and therefore does not apply to the circumstances presented here, which involve a residential use in a nonresidential district. Removing reliance on subsection (d)(4) does not alter the result because subsections (d)(2) and (d)(7) independently prohibit expansion or intensification of the residential use. In speaking with the Zoning Administrator, the reference to part “d.4” was unintentional. As clarified above, “Expansion or intensification of a nonconforming use is prohibited” as applicable to this case is found in part “d.2” which specifically applies to residential uses in a nonresidential zone. To argue the entirety of the disallowance of expansion or intensification was communicated inaccurately and therefore null would be to ignore all of the other communication with the appellant leading up to the letter they sent and the Zoning Administrator’s response to it.

The Appellant argues that the residence cannot be removed without going through the amortization process in OMC § 9.1.1502(f). That issue is not before the Commission. The determination does not order removal of the 1944 residence. The residence can continue under the rules governing legal nonconforming uses, including the discontinuance provisions in OMC § 9.1.1502(c)(7) and (d)(5). The 1944 residence is protected because it was lawfully in place before the current regulations took effect. The 2025 addition is fundamentally different. It was built without approvals or a building permit after the regulations were already in place, and it enlarged a use that the Code specifically prohibits enlarging. Because of that, the addition never acquired legal nonconforming status.



Section 9.1.1502(g) further provides that illegal nonconforming structures and uses may not continue and must be removed and/or discontinued. The Appellant characterizes this language as establishing a “cure-or-remove” alternative under which legalization is the required cure. Staff interprets the language differently. In context, “removed” addresses an illegally constructed structure, while “discontinued” addresses an illegally established use or activity. The provision establishes the available forms of abatement; it does not independently create an entitlement to legalize construction that is prohibited by the applicable zoning regulations. Even assuming that legalization could qualify as a cure in an appropriate case, an underlying permitting path must first exist. For the reasons discussed above, the current Code does not provide a path to approve the addition as an expansion of the legal nonconforming residential use.

ACCESSORY DWELLING UNITS

Local and State law limits ADUs to lots “zoned to allow single-family or multiple-family dwelling residential uses” (OMC § 9.1.1102(c), California Department of Housing and Community Development [HCD] 2026 ADU Handbook). The LI District does not allow either type. Page 42 of HCD’s 2026 ADU Handbook states, “if a lot with a residence has been rezoned to a use that does not allow for residential uses, that lot is no longer eligible for an ADU.” HCD cites Government Code sections 66314 and 66323 for that conclusion.

ALTERNATIVE APPLICATIONS

The Appellant points to a conditional use permit and a General Plan amendment with rezoning to Planned Unit Development (P-1) as alternative paths forward. Neither alternative is before the Commission. These entitlements would require a separate application, notice, and findings, while a General Plan amendment and rezoning would also require City Council action.

SUMMARY

In summary, the Appellant contends that OMC Section 9.1.1502(d)(2) extends R-6 development rights to the Property, that State ADU law requires ministerial approval regardless of the nonconforming status, that subsection (d)(4) was incorrectly applied, and that the Code provides discretionary entitlement paths that should be made available before any removal is required. Staff’s analysis finds that Section 9.1.1502(d)(2) is applicable and does prohibit the expansion or intensification of the nonconforming residential use, a prohibition restated in subsection (d)(7). The R-6 reference in subsection (d)(2) governs the standards for existing allowed uses but does not authorize new construction that enlarges or intensifies a use the Code prohibits expanding. Staff concurs that subsection (d)(4) does not apply to the circumstances presented and recommends modifying the original determination to remove reliance on that provision, though this correction does not change the outcome. With respect to ADUs, both local and State law limit ADU eligibility to lots



zoned for residential use, a condition the LI District does not satisfy. The alternative entitlement paths identified by the Appellant, including a conditional use permit and a General Plan amendment with rezoning, are not before the Commission and would require separate applications and proceedings.

Environmental Review

Denying the appeal and affirming the determination is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines section 15321 as an enforcement action under the City's Zoning Ordinance. The common-sense exemption in CEQA Guidelines section 15061(b)(3) also applies because it can be seen with certainty that there is no possibility this action would cause a significant environmental effect.

Findings

Should the appeal be denied, draft findings can be found in the proposed resolution (Attachment 7).

Consistency with the Oakley Strategic Plan 27+

Hearing this appeal supports the "Community and Economic Development Goal" in the Oakley Strategic Plan 27+. Consistent enforcement of the General Plan and Zoning Ordinance, including the rules for nonconforming uses, promotes orderly development within the City of Oakley.

Fiscal Impact

The appeal has no anticipated impact on the General Fund. The Appellant paid an appeal deposit, and staff time and City-generated materials are charged to that account.

Staff Recommendation

Staff recommends that the Planning Commission deny the appeal and affirm the Zoning Administrator's June 8, 2026 determination concerning 5279 Neroly Road (PLN-2026-1001), as modified in the resolution.

Attachments

1. Vicinity Map
2. Notice of Public Hearing
3. Zoning Administrator Determination, dated June 8, 2026
4. Appellant's Supplemental Memorandum
5. Relevant Code Excerpts
6. Aerial Imagery of the Property, dated February 28, 2025 and November 30, 2025



7. Draft Resolution





CITY HALL | 3231 Main Street, Oakley, CA 94561
O (925) 625-7000 | F (925) 625-9859 | www.oakleyca.gov

**PLANNING COMMISSION
RESOLUTION NO. 14-26**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OAKLEY
MAKING FINDINGS, DENYING AN APPEAL (PLN-2026-1001), AND AFFIRMING, AS
MODIFIED, A ZONING ADMINISTRATOR DETERMINATION CONCERNING A
LEGAL NONCONFORMING RESIDENCE, AN UNPERMITTED ATTACHED
ADDITION, AND A PROPOSED ACCESSORY DWELLING UNIT AT 5279 NEROLY
ROAD (APN 051-220-030)**

WHEREAS, the property located at 5279 Neroly Road, Oakley, California (APN 051-220-030) (the “Property”) is an approximately 0.50-acre parcel designated Light Industrial (“LI”) in the Oakley General Plan and zoned LI (Light Industrial) District; and

WHEREAS, the Property is improved with a single-family residence constructed in 1944 and a detached garage, and the City has recognized the residence as a legal nonconforming residential use in a nonresidential zoning district within the meaning of Oakley Municipal Code (“OMC”) section 9.1.1502; and

WHEREAS, an attached addition was constructed on the south side of the residence without a building permit. City and County building records show no permit for the construction, and the addition does not appear in historical aerial imagery dated February 28, 2025, but does appear in imagery dated November 30, 2025; and

WHEREAS, on June 8, 2026, the Community Development Director, acting as Zoning Administrator, issued a written determination that the residence may continue as a legal nonconforming residential use under OMC section 9.1.1502(d)(2), but that the use may not be expanded or intensified; that the attached addition could not be permitted; that a separate future ADU could not be established on the Property; and that the unpermitted work should be abated (the “Determination”); and

WHEREAS, on June 11, 2026, Martin Eduardo Barajas (“Appellant”), through his authorized agent Henry David Catalan, filed an appeal application, together with the required appeal deposit, within the fifteen (15) calendar day period prescribed by OMC section 2.4.020(g)(2); and

WHEREAS, on July 6, 2026, the Appellant submitted a Supplemental Memorandum in Support of Appeal further explaining the grounds in the Notice of Appeal. The memorandum is part of the administrative record and the agenda packet for this hearing; and

WHEREAS, under OMC section 2.4.020(h)(2), the Planning Commission reviews the appeal de novo and may affirm, reverse, or modify the Determination based on findings of fact for this case, as provided in OMC section 2.4.020(h)(3)(a); and

WHEREAS, on or before August 7, 2026, 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. The notice was also mailed out to all owners of property within a 500-foot radius of the project's boundaries, interested agencies, and to parties requesting such notice; and

WHEREAS, denying the appeal and affirming the Determination, as modified, is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines section 15321 as an enforcement action under the City's Zoning Ordinance, and CEQA Guidelines section 15061(b)(3) also applies because it can be seen with certainty that the action will not cause a significant environmental effect; and

WHEREAS, on August 18, 2026, the Planning Commission opened a public hearing, received the staff report and oral and written testimony, closed the public hearing, deliberated, and voted to adopt this resolution; and

WHEREAS, if a court of competent jurisdiction holds any term, provision, portion, or application of these Findings invalid, void, or unenforceable, the remaining provisions and their application to other actions related to the appeal will remain in effect unless the City amends or modifies them; and

WHEREAS, these Findings rely on the City's General Plan and Zoning Ordinance, State law, the written and oral information presented to the Planning Commission on August 18, 2026, including information from the Appellant and his agent as reflected in the meeting minutes, and the documents in the appeal file (collectively, the "Record").

THEREFORE, BE IT RESOLVED, based on the recitals and the entire Record, the Planning Commission denies the appeal filed by Martin Eduardo Barajas (PLN-2026-1001), affirms the Zoning Administrator's June 8, 2026 determination as modified by the Findings below, and makes the following findings of fact under OMC section 2.4.020(h)(3)(a):

1. The appeal was timely filed and is properly before the Planning Commission. The Determination was issued on June 8, 2026, and the Appellant filed the appeal on June 11, 2026, together with the required appeal deposit, within the fifteen calendar days allowed by OMC section 2.4.020(g)(2). Under OMC section 2.4.020(h)(2), the Planning Commission reviews the challenged issues de novo and may affirm, reverse, or modify the Determination based on findings of fact.
2. The residence is a legal nonconforming residential use in a nonresidential zoning district. The single-family residence was constructed in 1944, before the City's incorporation and before the current LI zoning and General Plan designations applied to the Property. The residence was likely lawful when established and may continue to be used even though a new single-family residence would not be permitted under the Property's current zoning.

3. The R-6 District reference does not authorize expansion of the residence. OMC section 9.1.1502(d)(2) permits the legal nonconforming residence to continue subject to the requirements of the R-6 District, but the same subsection expressly prohibits expansion or intensification of the nonconforming use. The R-6 standards govern work that is otherwise allowed; they do not rezone the LI parcel or override the prohibition on expanding the residential use.
4. The attached addition is a prohibited expansion or intensification of the nonconforming residential use. OMC section 9.1.1502(b)(1) defines “Expansion or Intensification” to include an enlargement, addition, increase in the number of dwellings, or other change in an activity or facility. The attached construction is both an enlargement and an addition. OMC sections 9.1.1502(d)(2) and (d)(7) independently prohibit that expansion or intensification.
5. The unpermitted addition is subject to abatement. No building permit was issued for the addition, it was constructed after the applicable regulations were in effect, and it enlarged a use the Code prohibits enlarging. The addition therefore never acquired legal nonconforming status.
6. A separate ADU may not be established on the Property under the Oakley Municipal Code. OMC section 9.1.1102(c) limits ADUs and junior ADUs to lots zoned to allow single-family or multiple-family residential uses. The LI District does not allow either type of residential use. In addition, an ADU would increase the number of dwellings on the Property and would constitute an expansion or intensification prohibited by OMC sections 9.1.1502(d)(2) and (d)(7). State ADU law does not require approval of an ADU on this Property. Government Code sections 66314 and 66323 apply to lots or areas zoned to allow residential uses. The Property is zoned LI and does not allow residential use. As explained in the California Department of Housing and Community Development’s 2026 Accessory Dwelling Unit Handbook, a lot with a residence that has been rezoned to a use that does not allow residential uses is no longer eligible for an ADU.
7. No separate discretionary application is before the Planning Commission in this appeal. The Appellant has identified a conditional use permit and a General Plan amendment with rezoning as possible future paths. A conditional use permit would require a separate application, notice, and findings, and a General Plan amendment and rezoning would require separate review and City Council action. This resolution decides only whether the June 8, 2026 Determination correctly applies the Municipal Code and State law to the attached addition and proposed ADU. It does not decide a future legislative application or prevent the owner from filing one.
8. This resolution does not authorize or direct removal of the legal nonconforming residence. The residence may continue subject to the rules governing legal nonconforming uses. The abatement affirmed here applies only to the unpermitted

attached addition. The Commission modifies the Determination to remove reliance on OMC section 9.1.1502(d)(4), which concerns a nonresidential use in a residential district and does not apply to this residential use in a nonresidential district. That correction does not change the result because OMC sections 9.1.1502(d)(2) and (d)(7) independently prohibit expansion or intensification of the residential use.

9. The action is exempt from CEQA. Denying the appeal and affirming the Determination, as modified, is an enforcement action under the City's Zoning Ordinance and is categorically exempt under CEQA Guidelines section 15321. CEQA Guidelines section 15061(b)(3) also applies because it can be seen with certainty that there is no possibility the action may have a significant effect on the environment.

BE IT FURTHER RESOLVED, based on the findings and the entire Record, the Planning Commission denies the appeal (PLN-2026-1001), affirms the Zoning Administrator's June 8, 2026 determination as modified by Finding 8.

BE IT FURTHER RESOLVED this resolution is the Planning Commission's final action on the appeal. Under OMC section 2.4.020(b) and (d), the decision may be appealed to the City Council by filing a written notice of appeal with the City Clerk, with the required fee, within fifteen (15) calendar days after this action.

PASSED AND ADOPTED by the Planning Commission of the City of Oakley this 18th day of August 2026 by the following vote:

AYES: Goudie, Ireland, Price

NOES:

ABSTENTION:

ABSENT: Harvey

APPROVED:



Leonard Price, Chair

ATTEST:



Kim Snodgrass, City Clerk

8/25/2026

Date

Planning Commission 8/18/20206 Meeting Transcript - Item 4.3

(Listened back and noted from youtube)

CHAIR PRICE: Moving to item 4.3, 5279 Neroly Road appeal. Mr. Gorman, you're on the stage again.

EVAN GORMAN (Associate Planner): Thank you. This is the last one, but it is serious. We don't take this one lightly. This is the 5279 Neroly Road appeal.

We'll start with a lay of the land. We have Neroly Road there cutting through the middle of the image. We have Elm Lane wrapped around. We have Main Street up at the top. And the subject property is outlined in yellow. We'll get you a closer look.

Alright, here's a closer look. This is an image from before 2025, but I wanted to get some dimension to it. The home from before 2025 is outlined in yellow. The nearby uses are mixed. While the parcels between Elm Lane and Neroly, those are the two roads in this image, are all zoned Light Industrial, you'll see a mix of actual uses. You have legal nonconforming homes, and then you'll see the rollup doors and the larger buildings, which are industrial uses like mechanics.

This property is designated Light Industrial in the General Plan and it's zoned LI, Light Industrial. This Light Industrial zone does not permit new residences. Because the subject residence predates the city's incorporation, the city recognizes it as a legal nonconforming residential use within a nonresidential district. This means the residence may continue to be used even though single-family homes are not permitted in this Light Industrial zone. I hear at the permit counter, even though we don't use this term, you'll hear "grandfathered," as the term and that has some regulations tied to it.

Cities have sections of code that handle these situations where you have a use that existed before a zone was changed. So it was housing, and then it gets rezoned to Light Industrial. In order to regulate that, they add a section of code for legal nonconforming uses, or just generally nonconforming uses. A part of this code that we'll cover tonight applies R-6 residential zoning standards to the legal nonconforming residence, so that otherwise permitted residential activities and improvements, such as sheds and household pets, remain regulated, while expansion or intensification of the nonconforming residential use remains prohibited. So the code will say use R-6 for building a shed, limiting the number of cats or dogs on a property, but it will also say please don't expand the use.

What does expansion or intensification mean? The city's nonconforming use regulations allow the residential use to continue while limiting its expansion or intensification, so that the inconsistency with the current zoning is not increased and the property may ultimately transition to a use permitted within the Light Industrial district.

Expansion or intensification is defined in the code section as an enlargement, addition, relocation, repair, remodeling, increase in the number of dwelling units or rooming units,

any increase in occupancy or tenants, change in use, or any other change in an activity or facility.

The purpose of this section says the intent of this ordinance is to prevent the expansion of nonconforming structures and uses and to amortize them over time.

This became a code enforcement case when it was found that an unpermitted addition was built at 5279 Neroly Road. Here's a February 2025 image from Google Earth of the original home. And then the November 2025 image, you see there's a large addition built to the south of it.

Like I mentioned this became a code enforcement case and here is another image from the code enforcement case. You'll see the red is the existing home, and the exposed plywood is the addition under construction.

This culminated in a zoning administrator determination on what the next steps are with this unpermitted addition, for which we could not find record in county permitting or city permitting. The zoning administrator issued a determination on June 8th, 2026. The existing residence may continue as a legal nonconforming use. Just because something gets rezoned does not mean you get evicted. You get to live in your property as it is. The municipal code prohibits expansion or intensification of that nonconforming residential use, unfortunately. The unpermitted attached addition constitutes an expansion of the residence and cannot be permitted. The owners were directed to coordinate with code enforcement on the code enforcement process, which is usually abatement. Sometimes it will end up being recorded onto the title of the property until it is abated, so the title will be clouded until abatement and returning the home back to how it was in the previous images.

Additionally, the homeowner and the representative mentioned a future ADU, so it was included in the determination that that would increase the number of dwelling units and likewise constituted a prohibited expansion or intensification.

An appeal was filed on June 11th, and a supplemental memo was submitted on July 6th from the homeowner and their representative. The way this works is the Planning Commission conducts a de novo review, a fresh review. You're not bound by the zoning administrator's analysis or conclusions. The Commission may independently review the record, interpret the municipal code, and reach its own conclusions. By majority vote, the Commission may affirm, reverse, or modify the June 8th determination based on findings of fact. The Planning Commission's decision may be appealed to the City Council within 15 calendar days.

The appellant and their representative are going to have a chance to speak to you. To summarize as neutrally as possible, the appellant's memo cites OMC 9.1.1502(D)(2). It states that the section should allow the residence to use R-6 development standards for setbacks, height, lot coverage, and related improvements, it should accommodate the addition.

Here's that section. I'm going to take some water before I read this. Thank you.

“A nonconforming residential use in a nonconforming residential structure in a nonresidential zoning district may continue to be used as a residence subject to the requirements of the R-6 zoning district.” There’s a mention of multifamily, but that doesn’t apply here, *“until such time as the building is amortized, condemned, removed, or converted to a conforming use.”* The next part is about fire damage, which doesn’t apply here. And then finally, *“expansion or intensification of the nonconforming use is prohibited.”*

Additionally, the memo states that compliance with R-6 standards provides a basis, in the appellant’s view, to permit residential construction despite the LI zoning and legal nonconforming status, and that a future ADU should be allowed under R-6 standards and state ADU law.

Anyone in the audience or at home can review Attachment 4 for the appellant’s complete supplemental memorandum.

For staff’s analysis on this appeal application, “what the OMC section does and does not do.”

The section allows the existing residence to continue. The 1944 home is not being amortized. The original home can stay as a home. The R-6 reference supplies development standards for work that is allowed, such as a shed, but not an addition. It also regulates things like household pets. It does not rezone the LI parcel or override the prohibition on expanding the nonconforming residential use. The same subsection states that expansion or intensification of the nonconforming use is prohibited.

The attached construction qualifies as both an enlargement and an addition. This reading is consistent with the ordinance’s stated intent to prevent expansion of nonconforming structures and uses.

This ordinance doubles down on that. Line seven restates the same prohibition independently. Line seven by itself states that expansion or intensification of nonconforming uses is prohibited.

