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, November 12, 2019
6:30 PM
Oakley City Council Chambers, 3231 Main Street, Oakley, CA

MISSION STATEMENT: The City of Oakley exists to build and enhance a quality community and to serve the public in a friendly, efficient, responsive manner.

VISION STATEMENT: The City of Oakley will be recognized as a model of civic participation and a vibrant Delta community where families live, work, play, shop and visit.

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

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

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

1.2 Update Provided by Brian Helmick, Fire Chief of the East Contra Costa Fire Protection District

1.3 Update Provided by Zain Mehmood, Appointee to the Contra Costa Transportation Authority Citizen Advisory Committee

1.4 Proclamations Honoring the Oakley Youth Advisory Council for Receiving Presidential Award (Lindsey Bruno, Recreation Manager)
Certificates

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. PUBLIC COMMENTS ARE LIMITED TO THREE (3) MINUTES. In accordance with State Law, however, no action or discussion may take place on any item not appearing on the posted agenda. The Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority may respond to statements made or questions asked or may request Staff to report back at a future meeting on the matter. The exceptions under which the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority MAY discuss and/or take action on items not appearing on the agenda are contained in Government Code §54954.2(b)(1)(2)(3). Members of the public should submit any Speaker Cards for Public Comments in advance of the Mayor calling for Public Comments.

3. 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. Members of the public should submit any Speaker Cards related to the Consent Calendar in advance of the Consent Calendar being considered.

3.1 Approve the Minutes of the Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Meeting and Special Meeting of the Public Financing Authority held October 22, 2019 (Libby Vreonis, City Clerk)
Minutes 10-24-19

3.2 Waive the Second Reading and Adopt an Ordinance Adopting Editorial Corrections in Relation to Various Uniform Building Codes Which are Adopted by Reference (Derek Cole, City Attorney)
Ordinance (Corrections Redlined)

3.3 Waive the Second Reading and Adopt an Ordinance Approving a Rezone (RZ 07-18) from Single-Family Residential (R-6) to Planned Unit Development (P-1) in relation to the Acacia Project located at 5360 Main Street (APN's 033-030-001 and 033-030-027) (Joshua McMurray, Community Development Director)
Ordinance

3.4 Waive the Second Reading and Adopt an Ordinance Adding Section 2.1.009 to the Oakley Municipal Code Requiring Electronic Filing of Campaign Statements and Statements of Economic Interests (Libby Vreonis, City Clerk)
Ordinance

3.5 Waive the Second Reading and Adopt an Ordinance to Amend Chapter 6.02 of the Oakley Municipal Code Related to Reimbursement for Adjustment to Public Utilities in Streets and Sidewalks (Derek Cole, City Attorney)
Ordinance (revised)

3.6 Waive the First Reading and Introduce an Ordinance Adding Chapter 7.16 to the Oakley Municipal Code Regarding the Permit Process for Electric Vehicle Charging Stations (Louis Kidwell, Building Official and Joshua McMurray, Economic Development Director)
Staff Report
1. Proposed Ordinance
2. Electric Vehicle Charging Stations Checklist

3.7 City Council 1st Quarter Investment Report (Tim Przybyla, Finance Director)
Staff Report
1. City of Oakley Investment Report for the quarter ended September 30, 2019

3.8 Successor Agency 1st Quarter Investment Report (Tim Przybyla, Finance Director)
Staff Report
1. City of Oakley as Successor Agency to the Redevelopment Agency Investment Report for the quarter ended September 30, 2019

3.9 Adopt a Resolution to Accept a Grant and Authorize Entering into a Funding Agreement with the California Department of Justice (Rick Grubaugh, Police Sergeant)
Staff Report
1. Proposed Resolution
2. California Department of Justice MOU
3. Tobacco Law Enforcement Grant Budget

3.10 Adoption of a Resolution Authorizing the Filing of an Application to the State of California Housing and Community Development Department for the SB 2 Planning Grant Program (Joshua McMurray, Community Development Director)
Staff Report
1. Draft Resolution

3.11 Approval of Contract Amendment # 1 with Universal Site Services, Inc. (USS) for Porter Maintenance Services for various City of Oakley Parks and Facilities (Kevin Rohani P.E. Public Works Director/City Engineer)
Staff Report
1. Resolution
2. USS Price Schedule FINAL
3. Agreement Amendment

3.12 Acceptance of Work Associated with Capital Improvement Project No. 176 – Demolition of Structures at the Site of the Oakley Community Regional Park Project (Kevin Rohani, P.E., Public Works Director/City Engineer)
Staff Report
1. Resolution
2. Notice of Completion
3. Addendum to the Dutch Slough Tidal Marsh Restoration Project EIRs

3.13 Approval of Contract Amendment # 1 with TNT Dev Services, Inc. for On-Call Consulting Services Related to the Current Development Engineering and Inspection Services for FY 2019/20 (Kevin Rohani, P.E., Public Works

Director/City Engineer)

Staff Report
1. Resolution
2. Amendment

3.14 Ratify Election: Waive the Second Reading, Adopt Ordinance No. 14-19 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 171 within the Oakley Special Police Tax Area for Police Protection Services for the Shiloh Subdivision 8975 project located at the southwest corner of Main Street and Simoni Ranch Road (APN 034-250-011) (Kevin Rohani, City Engineer/Public Works Director)

Staff Report
1. One (1) Signed Ballot
2. Ordinance No. 14-19
Exhibit A – Boundary Map for Police Tax Area Zone 171
Exhibit B – Tax Rate Schedule for Fiscal Year 2019-20

3.15 Annexation No. 19 (Shiloh Subdivision 8975) to the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services) (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Unanimous Approval of Annexation to a Community Facilities District and Related Matters - City of Oakley Community Facilities District No. 2015-2
2. Resolution Approving the Annexation (Annexation No. 19) of Property Located in the Future Annexation Area of the City of Oakley Community Facilities District No. 2015-2
3. Boundary Map – Annexation Map No. 19 to City of Oakley Community Facilities District No. 2015-2
4. Amendment No. 19 to Notice of Special Tax Lien - City of Oakley Community Facilities District No. 2015-2

3.16 Approval of Subdivision Improvement Agreement and Approval of the Final Map for Shiloh Subdivision 8975 located on the Southwest Corner of Main Street and Simoni Ranch Road (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Resolution Approving the Final Map titled Subdivision 8975 Shiloh Subdivision and Approving the Grant Deed for Sanitary Sewer Easement
2. Resolution Approving the Subdivision Improvement Agreement
3. Subdivision Improvement Agreement
4. Grant Deed and Plat and Legal for Sanitary Sewer Easement
5. Reduction of Subdivision 8975 Shiloh Subdivision Final Map

4. PUBLIC HEARINGS

4.1 Middlefield at Delaney Park Design Review and Final Development Plan Amendment (DR 09-19. FDP 01-19) – Request for Residential Design Review Approval of One Neighborhood Totaling 96 Single-Family Residential Lots within the Delaney Park Subdivision, and a Final Development Plan Amendment to Modify the Rear Setback for Plan 1 (Ken Strelo, Principal Planner)

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

Staff Report
1. Vicinity Map
2. Public Hearing Notice
3. Applicants Plans
4. Draft Resolution

4.2 Allowable Location of Accessory Structures on Large Lots – Zoning Text Amendment to Section 9.1.1802 (Accessory Structure Development Regulations) of Chapter 1 of Title 9 of the Oakley Municipal Code (RZ 02-19) (Ken Strelo, Principal Planner)

Suggested Action: Staff recommendation: 1) Open the Public Hearing, 2) Receive the Staff Report, 3) Receive Questions from the City Council, 4) Receive Public Testimony, 5) Close the Public Hearing, 6) Deliberate, 7) Summarize the Deliberation, 8) Waive the First Reading and Introduce the Ordinance

Staff Report
1. Public Hearing Notice
2. Tracked Changes Version of Additions and Deletions
3. Proposed Ordinance

5. REGULAR CALENDAR

5.1 Consideration of an Option Agreement with Juli Delbarba-Favalora to purchase approximately 1,500 square feet of City-owned property located at 3540 and 3570 Main Street (APNs 037-160-024 and 037-160-025) (Bryan Montgomery, City Manager)

Staff Report
1. Conceptual map view
2. Proposed site plan and elevation, Option A
3. Proposed site plan and elevation, Option B
4. Proposed site plan and elevation, Option C
5. Resolution
6. Option Agreement

5.2 Resolution of Support for a Cooperative Plan with Contra Costa County to Explore the Development of a Library at the former Delta Station site located at 210 O'Hara Avenue. (Bryan Montgomery, City Manager)
Suggested Action: Adopt the Resolution
Staff Report
1. Rough, conceptual site plan
2. Resolution

5.3 Interviews and Selection of One Person to Fill a Vacancy Seat on the Oakley City Council for the Remainder of the Current Term Expiring November 2020 (Libby Vreonis, City Clerk)
Staff Report
1. Applications
2. Resolution

6. REPORTS

6.1 CITY MANAGER
(a) City Manager
(b) Progress Update to the 2018-2020 Strategic Plan
2018-2020 Strategic Plan Update

6.2 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

7. WORK SESSIONS

8. CLOSED SESSION

8.1 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of Litigation Pursuant to Government Code Section 54956.9(b) One potential case.

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

9. ADJOURN



The President's Volunteer Service Award is presented to:

NAHZANEEN HATEFI

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

SARA ERICKSON

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

NATHAN SHAFFER

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

MYLES HENDERSON

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

12

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

MANUEL GUTIERREZ

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

13

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

LILLIAN KNUTTILA

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

14

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

JAVIER ANDUHA

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

ELENA SANTOLAYA

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

16

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

ANDREA CHAVEZ

BRONZE

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

17

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

MASON PFALTZGRAFF

SILVER

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

MADISON PFALTZGRAFF

SILVER

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

19

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

ESTELLA WITTSTRUCK

SILVER

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

20

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

JASMIN N. HERNANDEZ

GOLD

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

GIA MONTICELLO

GOLD

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

ANDREA DE LA CRUZ

GOLD

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT



The President's Volunteer Service Award is presented to:

ALLISON FELIX

GOLD

By the Corporation for National and Community Service in recognition and appreciation for their commitment to strengthen our nation and communities through volunteer service.

2018
Awarded

Corporation for NATIONAL & COMMUNITY SERVICE

POINTS OF LIGHT

Certificate of Appreciation

Presented to:

Andrea Dean

In recognition of volunteer service on the

Oakley Youth Advisory Council

to the City of Oakley, California

Awarded this 12st day of November 2019

Certificate of Appreciation

Presented to:

Sam Fryxell

In recognition of volunteer service on the

Oakley Youth Advisory Council

to the City of Oakley, California

Awarded this 12st day of November 2019

Certificate of Appreciation

Presented to:

Cameron Manning

In recognition of volunteer service on the

Oakley Youth Advisory Council

to the City of Oakley, California

Awarded this 12st day of November 2019

Certificate of Appreciation

Presented to:

Sulema Diaz

In recognition of volunteer service on the

Oakley Youth Advisory Council

to the City of Oakley, California

Awarded this 12st day of November 2019

Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency and Special Meeting of the Oakley Public Financing Authority held October 22, 2019

1) OPENING MATTERS

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

Mayor Claire Alaura called the meeting to order at 6:30 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. In addition to Mayor Alaura, Councilmembers Sue Higgins, Randy Pope and Kevin Romick were present. Mayor Alaura announced Vice Mayor Hardcastle is unable to join this evening.

1.2 Pledge of Allegiance to the Flag (Fernando Flores, 3rd Grade Student at Ironhouse Elementary School)

Third grade Ironhouse Elementary School student Fernando Flores led the Pledge of Allegiance.

The City Council thanked him.

1.3 Update Provided by Contra Costa Library Commission Appointee Yolanda Pena-Mendrek

Contra Costa Library Commission Appointee Yolanda Pena-Mendrek and Oakley Community Library Manager Andrea Freyler presented an update to the City Council.

Ms. Pena-Mendrek mentioned she and Ms. Freyler will provide an update what has been happening with the Library for at least the past six months. She mentioned the Library had a very nice summer program that served many people. She provided several handouts to the City Council and mentioned she will address some of it, instead of reading all. She shared that the Library is the pulse of the community; it is where everything takes place. She shared that online books are available, fun, convenient and great when traveling. She explained the mission is still to bring people together and to that effect, they need buildings such as the new Library in Pittsburg and the remodeled Library in El Cerrito (due to fire damage) which are bringing in more patrons. She mentioned the Library wants to make it convenient to have books for everyone to read. She shared that people who are unable to read are shown to struggle in life; therefore, the Library offers Project Second Chance where adults are able to learn to read and write, and can share books with their children. She shared information regarding Project Equitable Access in which the Library is no longer charging fines to encourage patrons to return books. She mentioned libraries are bringing in new patrons who attend different activities provided by libraries; it is not only depository for books, but a place where people get together. She indicated the County will continue to maintain and promote libraries and the programs they offer. She commented that some online book publishers are playing games to make more

money; they only give library a brief period of time to have the book and limit its availability. She mentioned the Library is working with the publishers to remove that obstacle so people have access to the books. She also commented that if the Library is a place where people feel safe and come to interact with others in the community, they are successful. She shared that the Summer Reading and Lunch program at the libraries was successful; 14,119 pledged to read, 7,810 people finished summer reading which was a 10% increase from the summer of 2018; 10 libraries hosted special events including a space station with guest NASA, 5,453 enriching, fun reading programs, and 5,973 meals were served to children 0-18 years old.

1.4 Update Provided by Oakley Community Library Manager Andrea Freyler

Ms. Freyler thanked Ms. Pena-Mendrek for her update. She shared that the Oakley Library is 1 of 26 libraries in Contra Costa County and in the summer, Oakley's reading program is offered only for 4 weeks because Freedom High School uses the Library for school registration; therefore, the Library offered something different every day to do which included an all abilities story time this year. She shared that Cardboard Creations was held during Spring Break and the children who participated used their skills through a creative process and it teaches skills such as focus, perseverance, and collaboration. She mentioned an extension of that which is offered all year is Lego Mindstorms on Saturdays where children have an opportunity to build robots, Teen Tuesdays, and the Maker Program where children sewed sock puppets and used tools to build rescue robots. She commented that teens expressed that was the only place they had to hang out and relax over the summer. She mentioned in 4 weeks, they offered 48 programs and had 739 participants. She explained summer is over, but the Library continues to offer programs with partners such as Chabot Space & Science Center, Livermore Shakes, and car care basics with Fast Eddie's. She shared Library staff is visiting local schools and every other Friday they visit the Senior Center. She shared upcoming events including: Art Guild of the Delta, Season of Authors, Storytime, and Howl La La Boo. She mentioned October is Discover & Go month (including free BART passes this month to some events) and the Library's new website and catalog will launch before end of the year. She shared the Library offers new library cards and since their launch in September, 2600 new customers have signed up for cards and 9900 came in the Library to get new cards, providing a 177% patron participant increase.

Councilmember Romick congratulated Ms. Pena-Mendrek regarding the successful program for book returns. He shared that a book was returned to a Berkeley library that was 74 years overdue. He mentioned because of the short time during the summer that the Library has with teens, it would be great to keep them more active. He suggested the Library and Recreation work together to extend the summer programs and keep teens engaged longer in the summer perhaps at the Recreation Center when the Library is unavailable due to Freedom High School registration.

Ms. Freyler responded that she loves the idea.

Councilmember Romick suggested that the Library reach out to Tri-Delta to inquire if a monthly program can be set up to bus seniors to and from the Library.

Ms. Freyler responded that there is no bus service on Saturdays so there are barriers to reach the Library; therefore she believes that is a fantastic idea.

Councilmember Romick commented he is impressed with everything the Library does throughout the year and thanked Ms. Freyler for her work.

Ms. Freyler responded that the Library has a great team.

Councilmember Higgins thanked Ms. Freyler and inquired if there is an embargo on online books.

Ms. Freyler explained that the top two publishers allow the Library one e-book for 4 weeks, then will sell it more, and e-books cost just as much as a physical copy. She further explained that the Library also has to pay a service fee to maintain the link. She commented that the increase of cost impacts what the Library can provide.

Mayor Alaura thanked Ms. Pena-Mendrek and Ms. Freyler. She shared that her family is part of the summer reading program and she can attest that people use the Library in its physical form as well as online.

2) PUBLIC COMMENTS

Margaret Flaugher thanked the City Council for an opportunity to speak. She explained that her neighbors are in trouble and she is here on their behalf. She shared that she knows the City Council is familiar with the background at Summer Creek Place and her major concern is that the residents continue to be told by everyone they reach out to that there is nothing that they can do to help. She mentioned residents have contacted the tax credit allocations committee, senior lawyers, and other organizations, and ECHO has come to the residents' aid; ECHO was able to get the rent increase dropped to $50 rather than $163, but the rents increase every quarter, resulting in a 25.97% increase in 10 months which is stiff. She explained the lease carries a low-income housing tax credit rider, but residents received a letter from HUD stating the facility is not a HUD facility, leaving residents confused. She mentioned the owners continue to use the schedule prepared by HUD and the tax credit committee to their advantage for tax credits, but they ignore the low-income rent of that same schedule. She expressed disappointment that the City Council and owners were invited to a meeting held by residents but have not attended. She shared that in the last two weeks, 10% of tenants have had to leave because they cannot pay the rent. She expressed they are desperate and soon there could be more homeless on the streets of Oakley.

Mayor Alaura mentioned her comment time is up and the Council has her written comments for the meeting record. She commented that Ms. Flaugher's written comments indicate the Council has stated in the past there is nothing it can do which seemed like slap in face. Mayor Alaura mentioned that the Council's response was not intended to be a slap in the face. She provided an analogy: the City cannot control the school districts because it has no jurisdiction and it is the same here; the City has no jurisdiction over rents and how rents are controlled. She clarified that it is not that the City does not want to help; it doesn't have jurisdiction to do so, but it will help and support the residents.

City Attorney Derek Cole commented that the Mayor's analogy is correct; the City has no jurisdiction because local government has no control, no say and no influence over federal and state agencies. He mentioned this issue has come up multiple times. He explained if you have a heart problem, you don't go to a podiatrist. He mentioned staff has provided contact for state and federal agencies and he understands from experience that it is no prize to contact them, but unfortunately it is that way.

Ms. Flaugher commented there is something the City Council can do; it can call someone who may know someone who has authority to work with the state tax credit bureau.

Mayor Alaura responded that the City Council will take that suggestion.

3) CONSENT CALENDAR

3.1 Approve the Minutes of the Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Public Financing Authority Meeting held October 8, 2019 (Libby Vreonis, City Clerk)

3.2 Waive the Second Reading and Adopt an Ordinance Regarding Text Amendments to Oakley Municipal Code Chapter 4.2 (Noise Control) Related to Excluding Residential Related Sites and Uses from Receiving Permits for Sound-Amplification Equipment (Ken Strelo, Principal Planner)

3.3 Waive the First Reading and Introduce an Ordinance Adopting Editorial Corrections in relation to Various Uniform Building Codes Which are Adopted by Reference (Derek Cole, City Attorney)

3.4 Acceptance of Work Associated with the Laurel Road Widening (Rose to Mellowood) Project - Capital Improvement Project Number 196 (Kevin Rohani P.E., Public Works Director/City Engineer)

3.5 Award of Construction Contract to ANDERSON Striping & Construction, Inc. for the Fiscal Year 2019/20 Street Restriping Project Capital Improvement Project Number 234 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Mayor Alaura pulled item 3.1.

It was moved by Councilmember Romick and seconded by Councilmember Higgins to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered. (4-0)

Item 3.1

Mayor Alaura commented she pulled item 3.1 to abstain since she was not here last time.

It was moved by Councilmember Romick and seconded by Councilmember Higgins to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered. (4-0)

4) PUBLIC HEARINGS

4.1 Acacia - An application requesting approval of: 1) a General Plan Amendment (GPA 03-18) to amend the land use designation from Single-Family Residential, High Density (SH) to Multi-Family Residential, Low Density (ML); 2) a Rezone (RZ 07-18) from Single-Family Residential (R-6) to Planned Unit Development (P-1); 3) a Vesting Tentative Map (TM 04-18) to subdivide approximately 13.4 acres into 108 single-family residential lots within a gated community, as well as one private street lot, twelve private drive lots, two water quality lots, and three landscape lots; and 4) a Design Review (DR 11-18) for the home designs, site landscaping,

fence plans, and site design. The project site is located at 5360 Main Street (APN's: 033-030-001 and 033-030-027)
(Joshua McMurray, Community Development Director)

Community Development Director Joshua McMurray presented the staff report. He referenced two comment letters received and responded to by staff of which the City Council was provided copies.

Councilmember Higgins commented that the City Council received a letter from a resident who expressed concern regarding emergency access from the proposed neighborhood. She inquired how emergency access would work if there is only one way in and one way out.

Mr. McMurray explained that there will be two entrances and exits to the neighborhood (Main Street and Honey Lane). He added that the project was sent to East Contra Costa Fire Protection District and while the Fire District didn't provide comment, it had an opportunity to review the public hearing notice and provided a letter stating the neighborhood must adhere to its regulations. He mentioned that after the project is approved, plans would have to be submitted to the Fire District for review and approval so staff feels there is adequate ingress and egress from the site and that additional access is not needed.

Councilmember Higgins inquired about the trips per car off of Main Street.

Mr. McMurray responded that it is typical trip that 1 home produces 1 peak hour trip and a traffic impact analysis was taken into account when staff performed the environmental review.

Mayor Alaura mentioned that one public testimony email letter was received and noted, and the Fire District submitted a letter requesting impact fees and a community facilities district for fire services in the neighborhood.

Public Comment

Joseph Sullivan commented that he has lived in the neighborhood close to the proposed development since 1995. He expressed concern regarding the quality of life residents have due to overbuilding homes which produce more cars on the road, adversely impacting commute traffic. He explained he commutes to his small manufacturing business in Concord because there is no place for his business in Oakley. He mentioned he would like to see Oakley take the lead on a moratorium on more houses being built until more infrastructure and jobs are available. He commented that the roads are garbage and he was told Laurel Road will be completed except a portion to Main Street. He inquired where his taxes are going. He explained he is from a small farm town in the Midwest and he wants to keep a small town environment in Oakley where there is community. He explained now there is no community; residents return to their homes, go in their garages and close the door because residents are tired because they are spending all of their time on the road. He expressed he is fortunate to only have to go 25 miles rather than 60 miles or more that commuters drive, but the quality of life for residents is decreasing because there are too many homes and no jobs. He also expressed he would love to put his business in Oakley, but he cannot because there are no buildings.

City Manager Bryan Montgomery commented that the applicant may want an opportunity to speak as he may answer questions before they come forward. He clarified that Laurel Road (from Mellowood Drive to Main Street) is almost completed and designed. He shared there will be a bid in the spring and it will be built next year. He mentioned there is always room to

improve roads, but Oakley's roads are very high quality; on a pavement condition index, Oakley roads are the highest in the County.

Mayor Alaura commented she has many of the same sentiments, but being on that side of it and taking the time to understand what some of the barriers are, has opened her eyes. She mentioned all of the cities are working together to try to bring jobs to this area; however, there are bonuses and businesses that receive incentives from being on the other side of the Bay and it is unfortunate because cities here don't have the money to make incentives and it is slow because there isn't money for that. She further explained that property owners have the right to sell to developers and developers have the right to develop; if the City steps in to try and prevent that by imposing a moratorium, it would likely face a number of lawsuits which it doesn't have money to pay for. She expressed that she understands Mr. Sullivan's frustration and it is unfortunate that he does not feel the small town feel, but many still do. She mentioned she hears him, shares some of the same sentiments, and the City is working with surrounding cities to try and attract new business and jobs, but the money and location need to be attractive to bring business.