We covered the definition. It includes additions or enlargements. And again, the purpose of the whole ordinance: the intent is to prevent the expansion of nonconforming structures and uses and to amortize them over time. That’s not taking place here. It’s just the stated purpose over time.

The code does permit expansion where it intends to, in a separate case from this. Notably, there’s a section that expressly allows certain underutilized single family residential uses to expand in residential districts. This is a different situation, but when the code does want expansion, it says so. The code permits expansion where it intends to. It does not do so for a nonconforming residential use in a nonresidential district, which is the case here.

To summarize, the Commission reviews the June 8th determination de novo. The question is whether the municipal code allows the addition and the proposed ADU under the current LI zoning and nonconforming status. Building permit processing, amortization, future rezoning, and CUPs are not the decision tonight.

Staff recommends that the Planning Commission deny the appeal and affirm the zoning administrator's June 8th, 2026 determination concerning 5279 Neroly Road, as modified by the resolution. As I mentioned, we don't take this lightly, due to it being someone's residence. We have met with the homeowner and their representative to try to explain a lot of this legalese so that no one's left in the dark. We're happy to answer any questions the Commission has, both right now and after the appellant speaks. We have received communication from the appellant's representative over the last several days, and those communications characterize our position in a way that does not align with our understanding of it. I want to affirm that our staff report and the presentation here represent our position. If it gets murky, please feel free to ask me any questions and I'll likely go back to this presentation.

I'm happy to answer any questions, and then if it pleases the Commission, you can invite the appellant or their representative up. I believe they're provided up to 10 minutes to present. Thank you, Commissioners.

CHAIR PRICE: Any questions from the Commissioners?

COMMISSIONER IRELAND: I do have a few questions. I'd actually like to ask Mr. Cole, if it's appropriate. I just want to make sure that I understand a few of these ordinances correctly. Thank you for the presentation. I really appreciate you breaking it down. I want to make sure my understanding of a few of these is correct, so I apologize if I'm repeating some information. My reading, from the materials, of 9.1.1502(D)(2) is that it allows the existing legal nonconforming residence to continue, but it expressly prohibits expansion or intensification of that nonconforming residential use. Is that the correct way to understand that provision?

MR. COLE: Yes, you're accurate.

COMMISSIONER IRELAND: As a follow-up, the code defines expansion or intensification to include an enlargement, an addition, or an increase in the number of dwellings or rooming units. I want to make sure I understand that the attached addition is an expansion under the code, and that a separate ADU would increase the number of dwellings and therefore constitute an expansion or intensification of the existing residential use.

MR. COLE: One hundred percent correct.

COMMISSIONER IRELAND: OK, Thank you. One last question, and sorry for being a little detailed here. R-6 tells us that the development standards apply to residential work that is otherwise legally permissible, but they don't override the prohibition against expanding the nonconforming residential use.

MR. COLE: Correct. That's not a reasonable reading of the R-6 language.

COMMISSIONER IRELAND: Okay, those are the three questions I had.

MR. COLE: I am in full support of staff's position. Legally, we cannot allow this expansion. That would expressly violate our code.

COMMISSIONER IRELAND: Thank you. Appreciate it.

CHAIR PRICE: Pierra, any other questions from the Commission?

COMMISSIONER GOUDIE: Just one. I'm looking at the paper they had. They mention that we do not address 1502(C)(4). Does that have any relevance to what we're discussing?
Mr. Cole?

CHAIR PRICE: I will now open the public hearing. Would the applicant like to provide any comment?

COMMISSIONER GOUDIE: I had a question for Mr. Cole.

CHAIR PRICE: Go ahead.

COMMISSIONER GOUDIE: Did you get the paper?

MR. COLE: Yes.

COMMISSIONER GOUDIE: Sorry, I just want to make sure I have it.

KEN STRELO (Community Development Director): I think I may be able to answer that question. I may ask Evan to come back up to the podium, because I don't have the entire code in front of me.

There was a response in the zoning administrator's findings that inadvertently referenced a section of the code that I believe was for the opposite situation. It was a misreference of the code section. The other sections were also referenced in that area, the ones that Evan covered tonight. If I'm not mistaken, that part four may refer to nonresidential uses in residential zones, a different situation, which also includes a prohibition on expansion or intensification. I believe that was called out. We've since cleared that up in our communications with the appellant. That may be what you're referring to, but I'd ask Evan to confirm, since he has all of that open. I think there was a part in the staff report that addressed it. Did you say C4 or D4?

COMMISSIONER GOUDIE: C4.

KEN STRELO: I'm talking about D4, so I apologize.

EVAN GORMAN: I'd be happy to take a look at that. I believe it was addressed in the staff report. I'll review it, and maybe after the appellant speaks on the issue I can answer the question for you. Thank you, Commissioner.

CHAIR PRICE: Would the applicant like to come forward and provide comments, please?

HENRY DAVID CATALAN, APPELLANT'S REPRESENTATIVE: Yes, please. Thank you everybody for your time. This is not an application for anything, that's absolutely correct. We were just looking to merely acknowledge municipal code to then take that onto our design and see if there was a cure for the unpermitted structure, which is what we're looking to do, get it to conforming. And there is...and I appreciate the time of staff, because they've been generous with their time, and I've been very grateful for that. But with that said, on this same Article 15, if you enact it in its entirety, it all speaks to this subject of nonconforming uses, and it separates them, nonconforming structures and nonconforming

uses. We would not be expanding or intensifying our use. It stay R-6, which is our governing use, which we just recently gained acknowledgement of from city staff. And are you kidding me? No, we are not looking to intensify that use. We're eager to abide by it.

That same Article 15, Section C1, says conformity with applicable laws, meaning that there is conformity in nonconforming use. This conformity allows for all work performed on a nonconforming structure shall be pursuant to a building permit and to meet all requirements of this ordinance and all city codes. That's our R-6 governing standards that we've identified. And so we, this property is the particular case that could actually meet conformity with its use. If the land weren't adequate to meet the setbacks or the building standards of the R-6 governing standards, yes, we could not intensify or expand our use, because then we would be trying to do something the code itself does not support. There is conformity in legal nonconforming, and that's what I'm looking for staff to acknowledge it and to define its meaning. Otherwise, that comment that was made about "otherwise permitted work per building standards" is a very sophisticated comment encompassing the whole article, even the conformity part of it, even for those parcels and structures that can meet conformity. We're merely trying to get our structure to meet conformity with its use, not beyond it.

And we've just gotten the acknowledgement that R-6 governing standards is our use. That's it. I'll take questions. We're not looking to expand our use. Let that be clear. We're not, whatsoever. We're merely looking to abide by it. And the municipal code does not describe any other instance of a restricted R-6. There isn't. There's no definition of a restricted R-6, there isn't, which is what is somehow being prescribed to us.

Secondly, as to the order of abatement that was issued on the property, there is a due process for abating nonconforming properties, as it starts the amortization process on them. So this could have very heavy consequences and implications, possibly jeopardizing Mr. Barajas's nonconforming status on his property in general, just by following the prescription of city staff to abate the unpermitted structure without considering there is a cure. And the same ordinance you have just acknowledged, where it talks about governing standards, allows us to convert to a conforming use. And what is that allowed use, if not conforming? That's the conformity that this same article was talking about in Section C1 and establishes at the beginning of the article. It says its purpose is to establish regulations relating to nonconforming structures and uses. Those are two distinct things. And to establish conditions under which nonconforming structures and uses may be maintained, restored, replaced, repaired, altered, changed, expanded, or amortized.

We're not looking to expand beyond our use. We're eager to abide by it. We just found out our governing standards are R-6 governing standards. We initially engaged city staff to try to find a remedy to this and to find out how we could get to compliant, and like I said, we're eager to abide by it. get every single building on that parcel to abide by those governing standards. We just need acknowledgement of it, and we haven't had that acknowledgement or clarity. It's been very cryptic, this "otherwise permitted work." What is the otherwise permitted work, if not what the article defines as conformity?

I'll take any questions. That's all I have to say.

CHAIR PRICE: Any questions?

APPELLANT'S REPRESENTATIVE: I could hand these out. These are Article 15 of the municipal code. I brought three copies. I plead for your consideration of the full enactment of the code verbatim. That's all I'm pleading for. Thank you.

CHAIR PRICE: Thank you. I will now close the public hearing and bring the matter back to the Commission for deliberation.

EVAN GORMAN: Through the Chair, I can answer Commissioner Goudie's question now, if that's all right. Thanks for your patience. took a look at the code section again, and it covers repair and alterations of nonconforming residences in residential zones. Unfortunately, it doesn't cover residences in nonresidential zones like Light Industrial. Thank you.

CHAIR PRICE: Would any Commissioner like to make a motion to adopt the resolution?

COMMISSIONER IRELAND: Yeah, I'll make a motion, but beforehand I'd just like to make a statement. Clearly, the code allows for the existing nonconforming residence to continue. The question is whether it creates a right to expand the residential development, and based on the answers from Mr. Cole, it doesn't seem like the code is very clear on what an expansion is, and it doesn't allow for it. So I'll make a motion to deny the appeal.

COMMISSIONER GOUDIE: I'll second it.

CLERK: Commissioner Goudie.

COMMISSIONER GOUDIE: Aye.

CLERK: Commissioner Ireland.

COMMISSIONER IRELAND: Aye.

CLERK: Chair Price.

CHAIR PRICE: Aye. Motion passes.

5279 Neroly Road Appeal (PLN-2026-1001)

City of Oakley
Planning Commission Meeting
August 18, 2026





Vicinity Map





Image © 2025 Airbus



Background

This Property is Designated Light Industrial in the general plan and zoned LI (Light Industrial). This light industrial zone does not permit new residences.

Because the subject residence predates the City's incorporation, the City recognizes it as a legal nonconforming residential use within a nonresidential district. This means the residence may continue to be used, even though single-family homes are not permitted in this Light Industrial Zone.



Background

A section of this code that we'll cover tonight applies R-6 residential zoning standards to the continuing legal nonconforming residence so that otherwise-permitted residential activities and improvements such as sheds and household pets remain regulated, while expansion or intensification of the nonconforming residential use remains prohibited.

The screenshot shows the City of Oakley, CA Municipal Code website. The breadcrumb trail is: City of Oakley, CA > Code > 2025-12-09 > Municipal Code > Title 9 Land Use Regulation > Chapter 9.1 ZONING > Article 15 LAND USE REQUIREMENTS. The left sidebar lists various code sections, with Article 15 LAND USE REQUIREMENTS selected. The main content area displays Article 15 LAND USE REQUIREMENTS, including a table of New Laws and a list of sections. The table of New Laws has the following data:

Title	Adopted	Subject	Affects
Ord. 8-26	2026-05-12	Amends Land Use Regulation	Ttl 9

Below the table, the sections listed are:

- ☐ § 9.1.1502 Nonconforming Uses.
- ☐ § 9.1.1502 Nonconforming Uses.
- a. Purpose. To establish regulations relating to nonconforming structures and uses and to establish conditions under which nonconforming structures and uses may be maintained, restored, replaced, repaired, altered, changed, expanded, or amortized. The intent of this ordinance is to prevent the expansion of nonconforming structures and uses and to amortize them over time.
- b. Definitions.
 - 1. "Expansion or Intensification" means an enlargement, addition, relocation, repair, remodeling, increase in the number of dwellings or rooming units, any increase in occupancy or tenants, change in use, or any other change in an activity or facility.
 - 2. "Nonconforming Structure" shall mean a structure that was legally constructed prior to the effective date of the ordinance codified in this section but which does not conform to the current provisions of the Zoning Ordinance or General Plan.
 - 3. "Nonconforming Use" shall mean a use of a structure or land that was legally established prior to the effective date of the ordinance



What "Expansion or Intensification" Means

The City's nonconforming-use regulations allow the residential use to continue while limiting its expansion or intensification so that the inconsistency with the current zoning is not increased and the property may ultimately transition to a use permitted within the Light Industrial District.

b. Definitions.

1. **"Expansion or Intensification"**

means an enlargement, addition, relocation, repair, remodeling, increase in the number of dwellings or rooming units, any increase in occupancy or tenants, change in use, or any other change in an activity or facility.

☐ § 9.1.1502 **Nonconforming Uses.**

- a. Purpose. To establish regulations relating to nonconforming structures and uses and to establish conditions under which nonconforming structures and uses may be maintained, restored, replaced, repaired, altered, changed, expanded, or amortized. The intent of this ordinance is to prevent the expansion of nonconforming structures and uses and to amortize them over time.

February 2025



Image © 2026 Airbus

Imagery

November 2025



Image © 2026 Airbus



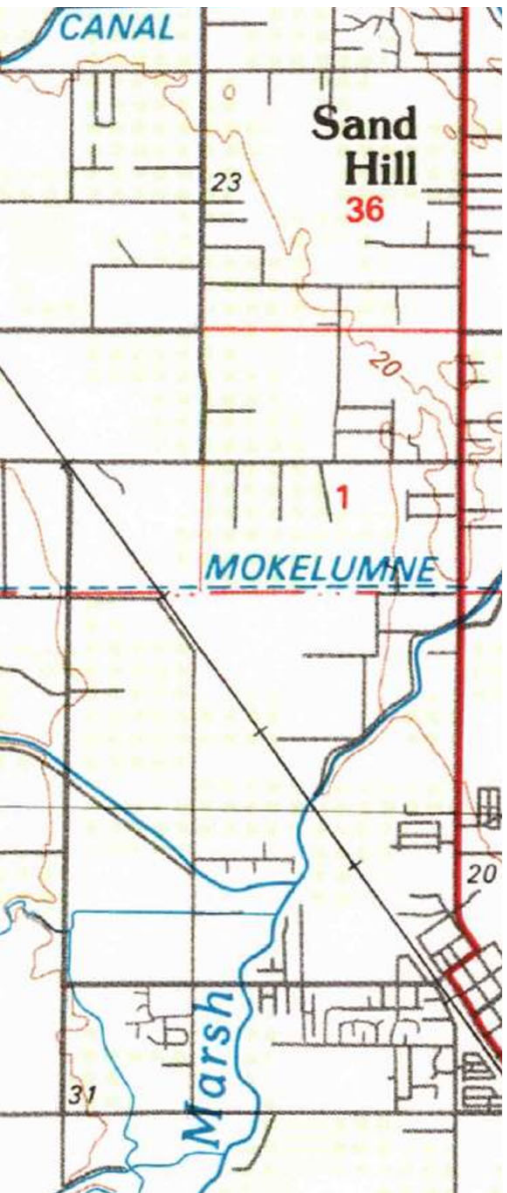
Background





Zoning Administrator Determination – June 8, 2026

- Existing residence may continue as a **legal nonconforming use**.
- The Municipal Code **prohibits expansion or intensification** of that nonconforming residential use.
- The unpermitted attached addition constitutes an **expansion of the residence** and cannot be permitted; the owners were directed to coordinate with Code Enforcement.
- A future ADU, also proposed, would **increase the number of dwelling units** and likewise constitute a prohibited expansion or intensification.



Appeal

OAKLEY

CALIFORNIA



Appeal

- **Appeal filed June 11, 2026; Supplemental Memorandum submitted July 6, 2026.**
- The Planning Commission conducts a **de novo review** and is not bound by the Zoning Administrator's analysis or conclusions.
- The Commission may independently review the record, interpret the Municipal Code, and reach its own conclusions.
- By majority vote, the Commission may **affirm, reverse, or modify** the June 8 determination based on findings of fact.
- The Planning Commission's decision may be **appealed to the City Council within 15 calendar days.**



Appellant's Memo

OMC §9.1.1502(d)(2) should allow the residence to use R-6 development standards for setbacks, height, lot coverage, and related improvements. It should accommodate the addition.

OMC §9.1.1502(d)(2):

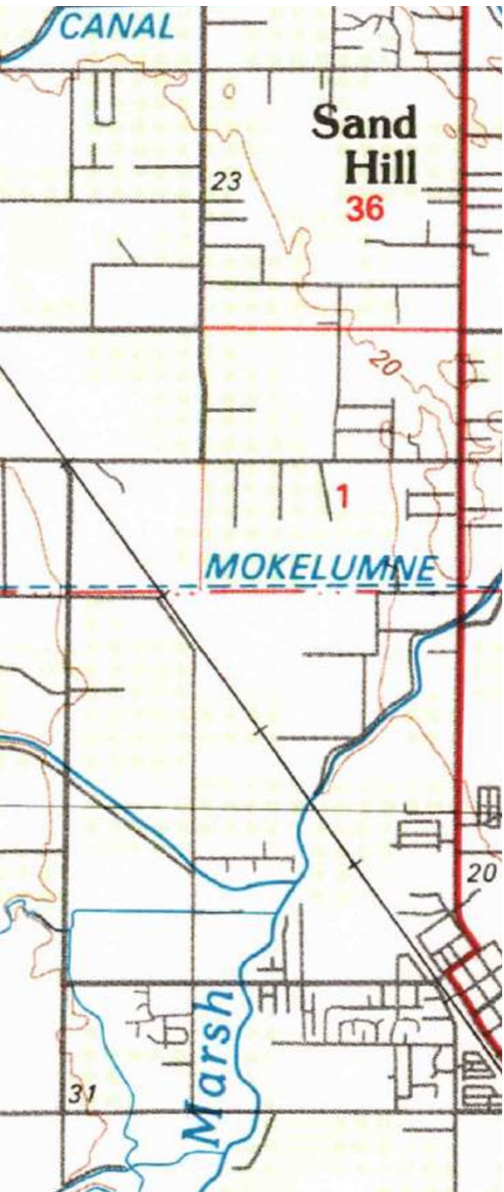
“A nonconforming residential use in a nonconforming residential structure in a nonresidential zoning district may continue to be used as a residence subject to the requirements of the R-6 zoning district (if a single-family dwelling) or of the M-12 zoning district (if a multi-family dwelling) until such time as the building is amortized, condemned, removed or converted to a conforming use. If a nonconforming residential structure in a nonresidential zoning district is damaged or destroyed, other than by an intentional act of the property owner, such that restoration would cost more than 50% of its full replacement value before it was damaged, such structure may be rebuilt subject to a Conditional Use Permit. Expansion or intensification of the nonconforming use is prohibited;”



Appellant's Memo

- Compliance with R-6 standards provides a basis, in the Appellant's view, to permit residential construction despite the LI zoning and legal nonconforming status.
- A future ADU should be allowed under R-6 standards and State ADU law.

See Attachment 4 for the Appellant's complete Supplemental Memorandum.



Staff Analysis

OAKLEY

CALIFORNIA



What Section 9.1.1502(d)(2) Does and Does Not Do

- OMC § 9.1.1502(d)(2) allows the existing residence to continue, the 1944 home is not being amortized. The R-6 reference supplies development standards for work that is allowed, such as a shed, not an addition.
- It does not rezone the LI parcel or override the prohibition on expanding the nonconforming residential use.
- The same subsection states: "Expansion or intensification of the nonconforming use is prohibited."
- The attached construction qualifies as both an enlargement and an addition. This reading is consistent with the ordinance's stated intent to prevent expansion of nonconforming structures and uses (OMC § 9.1.1502(a)).



OMC § 9.1.1502(d)(7)

OMC § 9.1.1502(d)(7) restates the same prohibition independently: "Expansion or intensification of a nonconforming use is prohibited."

d. Nonconforming Use Regulations.

1. Change of Ownership or tenancy. The change of ownership, tenancy, or management of a nonconforming use shall not affect its nonconforming status, but only if the use, extent, and intensity of use does not change;
2. Residential Uses in a Nonresidential Zoning District. A nonconforming residential use in a nonconforming residential structure in a nonresidential zoning district may continue to be used as a residence subject to the requirements of the R-6 zoning district (if a single-family dwelling) or of the M-12 zoning district (if a multi-family dwelling) until such time as the building is amortized, condemned, removed or converted to a conforming use. If a nonconforming residential structure in a nonresidential zoning district is damaged or destroyed, other than by an intentional act of the property owner, such that restoration would cost more than 50% of its full replacement value before it was damaged, such structure may be rebuilt subject to a Conditional Use Permit. Expansion or intensification of the nonconforming use is prohibited;

[...]

7. Expansion or intensification. Expansion or intensification of a nonconforming use is prohibited.



What "Expansion or Intensification" Means

b. Definitions.

1. "Expansion or Intensification"

means an enlargement, addition, relocation, repair, remodeling, increase in the number of dwellings or rooming units, any increase in occupancy or tenants, change in use, or any other change in an activity or facility.

☐ **§ 9.1.1502 Nonconforming Uses.**

- a. Purpose.** To establish regulations relating to nonconforming structures and uses and to establish conditions under which nonconforming structures and uses may be maintained, restored, replaced, repaired, altered, changed, expanded, or amortized. The intent of this ordinance is to prevent the expansion of nonconforming structures and uses and to amortize them over time.



The Code Permits Expansion Where It Intends To

Notably, OMC § 9.1.1502(d)(8) expressly allows certain underutilized single-family residential uses to expand in **residential** districts. The Code permits expansion where it intends to; it does not do so for a nonconforming residential use in a nonresidential district.

8. Underutilized Single-Family Residential Use. Notwithstanding anything contained herein, a single-family residential use located in a residential district that was in compliance with the General Plan's density regulations at the time the use was initiated, but thereafter fails to meet the applicable minimum density requirement set forth in the General Plan, thus becoming a legal nonconforming use, may be maintained, restored, replaced, repaired, altered, changed or expanded, without losing its nonconforming use status.



Summary

The Commission reviews the June 8 determination de novo.

The question is whether the Municipal Code allows the addition and the proposed ADU under the current LI zoning and nonconforming status.

Building permit processing, amortization, future rezoning, and conditional use permits are not the decision tonight.



Staff Recommendation

Staff recommends that the Planning Commission deny the appeal and affirm the Zoning Administrator's June 8, 2026 determination concerning 5279 Neroly Road (PLN-2026-1001), as modified in the resolution.

Henry,

We appreciate you forwarding the documents you gathered. As can be confirmed, the County shows no records of previous building permits or approvals for expansion of the main home.

I have reviewed your letter and previous emails which share your interpretation of the City's Zoning ordinance. Staff's determination remains unchanged from our previous discussions. Expansion or intensification (meaning an enlargement, addition, relocation, repair, remodeling, increase in the number of dwellings or rooming units, any increase in occupancy or tenants, change in use, or any other change in an activity or facility) of the main home is not permitted.

In response to your three questions from the letter:

1. Yes, OMC Section 9.1.1502(d)(2) applies where it states the legal nonconforming residence may continue to be used as a residence subject to the requirements of the R-6 District. This does not supersede part 4 of that same subsection which prohibits expansion or intensification of the home.
2. An ADU would not be permitted on the lot zoned Light Industrial District. This would be considered expansion or intensification of the legal nonconforming use by adding an additional dwelling unit.
3. While the existing residence is assumed to have been legally established, Staff does not have a reasonable path to making the existing residential use conform with the LI District, or redesignating/rezoning the property to a land use/district that would permit residential uses by right. Per OMC Section 9.1.1502(a) Nonconforming Uses, the intent of the ordinance is "...to prevent the expansion of nonconforming structures and uses and to amortize them over time."

The property owners are subject to a current code case for the unpermitted work and Staff has provided substantial communication that the work started without a permit is not something we can find a path to permit. The property owners should work directly with the Code Enforcement Staff (Lauren Kober) assigned to the case and abate the violation in order to avoid further action by the City.

Thank you,



Ken Strelo
Community Development Director
925-625-7036 Office
3231 Main St
Oakley, CA 94561



HENRY DAVID CATALAN
Authorized Agent for Martin Eduardo Barajas, Property Owner
henry@henrydavid.us | (925) 329-8877

Date: August 24, 2026

To: Kim Snodgrass, CMC, City Clerk — for distribution to the Honorable Mayor and Members of the City Council

3231 Main Street, Oakley, CA 94561

Re: Appeal of Planning Commission Decision — PLN-2026-1001, 5279 Neroly Road (APN 051-220-030-4) — **APPELLANT'S REQUEST REGARDING METHOD OF REVIEW (OMC § 2.4.020(i))**

Council Meeting: September 8, 2026, 6:30 p.m. — please include this letter in the agenda packet and the administrative record

Dear Ms. Snodgrass, Honorable Mayor, and Members of the City Council:

Thank you for the Clerk's notice of August 24, 2026. The appellant understands that the September 8 item is limited to the Council's selection of a method of review under OMC § 2.4.020(i), and submits this letter for that limited purpose. The appellant respectfully requests that the Council **conduct a de novo public hearing** — the method the ordinance itself defaults to if no action is taken — and respectfully submits that affirmance without any review would be inappropriate in this matter, for four reasons.

Why This Appeal Warrants a Hearing

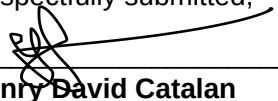
1. **The appeal presents pure questions of ordinance text that have not been analyzed at any level.** The dispositive provisions — OMC § 9.1.1502(c)(1) and (c)(4), which direct that work on a nonconforming structure proceed “pursuant to a building permit” complying with “the current applicable standards of the Zoning Ordinance,” and OMC § 9.1.1102(i), which authorizes an accessory dwelling unit “notwithstanding any other provision of the Zoning Ordinance” where the primary residence is a legal nonconforming structure — are not analyzed in the June 8, 2026 determination, the staff report to the Planning Commission, the adopted resolution, or staff's written responses to the appellant's direct requests. Summary affirmance would adopt findings that never engaged the controlling text. Interpretation of the ordinance is a question of law well suited to Council review, and the verbatim provisions are compiled in the appellant's Exhibit A, already in the record.
2. **The Planning Commission itself corrected part of staff's analysis.** The adopted resolution withdrew the determination's reliance on OMC § 9.1.1502(d)(4) as inapplicable — a correction the appellant's briefing identified. Where the first level of review found it necessary to modify the staff analysis, further scrutiny of the remaining findings has evident value, and summary adoption of those findings without examination would not.
3. **A pending building permit application turns on the outcome.** On August 18, 2026, the owner submitted a building permit application, with payment tendered, to legalize the as-built addition to the R-6 standards the City concedes govern under § 1502(d)(2). Staff has declined to process it pending resolution of the interpretation question. The Council's decision will directly control a live application; that decision should follow a hearing, not precede one.
4. **The stakes are a family's home.** The matter concerns the living space and investment of a long-standing legal nonconforming residence. The appellant has participated in good faith at every step — a determination request, two written appeals, supplemental briefing, a hearing appearance, and a permit application tendered as the cure. A de novo public hearing is the proportionate process for what is at stake.

Requested Action on September 8

1. Set the appeal for a **de novo public hearing** before the Council (or, in the alternative, elect review of the full Planning Commission record — including all appellant submissions — with an opportunity for oral argument);
2. Direct that the complete record be transmitted for the Council's review, including the appellant's Notice of Appeal to the City Council (August 19, 2026), Supplemental Memorandum (July 6, 2026), Exhibit A (verbatim code excerpts), and Response to Draft Resolution (August 12, 2026); and
3. Note that, pursuant to OMC § 2.4.020(n), the decision appealed from remains suspended pending the Council's determination of the appeal, and that the owner's building permit application remains on file.

The appellant reserves full briefing and argument on the merits for the hearing. Thank you for your consideration and for the Clerk's assistance with the record.

Respectfully submitted,



Henry David Catalan
Authorized Agent for Martin Eduardo Barajas, Owner
henry@henrydavid.us | (925) 329-8877

City of Oakley — Office of the City Clerk
Attn: Kim Snodgrass, City Clerk
3231 Main Street
Oakley, CA 94561

Date: August 19, 2026

NOTICE OF APPEAL TO THE CITY COUNCIL
Oakley Municipal Code § 2.4.020(b), (d)

Re: Appeal of the Planning Commission's decision of August 18, 2026 in Appeal PLN-2026-1001 (resolution number not yet provided to appellant), denying the appeal of, and affirming as modified, the Community Development Director's zoning determination of June 8, 2026, concerning 5279 Neroly Road, Oakley, CA 94561 — APN 051-220-030-4

1. Appellant and Standing

Appellant is Martin Eduardo Barajas, owner of record of 5279 Neroly Road (APN 051-220-030-4), filing by and through his authorized agent, Henry David Catalan (written authorization on file). Appellant was the appellant before the Planning Commission, appeared at the August 18, 2026 hearing, and submitted written materials in the administrative record. Contact: Henry David Catalan, henry@henrydavid.us, (925) 329-8877.

2. Decision Appealed

Appellant appeals the entirety of the Planning Commission's decision of August 18, 2026 — the resolution adopted in Appeal PLN-2026-1001, the number of which has not yet been provided to appellant — which denied Appeal PLN-2026-1001 and affirmed, as modified, the June 8, 2026 zoning determination — including its findings that the as-built addition to the legal nonconforming residence is a prohibited expansion subject to abatement and that an accessory dwelling unit may not be established on the parcel. Appellant does not appeal, and asks the Council to preserve, the Resolution's findings that the legal nonconforming residence may not be removed (Finding 8), that reliance on OMC § 9.1.1502(d)(4) was error and is withdrawn (Finding 8), and that a conditional use permit and a General Plan amendment with rezoning remain available paths (Finding 7).

3. Timeliness, Fee, and Suspension

This notice is filed with the City Clerk within fifteen (15) calendar days of the Planning Commission's August 18, 2026 action, together with the required filing fee, pursuant to OMC § 2.4.020(b), (d), and (g). Pursuant to OMC § 2.4.020(n), the filing of this appeal suspends the decision appealed from pending the City Council's determination.

4. Grounds for Appeal

This appeal presents a question of ordinance interpretation, to be resolved on the verbatim text. Appellant seeks to cure the unpermitted addition through the process the Zoning Ordinance itself prescribes — a building permit processed to the standards the Code assigns — not to excuse the absence of a permit. Appellant respectfully contends the Resolution is in error and requests de novo review on the following grounds, reserving the right to supplement them and to submit further evidence and argument before and at the hearing.

a. The regulations governing this work are already enacted: subsection (c) of § 9.1.1502 is the established regulatory scheme for work on nonconforming structures, and it prescribes a building permit to current standards. Staff's stated interpretation is that the R-6 reference "establish[es] applicable development standards for work that is otherwise permitted." The Zoning

Ordinance has already legislated what that work is and how it proceeds. Section 9.1.1502(c) — titled “Nonconforming Structure Regulations” — provides, verbatim:

§ 1502(c)(1): “All work performed on a nonconforming structure shall be **pursuant to a building permit**, meet all the requirements of this ordinance and all City Codes ... and shall not expand any nonconformity;”

§ 1502(c)(4), final sentence: “New construction on property with a nonconforming residential structure shall comply with the current applicable standards of the Zoning Ordinance;”

§ 1502(d)(2): the residence “may continue to be used as a residence **subject to the requirements of the R-6 zoning district**” — a point staff concedes;

§ 1502(e): building permits are barred only “when any nonconforming structure or use is no longer permitted ... (loss of nonconforming structure status, or at the end of an amortization period determined by the City Council)” — neither of which has occurred.

Read together and verbatim: work on this nonconforming structure proceeds by building permit (§ 1502(c)(1)); new construction complies with current applicable standards (§ 1502(c)(4)); those standards are R-6 (§ 1502(d)(2), conceded); and no permit bar has been triggered (§ 1502(e)). The “otherwise permitted” work staff references is not an open question — subsection (c) is the enacted answer. The legalization mechanism appellant invokes is the one the ordinance prescribes: a building permit processed to R-6 standards. The Resolution holds that no such mechanism exists without analyzing any of these provisions.

b. R-6-conforming work does not “expand any nonconformity,” and the Resolution conflates the ordinance’s separate structure and use tracks. Section 1502 defines “Nonconforming Structure” and “Nonconforming Use” separately (§§ 1502(b)(2), (b)(3)) and regulates them in separate subsections: (c) “Nonconforming Structure Regulations,” where physical work proceeds by permit to current standards, and (d) “Nonconforming Use Regulations,” where the expansion prohibitions reside. Subsection (d)(2) preserves that separation with precision — it regulates the use (“may continue to be used as a residence”) and its final sentence prohibits expansion or intensification “of the nonconforming use,” not of the structure, though both defined terms were available to the drafters. The Resolution transplants the use-track prohibition onto structure-track work that subsection (c) governs by permit.

Measured against the R-6 standard the Code assigns (§ 1502(d)(2)), the addition conforms in every respect: lot area (21,780 sf against a 6,000 sf minimum, § 9.1.404(e)); height (single story against a two-story/30-foot limit, § 9.1.404(g)); setbacks (§ 9.1.404(f)); and use (a single-family dwelling — the very use R-6 permits, § 9.1.404(b)(1)). The parcel’s sole nonconformity — a residential use in the LI district — is binary and unchanged: one single-family dwelling before the addition and one after. Conforming space added to a nonconforming structure does not expand the structure’s nonconforming aspect, any more than a rear addition inside all setbacks expands a front-setback nonconformity. The addition therefore satisfies § 1502(c)(1) — a building permit, to current standards, expanding no nonconformity — rather than violating it. And § 1502(d)(2)’s own endpoint clause — “until such time as the building is amortized, condemned, removed or converted to a conforming use” — confirms the section is designed to move property toward conformity over time; the Resolution’s reading forbids the structure from approaching the very standard the ordinance names for it.

c. The residential-district clause of § 1502(c)(4) conditions only the cost-cap exemption — it does not withdraw the process. The first sentence of § 1502(c)(4) permits repairs and alterations “without replacement cost limitations, if located in a residential zoning district.” That condition attaches to the privilege — exemption from replacement-cost caps — not to the availability of the work. Outside a residential district, the work remains available subject to the generally applicable cost limits of §§ 1502(c)(2)–(c)(3). Any other reading creates a gap the ordinance does not contain: § 1502(c)(5) governs only “nonresidential structures,” so no provision would then address repairs to nonconforming residential structures in nonresidential districts. The second sentence — the new-construction sentence quoted

above — contains no district qualifier at all: the drafters wrote a district condition into the first sentence and omitted it from the second, and that omission controls. In the alternative, § 1502(d)(2), by subjecting this residence to “the requirements of the R-6 zoning district,” constructively places it under the residential-district regulatory framework for purposes of § 1502(c)(4); the City cannot invoke the LI label to strip the residence of the very regime § 1502(d)(2) assigns it.

d. Appellant formally requests that the staff report identify, with citation, the “otherwise permitted” work. If staff maintains that the R-6 standards govern only “work that is otherwise permitted,” the staff report to the Council should identify that work and the ordinance provision defining it. Appellant submits the answer is already enacted — subsection (c), set out in Ground (a). If staff’s answer is that no work is permitted, then the R-6 standards § 1502(d)(2) imports govern nothing, the new-construction sentence of § 1502(c)(4) refers to nothing, and the interpretation renders both provisions surplusage — a result the rules of construction forbid.

e. The controlling provisions have never been analyzed at any level of the City’s process. Across the June 8, 2026 determination, the draft resolution, staff’s correspondence of August 2026 responding to direct written requests, and the adopted Resolution, the City has not analyzed § 1502(c)(4). Staff’s sole response to § 1502(c)(1) — by email of August 19, 2026 — states that it “requires a building permit for permissible work” without engaging § 1502(c)(4), the provision defining the permissible work. Likewise, no City decision has analyzed OMC § 9.1.1102(i), which authorizes an accessory dwelling unit “notwithstanding any other provision of the Zoning Ordinance” where the primary residence is a legal nonconforming structure — the precise situation here. Findings that do not address the controlling provisions cannot support the decision.

f. The City has declined to process a filed building permit application tendered to cure the violation. On August 18, 2026, appellant submitted a building permit application with plans to legalize the addition to R-6 standards, invoking § 1502(c)(1), and twice requested the fee amount and tendered immediate payment. By email of August 19, 2026, staff declined to process the application, citing the Resolution. Section 1502(g) directs that unpermitted work be “removed and/or discontinued” — a cure-or-remove rule; the permit application is the cure, tendered through the very procedure § 1502(c)(1) prescribes. Declining to accept or process it refuses the ordinance’s own machinery before any merits review.

g. The ADU finding is contrary to § 1102(i) and premature. No ADU application is before the City. The Resolution nonetheless adjudicates a future ADU in the abstract — while its own Finding 7 declines to decide other future applications precisely because none is pending. Any ADU application, when filed, must be reviewed under OMC § 9.1.1102 — including subsection (i), which no City decision has addressed — and applicable State law.

h. The interpretation questions are governed by settled rules of construction, each of which favors reversal. California courts construe municipal ordinances under the same rules as statutes, and ordinance interpretation is a question of law. The applicable rules here: (1) **Every word must be given effect** — a court may not “omit what has been inserted” (Code Civ. Proc. § 1858), and “an interpretation which gives effect is preferred to one which makes void” (Civ. Code § 3541); the Resolution’s reading deletes § 1502(c)(4)’s new-construction sentence and empties § 1502(d)(2)’s R-6 reference. (2) **Harmonization** — provisions must be read together so that all operate; appellant’s reading gives effect to §§ 1502(c)(1), (c)(4), (d)(2), (d)(7), and (e) simultaneously, while the Resolution’s reading requires the use-track prohibitions to swallow subsection (c). (3) **Meaningful variation** — the drafters’ use of the defined term “expansion or intensification” in subsection (d) and the different phrase “expand any nonconformity” in § 1502(c)(1) is presumed deliberate. (4) **Expressio unius** — the residential-district condition written into § 1502(c)(4)’s first sentence and omitted from its second is presumed intentionally omitted. (5) **Structure and headings** — the ordinance’s separate “Nonconforming Structure Regulations” and “Nonconforming Use Regulations” subsections confirm the two-track design. (6) **The specific governs the general** — § 1102(i), written for the precise scenario of an ADU on a legal

nonconforming primary residence, controls over § 1502's general prohibitions. (7) **Strict construction in favor of the free use of property** — zoning restrictions on property are strictly construed, and any genuine ambiguity in § 1502 must be resolved in favor of the property owner. Under these rules, the Resolution's interpretation is not merely disfavored; it is impermissible.

i. Incorporation of the record. Appellant incorporates by reference the complete record before the Planning Commission, including the Notice of Appeal (June 11, 2026), the Supplemental Memorandum in Support of Appeal (July 6, 2026), Exhibit A (verbatim code excerpts), the Appellant's Response to Draft Resolution (August 12, 2026), and the hearing testimony reflected in the minutes.