Mayor Alaura closed the public hearing.

The applicant, Steve Miller with Signature Homes shared that Signature Homes started in 1983 and is family owned and operated out of Pleasanton; the company has many friends, family and employees who live in Oakley. He mentioned Signature Homes completed the Orchard Project at Emerson Ranch and he is excited about the Acacia project which will be an HOA managed community in a great location close to both schools and parks. He commented that Signature Homes hopes to continue to build its relationship with Oakley.

Councilmember Pope inquired if the neighborhood will have a community facilities district (CFD).

Mr. Miller confirmed it will have a CFD.

Mr. McMurray added that the project is conditioned to have the impact fees as well.

Mayor Alaura asked Mr. Miller to confirm if one community meeting was held with surrounding residents and if it was well attended.

Mr. Miller confirmed one community meeting was held and15-20 people attended. He added that a follow up meeting was held to address specific concerns.

Mayor Alaura inquired if residents on Honey Lane, the other side of the street, and everyone backing on Raye Avenue were invited.

Mr. Miller confirmed they were all invited in compliance with the City's standards to provide mailed notice to property owners within a 500 foot radius of the proposed project.

Councilmember Romick commented that in California, city officials are under pressure by the state to build. He explained that Governor Newsom promised 500 thousand new houses a year and signed 18 bills just this month to increase building and there are more bills proposed for next year. He also explained that each bill is taking local control away and giving it to the state. He further explained that the City has a General Plan and it is what the City follows for build; this project adds some additional homes, but not much greater than what was originally planned. He

shared that he sits on transportation agencies and is aware of what needs to happen to keep up with growth; the Council is not in vacuum; it knows what needs to get done, but the issue is how to incentivize and attract business to East County. He mentioned a report will be forthcoming from Dwayne Dalman, the City's Economic Development Manager, tonight. He explained that the four East County cities are in discussion to identify areas for light industrial, but the cities can't force it and can't afford to build for them to come; there is no funding and the cities can't gamble funds. He commented that placing a moratorium on build would invite lawsuits and the state may step in and take away more local control; therefore, there is pressure from multiple directions and growth is necessary to attract business. He also commented that East County has more affordable housing compared to the rest of the Bay Area or people move to the valley and commute even further, congesting roads even more. He expressed he understands it is a dilemma with no perfect resolution, but he understand the issues and the cities are trying to work on it. He shared that SB 1 funding is for big transportation projects, but it takes a long time to get things done due to California's environmental laws. He recognized East County is changing as are other areas of the Bay Area where everyone wants to live and work which places pressure on cities to figure out the best way to build in a manner that can keep up with needs and demands.

Councilmember Pope introduced Mr. Sullivan to Dwayne Dalman, Economic Development Manager. He commented that Oakley has many parcels available to build business; the opportunity is here and he would love to steal Mr. Sullivan away from Concord and shorten his commute. He asked Mr. Sullivan to please tell other business owners about Oakley. He mentioned he doesn't understand why businesses build in the most expensive places to live where employees must commute when they can build here cheaper, it is safe, there are good schools, and have employees closer to home and work which would likely save them money. He also mentioned Laurel Road is a priority and is going to get to Main Street next year except one short piece where a property owner is holding onto it until someone wants to buy the entire piece. He shared the alternative is eminent domain which he is not a fan of. He mentioned the infrastructure is coming soon with safe streets signalized, controlled intersections and crosswalks for pedestrians, and bicycle lanes. He expressed he is glad to hear the project will include a CFD to provide ongoing revenue for fire service; it will help pay for firefighters; and residents here will pay more than other residents for fire services so they should be thanked. He commented he spoke with the developer regarding crowding more people into less space because when he moved to Oakley there were larger lots, but he understands that when the land is purchased, it already costs the builder $100k to build. He mentioned many people are looking for places to live and if Oakley doesn't provide housing, the state can take local authority away and then build it for Oakley. He explained that the City Council and staff are trying to make projects attractive, a place where they would want to live and to bring more people to Oakley as customers for the type of businesses Oakley wants to attract. He mentioned this is not the type of project he would dream about, but it attracts people to Oakley that can afford it which may include new families or downsizing for seniors; with supply and demand, it will free up other housing, forcing costs down instead of up. He expressed that he is glad Councilmember Hardcastle is not here this evening so he can propose to name a street within the project Hardcastle Lane.

Councilmember Higgins commented that the City Council is diligent with using SB 1 money to keep up with road improvements. She mentioned the City has open sessions and online input for the community to participate, to provide transparency, and invite community involvement. She shared that she also grew up in a farm area and Oakley has a map how the City is planned out so residents know where commercial and residential development will occur before they

purchase their homes. She mentioned she likes the development and that it is gated. She shared she used to live in Quail Valley, knows the area well and likes it.

Mayor Alaura commented that this is a different project that fills a need for a starter home or downsizing, it will be HOA managed and gated, it will have strict CCR's, and she has faith it will be a well-kept community where the City will have little or no need to provide funding for its maintenance. She also commented it will bring more traffic, but the ingress and egress is expected to be designed with care and the City Council will decide how it is to be done. She mentioned she appreciates that the developer is not maximizing the amount of housing it could have and she appreciates that compromise. She explained with the change in zoning, the housing could have been an apartment building, but she is glad that is not the direction the project is going; the developer is keeping it single-family homes that will provide some space. She commented that she hopes more people are coming to Oakley because people are hearing what an awesome place Oakley is to live and she wants to keep it that way. She mentioned they hope to keep Oakley an awesome place to live by improving roads and infrastructure.

Councilmember Pope inquired if the street naming can be attached to the action of the Council tonight.

Mr. McMurray responded that there is a formal process for street naming and deferred to the developer, indicating he knows there are multiple property owners present this evening; therefore, the developer may wish to confer with them.

It was moved by Councilmember Pope and seconded by Councilmember Higgins to adopt the resolutions and waive the first reading and introduce the ordinance. Motion was unanimous and so ordered. (4-0)

5) REGULAR CALENDAR

5.1 Waive the First Reading and Introduce an Ordinance Adding Section 2.1.009 to the Oakley Municipal Code Requiring Electronic Filing of Campaign Statements and Statements of Economic Interests (Libby Vreonis, City Clerk)

City Clerk Libby Vreonis presented the staff report.

Tom Diebert, Owner, Vice President and COO of NetFile, provided additional information regarding services NetFile provides.

Councilmember Romick commented it is about time; he has been waiting for e-filing to happen in the City.

Councilmember Higgins inquired if it would outsource the Clerk's job.

City Manager Bryan Montgomery commented the City Clerk has many other tasks to keep her busy.

It was moved by Councilmember Romick and seconded by Councilmember Higgins to waive the first reading and introduce the ordinance. Motion was unanimous and so ordered. (4-0)

5.2 Fiscal Year 2019/20 First Quarter Report on the Capital Improvement Program (Kevin Rohani, P.E., Public Works Director/City Engineer)

Public Works Director Kevin Rohani presented the staff report. He discussed the Laurel Road/Rose Avenue Intersection Improvement Project, the Laurel Road Widening Project (Rose Avenue to Mellowood Drive), the Laurel Road Reconstruction Project (Mellowood Drive to Main Street), the Downtown Train Platform Station and Parking Lot Phase 1 Project, the New Fire Station #55 Construction Project, the Athletic Field at Nunn-Wilson Park Project, the Vintage Parkway Repair and Rehabilitation Project, the Fiscal Year 2019-2020 Street Repair and Resurfacing Project, the Oakley Civic Center Emergency Generator Project, the Main Street/O'Hara Avenue Intersection Improvement Project, the Delta de Anza and Marsh Creek Trail Connection Safety Improvements Project, the Police Locker Room and Detective Room Expansion Project, and the Empire Avenue/Gateway Drive Signalization Project.

Councilmember Higgins inquired if the parking lot for the train platform will be built before 2021.

Mr. Rohani explained that the railroad was going to have their own consultant but then asked the City to use its consultant and it takes time to coordinate, but they email each other daily. He further explained that there are multiple agencies on the railroad side working with them and he would expect at this pace, in the third quarter of 2020 to have the design completed, but he can't say at this point if parking lot and platform will be concurrent. He mentioned construction is expected by 2021.

Councilmember Romick commented that he has been in contact with BNSF, Amtrak and the JPA. He explained that BNSF owns the railroad and it has to be cleared with them first. He added BNSF is on its own time schedule which does not necessarily coordinate with the City's schedule. He mentioned he reached out to JPA and it is a go, but is taking longer than everyone is used to at the City.

Mayor Alaura mentioned the City Council decided for the crosswalk at Cloverbrook to be removed and it has been removed. She inquired what other measures are being taken to encourage crossing at the new signal (at Rose Avenue and Laurel Road).

Mr. Rohani mentioned staff has placed barricades, had conversations with residents regarding safe crossing, and will continue to monitor the area. He mentioned it will take time for change because it is a matter of convenience, but the crosswalk was not safer.

Mayor Alaura inquired if notices were provided to the neighborhood residents.

Mr. Rohani confirmed residents were notified and they continue to be engaged on Oakley on Demand and through phone calls. He mentioned the signal was just turned on last week, he is receiving positive feedback on the traffic flow, and he expects things will settle in time.

Mayor Alaura commented that she wants to ensure no one gets hurt and everyone is aware where to cross (at the signal light). She shared that when she is commuting through the intersection, she is not certain the signal is a time-saver because everyone is commuting to school in the morning, but it feels like things flow easier with the signal.

Mr. Rohani mentioned there are dedicated left turn lanes at Rose Avenue and Laurel Road to alleviate cut through traffic in the neighborhood, especially near Cloverbrook.

Mayor Alaura expressed that she is glad an emergency generator is coming here. She mentioned PG&E has announced periodic power shut offs (throughout California) and while Oakley is less likely to be impacted, during an event, the generator will allow power at City Hall. She proposed for a future agenda that an emergency generator for the Recreation Center area be considered as it could be used as a place for people to gather that is not attached to City Hall in the event City Hall cannot be occupied. She thanked Mr. Rohani for his work.

Mr. Rohani thanked the Mayor for her support.

5.3 Economic Development Update
(Dwayne Dalman, Economic Development Manager)

Economic Development Manager Dwayne Dalman presented the update. He discussed attraction, retention and projects. He explained staff meets and talks with property owners and brokers, creates attraction plans for each property or center and implements the plan by co-marketing on City sites and with outreach activity. He shared the City's new marketing materials. He mentioned the City's main attraction sites are at Bridgehead and Main, along the Main Street corridor and along the Laurel corridor. He identified 7 shopping centers and 6 projects that could attract more businesses. He explained attraction challenges include competition and lack of inventory. He shared efforts to retain business in Oakley include the Oakley Entrepreneur Center which provides trainings and workshops and also provides business work space. He also shared the business promotion effort to visit VIB's (very important businesses) and to shop local. He mentioned he completed GrowthWheel Business training and is partnering with the Chamber of Commerce. He also mentioned he is working on special projects for city property involving requests for proposals and tenant management.

Councilmember Romick commented that he appreciates Mr. Dalman's work; he knows it is difficult to attract retail and for 20 years the City has been trying to reach out in an environment where Oakley does not have rooftops, it has retail competition on Lone Tree, it has the wonderful Delta but only 180° access, and it has only a small strip of visibility from HWY 160. He mentioned he understands the job here is more challenging than in neighboring cities; Oakley has land, but it is more expensive to build from the ground up; and Oakley needs a sugar-daddy who can help build Oakley up and who has same vision. He commented that he likes the Small Business Saturday event on November 30, between Black Friday and Cyber Monday, because most of Downtown Oakley contains small businesses. He mentioned he spoke with the Chamber and it is willing to partner to advertise. He suggested posters can be placed inside the businesses and the City's website can include a link for local businesses to let people know what is available in Oakley. He commented that although he gets yelled at for it, the best thing the Council did was to slow traffic down in Downtown Oakley so people see what business is in Oakley rather than Oakley being a pass through point to shop in other cities. He suggested that maybe the City should look at ways to further slowdown traffic so people notice businesses and are attracted to them. He expressed appreciation to Mr. Dalman for the work he has done and his effort.