5. Relief Requested

That the City Council reverse or modify the Resolution and determine that: (i) the as-built addition may be cured through a building permit processed to the R-6 standards imported by OMC § 9.1.1502(d)(2), pursuant to §§ 1502(c)(1) and (c)(4), and direct staff to process appellant's pending building permit application of August 18, 2026; (ii) in the alternative, direct that the addition be processed for legalization through a conditional use permit or a General Plan amendment with rezoning, with abatement stayed pending final action on such application; (iii) a future accessory dwelling unit application shall be reviewed when filed under OMC § 9.1.1102 — including subsection (i) — and applicable State law, and the Resolution's contrary finding be vacated; and (iv) the Resolution's Findings 7 and 8 (available paths; no removal of the residence; withdrawal of § 1502(d)(4)) be preserved. In the further alternative, remand to the Planning Commission or staff with direction to analyze OMC §§ 9.1.1502(c)(1), (c)(4) and 9.1.1102(i). Appellant further requests that the complete record be transmitted to the Council and that the staff report be made available reasonably in advance of the hearing.

Enclosures

Required filing fee; owner authorization; the adopted Planning Commission resolution (to be supplemented upon receipt); Notice of Appeal to the Planning Commission (June 11, 2026); Supplemental Memorandum (July 6, 2026) with Exhibit A; Appellant's Response to Draft Resolution (August 12, 2026); building permit application submittal (August 18, 2026) and related correspondence (August 19, 2026).

Respectfully submitted,


Martin Eduardo Barajas, Owner

Date: 8-19-26



Date: 8-19-26

Henry David Catalan, Authorized Agent
henry@henrydavid.us | (925) 329-8877

HENRY DAVID CATALAN

Authorized Agent for Martin Eduardo Barajas, Property Owner
henry@henrydavid.us | (925) 329-8877

Date: August 26, 2026 **To:** City Clerk, for the Honorable Mayor and City Council — for the September 8, 2026 agenda packet and the administrative record

Re: Appeal of Resolution No. 14-26 (PLN-2026-1001) — 5279 Neroly Road (APN 051-220-030-4)

APPELLANT'S STATEMENT OF THE QUESTION PRESENTED

This appeal presents a single question of ordinance text. The appellant submits this one-page statement so the question is before the Council in writing, and reserves full briefing for the hearing.

The Question

Section 9.1.1502 draws one line, and draws it by standard. Work on a nonconforming structure that fails the governing standard — work that “expand[s] any nonconformity” (§ 1502(c)(1)) or expands or intensifies the nonconforming use (§§ 1502(d)(2), (d)(7)) — is forbidden. Work that meets the governing standard is the category the section permits and processes: “pursuant to a building permit,” complying with “the current applicable standards of the Zoning Ordinance” (§§ 1502(c)(1), (c)(4)). The Code names the governing standard for this residence — R-6 (§ 1502(d)(2)) — and the City concedes it applies. The addition meets that standard in every dimension. The question presented is whether the City will apply the rule as written — forbid what fails the standard, permit what meets it — or invert it by forbidding the one category of work the section permits.

The Demonstration

Every operative term in § 1502 — “nonconforming structure,” “nonconforming use,” work that “shall not expand any nonconformity” (§ 1502(c)(1)), a building “converted to a conforming use” (§ 1502(d)(2)) — requires a reference point. The Code supplies it: R-6. Measured against R-6, the as-built addition conforms in every respect:

- Lot area: 21,780 sf (R-6 minimum: 6,000 sf) — conforms.
- Height: one story (R-6 limit: two stories / 30 feet) — conforms.
- Setbacks: within R-6 yards — conforms.
- Use: one single-family dwelling, the use R-6 permits (§ 9.1.404(b)(1)) — unchanged: one dwelling before the addition, one after.

Work that meets the assigned standard is conformity. It does not “expand any nonconformity” (§ 1502(c)(1)) — the parcel’s sole nonconformity, a residence in the LI district, is identical before and after. It is not “expansion or intensification of the nonconforming use” (§ 1502(d)(2), (d)(7)) — the use is one single-family home, unchanged. It is what § 1502(c)(4) describes: new construction complying with “the current applicable standards of the Zoning Ordinance,” processed “pursuant to a building permit” under § 1502(c)(1). The section’s stated purpose is to move property toward conformity; this work moves toward the very standard the Code names.

The Requested Outcome

The appellant does not ask the City to excuse nonconformity — work beyond the R-6 standard would be forbidden, and the appellant does not claim otherwise. The owner built within the protected category: improvement to the governing standard. On August 18, 2026, he filed a building permit application — payment tendered — to process that work as § 1502(c)(1) directs. The relief sought is acknowledgment that conforming work is the permitted category, and processing of the permit. If the City’s position is instead that even work meeting R-6 remains prohibited, the appellant respectfully asks that the decision identify, with citation, what work is permitted on this parcel and under which ordinance provision — a question now pending, unanswered, through five City documents.

"The Code names the conformity standard for this home: R-6. The addition meets it. We are not asking the City to excuse nonconformity — we built conformity, and we ask the City to permit it. Process the permit."

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Catalan', written over a horizontal line.

Henry David Catalan

Authorized Agent for Martin Eduardo Barajas, Owner

Date: August 31, 2026 **To:** City Clerk, for the Honorable Mayor and City Council — for the September 8, 2026 agenda packet and the administrative record

Re: Appeal of Resolution No. 14-26 (PLN-2026-1001) — 5279 Neroly Road (APN 051-220-030-4)

NOTICE OF INTERVENING LEGISLATION — ORDINANCE NO. 8-26

Dear Ms. Snodgrass, Honorable Mayor, and Members of the City Council:

The appellant respectfully brings to the Council's attention an enacted ordinance of this Council that bears directly on one finding of the resolution under appeal. This notice states enacted facts and their dates; the appellant reserves argument for the merits.

1. The Enactment

On May 12, 2026, this City Council adopted **Ordinance No. 8-26** (RZ 2026-001) by a 5–0 vote (Fuller, Henderson, Meadows, Williams, Shaw), repealing Oakley Municipal Code § 9.1.1102 (“Accessory Dwelling Units”) and adopting a replacement § 9.1.1102 in its entirety. By its Section 5, the ordinance took effect thirty (30) days after passage — **June 11, 2026**. The replacement section provides, among other things:

*“The purpose of this section is to increase the supply of smaller dwelling units and rental housing units by allowing accessory dwelling units and junior accessory dwelling units to be developed **in compliance with ... Government Code Sections 66310-66342.**” (§ 9.1.1102(a), as adopted by Ord. 8-26.)*

*“The applicant shall comply with all requirements stated in California Government Code Sections 66310-66342, **any amendments thereto shall prevail over any conflicting provisions of this code ... If any portion of this Section conflicts with Government Code Sections 66310-66342 or other applicable State law, State law shall supersede this Section.** Any ambiguities in this Section shall be interpreted to be consistent with State ADU law.” (§ 9.1.1102(b)(2)–(3), as adopted by Ord. 8-26.)*

Ordinance No. 8-26 is adopted but not yet integrated into the codified text at the City’s designated publishing venue (eCode360, code presently codified through Ordinance 13-25, December 9, 2025); it appears there under “New Laws” (LF2687133). The prior § 9.1.1102 — including former subsections (c) and (i) — was repealed effective June 11, 2026.

2. The Bearing on the Resolution Under Appeal

Resolution No. 14-26 was adopted on **August 18, 2026** — more than two months after Ordinance No. 8-26 took effect. Its Finding 6 denies a future accessory dwelling unit in reliance on the former § 9.1.1102(c) (“zoned to allow”) and on an analysis of the State ADU statutes’ applicability. As of the date the Commission acted, former § 9.1.1102(c) had been **repealed by this Council**, and the operative § 9.1.1102 adopted the State ADU statutes by reference, with State law expressly controlling over any conflicting provision of the code and ambiguities resolved consistent with State ADU law.

The June 8, 2026 determination, by contrast, issued three days *before* the ordinance’s effective date, under the former section — including former subsection (i), which no City decision addressed. The appellant’s filed grounds regarding the former section are preserved as to that determination; this notice addresses the law in effect when the Commission acted and now.

3. Requested Handling

Consistent with Ground (g) of the Notice of Appeal — which requested exactly this treatment before the ordinance came to light — the appellant respectfully requests that the Council, at the appropriate stage: (1) **vacate Finding 6** as resting on a repealed provision; and (2) confirm that any accessory dwelling unit application, when filed, will be reviewed under § 9.1.1102 as adopted by Ordinance No. 8-26 — that is, under Government Code §§ 66310–66342 as incorporated by this Council — together with the section's Oakley-specific standards. No ADU application is presently pending; nothing about this request requires the Council to decide one.

The appellant further requests that this notice and Ordinance No. 8-26 be included in the administrative record, and that the staff report for the September 8, 2026 item reflect the section as adopted by Ordinance No. 8-26 rather than the repealed text.

Respectfully submitted,



Henry David Catalan

Authorized Agent for Martin Eduardo Barajas, Owner

Date: August 31, 2026 **To:** City Clerk, for the Honorable Mayor and City Council — for the September 8, 2026 agenda packet and the administrative record

Re: Appeal of Resolution No. 14-26 (PLN-2026-1001) — 5279 Neroly Road (APN 051-220-030-4)

APPELLANT’S SUPPLEMENTAL STATEMENT — THE NONCONFORMING-RESIDENCE ADU PROTECTION NOW IN FORCE (Companion to the Notice of Intervening Legislation)

This statement supplements the appellant’s Notice of Intervening Legislation regarding Ordinance No. 8-26. It addresses one consequence of that ordinance in particular: the provision governing accessory dwelling units on lots with nonconforming conditions. Facts and enacted text only; argument is reserved for the merits.

1. The Two Provisions, Verbatim

Former OMC § 9.1.1102(i) Repealed effective June 11, 2026 (Ord. 8-26, § 3)	Gov. Code § 66322(b) Oakley law effective June 11, 2026 (Ord. 8-26, § 3, new § 9.1.1102(b)(2)–(3))
“Notwithstanding any other provision of the Zoning Ordinance, if an existing primary residence constitutes a legal nonconforming structure, an accessory dwelling unit or junior accessory dwelling unit may be constructed only if the nonconformity is not expanded and the accessory dwelling unit or junior accessory dwelling unit meets all current applicable zoning district standards. ”	A local agency “ shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit. ”

2. What Changed

Former subsection (i) was a **conditional permission**: an ADU on a legal nonconforming residence could be built only if the City found the nonconformity “not expanded” and the unit compliant — a two-part test the City administered, and one the City read against the owner (“expansion or intensification of the legal nonconforming use by adding an additional dwelling unit”). Section 66322(b), now Oakley law, is a **prohibition on the City**: it may not deny an ADU permit on account of nonconforming zoning conditions at all. Specifically:

- The “not expanded” test is gone. Nothing in § 66322(b) permits denial because an ADU “intensifies” a nonconforming use; the provision removes nonconformity as a ground of denial.
- The scope is broader: it reaches “nonconforming zoning conditions, building code violations, or unpermitted structures” — the last category expressly covering unpermitted work elsewhere on the lot.
- The only exception is health and safety, and only where the condition is affected by the ADU’s construction.
- It operates with Ordinance 8-26’s supremacy clause behind it: State law “shall prevail over any conflicting provisions of this code,” and ambiguities are resolved consistent with State ADU law.

3. Application to the Decisions Under Appeal

Both City decisions on the ADU rest on the ground § 66322(b) removes. The June 8, 2026 determination: an ADU “would be considered expansion or intensification of the legal nonconforming use by adding an additional dwelling unit.” Resolution No. 14-26, Finding 6: an ADU “would constitute an expansion or intensification prohibited by OMC sections 9.1.1502(d)(2) and (d)(7).” Each treats the residence’s nonconforming status as the basis for denial. From June 11, 2026, that basis is one the City’s own

adopted law forbids it to use. The determination applied the repealed, narrower protection three days before it was replaced; the Commission applied it sixty-eight days after.

The residence's nonconformity (a legal residential use in the LI district) presents no health-and-safety threat and is unaffected by a detached or converted ADU. The as-built addition — an “unpermitted structure” in the statute's words — is likewise unaffected by an ADU elsewhere on the lot and is on a separate legalization track. Neither may be used to deny an ADU permit under the law now in force.

4. Interaction with the R-6 Framework

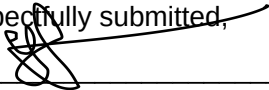
Section 9.1.1502(d)(2) places this residence “subject to the requirements of the R-6 zoning district” (a point the City concedes). The R-6 district's permitted uses include “Second dwelling units, per Section 9.1.1102” (§ 9.1.404(b)(2)). Section 9.1.1102, as adopted by Ordinance 8-26, provides that State ADU law governs. Read in sequence — the City's own sequence — the residence is governed by a district that permits ADUs, under a section that adopts State law, under which the residence's nonconforming status may not be held against the ADU.

5. Requested Handling

Consistent with the Notice of Intervening Legislation and Ground (g) of the Notice of Appeal, the appellant respectfully requests that the Council (1) vacate Finding 6 of Resolution No. 14-26, which rests on a repealed provision and on a ground of denial that Ordinance 8-26 eliminated; and (2) confirm that any accessory dwelling unit application, when filed, will be reviewed under § 9.1.1102 as adopted by Ordinance No. 8-26 — including Government Code § 66322(b) as incorporated — without regard to the residence's nonconforming status or the addition's separate permitting track. No ADU application is pending; nothing in this request asks the Council to decide one.

Sources: Ordinance No. 8-26 (ecode360.com/OA4568/laws/LF2687133.pdf); former OMC § 9.1.1102(i) as quoted in the appellant's May 31, 2026 request and June 11, 2026 Notice of Appeal; OMC § 9.1.404(b)(2) (ecode360.com/49656958); OMC § 9.1.1502(d)(2) (ecode360.com/49658904); Gov. Code § 66322(b) ([leginfo.legislature.ca.gov](https://leginfo.ca.gov) — 2025 recodification; confirm current numbering).

Respectfully submitted,



Henry David Catalan

Authorized Agent for Martin Eduardo Barajas, Owner

HENRY DAVID CATALAN

Authorized Agent for Martin Eduardo Barajas, Property Owner
henry@henrydavid.us | (925) 329-8877

Date: July 6, 2026

To: City of Oakley Planning Commission

c/o Evan Gorman, Associate Planner, Community Development Department

And: Office of the City Clerk, City of Oakley

3231 Main Street, Oakley, CA 94561

RE: SUPPLEMENTAL MEMORANDUM IN SUPPORT OF APPEAL

Property: 5279 Neroly Road, Oakley, CA 94561 (APN 051-220-030-4)

Determination Appealed: Community Development Director determination dated June 8, 2026 (K. Strelo)

Notice of Appeal Filed: June 11, 2026 (City Clerk)

Appeal No.: [to be assigned] **Authority:** OMC § 2.4.020(h)(2) (de novo review)

Planning Commission Hearing: August 18, 2026 (tentative)

I. Introduction and Request

This memorandum supplements, and elaborates the grounds stated in, the Notice of Appeal filed with the City Clerk on June 11, 2026 by the owner, Martin Eduardo Barajas, through his authorized agent, under Oakley Municipal Code (“OMC”) § 2.4.020 (the \$1,500 appeal deposit was acknowledged received by the City the same day). It responds to the Community Development Director’s written determination dated June 8, 2026, and elaborates — rather than adds to — the grounds already stated in the Notice. Because the Planning Commission reviews the determination *de novo* (OMC § 2.4.020(h)(2)), the appellant respectfully requests that this memorandum be included in the administrative record and in the agenda packet for the hearing.

II. Property and Background

The property is a 0.50-acre (approximately 21,780 square-foot) parcel improved with a 656-square-foot single-family residence constructed in 1944 and a detached garage. The City has confirmed the residence as a legal nonconforming use, and the determination assumes it “to have been legally established.” The parcel carries a Light Industrial (LI) General Plan and zoning designation. The residence has been in continuous residential use; no discontinuance has occurred. The matters on appeal are an as-built addition to the residence (for which County records show no prior permit), a proposed accessory dwelling unit, and the governing development standards for the parcel.

III. The Determination on Appeal

By determination dated June 8, 2026, the Director concluded that: (1) although OMC § 9.1.1502(d)(2) applies and the residence may continue “subject to the requirements of the R-6 District,” expansion or intensification of the home is not permitted; (2) an accessory dwelling unit

“would not be permitted” because it would be “expansion or intensification of the legal nonconforming use by adding an additional dwelling unit”; (3) staff “does not have a reasonable path” to making the use conform or to redesignating or rezoning the property; and (4) the unpermitted work “is not something [staff] can find a path to permit,” such that the owners should “abate the violation.” The appellant addresses each conclusion in turn.

IV. R-6 Is the Governing Standard — and the Determination Concedes It

The threshold point is conceded. In response to the first question presented, the Director confirmed that “OMC Section 9.1.1502(d)(2) applies” and that the residence “may continue to be used as a residence subject to the requirements of the R-6 District.” R-6 is therefore the operative standard for residential building activity on the parcel and the standard against which any legalization of the as-built work is measured. This is corroborated by OMC § 9.1.1122(f)(1), which applies residential development standards to “nonresidential zoned lots with legal nonconforming residential uses.” The remaining disputes — the ADU and the scope of the expansion limitation — are addressed below.

V. The Accessory Dwelling Unit Is Ministerial and Severable (§ 1102(i) + State Law)

The determination denies the ADU on the ground that it “would be considered expansion or intensification of the legal nonconforming use by adding an additional dwelling unit.” That conclusion overlooks the two authorities that actually control an ADU on a legal nonconforming residence.

First, OMC § 9.1.1102(i) authorizes an ADU “notwithstanding any other provision of the Zoning Ordinance” where the primary residence is a legal nonconforming structure, provided the nonconformity is not expanded and the ADU meets current applicable standards. The “notwithstanding” clause was enacted precisely to override the § 1502 expansion/intensification limitation the determination invokes; to read § 1502 as barring the ADU would render § 1102(i) a nullity. The determination does not address § 1102(i).

Second, State law independently requires ministerial approval. The Accessory Dwelling Unit statutes (Gov. Code §§ 66310–66342) require local agencies to act on ADU applications ministerially, without discretionary review or hearing (id. § 66317), and prohibit denial of an ADU in order to correct a nonconforming zoning condition that does not affect the ADU (id. § 66322(b)). An ADU thus may not be denied on the ground that the underlying residential use is nonconforming. The determination does not address state ADU law, which controls where it conflicts with local provisions.

Third, OMC § 9.1.1124(a)(3) confirms that a detached garage may include living space above, up to two stories or thirty (30) feet; to the extent the local sixteen-foot ADU height limit would conflict, state ADU law preempts it. The denial of the ADU is therefore legal error.

VI. The As-Built Addition Is Legalizable, Not Summarily Abatable

The appellant does not contend the addition is permitted “by right” without further process. The Code supplies pathways to legalize it, and the determination errs to the extent it forecloses all of them.

First, the determination states that § 1502(d)(2) “does not supersede part 4 of that same subsection which prohibits expansion or intensification of the home.” But “part 4” — OMC § 9.1.1502(d)(4) — governs by its terms “expansion, intensification, or modification of a *nonresidential* use in a *residential* zoning district.” This parcel presents the opposite: a residential use in a nonresidential (LI) district. Section 1502(d)(4) is therefore inapposite. The provisions that actually apply are § 1502(d)(2) (which imports R-6) and the general limitation in § 1502(d)(7).

Second, while the expansion limitation runs to the nonconforming use, § 1502(c)(4) separately provides that “new construction on property with a nonconforming residential structure shall comply with the current applicable standards of the Zoning Ordinance” — here, R-6, which the addition meets. Reading the use-expansion limitation to forbid *all* construction would render the § 1502(c)(4) new-construction sentence (and its counterpart, § 1502(c)(5)) surplusage. The purpose clause the determination quotes, § 1502(a), itself lists structures that may be “altered, changed, [or] expanded,” confirming that expansion is regulated under defined conditions, not categorically forbidden.

Third, even if the addition is deemed an “expansion,” a path exists — contrary to the determination’s view that staff “does not have a reasonable path.” A conditional use permit under § 1602, and/or a General Plan Amendment with rezoning to Planned Unit Development (P-1), is available; § 1002(b)(3)(ii) expressly allows a nonconforming use, once the parcel is P-1, to be “repaired, rebuilt, extended, or enlarged in accordance with Section 9.1.1502.” That staff has not identified a path does not mean the Code lacks one, and on de novo review the Commission is not bound by staff’s contrary view.

Fourth, to the extent the addition is presently unpermitted under § 1502(g), that provision directs that such work be “removed and/or discontinued” — a cure-or-remove rule. Legalization under the standards above is the cure. And § 1502(e) bars issuance of permits only upon loss of nonconforming status or at the end of an amortization period — neither of which has occurred — so the permitting door remains open.

VII. The Residence May Not Be Removed Absent § 1502(f) Amortization

The determination directs the owners to “abate the violation,” invoking the ordinance’s purpose “...to prevent the expansion of nonconforming structures and uses and to amortize them over time.” That direction conflates the unpermitted addition with the legal nonconforming residence, and it bypasses the very process the quoted purpose describes. A legal nonconforming use is terminated through amortization under § 1502(f) — a public hearing before the City Council weighing nine enumerated factors (investment and original cost, present value, remaining useful life, ability to convert to a conforming use, compatibility with surrounding land use patterns, and harm to the public, among others) — not through summary code-enforcement abatement. By its terms, § 1502(f) reaches only structures and uses “located in the Redevelopment Plan Redevelopment Project Area”; whether the subject parcel lies within that area is a threshold question the City should establish, and if it does not, the amortization mechanism does not reach the parcel at all. The residence has not lost status by discontinuance (§ 1502(d)(5)), and no amortization hearing has been held. The residence accordingly continues. The proper subject of the code case is the cure of the unpermitted addition through the pathways set out in Part VI — not removal of the residence.

VIII. The Parcel Also Hosts a Conforming Light-Industrial Use

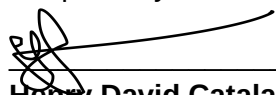
Independent of the residential analysis, the parcel is in active, legitimate use for a light-industrial purpose that conforms to the LI district. The owner operates Barajas Garden Service from the property, basing landscaping equipment and materials on site and performing services at clients' properties. A "Building Contractor's Yard" is permitted by right in the LI district (OMC § 9.1.602(b)(2)), and the Code defines a "Contractor's Yard / General Service Yard" to include premises used for storing and maintaining equipment and materials for "construction, installation, maintenance, and/or landscaping, on other property" (OMC § 9.1.202(b)(28)). The City's processing of the business license for that use confirms its acceptability at this location. The owner is confirming, and will ensure, compliance with the outdoor-storage screening requirements of OMC § 9.1.1126. This conforming use underscores that the parcel is appropriately and actively used, and it supports consideration of a Planned Unit Development that integrates the existing service use, the legal nonconforming residence, and the proposed ADU.

IX. Relief Requested

The appellant respectfully requests that the Planning Commission:

1. Confirm that the R-6 single-family residential standards govern residential building activity on the parcel pursuant to OMC § 9.1.1502(d)(2);
2. Determine that the proposed ADU is subject to ministerial approval under OMC § 9.1.1102(i) and Government Code §§ 66310–66342, and reverse its denial;
3. Reverse the determination to the extent it treats the as-built addition as categorically prohibited or subject to summary abatement, and direct that it be processed for legalization under OMC § 9.1.1502(c)(4) and/or through a conditional use permit or a GPA/P-1 rezoning;
4. Confirm that the legal nonconforming residence may not be removed absent amortization under OMC § 9.1.1502(f); and
5. Grant such further relief as is just and consistent with the Zoning Ordinance.

Respectfully submitted,



Henry David Catalan

Authorized Agent for Martin Eduardo Barajas, Owner
henry@henrydavid.us | (925) 329-8877

§ 9.1.1502. Nonconforming Uses.

- a. Purpose. To establish regulations relating to nonconforming structures and uses and to establish conditions under which nonconforming structures and uses may be maintained, restored, replaced, repaired, altered, changed, expanded, or amortized. The intent of this ordinance is to prevent the expansion of nonconforming structures and uses and to amortize them over time.
- b. Definitions.
 1. "Expansion or Intensification" means an enlargement, addition, relocation, repair, remodeling, increase in the number of dwellings or rooming units, any increase in occupancy or tenants, change in use, or any other change in an activity or facility.
 2. "Nonconforming Structure" shall mean a structure that was legally constructed prior to the effective date of the ordinance codified in this section but which does not conform to the current provisions of the Zoning Ordinance or General Plan.
 3. "Nonconforming Use" shall mean a use of a structure or land that was legally established prior to the effective date of the ordinance codified in this section but which does not conform to the current provisions of the Zoning Ordinance or General Plan.
- c. Nonconforming Structure Regulations.
 1. Conformity with applicable regulations and laws. All work performed on a nonconforming structure shall be pursuant to a building permit, meet all the requirements of this ordinance and all City Codes, and conform to any other health or safety regulations or laws imposed by local, County, State, regional, or Federal agencies in effect at the time of the work and shall not expand any nonconformity;
 2. Maintenance. Ordinary maintenance and minor repair of nonconforming structures is permitted if the aggregate cost of the work done in any period of six consecutive months does not exceed 25% of the replacement value of the structure, as determined by the Building Official and if the size of the structure or number of dwelling units is not increased;
 3. Restoration. A damaged nonconforming structure, restoration of which will cost 50% or less of its full replacement cost immediately prior to such damage, as determined by the Building Official, may be restored to its previous nonconforming state, but must otherwise comply with all provisions of this ordinance. A damaged nonconforming structure, restoration of which costs more than 50% of its full replacement cost, may be restored subject to a Conditional Use Permit. Expansion or intensification of the nonconforming structure is prohibited;
 4. Repairs and alterations to nonconforming residence. Repairs and alterations

may be made to nonconforming residences, including multi-family structures, without replacement cost limitations, if located in a residential zoning district and if the requirements of subsection (a) are met, including the limitation therein that the repairs and alterations shall not expand the nonconformity. New construction on property with a nonconforming residential structure shall comply with the current applicable standards of the Zoning Ordinance;

5. Repairs, interior modifications, and alterations to nonconforming nonresidential structures. Repairs, interior modifications, and alterations to nonconforming nonresidential structures may be made only if none of the structural alterations prolong the life of the supporting members of a structure, including without limitation bearing walls, columns, beams, or girders. Structural elements may be modified or repaired only if the Building Official determines that such modification or repair is immediately necessary to protect the public health, safety, and welfare of occupants of the nonconforming structures, or adjacent property, and the cost of all repairs or alterations does not exceed 50% of the replacement cost of the nonconforming structure immediately before such repairs or alterations, as determined by the Building Official. New construction on property with a nonconforming nonresidential structure shall comply with the current applicable standards of the Zoning Ordinance;
6. Seismic repairs. Reconstruction required to reinforce unreinforced masonry or otherwise seismically unsafe structures shall be permitted without replacement cost limitations only if the retrofitting is limited exclusively to comply with earth-quake safety standards;
7. Loss of nonconforming structure status. If the use of a nonconforming structure is discontinued for a period of six or more consecutive calendar months, the structure shall lose its nonconforming structure status, and shall be removed or altered to conform to the provisions of the Zoning Ordinance. Such removal or alteration to conform to the provisions of the Zoning Ordinance shall occur within six months of the date that loss of nonconforming structure status is determined or within such other date the City Council decides pursuant to the hearing in subsection (f) of this section. Failure to remove or alter the structure beyond that period, without written approval of the Director of Community Development due to unusual circumstances, constitutes a violation of this ordinance and a public nuisance. A use of a nonconforming structure shall be considered abandoned or discontinued whenever any of the following apply:
 - i. The use of a nonconforming structure is discontinued for a period of six or more consecutive calendar months;
 - ii. Removal of components of the use. The actual removal of characteristic furnishings, equipment, structures, machinery, or other components of the use occurs during the six-month period;
 - iii. No business receipts or records are available for the six-month period;

iv. Utility bills indicate that no use has occurred during the six-month period.

d. Nonconforming Use Regulations.

1. Change of Ownership or tenancy. The change of ownership, tenancy, or management of a nonconforming use shall not affect its nonconforming status, but only if the use, extent, and intensity of use does not change;
2. Residential Uses in a Nonresidential Zoning District. A nonconforming residential use in a nonconforming residential structure in a nonresidential zoning district may continue to be used as a residence subject to the requirements of the R-6 zoning district (if a single-family dwelling) or of the M-12 zoning district (if a multi-family dwelling) until such time as the building is amortized, condemned, removed or converted to a conforming use. If a nonconforming residential structure in a nonresidential zoning district is damaged or destroyed, other than by an intentional act of the property owner, such that restoration would cost more than 50% of its full replacement value before it was damaged, such structure may be rebuilt subject to a Conditional Use Permit. Expansion or intensification of the nonconforming use is prohibited;
3. Commercial Uses in a Non-Commercial Zoning District. A nonconforming commercial structure in a noncommercial zoning district may continue to be used for commercial purposes until such time as the building is amortized, condemned, removed or converted to a conforming use. If a nonconforming commercial structure in a noncommercial zoning district is damaged or destroyed, other than by an intentional act of the property owner, such that restoration would cost more than 50% of its full replacement value before it was damaged, such a structure may be rebuilt subject to a Conditional Use Permit. Expansion or intensification of the nonconforming use that existed before the damage or destruction is prohibited.
4. Expansion, intensification, or modification of a nonresidential use in a residential zoning district. No expansion, intensification, or modification of a nonresidential use in a residential zoning district shall be permitted;
5. Loss of nonconforming use status. If the nonconforming use of a structure is discontinued for a period of six or more consecutive calendar months, the use shall lose its nonconforming use status, and all rights to reestablish or continue the nonconforming use shall terminate regardless of any reservation of an intent not to abandon or of an intent to resume active operations. Abandonment or discontinuance of use shall be deemed to have occurred whenever any of the following apply:
 - i. The nonconforming use of a structure is discontinued for a period of six or more consecutive calendar months;
 - ii. A nonconforming use is replaced by a conforming use;
 - iii. The actual removal of characteristic furnishings, equipment, structures,

machinery, or other components of the use occurs during the six-month period;

- iv. No business receipts or records are available for the six-month period;
 - v. Utility bills indicate that no use has occurred during the six-month period.
6. Replacement. Replacement of a nonconforming use with another nonconforming use is prohibited;
7. Expansion or intensification. Expansion or intensification of a nonconforming use is prohibited.
8. Underutilized Single-Family Residential Use. Notwithstanding anything contained herein, a single-family residential use located in a residential district that was in compliance with the General Plan's density regulations at the time the use was initiated, but thereafter fails to meet the applicable minimum density requirement set forth in the General Plan, thus becoming a legal nonconforming use, may be maintained, restored, replaced, repaired, altered, changed or expanded, without losing its nonconforming use status.
- e. Building Permits or Certificates of Occupancy Prohibited. When any nonconforming structure or use is no longer permitted pursuant to the provisions of this Ordinance (loss of nonconforming structure status, or at the end of an amortization period determined by the City Council), no Building Permit or Certificate of Occupancy shall thereafter be issued for further continuance, alteration, or expansion of the use or structure. Any Building Permit or Certificate of Occupancy issued in error shall not be construed as allowing the continuation of the nonconforming structure or use.
- f. Amortization.
- i. When the City Attorney or Community Development Director determines that a structure or use located in the Redevelopment Plan Redevelopment Project Area is nonconforming, a public hearing may be held by the City Council pursuant to Ordinance Nos. 13-00 and 18-01. At that hearing the City Council shall hear a report by the Community Development Director on the issue and shall determine if the structure or use should be amortized and over what period. The nonconforming structure or use shall be discontinued within the amortization period determined by the City Council, which shall be determined on a case-by-case basis.
 - ii. In determining a reasonable amortization period for a nonconforming use or structure, the Council shall consider the following factors:
 - 1. The amount of investment in or original cost of the structure or use;
 - 2. The present actual or depreciated value of the structure or use;
 - 3. The remaining time period, if any, to amortize the costs of the structure or facilities associated with the use under the provisions of the Internal

Revenue Code;

4. The salvage value of the structure or facilities associated with the use;
 5. The remaining useful life of (a) the structure or facilities associated with the use; and (b) business fixtures and equipments associated with the use;
 6. The ability to change the use or structure to a conforming use or structure;
 7. The compatibility with the existing land use patterns and densities of the surrounding neighborhoods;
 8. The remaining term of any lease for the property on which the structure or use is located; and
 9. The harm to the public that will result if the structure or use remains beyond the time period recommended by the Community Development Director for amortizing the structure or use. (See Section 2.4.014(c) of Code)
- iii. The Community Development Director shall provide estimates of all costs and valuations by this section.
 - iv. The owner or operator of a nonconforming structure or use shall have the burden of proving that the amortization period recommended by the Community Development Director is unreasonable.
 - v. Failure to comply with a City Council order as to discontinuance of a structure or use shall constitute a violation of this ordinance and a public nuisance.
 - vi. Notwithstanding anything contained herein, a single-family residential use located in a residential district that was in compliance with the General Plan's density regulations at the time the use was initiated, but thereafter fails to meet the applicable minimum density requirement set forth in the General Plan, thus becoming a legal nonconforming use, shall not be subject to the amortization requirements set forth in this subsection (f).
 - g. **Illegal Structures and Uses.** Nothing contained in this ordinance shall be construed or implied so as to allow for the continuation of illegal nonconforming structures and uses. Structures and uses that are not legally constructed or established shall be removed and/or discontinued immediately.
(Ord. 08-15, 7/14/2015)

§ 9.1.602. Light Industrial District (LI).

- a. Purpose and Intent. The purpose of the LI District is to provide designated areas for limited manufacturing and other light industrial uses within the City of Oakley, which are compatible with business parks and adjacent residential areas.
- b. Permitted Uses. Uses permitted in the L-I district shall be as follows:
 - 1. Auto garage that includes body repair and painting;
 - 2. Building Contractor's Yard;
 - 3. Furniture Manufacturing;
 - 4. Industrial uses which do not necessarily require or use steam generated on the premises as a prime power for the manufacturing process carried on, or extensive loading docks or similar facilities for the receiving or shipment of raw, semi-finished or finished products;
 - 5. Lumber Yard;
 - 6. Pest Control Company;
 - 7. Uses Permitted in Retail Business Districts;
 - 8. Warehouse.
- c. Uses Requiring a Conditional Use Permit. In the LI district, the following uses are permitted on the issuance of a conditional use permit:
 - 1. Adult entertainment business shall be conditionally permitted in the Light Industrial zoning district only if location is in full compliance with distance restrictions established herein by Section 6-G-1.4.
 - 2. Commercial Dog Kennel;
 - 3. Industry, Marine-related;
 - 4. Large-scale Boat Storage Facilities;
 - 5. Mini-storage Facility;
 - 6. Recycling – Large Facility;
 - 7. Retail Sales, combined with wholesale facilities;
 - 8. Sheet Metal Shop;
 - 9. Solid Waste Landfill;
 - 10. Solid Waste Transfer Station;
 - 11. Transit-mix Plants;

12. Uses which emit dust, smoke, fumes, noise/vibration, or brilliant light, or are otherwise offensive to the senses or are of a kind of quality that their operation interferes with development or enjoyment of other property in the vicinity; uses included within the meaning of this proviso include, but are not limited to, asphalt plants, food processing plants, wineries, breweries, and other similar uses;
 13. Uses Permitted in Agricultural Limited District; and
 14. Uses Permitted in General Commercial Districts.
- d. Uses Requiring a Temporary Use Permit.
- None
- e. Lot Requirements.

Minimum Lot Requirements	Light Industrial District (L1) ¹
Lot Area² (in square feet)	7,500
Lot Width	N/A
Lot Depth	N/A

Notes:

1. Maximum floor area ration (FAR) is 0.67.
 2. Maximum site coverage is 50 percent.
- f. Yard Requirements.

Minimum Yard Requirements (in feet)	Light Industrial District (L1)
Front Yard (From boundary line of any existing public road or highway.)	10 feet
Rear or Side Yard abutting residential district¹	20 feet
Aggregate Width of Side Yard	10 feet
Width of One Side	N/A

Notes

1. No rear yards are required, except where a lot backs up to a public street, in which case the required front setback and landscaping will be required on both frontages.
- g. Building Height. No building or structure or part of it shall be more than three (3) stories or fifty feet (50') high above the highest point of ground elevation on the lot

on which the building is erected.

h. Other Regulations.

1. Industrial Development. All commercial development within this zoning district shall be consistent with the City of Oakley Commercial and Industrial Design Guidelines (See Appendix C of this chapter).

§ 9.1.404. Single-Family Residential Districts (R-6; R-7; R-10; R-12; R-15; R-20; R-40).

- a. Purpose and Intent. The purpose of the single-family residential district regulations is to allow a designated area for single-family residential district development designed to provide as much compatibility as possible with nearby zoning. Intense agricultural uses which create strong or obnoxious odors, or which might disturb adjacent or nearby residential areas with noise or vibration, are not appropriate for the single-family residential zoning districts. The City of Oakley Residential Design Guidelines (see Appendix A of this chapter) should also be referred to as they contain additional information regarding mandatory and suggested guidelines for residentially zoned areas.
- b. Permitted Uses. The following uses are permitted in a single-family residential district:
 - 1) A detached single-family dwelling on each lot and the accessory structures and uses normally auxiliary to it;
 - 2) Second dwelling units, per Section 9.1.1102;
 - 3) Home-based businesses, per Section 9.1.1120;
 - 4) Large family child care homes, per Section 9.1.1121;
 - 5) Small family day care;
 - 6) Transitional housing;
 - 7) Supportive housing;
 - 8) Residential care facilities serving six or fewer persons;
 - 9) Horticulture;
 - 10) Publicly owned parks and playgrounds;
 - 11) Household pets as follows:
 - a) No more than three dogs over six months of age and no more than five cats over six months of age, in accordance with Chapter 4.17 of the Oakley Municipal Code (Animal Control);
 - b) No more than three chickens and three rabbits;
 - c) Roosters shall be prohibited in all residential districts;
 - d) Structures housing household pets in R-6, R-7, R-10, R-12 or R-15 residential districts shall be subject to the guidelines provided in Article 18 of this chapter (Accessory Structures);
 - 12) Small farming, including the raising of fowl (i.e., chickens, ducks, geese, turkeys, or pheasants raised primarily for home consumption) and small

animals (i.e., rabbits), shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:

- a) Small farming activities shall be permitted only in the R-20 and R-40 residential districts;
 - b) A maximum of ten (10) of any one or combination of such fowl or small animals shall be permitted on a site of twenty thousand (20,000) square feet or more;
 - c) A maximum of twenty (20) of any one or combination of such fowl or small animals shall be permitted on a site of no less than one acre (forty-three thousand five hundred sixty (43,560) square feet);
 - d) No structure housing fowl or small animals shall be closer than twenty-five (25) feet to a habitable dwelling unit, or school, nor shall such small animal housing be closer than fifty (50) feet from the property line;
 - e) Fowl and small animal enclosures shall be of sound construction, maintained in a clean and hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;
 - f) Fowl and small animal feed shall be stored in containers that protect against rodents and insects;
 - g) All small farming activities shall be conducted in a manner that shall not create a public nuisance to adjacent uses;
- 13) Horses shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:
- a) Horses shall be permitted only in the R-40 residential district;
 - b) Horses permitted in this zoning district are limited to a maximum of one horse on a minimum parcel of twenty thousand (20,000) square feet and one additional horse for each additional ten thousand (10,000) square feet on a parcel greater than twenty thousand (20,000) square feet;
 - c) All stables and equestrian facilities shall be kept in a hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;
 - d) No horses shall be permitted to become a public nuisance to adjacent residential uses;
- 14) Bees shall be allowed only under the following conditions:
- a) Definitions.
 - (1) "Bee" shall mean any stage of the common domestic honey bee, *Apis mellifera* species;

- (2) "Hive" shall mean a structure for the housing of a bee colony;
- (3) "Requeen" means to replace the queen bee in a colony with a younger and more productive queen, a common practice in beekeeping to prevent bee swarming.

b) General Requirements.