Councilmember Pope responded "ditto".

Mayor Alaura also responded "ditto". She thanked Mr. Dalman for his work. She shared that the networking event held and created by a recent Leadership graduate brought in executives from Netflix, Uber, Coca-Cola and Tesla to speak and motivate others how to reach their goals. She

expressed hope that executives may return to their companies and consider Oakley for future development. She thanked Mr. Dalman and the resident who helped put it together.

5.4 Amendment to Chapter 6.02 of the Oakley Municipal Code Related to Reimbursement for Adjustment to Public Utilities in Streets and Sidewalks (Derek Cole, City Attorney)

City Attorney Derek Cole presented the staff report.

He requested Section 6.2.702 be revised to omit reference to "public works project" and replace it with "public transportation project". He also requested Section 6.2.702 be revised to reflect the word "Infrastructure" with a lower-case "i".

It was moved by Councilmember Romick and seconded by Councilmember Higgins to waive the first reading and introduce the ordinance. Motion was unanimous and so ordered. (4-0)

6) REPORTS

6.1 CITY MANAGER
(a) City Manager

City Manager Bryan Montgomery mentioned East Contra Costa Fire Protection District has a "key facts" flyer, copies of which are located in the City Hall lobby; the Fire District encourages residents' participation and comments online or by mail. He announced the Harvest Festival will be held at Civic Center Plaza from 12 p.m.-4 p.m. on Saturday, the Hometown Halloween Decorating Contest (entry deadline is October 21 and voting will be open October 22-October 28), and Friday Night Bites will be held November 4 in Civic Center Plaza.

6.2 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 Higgins reported she attended the League of California Cities' Annual Conference and during the General Assembly meeting, members voted to approve a resolution to call upon the federal and state governments to address the devastating impacts of international transboundary pollution flows from Mexico into the southernmost regions of California and the Pacific Ocean. She also reported she learned about Airbnb's and how the Town of Truckee has handled them. She mentioned the City can request on the Airbnb website who has Airbnb properties in Oakley which is important because the City should capture tax revenue (transient occupancy tax) from these properties. She mentioned the renters of Airbnb's do not always pay attention to local rules regarding trash and noise. She also mentioned the City should capture a photo when the Airbnb is posted because the property may be advertised with an address one time and not the next and sometimes the photos show the inside of the home and the next time the outside; by capturing the photos, the City can show the property is being advertising as a short-term rental to establish that the Airbnb owes tax revenue to the City. She mentioned loss of local control was discussed in almost every session she attended at the conference. She also reported that she attended the 5th Out of Darkness Walk which raised

$40k and was well-attended. She mentioned she had a conflict with another meeting which is why she could not attend the meeting with the Summer Creek Place residents, but she replied to emails and she reached out to Supervisor Burgis through Dawn Morrow and will reach out to Senator Glazer to see if he can do anything about the state tax board.

Councilmember Pope reported the next Habitat Conservancy meeting will be held October 28 at 2pm at Pittsburg City Hall.

Mayor Alaura reported that the East County Family Justice Center is now open and provides services for domestic violence, child abuse and elder abuse. She thanked Francine McMahon with Daub 4 Kids Bingo in Oakley for fulfilling the entire wish list for the East County Family Justice Center. She also reported she attended the Contra Costa Mayors' Conference where the presentation topic was the Contra Costa Electric Vehicle Readiness Blueprint; she learned what cities need to do to be prepared and mentioned the City may need to set aside or find funding for that when it comes along. She announced she attended the 10th Annual Mayors' Healthy Cook-Off Challenge and Oakley came in first with help of Chef Tonnelier at Oakley Bistro. She mentioned the trophy is being engraved and should be on its' way soon. She thanked Chef Tonnelier for his help and expressed hope that the next Mayor will participate in the event next year.

(b) Requests for Future Agendas

Councilmember Romick requested staff prepare a summary by January 2020 regarding the 18 housing bills recently signed into law by Governor Newsom. He mentioned he would like the summary to include information regarding what the bills will do, the impact of those bills moving forward, and what type of restrictions may be placed on the Council's decision making process.

Mayor Alaura mentioned she believes the League of California Cities may already have some of this information available and it and may be able to assist.

7) WORK SESSION

7.1 General Plan Work Session-Environmental Justice and Climate Change (Joshua McMurray, Community Development Director)

Community Development Director Joshua McMurray introduced the topic. He mentioned this is the third work session held in a series. He also mentioned staff received an email from Contra Costa County Climate Leaders and it was provided to the City Council. He added that he spoke with Beth Thompson, Principal with De Novo Planning Group, and he and she feel they can incorporate most of what they said into the General Plan Update.

Ms. Thompson provided a presentation regarding environmental justice and climate change. She discussed the process of the General Plan Update and explained that SB 1000 requires cities to address environmental justice if they have "disadvantaged communities". She explained that the General Plan must address the following in relation to environmental justice: pollution exposure and air quality, public facilities, food access, safe and sanitary homes, physical activity, civil or community engagement, and improvements and programs that address the needs of disadvantaged communities. She shared a map of areas in Oakley identified as disadvantaged communities and explained that these areas were selected because of population characteristics and pollution indicators and she suggested potential General Plan

policies and actions for both. She discussed community input for Focus Area 1 showed that top concerns are lack of community services, noise, access to affordable and nutritious food, need for aesthetic improvements, lack of sale and affordable housing, and a disparity between subareas; and top needs are public safety, public facilities, parks and recreation, safe and affordable housing, and maintenance and renovation. She also explained that Government Code 65302 requires the General Plan to address climate adaptation and resiliency strategies applicable to the City and to provide vulnerability assessment that identifies risks that climate change poses to the City. She identified goals, policies and measures that the General Plan must include and discussed the potential effects of climate change. She provided three sea level rise scenarios. She discussed potential General Plan policies and actions to plan for and address climate change effects. In conclusion, she provided the General Plan Update Schedule.

Councilmember Romick commented he is concerned residents in the Neroly to Main area on the west side of the presentation map would be concerned if they were considered disadvantaged because that area has custom-built homes that are probably valued at a million dollars. He mentioned he understands pollution, but since most of the pollution causing things along Wilbur Avenue no longer exists, he is trying to figure out how air pollution or whatever may affect them would impact the area to consider it disadvantaged.

Ms. Thompson explained it is due to the way the census tracts are drawn and this area includes a sliver of Oakley and a large portion of Antioch that is lower-income or more disadvantaged as identified by the State; therefore, the entire area is a disadvantaged community as defined by the State, but the City can take a closer look to see if it is truly disadvantaged.

Councilmember Romick inquired why schools and trails were not included if looking at the physical activity; i.e., the Antioch/Oakley shoreline park (90% of the park is in Oakley). He explained the sports leagues utilize the school fields for recreation and they would have added 10-11 more places.

Ms. Thompson responded they can be added in.

Councilmember Higgins requested clarification regarding how Oakley has hazardous water.

Ms. Thompson responded that there are two different issues; there is hazardous ground water where the ground water basins exceed maximum contaminate loads and there are impaired water bodies and these are any water body list under the Clean Water Act which includes all Delta waterways; the rivers and streams that feed into the Delta have an unidentified toxin present and increased sediment load. She explained that all jurisdictions as part of their storm water permit process with the regional water quality board have identified a number of measures to reduce the daily load. She further explained that the Cal screen tool takes a number of factors and rates and ranks the census tracts based on the factors so any jurisdiction that is proximate or impacted by an impaired water body gets a high score.

Councilmember Higgins inquired if it still receives a poor score if residents are not drinking the water and get their water through Diablo Water District.

Ms. Thompson responded yes, because of broader indicators; it doesn't always take into account local conditions such as how you get the water. She explained in a lot of agricultural areas there is use of pesticides so with use within the City you don't see those applied, but because of the broader area and broader pollutant indicators, you see a higher score where you do not necessarily at the sublevel see the same effects.

Councilmember Higgins inquired about the core area that was considered not to have enough food resources. She commented that she would think the area has more access to food since it is near Raley's and has easier access to food than other areas of the City such as Summer Lake.

Ms. Thompson responded there is not a food desert identified in this area, but there is on East Cypress.

Councilmember Romick inquired if there is a way to include the homes to be built in the East Cypress area near the levee in the process of assessing flood potential.

Ms. Thompson explained that they don't have control over the model tools to change them, but unless there is an extreme scenario, those homes shouldn't be impacted. She shared the Summer Lake area is not impacted almost under every scenario. She inquired if he is referring to the Delta Cove project.

Councilmember Romick commented that the Delta Cove project is not impacted with the rising level like Summer Lake.

Ms. Thompson responded that is how the model looks at it and in most scenarios, Summer Lakes is protected, but the Council can ask future developments to look at different model scenarios and have them identify whether or not their proposed improvements would provide protection. She mentioned state-wide trajectories and global projections for the change in greenhouse gas emissions can also be examined.

Mr. McMurray explained that the East Cypress corridor is not subject to policies placed in the General Plan; the existing development is already entitled so they have been approved with existing entitlements and are not subject to new entitlements.

Ms. Thompson indicated she will come back in December or January to discuss mobility.

Mayor Alaura thanked her for her work. She requested staff post the presentation online and link the meeting video where the presentation begins.

8) CLOSED SESSIONS

None.

9) ADJOURN

There being no further business, the meeting was adjourned at 9:14 p.m.

Respectively Submitted,

Libby Vreonis
City Clerk

ORDINANACE NO.___-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY PROVIDING EDITORIAL REVISIONS TO TITLE 7 OF THE OAKLEY MUNICIPAL CODE, DEALING WITH BUILDING AND HOUSING REGULATIONS

The City Council of the City of Oakley does ordain as follows:

Section 1. Chapter 1 of Title 7 of the Oakley Municipal Code is hereby amended to read as follows:

CHAPTER 1 CODE ADOPTIONS

7.1.102 Adoption by reference.

The following publications, 2019 Edition, including the specified appendices thereto, are hereby adopted by reference and incorporated into this code as they are adopted, published and promulgated from time to time by the International Code Council, and as adopted by the California Building Standards Commission in the California Code of Regulations:

a. The California Building Code, Volumes 1 and 2, including Appendix Chapters: C – Group U Agricultural Buildings, H – Signs, I – Patio Covers.

b. The California Residential Code, including Appendix Chapters: G – Swimming Pools, Spas and Hot Tubs, and H – Patio Covers.

c. The California Electrical Code, incorporating the National Electrical Code.

d. The California Mechanical Code, incorporating the Uniform Mechanical Code, excluding Appendix Chapters.

e. The California Plumbing Code, incorporating the Uniform Plumbing Code.

f. The California Energy Code, including Appendix Chapter 1-A – Standards and Documents Referenced in the Energy Efficiency Regulations.

g. The California Historical Building Code, including Appendix Chapter A.

h. The California Existing Building Code.

i. The California Green Building Code.

j. The California Reference Standards.

k. The International Property Maintenance Code, including Appendix A – Boarding Standard.

l. The California Fire Code, as amended to adopt ~~the~~ local amendments and appendices to the 2019~~96~~ California Fire Code ~~contained in~~as adopted by East Contra Costa Fire Protection District ~~Ordinance No. 2017-02~~, ~~one~~ a copy of which shall be~~is~~ kept in the office of the Building Official~~,~~ and ~~are adopted and~~ referred to and by this reference, expressly incorporated and made part of this chapter as though fully set forth herein, subject to additional amendments set forth in this chapter.

CHAPTER 2
AMENDMENTS TO CODES

7.2.102 Amendments to the California Building Code.

The California Building Code ("CBC"), Volumes 1 and 2, are amended by the changes, additions and deletions set forth in this Chapter.

a. CBC Volume 1, Chapter 1 – Scope and Administration, Division II – Administration, is amended as follows:

1) Section 101.1, Title, is amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Building Code of the City of Oakley hereinafter referred to as "this Code".