- (1) Hives may only be maintained in the single-family or agricultural districts, not in multi-family or mobile home districts;
- (2) No more than two hives may be maintained on any single-family residential lot;
- (3) All bee colonies shall be kept in inspectable hives consisting of movable frames and combs;
- (4) Hives must be kept in sound and usable condition at all times.

c) Hive Placement Requirements.

- (1) Hives shall be located at least twenty-five (25) feet from all property lines or be screened by a barrier as described below, or one hundred (100) feet from any licensed large day care facility.
- (2) Hives shall be screened so that bees must fly over a six-foot barrier, which may be vegetative, before leaving the property; if placed above a barrier, hives shall be placed at least twenty (20) feet from the front property line, fifteen (15) feet from the rear property line, and at least five feet from side property lines.

d) Hive Management Requirements.

- (1) Hives shall be continually managed to provide adequate living space for the resident bees to prevent swarming.
- (2) Hives shall be requeened as necessary but at least every three years to prevent swarming.
- (3) A water source for bees shall be provided at all times on the property where the bees are kept to discourage bee visitation at swimming pools, hose bibs and other water sources on adjacent public or private property. The water source shall not be allowed to become stagnant in a manner that would propagate mosquitos.
- (4) Hive maintenance materials or equipment must be stored in a sealed container or placed within a building or other bee-proof enclosure.

15) Residential care facilities for more than six persons pursuant to Section 9.1.1228.

c. Uses Requiring a Conditional Use Permit. The following uses are permitted upon

the issuance of a conditional use permit:

- 1) Assembly uses;
 - 2) Commercial radio and television receiving and transmitting facilities other than broadcasting studios and business offices;
 - 3) Community buildings, clubs and activities of a quasi-public, social, fraternal or recreational character, such as golf, tennis and swimming clubs, and veterans and fraternal organizations;
 - 4) Day care centers; valescent homes;
 - 5) Hospitals, eleemosynary and philanthropic institutions, and convalescent homes;
 - 6) Public, parochial, and private schools including nursery schools;
 - 7) Publicly owned buildings and structures (except that accessory and appurtenant structures forming a part of public utilities, publicly owned utilities and pipelines are not regulated by this chapter);
 - 8) Wineries, tasting rooms, and processing of agricultural products in the R-20 and R-40 residential districts and in the other R districts when a lot is a minimum twenty thousand (20,000) square feet in size and contains an existing vineyard at the time of application.
- d. Uses Requiring a Temporary Use Permit. Temporary uses in the R districts are subject to the regulations set forth in Section 9.1.1606.
- e. Lot Requirements. Single-family dwellings or other structures permitted under this section may not be erected or placed on a lot with less than the following minimum requirements:

Minimum Lot Requirements	R-6	R-7	R-10	R-12	R-15	R-20	R-40
Lot Area (in square feet)	6,000	7,000	10,000	12,000	15,000	20,000	40,000
Lot Width (in feet)	60	60	60	70	70	80	140
Lot Depth (in feet)	80	90	100	100	100	120	140

f. Yard Requirements.

- 1) The following minimum requirements apply to front yard, rear yard, side yard, and corner side yard setbacks:

Minimum Yard Requirements (In Feet):	R-6	R-7	R-10	R-12	R-15	R-20	R-40
Front Yard	20	20	20	20	20	25	25
Secondary Frontage	15	15	15	15	15	20	20

Minimum Yard Requirements (In Feet):	R-6	R-7	R-10	R-12	R-15	R-20	R-40
Rear Yard	15	15	15	15	15	15	15
Aggregate Width of Side Yard	15	15	20	25	25	35	40
Width of One Side	5	5	5	10	10	15	20
Corner Side	15	15	15	15	15	20	20

- 2) The minimum aggregate setback between adjacent two-story elements on separate lots shall be fifteen (15) feet.
- 3) Mechanical Equipment in Yard Setbacks. Ground-mounted mechanical equipment shall be screened from view with adequate landscaping or fencing and provide a minimum three feet of horizontal clearance on at least one side.
- 4) Accessory structure setbacks are subject to Article 18 of this chapter (Accessory Structures).
- 5) Accessory Structures in Rear Yards. An accessory structure, or combination of more than one accessory structure, may occupy not more than fifty percent (50%) of a required rear yard.
- 6) In addition to the above minimum requirements, additional setback provisions, including but not limited to the provision for providing larger side yard setbacks adjacent to the garage to provide room for side-yard RV and boat parking, are included in the City of Oakley Residential Design Guidelines.

g. Building Height.

Building Height Requirements (In Feet)	Single-Family Residential Districts (R-6; R-7; R-10; R-12; R-15; R-20; R-40).
Maximum Building Height	A. Single-family dwellings or other structures permitted under this section shall not exceed two stories or thirty (30) feet in height;
	See Section 3, Page 12 of the Residential Design Guidelines for other height provisions.
Special Height Requirements and Exceptions	See Section 9.1.1124.

h. Other Regulations.

- 1) All new development shall be consistent with the City of Oakley Residential Design Guidelines (See Appendix A to this Zoning Code).

- 2) Garage/Driveway Configurations. See Section 3 of the Residential Design Guidelines.
 - a) Driveways shall be a minimum of twenty-five (25) feet in length as measured from the garage door to the back of sidewalk, notwithstanding the location of the front property line.
 - b) The interior of two-car garages shall be a minimum of eighteen (18) feet wide by nineteen (19) feet deep, and the interior of three-car garages shall be a minimum of twenty-seven (27) feet wide by nineteen (19) feet deep, as measured from the interior of the walls. Space dedicated for opening of residential doors or placement of household appliances shall not encroach into the required interior measurements.
 - c) For a three-car garage with tandem parking, the interior shall be a minimum nineteen (19) feet wide with a minimum nineteen (19) foot depth for one space and thirty-eight (38) foot depth for the tandem spaces. Space dedicated for opening of residential doors or placement of household appliances shall not encroach into the required interior measurements.
 - 3) Garage Conversions. The conversion of a garage to living space or other residential use is allowed if:
 - a) Off-street parking requirements of this title are satisfied; see Section 9.1.1402;
 - b) The existing garage door is removed and replaced with walls, windows, doors and other suitable materials and the converted space is architecturally compatible in color, material and style with the existing structure; and
 - c) The curb is replaced, the driveway is removed and landscaping is done so that the converted space no longer resembles a garage. However, this requirement shall not result in an insufficiency of off-street parking.
 - 4) Fencing. Residential fencing regulations shall comply with Section 9.1.1110. following limitations:
 - 5) Garage/Yard Sales. Garage/yard sales are permitted with the following limitations:
 - a) Three sales per calendar year at the same address;
 - b) Not to exceed three calendar days per event; and
 - c) Operating during daylight hours only.
- (Ord. 14-10, 9/14/2010; Ord. 06-11, 4/26/2011; Ord. 06-12, 6/26/2012; Ord. 08-14, 7/8/2014; Ord. 08-15, 7/14/2015; Ord. 01-16, 1/12/2016; Ord. 02-16, 1/12/2016; Ord. 07-17, 5/23/2017; Ord. 10-24, 8/13/2024; Ord. 12-25, 8/12/2025)

RESOLUTION NO. XX-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AFFIRMING PLANNING COMMISSION RESOLUTION NO. 14-26 WHICH DENIED AN APPEAL OF AND AFFIRMED THE ZONING ADMINISTRATOR'S JUNE 8, 2026 DETERMINATION, AS MODIFIED, FOR THE PROPERTY AT 5279 NEROLY ROAD (APN 051-220-030)

WHEREAS, the property located at 5279 Neroly Road, Oakley, California (APN 051-220-030) (the "Property") is an approximately 0.50-acre parcel designated Light Industrial ("LI") in the Oakley General Plan and zoned LI (Light Industrial) District; and

WHEREAS, the Property is improved with a single-family residence constructed in 1944 and a detached garage, and the City has recognized the residence as a legal nonconforming residential use in a nonresidential zoning district within the meaning of Oakley Municipal Code ("OMC") section 9.1.1502; and

WHEREAS, an attached addition was constructed on the south side of the residence without a building permit. City and County building records show no permit for the construction, and the addition does not appear in historical aerial imagery dated February 28, 2025, but does appear in imagery dated November 30, 2025; and

WHEREAS, following Code Enforcement action regarding the unpermitted addition, the property owner sought to legalize the construction and submitted a building permit application, which required review by the Community Development Department for compliance with the City's zoning regulations and resulted in the Zoning Administrator's consideration of whether the addition and proposed accessory dwelling unit were permissible expansions of the legal nonconforming residential use; and

WHEREAS, on June 8, 2026, the Community Development Director, acting as Zoning Administrator, issued a written determination that the residence may continue as a legal nonconforming residential use, that an unpermitted attached addition could not be permitted, that a separate future accessory dwelling unit could not be established on the Property (the "Determination"); and

WHEREAS, on August 18, 2026, following a duly noticed public hearing and de novo review under OMC section 2.4.020(h)(2), the Planning Commission adopted Resolution No. 14-26, denying the appeal of Martin Eduardo Barajas ("Appellant") and affirming the Determination, as modified; and

WHEREAS, on August 19, 2026, the Appellant, through his authorized agent Henry David Catalan, filed a written notice of appeal of the Planning Commission's decision with the City Clerk, together with the required filing fee, within the fifteen (15) calendar day period prescribed by OMC section 2.4.020; and

WHEREAS, under OMC section 2.4.020(i)(1), the City Clerk placed the appeal on the City Council's September 8, 2026 agenda so that the Council may determine, by majority vote, how it wishes to process the appeal, and one of the methods available to the Council is to affirm, deny, or affirm with conditions the decision of the Planning Commission, without a public hearing, after reviewing the transcript and record of the Planning Commission proceedings; and

WHEREAS, the City Council has elected that method of review and has reviewed the transcript of the August 18, 2026 Planning Commission hearing on Item 4.3 and the administrative record of the appeal, including the Determination, the Appellant's supporting documentation, and the Planning Commission staff report and Resolution No. 14-26; and

WHEREAS, denying the appeal and affirming the Planning Commission's decision and the Determination, as modified, is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines section 15321 as an enforcement action under the City's Zoning Ordinance, and CEQA Guidelines section 15061(b)(3) also applies because it can be seen with certainty that the action will not cause a significant environmental effect; and

WHEREAS, if a court of competent jurisdiction holds any term, provision, portion, or application of these Findings invalid, void, or unenforceable, the remaining provisions and their application to other actions related to the appeal will remain in effect unless the City amends or modifies them; and

WHEREAS, these Findings rely on the City's General Plan and Zoning Ordinance, State law, and the documents in the appeal file (collectively, the "Record"), and the transcript of the August 18, 2026 Planning Commission hearing ("Transcript").

NOW, THEREFORE, BE IT RESOLVED THAT, based on the recitals and the entire Record, the City Council denies the appeal filed by Martin Eduardo Barajas (PLN-2026-1001), affirms Planning Commission Resolution No. 14-26 and the Zoning Administrator's June 8, 2026 Determination as modified by that resolution and by the Findings below, and makes the following findings of fact:

1. The appeal was timely filed and is properly before the City Council, and the Council has selected review of the transcript and record as its method of review. The Planning Commission acted on August 18, 2026, and the Appellant filed the notice of appeal with the City Clerk on August 19, 2026, together with the required filing fee, within the fifteen calendar days allowed by OMC section 2.4.020. Under OMC section 2.4.020(i)(1), the Council may affirm, deny, or affirm with conditions the decision of the Planning Commission, without a public hearing, after reviewing the Transcript and Record. The Council has reviewed that Transcript and Record and finds it sufficient to decide the appeal.

2. The City Council adopts the findings of the Planning Commission. Based on its review of the Transcript and Record, the Council agrees with and adopts Findings 1 through 9 of Planning Commission Resolution No. 14-26, which are incorporated by reference, and makes the additional findings below.
3. OMC sections 9.1.1502(c)(1) and (c)(4) do not authorize the attached addition. Section 9.1.1502(c)(1) allows work on a nonconforming structure only when the work is performed pursuant to a building permit, complies with City requirements, and does not expand the nonconformity. Section 9.1.1502(c)(4) allows certain repairs and alterations to nonconforming residences in residential zoning districts and requires new construction involving a nonconforming residential structure to comply with the current applicable standards of the Zoning Ordinance. The Property is zoned LI, not residential, and the applicable standards include OMC sections 9.1.1502(d)(2) and (d)(7), which prohibit the expansion or intensification of a nonconforming use. Because the addition expands the legal nonconforming residential use, it cannot be approved under these provisions.
4. The prior submittal of a building permit application does not change the zoning requirements that apply to the addition. A building permit application was submitted after a Code Enforcement notice, fees were collected, and the application proceeded through plan review. During that review, the addition was found to be inconsistent with the Zoning Ordinance, which resulted in the zoning determination now before the Council. A building permit may only be issued for work that complies with the applicable zoning requirements.
5. A separate ADU may not be established on the Property. The Property is zoned LI District, which does not allow residential uses. In addition, a new ADU would add another dwelling unit to the Property and would expand or intensify the legal nonconforming residential use contrary to OMC sections 9.1.1502(d)(2) and (d)(7). The provisions of OMC section 9.1.1102 addressing legal nonconforming primary residences do not extend ADU eligibility to property that is not zoned to allow residential uses. Government Code sections 66314 and 66323 likewise apply to lots or areas zoned to allow residential uses. As explained in the California Department of Housing and Community Development's 2026 Accessory Dwelling Unit Handbook, a lot with a residence that has been rezoned to not allow residential uses is no longer eligible for an ADU.
6. The Transcript and Record are sufficient for the Council to decide the appeal. The Appellant appeared and presented their argument at the August 18, 2026 Planning Commission hearing and submitted written materials during the appeal process. Those materials are included in the Record reviewed by the Council. OMC section 2.4.020(i)(1) allows the Council to decide the appeal based on the Transcript and Record without conducting a new public hearing, and the Council finds the available Transcript and Record sufficient to resolve the Code interpretation issues raised by the appeal.

BE IT FURTHER RESOLVED THAT, based on the findings and the entire Transcript and Record, the City Council denies the appeal (PLN-2026-1001) and affirms Planning Commission Resolution No. 14-26 and the Zoning Administrator's June 8, 2026 Determination, as modified.

BE IT FURTHER RESOLVED THAT this resolution is the final administrative action of the City on the appeal. Judicial review of this decision is governed by Code of Civil Procedure section 1094.5, and any action or proceeding seeking review must be commenced within the time limits of Code of Civil Procedure section 1094.6.

PASSED AND ADOPTED by the City Council of the City of Oakley this 8th day of September 2026 by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Hugh Henderson, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

DATE: September 8, 2026
TO: Joshua McMurray, City Manager
FROM: Kim Snodgrass, City Clerk
SUBJECT: Adopt a Resolution Superseding Resolution No. 36-26 to Update Remote Public Participation Guidelines and Public Comment Time Limits

Approved and
Forwarded to the
City Council

Background and Analysis

With the addition of a two-way audiovisual platform for remote public participation in compliance with SB 707 in July, the guidelines in Resolution No. 36-26 require updating to provide clear instructions for members of the public who wish to participate remotely.

The proposed superseding resolution would amend Section 7 to include procedures for remote public comments and would correct minor typographical errors throughout the document. The proposed resolution (attached) has tracked changes to assist the City Council in reviewing the proposed revisions.

In addition, at the July 14, 2026 meeting, Vice Mayor Meadows requested that staff look at implementing a time limit on Public Comments at the beginning of the meeting and continue any remaining to the end of the meeting.

Staff reviewed Resolution No. 36-26 and determined that Section 7 already addresses this issue. It provides that comments on matters not listed on the agenda will be heard at the beginning of the meeting for a maximum of 30 minutes. Any persons desiring to speak beyond the 30-minute timeframe will be heard at the end of the meeting.

Staff requests direction from the City Council on whether to retain the existing 30-minute limit for the initial public comment period or revise it to a longer or shorter duration. Any direction provided will be incorporated into the superseding resolution.

Consistency with the Oakley Strategic Plan 27+

This item supports the City's Community and Collaborative Partnership Goal by expanding opportunities for accessible public participation and promoting clear, consistent meeting procedures.

Fiscal Impact

There is no fiscal impact associated with the recommended action.



Staff Recommendation

Adopt a Resolution superseding Resolution No. 36-26 to update procedures for remote Public Comment, correct minor typographical errors, and incorporate City Council direction regarding the time limit for the public comment period at the beginning of meetings of the Oakley City Council, the Oakley City Council acting as the Successor Agency to the Oakley Redevelopment Agency, and the Oakley Public Financing Authority.

Attachments

1. Proposed Resolution with tracked changes
2. Proposed Resolution (clean copy)

RESOLUTION NO. XX-26

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
ESTABLISHING THE RULES FOR THE CONDUCT OF MEETINGS OF THE
OAKLEY CITY COUNCIL AND FOR ADDRESSING TECHNOLOGICAL
DISRUPTIONS DURING SUCH MEETINGS
(SUPERSEDING RESOLUTION NO. 36-26)**

WHEREAS, Government Code section 36813 authorizes a City Council to establish rules for the conduct of its meetings; and

WHEREAS, shortly after Incorporation the City Council adopted Resolution 18-99 establishing rules for the conduct of its meetings; and

WHEREAS, the City amended its rules for conduct of meetings through Resolution 10-10, adopted on January 28, 2010; and

WHEREAS, the City further amended its rules for conduct of meetings through Resolution 33-23, adopted on March 14, 2023; and

WHEREAS, the City again amended its rules for conduct of meetings through Resolution 36-26, adopted on May 12, 2026; and

WHEREAS, Senate Bill 707 ("SB 707") amended the Ralph M. Brown Act to require eligible legislative bodies, including the City Council, to adopt a technology disruption policy ("policy") at a noticed public meeting of the City Council on or before July 1, 2026; and

WHEREAS, the City Council desires to update its meeting policies to include a policy to address how the body will handle technological disruptions as it seeks to increase public access and remote participation in regular meetings of the Council, in accordance with SB 707; and

BE IT RESOLVED, the City Council of the City of Oakley hereby rescinds Resolution 36-26 and resolves that the following shall be established as the Rules for the Conduct of Meetings of the Oakley City Council:

1. THE PRESIDING OFFICER.

a) The Mayor shall preside at all City Council meetings and perform such other duties consistent with the office as may be imposed by the Council. He/she shall be entitled to vote, but shall possess no veto power. He/she shall be recognized as the official head of the City for all ceremonial purposes and by the Governor for military purposes. In the time of public danger or emergency, he/she may, with the consent of

the Council, cause order to be maintained and enforce laws.

b) The Mayor shall state every question coming before the Council, call for the vote, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He/she shall sign all ordinances and resolutions adopted by the Council. In the event of the absence of the Mayor, the Mayor Pro Tern shall sign ordinances and resolutions as then adopted.

c) The Mayor shall be responsible for preserving order and decorum in the meetings. Councilmembers shall assist the Mayor in doing so and no Councilmember shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any Councilmember while speaking, and/or refuses to obey the orders of the Council or the Mayor. Members of the Council shall not leave their seats during the meeting without first obtaining the permission of the Mayor.