2) Section 101.4.3, Plumbing, is amended in its entirety to read as follows:

Section 101.4.3 Plumbing. The provisions of the California Plumbing Code (CPC) shall apply to the installation, alteration, repair, and replacement of plumbing systems, including equipment, appliance, fixtures, fittings and appurtenances, and where connection to a water or sewage system and all aspects of a medical gas system.

3) Section 105, Permits, is amended to include subsection 105.2(14), Residential decks, to read as follows:

Section 105.2(14). Residential decks. Decks for Group R-3 occupancies and Group U occupancies accessory to R-3 occupancies, not exceeding 200 square feet (18.58m) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by California Residential Code (CRC) section R311.4~~1~~ – Egress door.

4) Section 105.5, Permits, is amended to read as follows:

Section 105.5. Expiration. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building, structure, equipment or work authorized by

such permit is not commenced within ~~180~~ 365 days from the date of such permit, or if the building, structure, equipment or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work as set forth in the current fee schedule as adopted by the Council, provided no changes have been made or will be made to the original plans or specifications for such work, and provided further that such suspension or abandonment has not exceeded one year.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time frame required by this section for good and satisfactory reasons. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing with justifiable cause demonstrated and accompanied by an extension request review fee, as required by the current fee schedule as adopted by the Council.

5) Section 109.2, Schedule of permit fees, is amended in its entirety to read as follows:

Section 109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the current fee schedule as adopted by the Council.

The Council is hereby authorized to set and amend all fees prescribed by this Code. Said fees may be adjusted periodically by the Council to ensure the full recovery of City costs relating to building permits and inspections.

Permit fees and any required plan checks are based upon the value of the project. Electrical, plumbing and mechanical fees are based on a percentage of the building permit fee. The determination of value or valuation shall be made by the Chief Building Official. The Chief Building Official shall maintain the current fee schedule, and shall make it available for public review upon request.

6) Section 109.4, Work commencing before permit issuance, is amended to include subsection 109.4.1, Investigation, investigation fees, work without a permit:

Section 109.4.1 Investigation, investigation fees, and work without a permit. Whenever any work for which a permit is required

by this code has been commenced without first obtaining said permit, an investigation shall be made before a permit may be issued for such work. An investigation fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the current fee schedule as adopted by the Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

7) Section 109.6, Refunds, is amended in its entirety to read as follows:

Section 109.6 Refunds. The Building Official may authorize the refunding of not more than 80% of the permit fees paid when no work has commenced under a permit in accordance with this code or when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

8) Section 109, Fees, is amended to include Section 109.7, Re-inspections, and Section 109.8, Plan review fees:

Section 109.7 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is scheduled and is not complete or when corrections called for previously are not complete.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

To obtain a re-inspection, the applicant shall call and schedule a re-inspection and pay the re-inspection fee set forth in the current fee schedule as adopted by the Council.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 109.8 Plan review fees. When submittal documents are required, a plan review fee shall be paid at the time of submittal for plan review. Said plan review fee shall be a percent of the building permit fee as shown in the current fee schedule as adopted by the Council.

The plan review fees specified in this section are separate fees from the permit fees specified in the current fee schedule as adopted by the Council and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1 – Deferred submittals, an additional plan review fee shall be charged at the rate shown in the current fee schedule as adopted by the Council.

9) Section 113, Board of appeals, is amended for existing Section 113.1, General:

Section 113.1 General. Any appeals of City determinations under this chapter shall occur as specified in Title 1 Chapter 8 of this code.

7.2.104 Amendments to the California Residential Code.

The California Residential Code ("CRC") is amended by the changes, additions and deletions set forth in this chapter.

a. CRC Part 1, Administrative, Chapter 1, Scope and Application, Division II, Administration, is amended as follows:

1) Section R100, General, subsection R101.1, Title, is amended in its entirety to read as follows:

Section R101.1-Title. These provisions shall be known as the Residential Code for One- and Two-family Dwellings of the City of Oakley, and shall be cited as such and will be referred to herein as "this code."

2) Section R102, Applicability, subsection R102.4.1, Conflicts, is amended in its entirety to read as follows:

Section R102.4.1-Conflicts. When conflicts occur between the administrative provisions of this code and the adopted provisions of CBC Chapter 1-Scope and Administration, Division II-Administration, the provisions which have greater specificity shall apply.

Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

7.2.106 Amendments to the California Electrical Code.

The California Electrical Code ("CEC") is amended as follows: Administrative provisions, as amended and adopted by the City of Oakley, prescribed in the

Building Code of the City of Oakley, shall be used for the administration of this code.

7.2.108 Amendments to the California Mechanical Code.

The California Mechanical Code ("CMC") is amended by the changes, additions, and deletions set forth in this chapter.

a. CMC Chapter 1, Administration, Division II, Administration, Part 1, General, is amended as follows:

1) Section 102 Title, Applicability, subsection 102.1, Conflicts between codes, is amended in its entirety to read as follows:

Section 201.1~~2~~ Conflicts Between Codes. Where, in a specific case, different sections of this code or referenced standards specify different materials, methods of construction, or other requirements, the most restrictive shall govern as determined by the authority having jurisdiction. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall prevail

When conflicts occur between the administrative provisions of this code and the adopted provisions of CBC Chapter 1 – Scope and Administration, Division II – Administration, the provisions which have greater specificity shall apply.

Where conflicts occur between the provisions of this code and referenced codes and standards, the provisions of this code shall apply.

b. CMC Chapter 1, Administration, Division II, Administration, Part III, Permits and Inspections, is amended as follows:

1) Section 104, Fees, subsection 104.3.2, Plan Review Fees, and subsection 104.5, Permit Fees, is amended in its entirety to read as follows:

Section 104.3.2. Plan Review Fees. Where plans or other data are required to be submitted in accordance with section 112.2 – Plans and Specifications, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for mechanical work shall be in accordance with the most current fee schedule as adopted by the Council.

Section 104.5 – Permit Fees. The fee for each permit shall be as set forth in the most current fee schedule as adopted by the Council.

7.2.110 Amendments to the California Plumbing Code.

The California Plumbing Code ("CPC") is amended by the changes, additions, and deletions set forth in this Chapter.

a. CPC Chapter 1, Administration, Division II, Administration, is amended by addingas followsthe following:

1) Section 102, Applicability, subsection 102.4.1, Conflicts between codes, is amended in its entirety to read as followsby adding the following:

Section 102.4.1 Conflicts between codes. Where the requirements within the jurisdiction of this plumbing code conflict with the requirements of the mechanical code, this code shall prevail. In instances where the code, applicable standards, or the manufacturer's installation instructions conflict, the more stringent provisions shall prevail. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall prevail.

When conflicts occur between the administrative provisions of this code and the adopted provisions of CBC Chapter 1 – Scope and Administration, Division II – Administration, the provisions which have greater specificity shall apply.

When conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

2) Section 104, Permits and Inspections, subsection 104.3.2, Plan Review Fees, and subsection 104.5, Fees, is amended in its entirety to read as follows:

Section 104.3.2 Plan Review Fees. Where plans or other data are required to be submitted by either section 104.3.1 – Construction Documents, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be in accordance with the most current fee schedule as adopted by the Council.

Section 104.5 Fees. The fee for each permit shall be as set forth in the most current fee schedule as adopted by the Council.

7.2.112 Amendments to the International Property Maintenance Code.

The International Property Maintenance Code ("IPMC") is amended by the changes, additions and deletions set forth in this chapter.

a. IPMC Chapter 1, Scope and Administration, Part 1, Scope and Application, is amended as follows:

1) Section 101, General is amended to read as follows:

Section 101 General. These regulations shall be known as the Property Maintenance Code of the City of Oakley, hereinafter referred to as "this code."

2) Section 102.3, Application of other codes, is amended to read as follows:

Section 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the effective California Existing Building Code, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Historical Building Code, California Fire Code, California Existing Building Code and the California Reference Standards.

b. IPMC Chapter 1, Scope and Administration, Part 2, Administration and Enforcement, is amended as follows:

1) Section 103.1, General, is amended to read as follows:

Section 103.1 General. The Authority for the enforcement of this code shall rest with the City Manager

2) Section 103.2, Appointment, is amended to read as follows:

Section 103.2 Appointment. The code official referenced in this Code shall be a building official hired, appointed or retained in accordance with the Oakley Municipal Code.

3) Section 103.5, Fees, is amended to read as follows:

Section 103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the most current fee schedule as adopted by the Council.

4) Section 106.3, Prosecution of violations, is amended to read as follows:

Section 106.3 Prosecution of violations. Any person failing to comply with a notice of violation or order served in accordance with section 107-Notices and orders shall be deemed guilty of a misdemeanor in accordance with Oakley Municipal Code Title 1, Chapter 5.

5) Section 111, Means of appeal, is amended to read as follows:

General. Any appeals of City determinations under this chapter shall occur as specified in Title 1 Chapter 8 of this code

Section 113.4.3 Extension of time to perform work. Upon receipt of an application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation or demolition, if the code official determines that such an extension of time will not create or perpetuate a situation imminently dangerous

to life or property. The code official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order.

Section 113.4.4 Summary abatement.

(a) If a declared dangerous structure or public nuisance is not completely abated by the owner of the property within the time prescribed, the Chief Building Official or authorized agent may request from the Council the authority and funding to cause the dangerous structure or declared public nuisance to be abated by county personnel or private contract. In furtherance of this section, the Chief Building Official or designee is expressly authorized to enter upon the premises for the purpose of abating the dangerous structure or declared public nuisance.

(b) Where required by state or federal law, a warrant shall be obtained prior to entry onto the premises for the purpose of abating the nuisance, unless written consent to enter is received from the owner or occupant of the premises or warrantless entry is otherwise permissible under state or federal law. Where a warrant is required, notice shall be given to the owner or occupant of the issuance of the warrant 24 hours prior to the entry, unless the warrant provides otherwise.

Section 113.4.5 Cost of abatement. The Chief Building Official or his designee shall keep an accounting of the costs and expenses of abating such dangerous structure or declared public nuisance, and shall render a statement of such costs to the person or persons receiving the notice and order.

(a) Such person or persons receiving the notice and order shall be liable to the City for any and all costs and expenses to the City involved in abating the dangerous structure or declared public nuisance.

(b) Costs and expenses as referred to in this section shall include but are not limited to, any and all direct costs related to personnel salaries

and benefits, operational overhead, fees for experts, consultants or contractors, legal costs or expenses including attorney fees, claims against the county arising as a consequence of the dangerous structure or declared public nuisance and procedures associated with collecting moneys due hereunder.

Section 113.4.6 Assessment of Costs-Lien against property. The total cost of abating a dangerous structure or declared public nuisance shall constitute a special assessment against the premises to which it relates, and upon recordation in the office of the County Recorder of a notice of lien, shall constitute a lien on the property for the amount of such assessment.

(a) After such recordation, a copy of the lien may be turned over to the County Auditor, who shall then enter the amount of the lien on the assessment rolls as a special assessment. Thereafter, said amount shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes.

(b) After such recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law.

Section 113.4.7 Alternative enforcement. Nothing in this chapter shall be deemed to prevent the City Attorney from commencing with any other available civil or criminal proceedings to abate a dangerous structure or declared public nuisance under applicable provision of state law as an alternative to the proceedings set forth in this chapter.

6) Section 202, General Definitions, is amended to include the following definitions to be incorporated in alphabetical order:

PUBLIC NUISANCE. Shall mean anything which;

(a) is injurious to health or is indecent or offensive to the senses or any obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property; and

(b) affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

"Public nuisance" shall include, but not be limited to the following;

(c) any attractive nuisance which may prove detrimental to children, whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells or shafts;

(d) whatever is dangerous to human life or is detrimental to health and safety as determined by the code official; and

(e) inadequate or unsanitary sewage or plumbing facilities.

7) Section 302, Exterior property areas, subsections 302.4, Weeds, and 304.14, Insect screens, are amended as follows:

Section 302.4-Weeds Insert 6 inches.

Section 304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

8) Section 602, Heating facilities, is amended to repeal the exception listed for Section 602.2, Residential occupancies, Section 602.3, Heat supply, and Section 602.4, Occupiable work spaces.

7.2.114 Violations: Penalties.

Any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor or infraction as charged by the prosecuting attorney and shall be punishable as set forth in City of Oakley Municipal Code.

7.2.116 Amendments to the California Building Code Dealing with Small Residential Rooftop Solar Systems.

a. The following words and phrases as used in this section are defined as follows:

"Electronic submittal" means the utilization of one or more of the following:

1) Email,

2) The Internet,

3) Facsimile.

"Small residential rooftop solar energy system" means all of the following:

1) A solar energy system that is no larger than ten (10) kilowatts alternating current nameplate rating or thirty (30) kilowatts thermal.

2) A solar energy system that conforms to all applicable State fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

3) A solar energy system that is installed on a single- or duplex family dwelling.

4) A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

"Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

b. Section 65850.5 of the California Government Code provides that in developing an expedited permitting process, the City, County, or City and County shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The Building Official is hereby authorized and directed to develop and adopt such checklist.

c. The checklist shall be published on the City's Internet website. The applicant may submit the permit application and associated documentation to the City's building division by personal, mailed, or electronic submittal together with any required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signature.

d. Prior to submitting an application, the applicant shall:

1) Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

2) At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads.

e. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely

manner and may include a consolidated inspection by the Building Official and Fire Chief. If the system fails inspection, a subsequent inspection is authorized.

f. An application that satisfies the information requirements in the checklist, as determined by the Building Official, shall be deemed complete. Upon receipt of an incomplete application, the Building Official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance. The determination of incompleteness may be appealed to the City Council.

g. Upon confirmation by the Building Official of the application and supporting documentation being complete and meeting the requirements of the checklist, the Building Official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

h. Fees for permitting small rooftop residential energy systems shall comply with Government Code Sections 65850.55, 66015, and 66016 and Health and Safety Code Section 17951.

7.1.102 Adoption by reference.

Section 8. Severability.

In the event that any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 9. California Environmental Quality Act ("CEQA") finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that this ordinance will not have a significant effect on the environment; therefore it is not subject to CEQA.

Section 10. Effective Date:

This ordinance shall take effect and be in force and effect 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 office of the City Clerk at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of

the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2019 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk Date

CITY OF OAKLEY

ORDINANCE NO. XX-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY REZONING 2 PARCELS COMPRISED OF 13.4-ACRES LOCATED AT 5360 MAIN STREET (APN'S 033-030-001 and 033-030-027) FROM THE SINGLE-FAMILY RESIDENTIAL (R-6) DISTRICT TO THE P-1 (PLANNED UNIT DEVELOPMENT) DISTRICT

WHEREAS, on December 6, 2018, Signature Homes, Inc., ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment (GPA 03-18) to amend the land use designation from Single-Family Residential, High Density (SH) to Multi-Family Residential, Low Density (ML); 2) a Rezone (RZ 07-18) from Single-Family Residential (R-6) to Planned Development (P-1); 3) a Vesting Tentative Map (TM 04-18) to subdivide approximately 13.4 acres into 108 single-family residential lots within a gated community, as well as one private street lot, twelve private drive lots, two water quality lots, and three landscape lots; and 4) a Design Review (DR 11-18) for the home designs, site landscaping, fence plans, and site design. The project site is located at 5360 Main Street (APN's: 033-030-001 and 033-030-027). ("Project"); and

WHEREAS, the proposal complies with the requirements of the rezoning application requirements of Section 2.4.012 (a) of the Oakley Municipal Code; and

WHEREAS, the Applicant has initiated a project to change the zoning for the property from the Single-Family Residential (R-6) District to the Planned Development (P-1) District; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), the City prepared an Initial Study/Mitigated Negative Declaration dated March 2019, which was circulated for public review and comment from September 13, 2019 to October 2, 2019. The Notice of Intent to Adopt a Negative Declaration and Initial Study/Mitigated Negative Declaration was filed with the County Clerk, on September 12, 2019; and

WHEREAS, on October 9, 2019, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On October 11, 2019, the Notice of Public Hearing 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 subject property's boundaries, to parties requesting such notice, and to outside agencies; and

WHEREAS, on October 22, 2019, the City Council adopted Resolution XX-19 adopting the Negative Declaration and General Plan Amendment; and

The City Council of the City of Oakley does ordain as follows:

SECTION 1. FINDINGS. Pursuant to Chapter 2.4.012 of the Oakley Municipal Code, the City Council of the City of Oakley hereby finds and determines as follows:

a. The change proposed will substantially comply with the general plan:

The proposed rezone to the Planned Development (P-1) District in conjunction with the proposed Multi-Family, Low Density (ML) will provide for residentially zoned land in an area with existing residential land use designations and zoning. It is not uncommon for more dense residential land use designations to front on arterials which then allows lower density land use designations and this proposal would provide for that. In addition, the P-1 District will allow for private streets and no through traffic, which will alleviate maintenance responsibility from the City, and not result in additional traffic in the neighborhood to the south.

b. The uses authorized or proposed in the land use district are compatible within the district and to uses authorized in adjacent districts:

The proposed change in the Zoning from Single Family Residential (R-6) District to Planned Unit Development (P-1) District will not result in providing new uses not already permitted in the existing R-6 District, rather the proposed P-1 District is only permitting single family residential uses and auxiliary uses allowed in residential districts in the Oakley Municipal Code. The proposed land use will be compatible with the surrounding land uses.

c. Community need, but not necessarily future financial success, has been demonstrated for the use proposed:

A community need has been demonstrated for the proposed use. The Project will result in the construction of additional housing units, which is necessary to meet demand in the community in that: The City of Oakley falls under the jurisdiction of the Association of Bay Area Governments (ABAG). ABAG uses a predominately demographic formula to allocate the regional housing needs among the incorporated cities and unincorporated county. This process results in a Regional Housing Needs Assessment (RHNA) and the number reflected in that assessment becomes part the City of Oakley's estimated housing needs. The development of this project will help the city meet its regional fair share housing goal.

SECTION 2. Property Defined and Rezoned.

Pursuant to Section 2.4.012 of the Oakley Municipal Code, the Oakley Zoning Map is amended to rezone the following property from the Single-Family Residential (R-6) District to the Planned Development (P-1) District:

A. Approximately 13.4-acres of real property located at 5360 Main Street (APN's: 033-030-001 and 033-030-027), as shown on the "Exhibit A" attached to this ordinance.

SECTION 3. Applicable Regulations and Standards.

A. Planned Unit Development (P-1) District – The P-1 District shall allow for Multi-Family Residential development consistent with the Acacia project application consisting of 108 single family lots at a density of 8.1 dwelling units per gross acre. The Development Standards of the P-1 District are contained within the Final Development Plan of the Plan Set approved with the project on October 22, 2019.

SECTION 4. California Environmental Quality Act (CEQA) Finding.

Pursuant to California State Law, an Initial Study was conducted by the Planning Division to evaluate the potential effects of this project upon the environment. The Initial Study analysis found there were no potentially significant impacts, and therefore a Mitigated Negative Declaration was prepared. Based upon the findings contained in the Initial Study it has been determined that this project will not have a significant impact upon the environment.

SECTION 5. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be held unconstitutional, invalid or unenforceable.

SECTION 6. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed office in

the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2019 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Claire Alaura, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

ORDINANCE NO.____-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADDING SECTION 2.1.009 TO THE OAKLEY MUNICIPAL CODE REQUIRING ELECTRONIC FILING OF CAMPAIGN STATEMENTS AND STATEMENTS OF ECONOMIC INTERESTS

The City Council of the City of Oakley does ordain as follows:

Section 1. The Oakley Municipal Code is hereby amended to add Section 2.1.009 which reads as follows:

"**2.1.009 Electronic Filing of Campaign Statements and Statements of Economic Interests"**

a. Any elected officer, candidate, committee or other person required to file statements, reports or other documents, except an elected officer, candidate, committee or other person who receives contributions totaling less than two thousand dollars ($2,000) and makes expenditures totaling less than two thousand dollars ($2,000) in a calendar year, shall file those statements, reports or other documents electronically with the City Clerk.
b. Any person holding a position listed in Government Code Section 87200 or designated in the City's local Conflict of Interest Code adopted pursuant to Government Code Section 87300, shall file any required Statement of Economic Interest reports (Form 700) electronically with the City Clerk.
c. Filings set forth in Sections 2.1.009(a) and 2.1.009(b) which are filed and received electronically with the City Clerk are not required to also be filed with the City Clerk in paper format. An electronic filing will be the official record of such filing. Filers must sign electronic filings in the system under penalty of perjury.
d. In any instance in which an original statement, report or other document must be filed with the California Secretary of State and a copy of that statement, report or other document is required to be filed with the City Clerk, the filer may, but is not required to, file the copy electronically.
e. If the City Clerk's electronic system is not capable of accepting a particular type of statement, report or other document, an elected officer, candidate, committee or other person shall file that document with the City Clerk in an alternative format.
f. The date of filing for a statement, report or other document that is filed electronically shall be the day that it is received by the City Clerk. The City Clerk shall provide a confirmation of receipt upon receiving the filing which includes the date and time received and the method by which the filer may view and print the data received by the City Clerk.
g. A copy of the electronic filing retained by the filer and the confirmation set forth in Section 2.1.009(f) shall create a rebuttable presumption that he filer timely filed the statement, report or other document.

h. Electronic filing data made available through the City's website shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed by the filer. The local officer shall make a complete, unredacted copy of any statement, report, or other document filed pursuant to this section, including any street names, building numbers, and bank account numbers disclosed by the filer, available to any person upon request.
i. The local filing officer shall maintain, for a period of at least 10 years commencing from the date filed, a secured, official version of each online or electronic statement, report, or other document files pursuant to this section, which shall serve as the official version of that record for audit or legal purposes. Data that has been maintained for at least 10 years may then be archived in a secure format.
j. It is found that the electronic filing system will operate securely and effectively and will not unduly burden filers. Specifically, the electronic filing system will ensure the integrity of the data and includes safeguards against efforts to tamper with, manipulate, alter, or subvert data; the electronic filing system will only accept a filing in the standardized record format developed by the Secretary of State and compatible with the Secretary of State's system for receiving an online or electronic filing; and the electronic filing system will be available free of charge to filers and to the public for viewing filings."

Section 2. Severability.

In the event that any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 3. California Environmental Quality Act ("CEQA") finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that this ordinance will not have a significant effect on the environment; therefore it is not subject to CEQA.

Section 4. Effective Date and Publication.

This ordinance shall take effect and be in force and effect 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 office of the City Clerk at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of

the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2019 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk Date

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF OAKLEY AMENDING CHAPTER 6.2 RELATED TO REIMBURSEMENT FOR ADJUSTMENT OF PUBLIC UTILITIES IN STREETS AND SIDEWALKS

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

SECTION 1. Upon the effective date of this Ordinance, Oakley Municipal Code section 6.2.102 shall be amended to read as follows:

Definitions

As used in this chapter the following words and phrases shall have the meanings given in this section:

a. "Public highway" means the full width of the surfaced or traveled portion, including shoulders, of any road, street, path, lane, or alley dedicated to, reserved for, or used by or for the general public when those roads, streets, paths, lanes, and alleys have been accepted as and declared to be part of the City system of public highways, except highways forming a part of the State highway system or of an incorporated City street system.

b. "Right-of-way" means all land or interest therein which by deed, conveyance, agreement, easement, dedication, usage, or process of law is reserved for or dedicated to the use of the general public for road or highway purposes.

c. "Encroach" includes going on, over, or under, or using any right-of-way so as to prevent, obstruct, or interfere with the normal use of that way, including the performance of any of the following acts:

1) Excavating or disturbing the right-of-way;

2) Erecting or maintaining any post, sign, pole, fence, on, over, or under the right-of-way;

3) Planting any tree, shrub, grass, or other growing thing within the right-of-way;

4) Placing or leaving on the right-of-way any rubbish, brush, leaves, earth or any material;

5) Constructing, placing, or maintaining on, over, under, or within the right-of-way any pathway, sidewalk, driveway, or other surfacing, any culvert or other surface drainage or subsurface drainage facility; or any pipe, conduit, or cable;

6) Traveling on the right-of-way by any vehicle or combination of vehicles or object of dimension, weight, or other characteristic prohibited by law without a permit;

7) Lighting or building a fire within the right-of-way;

8) Constructing, placing, planting, or maintaining any structure, embankment, excavation, tree, or other object adjacent to the right-of-way which causes or will cause an encroachment;

d. "Permittee" means any person, firm, company, corporation, association, public agency, or organization that proposes to do work or encroach on a right-of-way as defined in this section and has been issued a permit for encroachment by the City Engineer. All obligations, responsibilities, and other requirements of the permittee as described in this title shall be binding on subsequent owners of the encroachment.

e. "Public Transportation Project" means any capital improvement project involving a City street, sidewalk, and/or right-of-way.

f. "Public Utility" means any public utility located within the City, including but not limited to, gas and electric companies and water and sanitation districts.

g. "Public Utility Owner" means the owner of any public utility and corresponding infrastructure located within the City.