2. **MEETING BUSINESS.** There is no required order of business at a City Council meeting. The agenda for the meeting must provide a "brief general description" of each item of business to be discussed. No action or discussion may occur with respect to any item not appearing on a posted agenda, except that on a regular meeting agenda, an item can be added if the City Council either determines that an "emergency" exists, or that there is a need to take immediate action and the need came to the attention of the City subsequent to the posting of the agenda (Government Code §54954.2(b)). Generally the meeting is divided into three parts: opening, business, and closing. Within the business section, it is common to find:

a) **Closed session:** A closed session may be conducted at either a regular meeting or a special meeting (but not an emergency meeting) and must be noticed in accordance with the Brown Act on the agenda. The Brown Act similarly limits the subject matter for closed sessions. The most common types of closed sessions discuss pending litigation, evaluation of employee performance, hiring and firing employees, and acquisition, lease or sale of real property. Special reporting requirements also attach to closed sessions.

b) **Public hearing:** A public hearing is most commonly conducted to consider a land use application (conditional use permit, subdivision map, rezoning, general plan amendment). There are specific notice requirements for public hearings. The City Council shall accept public testimony on each item, which is the subject of a public hearing; no public testimony is to be received after the public hearing has been closed.

c) **Public Comments:** Every agenda for a regular meeting shall provide a specific agenda item as "Public Comments" to allow members of the public to address the City Council on a consent item or any item of interest to the public not otherwise on the agenda.

d) **Background Information/Handouts:** Background information prepared for the City Council in advance of a meeting and materials distributed at the meeting to the City Council must be available for public inspection at the meeting. Any handouts to be provided to the City Council by a member of the audience must be received by the City Clerk at least forty-eight (48) hours prior to the meeting. Ten (10) copies of the handout must be provided.

e) **Adjournment of Meetings:** The Council establishes 11:00 p.m. as the hour of adjournment and will not continue beyond 11:00 p.m. without a majority vote of the Council. If agenda items remain after the 11:00 p.m. adjournment, and the meeting is not continued by a majority vote of the Council, a special meeting may be scheduled or the items deferred until the next meeting.

3. **MEETING TYPES.**

a) **Regular meetings:**

(1) Time. Regular meetings of the City Council shall be held at the time and place specified by separate resolution.

(2) Public. All meetings of the Council shall be open to the public; provided, however, the City Council may hold closed sessions as provided by the law.

b) **Special meetings:** A special meeting may be called by the Mayor (or Mayor Pro Tempore in the absence or illness of the Mayor) or by a majority of the members of the City Council (Government Code §54956). A special meeting generally will be called to conduct business that either (a) requires more time than is available during a regular meeting; or that (b) requires attention during the period between scheduled regular meetings. Notice of a special meeting shall be posted at least 24 hours prior to the meeting, with a statement of the business to be transacted and an opportunity for the public to address the City Council on that item. Notice shall be delivered personally or by any other means to all members of the City Council and to the press.

c) **Worksessions:** The Council may conduct worksessions or study sessions on matters which are expected to come before the Council for formal action at a regular meeting or otherwise need study by the Council. At worksessions the Council will receive information and presentation of issues from invited speakers and staff. Final action or formal vote on items is not taken at workshop or study sessions. Worksessions are not public hearings. At the discretion of the Mayor, questions may be directed by the Council to a member of the public or another interested party or a brief presentation may be permitted by a member of the public or another interested party on an agenda item or a particular question related to an agenda item. The Mayor may limit or end the time for such response to questions or presentation. A worksession may be conducted

as either a Regular meeting or a Special meeting.

d) **Emergency meetings:** Emergency meetings may be called under very limited circumstances. An "emergency" exists when a majority of the members of the legislative body determines a "work stoppage or other activity" or a "crippling disaster" has occurred which severely impairs or threatens to impair the public health or safety (for example, an earthquake) (Government Code §54956.5).

e) **Adjourned meetings:** Any regular or special meeting (or any adjourned regular or special meeting) may be adjourned to a time and place specified in the order of adjournment (Government Code §54955). An adjournment must be ordered if less than a quorum attends a meeting. If no members attend, the ~~e~~Clerk-~~or~~ ~~secretary~~ may declare the meeting adjourned.

4. **AGENDA.** In order to facilitate the orderly conduct of the business of the Council, the City Clerk shall receive no later than 9:00a.m. on the Wednesday immediately preceding a regular Council meeting of all reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council at such meeting.

5. **READING OF MINUTES.** Unless the reading of the minutes of a ~~C~~council meeting is requested by a member of the Council, such minutes may be approved without reading if the Clerk has previously furnished each member with a copy thereof.

6. **RULES OF DEBATE**

a) **Rules of Order.** Except as otherwise provided in this resolution or in conflict with State law, the current edition of "Roberts Rules of Order" shall generally govern the rules of debate.

b) **Presiding Officer.** The Mayor, if present shall preside at all meetings of the City Council. In the absence of the Mayor, the Vice-Mayor shall preside. The presiding officer may vote, make a motion, second a motion, offer a resolution, introduce an ordinance and debate any items on an agenda, without relinquishing the chair.

c) **Getting the Floor.** Every member desiring to speak shall address the Mayor, and, upon recognition by the Mayor, shall confine remarks to the question under debate.

d) **Interruptions.** A member once recognized shall not be interrupted when speaking unless it is to call that member to order, or as herein otherwise provided. If a member, while speaking, be called to order, the member shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed.

e) **Discussion Prior to Formal Action.** It shall not be necessary to make a motion, offer a resolution, or introduce alternatives to a proposed ordinance before debate by the Council or before the public is allowed to speak. No such motion or resolution, or introduction of an ordinance shall be made at any time before a public hearing is closed.

f) **Process for considering an item on the Agenda.** Typically, the Mayor will announce the agenda item and then ask for a verbal staff report. The Mayor then asks the City Council if there are any questions of City staff. Following the discussion and answer of any questions, the applicant or proponent (if one exists for the item) is allowed to speak followed by members of the public. (This may or may not be the opening of a formal public hearing). The Mayor then closes the public discussion or public hearing (if applicable) and calls for Council deliberation and a motion regarding the matter.

g) **Main Motion.** Any member of the City Council may make a motion regarding the agenda item. The Main Motion should be clear and must be seconded to receive further consideration. If no second is made, the Mayor shall declare, "The motion dies for the lack of a second."

h) **Amendments to Main Motion.** After a motion has been moved and seconded, amendments may be made. Each amendment should be made, seconded, debated and then voted on in turn. When there are no more amendments to be made, the Mayor shall call for a vote on the Main Motion.

i) **Motion to Postpone or Continue.** Any item on the agenda may be postponed or continued to a "date certain" (to a subsequent meeting) by a majority vote of those members present and eligible to vote on the matter. To preserve the publication of a public hearing, the matter should be continued to a "date certain."

j) **Motion to Reconsider.** A motion to reconsider an action taken may only be made at the meeting at which the action was taken or at the next succeeding regular meeting of the City Council. A motion to reconsider any action taken by the City Council may be made by a member of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable.

k) **Voting.** A voice vote shall be taken as either "Aye," "No," or "Abstain." Silence shall be considered a vote in the affirmative. The Mayor shall announce the results of the vote.

7. PUBLIC PARTICIPATION IN COUNCIL MEETINGS

a) **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language; clapping; whistling; stamping; displaying large signs; or other acts that disturb,

disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. A member of the audience engaging in such conduct shall, at the discretion of the Mayor or a majority of the Council Members, be subject to removal from that meeting. The audience may applaud at the conclusion of the presentation of a proclamation or other presentation of honor made by the City Council.

b) ~~**Request to Speak Card. Public Comments.**~~ Written public comments can be submitted online through the City of Oakley's website until 4:00 p.m. on the day of the meeting. Members of the public may address the City Council regarding items on consent or regarding matters not on the agenda that are within the subject matter and jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council. during Public Comments and/or before consideration of any agenda item; however, no No person shall address the Council without first being recognized by the Mayor. Any person wishing to speak, whether during Public Comments or on an agenda item, shall first submit a Request to Speak Card to the City Clerk before the Mayor calls for Public Comments or calls the particular agenda.

(1) **Public Comment on Consent Items and Items Not on the Agenda.** Public Comment for items on consent or items not on the agenda will be heard at the beginning of the meeting for a maximum of thirty (30) minutes. Any persons desiring to speak beyond the thirty-minute time frame will be heard at the end of the meeting. State law prohibits the City Council from taking action on any item not listed on the Agenda unless the Council makes a determination that an emergency exists or that the need to take immediate action on the item arose subsequent to the final posting of the Agenda. Council Members or staff members may occasionally provide a brief response to comments made by the public when recognized by the Mayor for the purpose of doing so. ▲

(2) **Public Comment on Items Listed on the Agenda.** Public comments on items listed on the Agenda will be heard as the Mayor calls the item. ▲

(3) **Request to Speak.** Any person attending in person who wishes to speak, whether during Public Comments or on a specific agenda item, must submit a speaker card to the City Clerk before the Mayor opens Public Comments or calls the item. Anyone attending remotely who wishes to speak should use the Raise Hand feature (*9 on a telephone). ▲

~~e) **Purpose.**~~ The purpose of addressing the City Council is to communicate formally with the Council regarding matters that relate to Council business or citizen concerns within the subject matter and jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council.

(4)d) **Speaker Decorum.** Each person addressing the City Council shall

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do so in an orderly manner and shall not engage in conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the Council meeting as described above. Any person who—so disrupts the meeting shall, at the discretion of the Mayor or a majority of the Council Members, be subject to removal from that meeting.

(5) **Addressing the Council.** Comment and testimony are to be directed to the Mayor. Dialogue between and inquiries from the commenter at the lectern and individual Council Members, members of staff, or the seated audience are not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor.

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- e) **(6) Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker shall limit comments to three (3) minutes. If a large number of people wish to speak, this time may be shortened by the Mayor so that the number of persons wishing to speak may be accommodated within the time available.

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~~f) **Public Comment on Items Not on the Agenda.** Public Comment for items not on the agenda will be heard at the beginning of the meeting for a maximum of thirty (30) minutes. Any persons desiring to speak beyond the thirty minute time frame will be heard at the end of the meeting.~~

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- g) **(7) Speak Only Once Per Issue Per Meeting.** Second opportunities for the public to speak on the same issue at the same meeting will not be permitted unless mandated by State or local law.

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~~h) **Addressing the Council.** Comment and testimony are to be directed to the Mayor. Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience are not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor.~~

- i) **(8) Yielding of Time.** It is understood that a person making a request to speak does so on ~~his~~their own behalf. For this reason and to guarantee all persons an ample opportunity to be heard, all speakers will be recognized for the same amount of time. No speaker will be allowed to yield part or all of ~~his~~their time to another, and no speaker will be credited with time requested but not used by another.

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~~j) **Handouts/Audiovisual Presentations:** Any handouts or audiovisual presentations to be provided to the City Council by a member of the audience must be received by the City Clerk at least forty-eight (48) hours prior to the meeting. Ten (10) copies of the handout must be provided; and a flashdrive, CD, DVD, or videocassette must be provided of the audiovisual presentation.~~

8. PUBLIC COMMENTS

a) ~~— **Non-Agenda Items.** The Agenda shall provide for public comment about matters that are within the jurisdiction of the City, but are not specifically listed on the Agenda. The Public Comments period shall be for a maximum of thirty (30) minutes. A member of the public who wishes to speak under Public Comments must fill out a Request to Speak Card and submit it to the City Clerk **before** the Mayor calls for Public Comments. Persons may speak under Public Comments for a maximum of three (3) minutes and shall not be allowed to defer any portion of their time to any other person.~~

~~State law prohibits the City Council from taking action on any item not listed on the Agenda unless the Council makes a determination that an emergency exists or that the need to take immediate action on the item arose subsequent to the final posting of the Agenda. Council Members or staff members may occasionally provide a brief response to comments made by the public when recognized by the Mayor for the purpose of doing so.~~

b) ~~— **Agenda Items.** Public comment will be accepted on Agenda items. A member of the public who wishes to speak on an Agenda item, including items on the Consent Calendar, must fill out a Request to Speak Card and submit it to the City Clerk **before** the Mayor calls the Agenda item. Persons may speak about an Agenda item for a maximum of three (3) minutes and will not be allowed to defer any portion of their time to any other person.~~

~~(9)c)~~ **Public Hearing Agenda Items.** At Public Hearings the property owner or the applicant has the burden of proof and, therefore, shall be allowed twenty (20) minutes for an initial presentation and an additional ten (10) minutes for rebuttal following the other comments on the matter. The Mayor may allow more time if required to provide due process for the property owner or applicant. An appellant, other than the property owner or applicant, and the spokesperson for an organized group of residents residing within the noticed area of the property which is the subject of the Public Hearing, may have up to ten (10) minutes to speak on behalf of the group and shall not be allowed to defer any portion of their time to other speakers. All other members of the public may speak during the Public Hearing for a maximum of three (3) minutes and shall not be allowed to defer any portion of their time to other speakers. In the event the time required for members of the public to speak would exceed ninety (90) minutes, the Mayor may reduce the maximum time limit for members of the public to speak.

9.8. VIOLATION OF THE RULES OF DECORUM. Upon violation of the rules of decorum established outlined herein, the procedure to enforce the rules shall be as follows:

a) **Warning.** The Mayor shall first request that a person who is violating the rules cease such conduct. If, after receiving a request from the Mayor, the person

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persists in violating the rules, the Mayor shall call for a short recess of the meeting. Any representative of law enforcement who is present at the meeting when the violation occurs shall be authorized to warn the person that his or her conduct is violating the rules and that he or she is requested to cease such conduct. If upon resumption of the meeting the violation persists, the Mayor shall order another recess, whereupon the Mayor shall have the authority to ask the law enforcement personnel to remove the person from the meeting and/or to cite the person as being in violation of Penal Code Section 403.

b) **Motion to Enforce.** If the Mayor fails to enforce the rules of decorum set forth herein, a majority of the City Council may move to require the Mayor to do so, and an affirmative vote of a majority of the Council shall order the person to be warned and/or removed from the meeting.

c) **Clearing the Room.** Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, by a majority vote of the City Council, the meeting room may be ordered cleared and the meeting shall continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Government Code Section 54957.9.

d) **Violation of the California Penal Code.** A person or persons who substantially impair(s) the conduct of a City Council meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

e) **Removal of disruptive persons.** A person may be removed from a meeting in accordance with Government Code section 54957.95, provided the standards of that section are strictly met, and the disruptive person is not removed unless and until he or she has been given a clear, express warning as the section requires, and the disruptive conduct is not discontinued.

10.9. **EXPRESSION OF CITY COUNCIL POSITIONS**

a) From time-to-time, the City Council may by vote take a position on issues of importance or interest to the City or its residents. For instance, the City Council may consider supporting or opposing federal or state legislation or actions pending before other governmental agencies. Before the City Council has taken a position on any such subject, or on any other subject for which the City Council must vote to register its position, no City Councilmember shall represent that a particular position is that of the full City Council. Likewise, after the City Council has voted to take a position on any subject, no City Councilmember shall represent that the City Council has taken a position different than that which the City Council actually took by its vote.

b) Nothing in this Section shall be deemed to preclude or inhibit any City Councilmember from expressing his or her own position regarding any subject, even if that position is contrary to the position the full City Council adopted by vote.

c) The interpretation of the City Council's position regarding any subject shall be based on the position as expressed in any document or instrument the City Council adopted in taking the position (e.g., resolution, letter) or, if no such document or instrument exists, on the description of the action taken in the City Council's official Minutes.

44.10. TECHNOLOGY DISRUPTION POLICY (SB 707)

a) Purpose

(1) To comply with Senate Bill 707 ("SB 707"), effective at any meeting occurring in or after July 2026, the City will provide members of the public with two-way audiovisual access to all open and public meetings of the City Council.

(2) This policy establishes procedures for responding to disruptions in the audiovisual platform or internet service that prevent members of the public from attending or observing the meeting remotely.

b) Procedures in the Event of Remote—Access Disruption

(1) If any Councilmember or presiding City staff, including the City Manager, City Clerk, and City Attorney, becomes aware of a disruption to the City's audiovisual access—preventing members of the public from observing the meeting remotely:

(A) The Mayor shall immediately announce the disruption to the public;

(B) The Mayor shall call for a recess of the open session, and the City Council may meet in closed session during the recess;

(C) The City Clerk shall coordinate with Information Technology ("IT") staff to diagnose and restore the disrupted service;

(D) While IT staff addresses the disruption, the session must stay in recess for at least one (1) hour or until service is restored—whichever is sooner.

(2) During the disruption, City staff shall make a good-faith attempt to restore remote-access service, including:

- (A) Confirming the scope of the problem—e.g. front-end access such as incorrect meeting link, ID or wrong passcode; back-end meeting settings such as authentication requirements or capacity limits; or non-platform issues such as unstable internet connection;
 - (B) If front-end access is the issue, IT shall ensure the correct meeting link and/or passcode is shared with the public;
 - (C) If back-end meeting settings are the issue, IT shall alter settings such as disabling authentication requirements and/or capacity limits and restart audiovisual platform access;
 - (D) If unstable internet connection is the issue, then IT shall conduct network troubleshooting.
- (3) The City Clerk or IT staff shall document all efforts undertaken to restore remote-access participation.
- (4) Reconvening Open Session:
- (A) Timing: The open session may be reconvened after at least one hour has elapsed from the time of disruption or as soon as remote-access is restored, whichever occurs earlier.
 - (B) If remote access is restored, the City Council shall reconvene and the open session shall proceed along the meeting agenda.
 - (C) If remote access is not restored after one hour, the City Council may reconvene and continue the meeting in open session. Before proceeding, the Council shall adopt, by roll call vote, a finding that the City has made a good-faith attempt to restore audiovisual access in accordance with the policy, and that the public interest in continuing the meeting outweighs the public interest in remote access.
- (5) In the event of meeting disruption, the City Clerk shall enter a brief statement into the meeting minutes, including:
- (A) The nature and time of the disruption; and
 - (B) The efforts undertaken to restore remote access; and
 - (C) The time the City Council reconvened; and
 - (D) If applicable, any finding pursuant to Section 11(b)(4)(C).