SECTION 2. Upon the effective date of this Ordinance, Oakley Municipal Code Article 7 section 6.2.702 shall be added to read as follows:

6.2.702 Reimbursement for Adjustment of Public Utilities

If a Public Transportation Project requires the adjustment and/or relocation of the Public Utility's infrastructure located within the City, it is the sole responsibility of the Public Utility Owner to perform the required adjustment and/or relocation in accordance with the Public Transportation Project specifications or reimburse the City for the cost to perform the required adjustment and/or relocation of the Public Utility's infrastructure.

SECTION 3. 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; and it concerns continuing maintenance activities.

SECTION 4. 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 herefrom 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.

This Ordinance shall become effective thirty (30) days after adoption.

SECTION 6. PUBLICATION.

The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance or a summary thereof to be printed once within fifteen (15) days after its adoption in a newspaper of general circulation, published and circulated in the City of Oakley.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council of the City of Oakley held on the 22 day of October, 2019, and passed and adopted on that date, by the following roll call vote, and shall be and become effective immediately:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

STAFF REPORT

DATE: November 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

FROM: Louis Kidwell, Building Official and Joshua McMurray, Community Development Director

SUBJECT: **Waive the First Reading and Introduce an Ordinance Adding Chapter 7.16 to the Oakley Municipal Code Regarding the Permit Process for Electric Vehicle Charging Stations**

Background and Analysis

This evening, the City Council will consider adopting an ordinance which will provide editorial corrections in relation to various Uniform Building Codes which are adopted by reference, including the adoption of the California Code of Regulations Title 24 Part 3, the 2019 California Electrical Code, which includes chapter 625 regulating the technical aspects of "Electric Vehicle Charging Systems" installations.

Assembly Bill 1236 was signed into law on October 8, 2015. The bill mandates all local jurisdictions to adopt a process by which permit applications and plan review for electric vehicle charging stations are expedited by the jurisdiction. The law requires each jurisdiction to provide a project checklist and permit application to expedite the process. These forms are to be available online and in paper form, and provide for an administrative review over the counter whenever possible. To be eligible for the expedited process, projects shall meet all applicable health and safety standards imposed by State and city permitting authorities. Currently, most applications for electric vehicle charging stations are processed over-the-counter at the permit center. Adoption of the proposed ordinance will make the Oakley Municipal Code consistent with State law.

Fiscal Impact

The new streamline process may provide minor staff time savings. The permit fees will remain unchanged.

Staff Recommendation

Staff recommends the City Council waive the first reading and introduce the ordinance to add Chapter 7.16 to the Oakley Municipal Code pertaining to the streamlined permitting of electric vehicle charging stations.

Attachments

1. Proposed Ordinance
2. Electric Vehicle Charging Stations Checklist

ORDINANCE NO.____-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADDING CHAPTER 7.16 TO THE OAKLEY MUNICIPAL CODE REGARDING ELECTRIC VEHICLE CHARGING STATIONS

The City Council of the City of Oakley does ordain as follows:

Section 1. The Oakley Municipal Code is hereby amended to add Chapter 7.16 which reads as follows:

"**Chapter 7.16**
ELECTRIC VEHICLE CHARGING STATIONS

7.16.010 Purpose
7.16.020 Definitions
7.16.030 Requirements for expedited permitting

7.16. 010 Authority; Purpose; Applicability.

A. Authority. This chapter is adopted under the authority of Government Code section 65850.7. The building official is authorized to implement this chapter and to create a checklist of requirements consistent with section 65850.7.

B. Purpose. The purpose of this chapter is to create an expedited and streamlined permitting process for electric vehicle charging systems.

C. Applicability. This chapter applies to the permitting of electric vehicle charging stations.

7.16.020 Definitions.

In this chapter:

Electric vehicle charging station or *charging station* means any level of electric vehicle supply equipment station that is designated and built in compliance with the California Electric Code, Article 625, as it reads on October 8, 2015, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

Electric vehicle charging station checklist means the checklist prepared by the chief building official to implement this chapter. (See sections 7.16.010A and 7.16.030A.)

Electronic submittal means the use of email, the internet, or facsimile.

7.16.030 Requirements for expedited permitting.

A. Application. An applicant for an electric vehicle charging station must submit a building permit application on the form provided by the city, accompanied by each item of information listed in the city's electric vehicle charging station checklist. Both the application form and the checklist are available online.

   If an application is incomplete, the city will issue a written correction notice detailing each deficiency.

B. Permit issuance. An application that satisfies the application and checklist requirements will be considered complete, and the city will issue a building permit.

C. Permit denial. The city may deny the building permit if it makes written findings based upon substantial evidence in the record that the proposed installation will have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the impact (as the terms are defined in Government Code section 65850.7(i)).”

Section 2. Severability.

In the event that any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 3. California Environmental Quality Act (“CEQA”) finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that this ordinance will not have a significant effect on the environment; therefore it is not subject to CEQA.

Section 4. Effective Date and Publication.

This ordinance shall take effect and be in force and effect 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 office of the City Clerk at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of

the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2019 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk Date

ELECTRIC VEHICLE CHARGING STATIONS CHECKLIST & SUBMITTAL REQUIREMENTS

Expedited Permitting Process

Oakley Municipal Code Chapter 7.16

1. Approval Requirements:

a. The Community Development Department will conduct the plan review for EVCS installations.

b. Planning Department plan review approval is not required for EVCS installations unless the Building Official determines that the proposed EVCS will have a specific, adverse impact upon the public health or safety.

c. Fire Department plan review and inspection approval is not required for EVCS installations unless the system includes a stationary storage battery system as defined in the CA Fire Code.

2. Submittal Information:

a. All forms and checklists described herein are available on the City's website located at http://www.oakley.ca.us/departments/building-code-enforcement/building-permits

b. A completed City of Oakley Permit Submittal Form.

c. One copy of the checklist must be completed and submitted to the Neighborhood Services along with the Permit Submittal Form. Please provide an explanation for any checklist item not completed or met.

d. Provide three (3) sets of plans for the proposed EVCS (36" x 24" maximum, 11" x 17" minimum plan size; 1/8" = 1'-0" minimum scale. Plan submittals shall include, but not be limited to:

1) A Title Page
2) A Site Plan ***[Commercial only]***
3) An Electrical Floor Plan
4) A Single-Line Electrical Diagram EVCS Manufacturer Installation Details and Specifications
5) Electrical Service Load Calculations

3. General Requirements for Electrical Vehicles Charging Stations to be Shown and Noted on Plans:

Use the following checklist items for preparation and submittal of your plans. The level of detail and the specific plan requirements will depend upon the extent, nature and complexity of the work to be done. All applicable checklist items must be noted or specified on the plans.

4. Plan Review:

Permit applications may be submitted in person to the City of Oakley Community Development Department located at 3231 Main Street in Oakley.

Permit applications eligible for the expedited permitting process will receive a high priority and be reviewed as early as practical with a processing goal of one to three business days following receipt of the submittal.

5. Fees:

An initial building plan check fee must accompany all EVCS permit applications at the time of submittal. The cost for a building permit for the installation of Electric Vehicle Charging Stations is based on the valuation of the project.

6. Inspections:

Once all permits to construct the EVCS have been issued and the system has been installed, it must be inspected before final approval is granted for the system. On-site inspections can be scheduled by calling the City of Oakley at (925) 625-7005. Inspection requests received before 4:00 pm can usually be scheduled for the next business day.

Permit holders are to provide the inspector with the Neighborhood Services Approved Job Plans, the Building Permit Inspection Record Card and access to the location of the work for inspections. The permittee must be prepared to show conformance with all technical requirements in the field at the time of inspection. The inspector will verify that the installation is in conformance with applicable code requirements and the approved plans.

7. Departmental Contact Information:

For additional information regarding this permit process, please consult out departmental website at http://www.ci.oakley.ca.us or you may contact the Community Development Department at (925) 625-7005 or visit us at City Hall, 3231 Main Street, Oakley, CA 94513.

Eligibility Checklist for Expedited Electrical Vehicle Charging Station Permit

(*Please complete a Permit Submittal Application in addition to this checklist)

ELECTRIC VEHICLE CHARGING STATIONS CHECKLIST & SUBMITTAL REQUIREMENTS

Type of Charging Station(s)	Power Levels (proposed circuit rating)	Check one
Level 1	110/120 volt alternating current (VAC) at 15 or 20Amps	☐
Level 2 – 3.3 kW (low)	208/240 VAC at 20 or 30 Amps	☐
Level 2 – 6.6 kW (medium)	208/240 VAC at 40 Amps	☐
Level 2 – 9.6 kW (high)	208/240 VAC at 50 Amps	☐
Level 2 – 19.2 kW (highest)	208/240 VAC at 100 Amps	☐
Other (Provide Detail): _____	Provide Rating: _____ _____	☐

Permit Application Requirements:

A. Does the application include EVCS manufacturer's specs and installation guidelines?	Y☐	N☐

Electrical Load Calculation Worksheet:

A. Is an electrical load calculation worksheet included? (**CEC 220**)	Y☐	N☐
B. Based on the load calculation worksheet, is a new electrical service panel upgrade required?	Y☐	N☐
1) If yes, do plans include the electrical service panel upgrade?	Y☐	N☐
C. Is the charging circuit appropriately sized for a continuous load of 125%?	Y☐	N☐
D. If changing equipment proposed is a Level 2 – 9 kW station with a circuit rating of 50 Amps or higher, is a completed panel schedule with electrical calculations included with the single line diagram?	Y☐	N☐

Site Plan-Floor Plan and Single Line Drawing:

A. Is a site plan (Commercial only), floor plan and separate electrical plan with a single-line diagram included with the permit application?	Y☐	N☐
1) If mechanical ventilation requirements are triggered for indoor venting requirements (**CEC625.29 {D}**), is mechanical plan included with the permit application?	Y☐	N☐
B. Is the site plan fully dimensioned and drawn to scale? (Commercial only)	Y☐	N☐
1) Showing location, size, and use of all structures?	Y☐	N☐
2) Showing location of electrical panel to charging system?	Y☐	N☐
3) Showing type of charging system and mounting?	Y☐	N☐
4) Is the project located in the 100 year flood plain?	Y☐	N☐

Compliance with 2016 California Electrical Code:

A. Does the plan include EVCS manufacturer's specs and installation guidelines?	Y☐	N☐
B. Does the electrical plan identify the amperage and location of existing electrical service panel?	Y☐	N☐
1) If yes, does the existing panel schedule show room for additional breakers?	Y☐	N☐