11.12. EFFECTIVE DATE

These Rules ~~for the Conduct~~ for the Conduct of Meetings of the Oakley City Council shall take effect and be in full force and effect immediately following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Oakley this ____ day of ____ 2026 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

ATTEST:

Hugh Henderson, Mayor

Kim Snodgrass, City Clerk

Date

RESOLUTION NO. XX-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ESTABLISHING THE RULES FOR THE CONDUCT OF MEETINGS OF THE OAKLEY CITY COUNCIL AND FOR ADDRESSING TECHNOLOGICAL DISRUPTIONS DURING SUCH MEETINGS (SUPERSEDING RESOLUTION NO. 36-26)

WHEREAS, Government Code section 36813 authorizes a City Council to establish rules for the conduct of its meetings; and

WHEREAS, shortly after Incorporation the City Council adopted Resolution 18-99 establishing rules for the conduct of its meetings; and

WHEREAS, the City amended its rules for conduct of meetings through Resolution 10-10, adopted on January 28, 2010; and

WHEREAS, the City further amended its rules for conduct of meetings through Resolution 33-23, adopted on March 14, 2023; and

WHEREAS, the City again amended its rules for conduct of meetings through Resolution 36-26, adopted on May 12, 2026; and

WHEREAS, Senate Bill 707 ("SB 707") amended the Ralph M. Brown Act to require eligible legislative bodies, including the City Council, to adopt a technology disruption policy ("policy") at a noticed public meeting of the City Council on or before July 1, 2026; and

WHEREAS, the City Council desires to update its meeting policies to include a policy to address how the body will handle technological disruptions as it seeks to increase public access and remote participation in regular meetings of the Council, in accordance with SB 707; and

BE IT RESOLVED, the City Council of the City of Oakley hereby rescinds Resolution 36-26 and resolves that the following shall be established as the Rules for the Conduct of Meetings of the Oakley City Council:

1. THE PRESIDING OFFICER.

a) The Mayor shall preside at all City Council meetings and perform such other duties consistent with the office as may be imposed by the Council. He/she shall be entitled to vote, but shall possess no veto power. He/she shall be recognized as the official head of the City for all ceremonial purposes and by the Governor for military purposes. In the time of public danger or emergency, he/she may, with the consent of

the Council, cause order to be maintained and enforce laws.

b) The Mayor shall state every question coming before the Council, call for the vote, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He/she shall sign all ordinances and resolutions adopted by the Council. In the event of the absence of the Mayor, the Mayor Pro Tern shall sign ordinances and resolutions as then adopted.

c) The Mayor shall be responsible for preserving order and decorum in the meetings. Councilmembers shall assist the Mayor in doing so and no Councilmember shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any Councilmember while speaking, and/or refuses to obey the orders of the Council or the Mayor. Members of the Council shall not leave their seats during the meeting without first obtaining the permission of the Mayor.

2. **MEETING BUSINESS.** There is no required order of business at a City Council meeting. The agenda for the meeting must provide a "brief general description" of each item of business to be discussed. No action or discussion may occur with respect to any item not appearing on a posted agenda, except that on a regular meeting agenda, an item can be added if the City Council either determines that an "emergency" exists, or that there is a need to take immediate action and the need came to the attention of the City subsequent to the posting of the agenda (Government Code §54954.2(b)). Generally the meeting is divided into three parts: opening, business, and closing. Within the business section, it is common to find:

a) **Closed session:** A closed session may be conducted at either a regular meeting or a special meeting (but not an emergency meeting) and must be noticed in accordance with the Brown Act on the agenda. The Brown Act similarly limits the subject matter for closed sessions. The most common types of closed sessions discuss pending litigation, evaluation of employee performance, hiring and firing employees, and acquisition, lease or sale of real property. Special reporting requirements also attach to closed sessions.

b) **Public hearing:** A public hearing is most commonly conducted to consider a land use application (conditional use permit, subdivision map, rezoning, general plan amendment). There are specific notice requirements for public hearings. The City Council shall accept public testimony on each item, which is the subject of a public hearing; no public testimony is to be received after the public hearing has been closed.

c) **Public Comments:** Every agenda for a regular meeting shall provide a specific agenda item as "Public Comments" to allow members of the public to address the City Council on a consent item or any item of interest to the public not otherwise on the agenda.

d) **Background Information/Handouts:** Background information prepared for the City Council in advance of a meeting and materials distributed at the meeting to the City Council must be available for public inspection at the meeting. Any handouts to be provided to the City Council by a member of the audience must be received by the City Clerk at least forty-eight (48) hours prior to the meeting. Ten (10) copies of the handout must be provided.

e) **Adjournment of Meetings:** The Council establishes 11:00 p.m. as the hour of adjournment and will not continue beyond 11:00 p.m. without a majority vote of the Council. If agenda items remain after the 11:00 p.m. adjournment, and the meeting is not continued by a majority vote of the Council, a special meeting may be scheduled or the items deferred until the next meeting.

3. **MEETING TYPES.**

a) **Regular meetings:**

(1) Time. Regular meetings of the City Council shall be held at the time and place specified by separate resolution.

(2) Public. All meetings of the Council shall be open to the public; provided, however, the City Council may hold closed sessions as provided by the law.

b) **Special meetings:** A special meeting may be called by the Mayor (or Mayor Pro Tem in the absence or illness of the Mayor) or by a majority of the members of the City Council (Government Code §54956). A special meeting generally will be called to conduct business that either (a) requires more time than is available during a regular meeting; or that (b) requires attention during the period between scheduled regular meetings. Notice of a special meeting shall be posted at least 24 hours prior to the meeting, with a statement of the business to be transacted and an opportunity for the public to address the City Council on that item. Notice shall be delivered personally or by any other means to all members of the City Council and to the press.

c) **Worksessions:** The Council may conduct worksessions or study sessions on matters which are expected to come before the Council for formal action at a regular meeting or otherwise need study by the Council. At worksessions the Council will receive information and presentation of issues from invited speakers and staff. Final action or formal vote on items is not taken at workshop or study sessions. Worksessions are not public hearings. At the discretion of the Mayor, questions may be directed by the Council to a member of the public or another interested party or a brief presentation may be permitted by a member of the public or another interested party on an agenda item or a particular question related to an agenda item. The Mayor may limit or end the

time for such response to questions or presentation. A worksession may be conducted as either a Regular meeting or a Special meeting.

d) **Emergency meetings:** Emergency meetings may be called under very limited circumstances. An "emergency" exists when a majority of the members of the legislative body determines a "work stoppage or other activity" or a "crippling disaster" has occurred which severely impairs or threatens to impair the public health or safety (for example, an earthquake) (Government Code §54956.5).

e) **Adjourned meetings:** Any regular or special meeting (or any adjourned regular or special meeting) may be adjourned to a time and place specified in the order of adjournment (Government Code §54955). An adjournment must be ordered if less than a quorum attends a meeting. If no members attend, the Clerk may declare the meeting adjourned.

4. **AGENDA.** In order to facilitate the orderly conduct of the business of the Council, the City Clerk shall receive no later than 9:00a.m. on the Wednesday immediately preceding a regular Council meeting of all reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council at such meeting.

5. **READING OF MINUTES.** Unless the reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the Clerk has previously furnished each member with a copy thereof.

6. **RULES OF DEBATE**

a) **Rules of Order.** Except as otherwise provided in this resolution or in conflict with State law, the current edition of "Roberts Rules of Order" shall generally govern the rules of debate.

b) **Presiding Officer.** The Mayor, if present shall preside at all meetings of the City Council. In the absence of the Mayor, the Vice-Mayor shall preside. The presiding officer may vote, make a motion, second a motion, offer a resolution, introduce an ordinance and debate any items on an agenda, without relinquishing the chair.

c) **Getting the Floor.** Every member desiring to speak shall address the Mayor, and, upon recognition by the Mayor, shall confine remarks to the question under debate.

d) **Interruptions.** A member once recognized shall not be interrupted when speaking unless it is to call that member to order, or as herein otherwise provided. If a member, while speaking, be called to order, the member shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed.

e) **Discussion Prior to Formal Action.** It shall not be necessary to make a motion, offer a resolution, or introduce alternatives to a proposed ordinance before debate by the Council or before the public is allowed to speak. No such motion or resolution, or introduction of an ordinance shall be made at any time before a public hearing is closed.

f) **Process for considering an item on the Agenda.** Typically, the Mayor will announce the agenda item and then ask for a verbal staff report. The Mayor then asks the City Council if there are any questions of City staff. Following the discussion and answer of any questions, the applicant or proponent (if one exists for the item) is allowed to speak followed by members of the public. (This may or may not be the opening of a formal public hearing). The Mayor then closes the public discussion or public hearing (if applicable) and calls for Council deliberation and a motion regarding the matter.

g) **Main Motion.** Any member of the City Council may make a motion regarding the agenda item. The Main Motion should be clear and must be seconded to receive further consideration. If no second is made, the Mayor shall declare, "The motion dies for the lack of a second."

h) **Amendments to Main Motion.** After a motion has been moved and seconded, amendments may be made. Each amendment should be made, seconded, debated and then voted on in turn. When there are no more amendments to be made, the Mayor shall call for a vote on the Main Motion.

i) **Motion to Postpone or Continue.** Any item on the agenda may be postponed or continued to a "date certain" (to a subsequent meeting) by a majority vote of those members present and eligible to vote on the matter. To preserve the publication of a public hearing, the matter should be continued to a "date certain."

j) **Motion to Reconsider.** A motion to reconsider an action taken may only be made at the meeting at which the action was taken or at the next succeeding regular meeting of the City Council. A motion to reconsider any action taken by the City Council may be made by a member of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable.

k) **Voting.** A voice vote shall be taken as either "Aye," "No," or "Abstain." Silence shall be considered a vote in the affirmative. The Mayor shall announce the results of the vote.

7. PUBLIC PARTICIPATION IN COUNCIL MEETINGS

a) **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language; clapping; whistling; stamping; displaying large signs; or other acts that disturb,

disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. A member of the audience engaging in such conduct shall, at the discretion of the Mayor or a majority of the Council Members, be subject to removal from that meeting. The audience may applaud at the conclusion of the presentation of a proclamation or other presentation of honor made by the City Council.

b) **Public Comments.** Written public comments can be submitted online through the City of Oakley's website until 4:00 p.m. on the day of the meeting. Members of the public may address the City Council regarding items on consent or regarding matters not on the agenda that are within the subject matter and jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council. No person shall address the Council without first being recognized by the Mayor.

(1) **Public Comment on Consent Items and Items Not on the Agenda.** Public Comment for items on consent or items not on the agenda will be heard at the beginning of the meeting for a maximum of thirty (30) minutes. Any persons desiring to speak beyond the thirty-minute time frame will be heard at the end of the meeting. State law prohibits the City Council from taking action on any item not listed on the Agenda unless the Council makes a determination that an emergency exists or that the need to take immediate action on the item arose subsequent to the final posting of the Agenda. Council Members or staff members may occasionally provide a brief response to comments made by the public when recognized by the Mayor for the purpose of doing so.

(2) **Public Comment on Items Listed on the Agenda.** Public comments on items listed on the Agenda will be heard as the Mayor calls the item.

(3) **Request to Speak.** Any person attending in person who wishes to speak, whether during Public Comments or on a specific agenda item, must submit a speaker card to the City Clerk **before** the Mayor opens Public Comments or calls the item. Anyone attending remotely who wishes to speak should use the Raise Hand feature (*9 on a telephone).

(4) **Speaker Decorum.** Each person addressing the City Council shall do so in an orderly manner and shall not engage in conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the Council meeting as described above. Any person who so disrupts the meeting shall, at the discretion of the Mayor or a majority of the Council Members, be subject to removal from that meeting.

(5) **Addressing the Council.** Comment and testimony are to be directed to the Mayor. Dialogue between and inquiries from the commenter at the lectern and individual Council Members, members of staff, or the seated audience are not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor.

(6) **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker shall limit comments to three (3) minutes. If a large number of people wish to speak, this time may be shortened by the Mayor so that the number of persons wishing to speak may be accommodated within the time available.

(7) **Speak Only Once Per Issue Per Meeting.** Second opportunities for the public to speak on the same issue at the same meeting will not be permitted unless mandated by State or local law.

(8) **Yielding of Time.** It is understood that a person making a request to speak does so on their own behalf. For this reason and to guarantee all persons an ample opportunity to be heard, all speakers will be recognized for the same amount of time. No speaker will be allowed to yield part or all of their time to another, and no speaker will be credited with time requested but not used by another.

(9) **Public Hearing Agenda Items.** At Public Hearings the property owner or the applicant has the burden of proof and, therefore, shall be allowed twenty (20) minutes for an initial presentation and an additional ten (10) minutes for rebuttal following the other comments on the matter. The Mayor may allow more time if required to provide due process for the property owner or applicant. An appellant, other than the property owner or applicant, and the spokesperson for an organized group of residents residing within the noticed area of the property which is the subject of the Public Hearing, may have up to ten (10) minutes to speak on behalf of the group and shall not be allowed to defer any portion of their time to other speakers. All other members of the public may speak during the Public Hearing for a maximum of three (3) minutes and shall not be allowed to defer any portion of their time to other speakers. In the event the time required for members of the public to speak would exceed ninety (90) minutes, the Mayor may reduce the maximum time limit for members of the public to speak.

8. **VIOLATION OF THE RULES OF DECORUM.** Upon violation of the rules of decorum established outlined herein, the procedure to enforce the rules shall be as follows:

a) **Warning.** The Mayor shall first request that a person who is violating the rules cease such conduct. If, after receiving a request from the Mayor, the person persists in violating the rules, the Mayor shall call for a short recess of the meeting. Any representative of law enforcement who is present at the meeting when the violation occurs shall be authorized to warn the person that his or her conduct is violating the rules and that he or she is requested to cease such conduct. If upon resumption of the meeting the violation persists, the Mayor shall order another recess, whereupon the Mayor shall have the authority to ask the law enforcement personnel to remove the

person from the meeting and/or to cite the person as being in violation of Penal Code Section 403.

b) **Motion to Enforce.** If the Mayor fails to enforce the rules of decorum set forth herein, a majority of the City Council may move to require the Mayor to do so, and an affirmative vote of a majority of the Council shall order the person to be warned and/or removed from the meeting.

c) **Clearing the Room.** Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, by a majority vote of the City Council, the meeting room may be ordered cleared and the meeting shall continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Government Code Section 54957.9.

d) **Violation of the California Penal Code.** A person or persons who substantially impair(s) the conduct of a City Council meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

e) **Removal of disruptive persons.** A person may be removed from a meeting in accordance with Government Code section 54957.95, provided the standards of that section are strictly met, and the disruptive person is not removed unless and until he or she has been given a clear, express warning as the section requires, and the disruptive conduct is not discontinued.

9. **EXPRESSION OF CITY COUNCIL POSITIONS**

a) From time-to-time, the City Council may by vote take a position on issues of importance or interest to the City or its residents. For instance, the City Council may consider supporting or opposing federal or state legislation or actions pending before other governmental agencies. Before the City Council has taken a position on any such subject, or on any other subject for which the City Council must vote to register its position, no City Councilmember shall represent that a particular position is that of the full City Council. Likewise, after the City Council has voted to take a position on any subject, no City Councilmember shall represent that the City Council has taken a position different than that which the City Council actually took by its vote.

b) Nothing in this Section shall be deemed to preclude or inhibit any City Councilmember from expressing his or her own position regarding any subject, even if that position is contrary to the position the full City Council adopted by vote.

c) The interpretation of the City Council's position regarding any subject shall be based on the position as expressed in any document or instrument the City Council adopted in taking the position (e.g., resolution, letter) or, if no such document or instrument exists, on the description of the action taken in the City Council's official Minutes.

10. **TECHNOLOGY DISRUPTION POLICY (SB 707)**

a) **Purpose**

(1) To comply with Senate Bill 707 ("SB 707"), effective at any meeting occurring in or after July 2026, the City will provide members of the public with two-way audiovisual access to all open and public meetings of the City Council.

(2) This policy establishes procedures for responding to disruptions in the audiovisual platform or internet service that prevent members of the public from attending or observing the meeting remotely.

b) **Procedures in the Event of Remote—Access Disruption**

(1) If any Councilmember or presiding City staff, including the City Manager, City Clerk, and City Attorney, becomes aware of a disruption to the City's audiovisual access—preventing members of the public from observing the meeting remotely:

(A) The Mayor shall immediately announce the disruption to the public;

(B) The Mayor shall call for a recess of the open session, and the City Council may meet in closed session during the recess;

(C) The City Clerk shall coordinate with Information Technology ("IT") staff to diagnose and restore the disrupted service;

(D) While IT staff addresses the disruption, the session must stay in recess for at least one (1) hour or until service is restored—whichever is sooner.

(2) During the disruption, City staff shall make a good-faith attempt to restore remote-access service, including:

(A) Confirming the scope of the problem—e.g. front-end access such as incorrect meeting link, ID or wrong passcode; back-end meeting settings such as authentication requirements or capacity limits; or non-platform issues such as unstable internet connection;

(B) If front-end access is the issue, IT shall ensure the correct meeting link and/or passcode is shared with the public;

(C) If back-end meeting settings are the issue, IT shall alter settings such as disabling authentication requirements and/or capacity limits and restart audiovisual platform access;

(D) If unstable internet connection is the issue, then IT shall conduct network troubleshooting.

(3) The City Clerk or IT staff shall document all efforts undertaken to restore remote-access participation.

(4) Reconvening Open Session:

(A) Timing: The open session may be reconvened after at least one hour has elapsed from the time of disruption or as soon as remote-access is restored, whichever occurs earlier.

(B) If remote access is restored, the City Council shall reconvene and the open session shall proceed along the meeting agenda.

(C) If remote access is not restored after one hour, the City Council may reconvene and continue the meeting in open session. Before proceeding, the Council shall adopt, by roll call vote, a finding that the City has made a good-faith attempt to restore audiovisual access in accordance with the policy, and that the public interest in continuing the meeting outweighs the public interest in remote access.

(5) In the event of meeting disruption, the City Clerk shall enter a brief statement into the meeting minutes, including:

(A) The nature and time of the disruption; and

(B) The efforts undertaken to restore remote access; and

(C) The time the City Council reconvened; and

(D) If applicable, any finding pursuant to Section 11(b)(4)(C).

11.. **EFFECTIVE DATE**

These Rules for the Conduct of Meetings of the Oakley City Council shall take effect and be in full force and effect immediately following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Oakley this ____ day of ____
2026 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

ATTEST:

Hugh Henderson, Mayor

Kim Snodgrass, City Clerk

Date

August 2026 New In-Town Business Licenses

Business Name	Business Email Address	Business Address	Business License Type
CHRISTINE HALLSTONE @ OAKLEY SUPER BEAUTY SALON	CKHWIKED1@AOL.COM	2069 MAIN ST OAKLEY, CA 94561	Business License
Nikki's Nearly New	nikkilynne75@yahoo.com	5685 MAIN ST OAKLEY, CA 94561	Business License
SILVIA LOPEZ	silvialopez07@comcast.net	2065 MAIN ST OAKLEY, CA 94561	Business License
TossedAndFound	willstratton2016@gmail.com	5685 MAIN ST Oakley, CA 94561	Business License
PERSON-CENTERED SUPPORTIVE SERVICES LLC	PCSSERVICESCEO@GMAIL.COM		Home Business Permit and Business License
El Arte de Crear	maris.ys71@gmail.com		Home Business Permit and Business License
FMR Custom Graphics	FMRcustomgraphics@gmail.com		Home Business Permit and Business License
Molluskew Collective	justerik76@gmail.com		Home Business Permit and Business License
Natt'z Housecleaning			Home Business Permit and Business License
Brady Lim	bradylim8@gmail.com		Home Business Permit and Business License
Zapp Electric	info@zappelectric.com		Home Business Permit and Business License
Reliable Plumbing	fplumbing34@yahoo.com		Home Business Permit and Business License