ELECTRIC VEHICLE CHARGING STATIONS CHECKLIST & SUBMITTAL REQUIREMENTS

C. Is the Charging unit rated more than 60 amps or more than 150V to ground?	Y☐	N☐
1) If yes, are disconnecting means provided in a readily accessible location in line of site and within 50' of EVCS? (**CEC 625.23**)	Y☐	N☐
D. Does the charging equipment have a Nationally Recognized Laboratory (NRTL) approved listing mark? (UL 2202/UL 2200)	Y☐	N☐
E. If trenching is required, is the trenching detail called out?	Y☐	N☐
1) Is the trenching in compliance with electrical feeder requirements from structure to structure? (**CEC 225**)	Y☐	N☐
2) Is the trenching in compliance with minimum cover requirements for wiring methods or circuits? (18" for direct burial per **CEC 300**)	Y☐	N☐

Compliance with the 2016 California Green Building Standards Code (CGBSC):

A. Does the CAL Green EV Readiness installation requirements apply to this project?	Y☐	N☐
1) Do the plans demonstrate conformance with **CGBSC Table 5.106.5.3.3** for the minimum required number of charging spaces?	Y☐	N☐
2) Do the construction plans comply with the design requirements set forth in **CGBSC 5.106.5.31** for single charging spaces of **CGBSC 5.106.5.3.2** for multiple charging spaces?	Y☐	N☐

Compliance with 2016 California Building Code, Chapter 11-A/B Accessibility Features:

A. Do the plans clearly depict all required accessible EVCS features for the disabled?	Y☐	N☐
1) Do the plans identify the correct number and type of accessible EVCS stalls required in accordance with **Table 11B-228.3.2.1**?	Y☐	N☐
2) Do the plans detail compliance with the accessible EVCS features required by **11B-812** and **Figure 11B-812.9?**	Y☐	N☐

Notes: This criteria is intended for an expedited EVCS permitting process. If any items are checked NO, please revise plans to fall within the eligibility checklist. Otherwise, the permit application may go through the standard plan review and approval process. Plan review commences the day after submittal with up to three (3) business days for qualifying expedited projects and up to ten (10) business days for all other EVCS projects.

Electrical plans shall be completed, stamped and signed by a California Licensed Electrical Engineer or a C-10 electrical contractor.

Project Address _____ **Contractor's License Number and Type** _____

Applicant's Signature _____ **Applicant's Printed Name** _____

STAFF REPORT

DATE: October 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

FROM: Tim Przybyla, Finance Director

SUBJECT: **City of Oakley Quarterly Investment Report (1st Quarter FY 2019/2020)**

Background and Analysis

California law and the City's Investment Policy require the City's fiscal officer to submit a quarterly investment report to the City Council at the end of each quarter. The report should contain information on all securities held, and include a statement denoting the ability of the local agency to meet its expenditure requirements for the next six months.

Fiscal Impact

City resources are organized and accounted for on a fund basis with some of those funds being restricted for specified uses and others that are unrestricted. For investment purposes, however, the funds are invested as a pool. The Investment Report for the Period Ending June 30, 2019 attached shows a combined pool balance of $40,301,094.45. In addition, the pool had combined 1st Quarter accrued interest earnings of $182,723.90. Interest for the period continues to reflect the lower rates currently being offered on safe, short-term investments.

The City is in compliance with the adopted investment policy and able to meet its expenditure requirements for the next six months.

Staff Recommendation

Staff recommends the City Council accept the investment report for the 1st Quarter of Fiscal Year 2019/2020.

Attachments

City of Oakley Investment Report for the quarter ended September 30, 2019.

OAKLEY
CALIFORNIA

Quarterly Investment Report

For the Quarter Ended September 30, 2019

Type*	Name of Institution	Rate	Maturity****	Cost Amount	Market Value**
Investments in Wells Fargo Bank Account					
12	Overnight Sweep Investment	0.136%	10/1/2019	$ 1,489,721.73	$ 1,489,721.73
Investments with Wells Fargo Investment Advisors:					
9	Institutional Money Market	0.750%	N/A	1,810,815.79	1,810,815.79
Investments with State of California:					
3	Local Agency Investment Fund (LAIF)-City	2.450%	N/A	26,137,947.83	26,180,887.63
Investments with CalTRUST					
11	Short-Term Investment Account-City	2.390%	N/A	9,613,966.15	9,613,966.15
Total Investments Other than Bond Proceeds				**39,052,451.50**	**39,095,391.30**
Investments with Wells Fargo Trust (bond proceeds): * **					
	2012 Refunding Revenue Bonds				
9	***Government Money Market***				
	Wells Fargo Advantage Gov MM Svc	1.770%	N/A	908,051.95	914,919.30
4	***Certificates of Deposit (3)***				
	2014 Refunding Revenue Bonds				
9	***Government Money Market***				
	Wells Fargo Advantage Gov MM Svc	1.770%	N/A	340,271.75	343,483.70
Investments with USBank Trust (bond proceeds): * **					
	2016 Lease Revenue Bonds				
9	***Government Money Market***				
	USBank - First American Government Obligation	0.000%	N/A	319.25	319.25
Total Investments of Bond Proceeds				**1,248,642.95**	**1,258,722.25**
	Total All City Investments			**$ 40,301,094.45**	**$ 40,354,113.55**

Accrued Interest of Investments other than Bond Proceeds:	
Wells Fargo Investment Advisors	1,115.57
Local Agency Investment Fund	181,608.33
Accrued Interest as of 09/30/19	$ 182,723.90

* **Type of investment** as described in Authorized Investments section of the City's adopted Investment Policy

1. U.S Government Securities	5. Bankers Acceptance	9. Money market funds
2. U.S. Government Agency Securities	6. Commercial Paper	10. Repurchase agreements
3. Local Agency Investment Fund	7. Medium term notes	11. CalTRUST Short Term Account
4. Certificates of Deposit	8. Mutual funds	12. Overnight Sweep

** **Market Valuation** for LAIF was obtained at http://www.treasurer.ca.gov/pmia-laif/mktvalue/2019/201906.pdf
Market value for all other investments was obtained from FT Interactive Data. As the City holds its investments to maturity, market value fluctuations are not significant.

*** **Investment of bond proceeds** is governed by each bond's Trust Agreement. All of the amounts with Wells Fargo Trust are debt service reserve funds. Investment income remains with the individual bond accounts.

**** With the exception of CD's, all accounts have same day or next day liquidity

The City of Oakley is in compliance with the City's annually adopted investment policy and is able to meet its operating expenditure requirements for the next six months.

Approved by Tim Przybyla
Finance Director

10/30/19
Date

Prepared By: Tim Przybyla

H:\Przybyla\Investments\1Q - 0930119 City Investment Worksheet

STAFF REPORT

DATE: November 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

FROM: Tim Przybyla, Finance Director

SUBJECT: **City of Oakley as Successor Agency to the Oakley Redevelopment Agency – Quarterly Investment Report (1st Quarter FY 19-20)**

Background and Analysis

California law and the City's Investment Policy require the Agency's fiscal officer to submit a quarterly investment report to the Agency's governing board. The report should contain information on all securities held, and include a statement denoting the ability of the local agency to meet its expenditure requirements for the next six months.

Fiscal Impact

The Investment Report for the Period Ending September 30, 2019 attached shows balance of $220,093.29 in cash for operations. To increase annual cash flow savings of refunding bonds, cash reserves were applied to bond insurance with Build America Mutual (BAM). The Reserve Requirements are satisfied in face amounts of $571,000 for 2015 Bonds and $1,827,319.03 for 2018 Bonds.

The Agency is in compliance with the City's annually adopted investment policy. The tax revenues distributed to the Agency is sufficient to make the Agency's enforceable obligation payments as approved by the Department of Finance.

Staff Recommendation

Staff recommends the City Council, as the Board of the Successor Agency, accept the investment report for the 1st Quarter of Fiscal Year 2019/2020.

Attachments

City of Oakley as Successor Agency to the Redevelopment Agency Investment Report for the quarter ended September 30, 2019.

OAKLEY
CALIFORNIA

City of Oakley as Successor Agency to the Oakley Redevelopment Agency

Quarterly Investment Report

For the Quarter Ended September 30, 2019

Type*	Name of Institution	Rate	Maturity***	Cost Amount	Market Value
Investments in Wells Fargo Bank Account					
	Successor Agency Checking	0.170%	N/A	$ 220,093.29	$ 220,093.29
Total Investments Other than Bond Proceeds				**220,093.29**	**220,093.29**
Investments with US Bank Trust (bond proceeds): **					
	20015 A&B Tax Allocation Refunding Bonds			-	-
	2018 Tax Allocation Refunding Bonds			-	-
Total Investments of Bond Proceeds				-	-
	Total Agency Investments			**$ 220,093.29**	**$ 220,093.29**

* **Type of investment** as described in Authorized Investments section of the City's adopted Investment Policy

1. U.S Government Securities	5. Bankers Acceptance	9. Money market funds
2. U.S. Government Agency Securities	6. Commercial Paper	10. Repurchase agreements
3. Local Agency Investment Fund	7. Medium term notes	11. CalTRUST Short Term Account
4. Certificates of Deposit	8. Mutual funds	12. Overnight Sweep

** **Investment of bond proceeds** is governed by each bond's Trust Agreement. Reserve Requirements are satisfied by BAM surety policy in face amounts equal to $571,000 for 2015 Bonds and $1,827,318.76 for 2018 Bonds.

*** All Successor Agency accounts have same day or next day liquidity

The City of Oakley, as Successor Agency to the Oakley Redevelopment Agency, is in compliance with the City's annually adopted investment policy.

Approved by: Jim Przybyla
Finance Director

10/30/19
Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: October 19, 2019

TO: Bryan Montgomery, City Manager

Approved and Forwarded to the City Council

FROM: Rick Grubaugh, Police Sergeant

SUBJECT: **ACCEPT A GRANT AND AUTHORIZE ENTERING INTO A FUNDING AGREEMENT WITH CALIFORNIA DEPARTMENT OF JUSTICE**

Background and Analysis

Proposition 56, the California Healthcare, Research and Prevention Tax Act of 2016, funds a Department of Justice (DOJ) grant program. Each year the Department of Justice distributes $30 million to local law enforcement agencies in California to support efforts to reduce the illegal sale of tobacco products to underage users.

In January 2018, DOJ issued a Request for Proposals (RFP) for the April 2017 to June 2018 funding cycle. On May 24, 2018 the Oakley Police Department submitted a Request for Proposal with a Scope of Work focused on education and reducing underage use of tobacco and tobacco products. On June 8, 2018, DOJ contacted the Oakley Police Department to announce the RFP had been approved as submitted.

Following the approval of the RFP, the Oakley Police Department entered into a Memorandum of Understanding with the Department of Justice which expires on June 30, 2020. The DOJ requires a resolution to authorize the Memorandum of Understanding.

Financial Impact

Authorized Grant funds of $41,918 will be used for personnel costs related to tobacco enforcement operations, line up training, local retailer inspection operations and education programs at local schools. There are no matching funds required, therefore, no general fund impact.

Recommendation

Adopt a resolution accepting the California Department of Justice-Healthcare, Research and Prevention Tobacco Tax Act of 2016 Proposition 56 Grant Funding Program and authorize entering into a funding agreement.

ATTACHMENTS:

1. Proposed Resolution
2. California Department of Justice MOU
3. Tobacco Law Enforcement Grant Budget

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY TO ACCEPT GRANT FUNDS IN THE AMOUNT OF $41,918.00 FROM THE STATE OF CALIFORNIA DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, TOBACCO LAW ENFORCEMENT GRANT PROGRAM

WHEREAS, The City of Oakley (City) is interested in participating in the Tobacco Law Enforcement Grant Program, which is made available through the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Prop 56) and administered by the California Department of Justice (DOJ) to support local efforts to reduce the illegal sale of tobacco products to minors in the City; and

WHEREAS, Following the City's submittal of a proposal for the Program, the State of California DOJ offered to award $41,918.00 for the two year grant program beginning July 1, 2018, and ending June 30, 2020; and

WHEREAS, Grant funds will be used for overtime costs related to tobacco enforcement operations, line up training, local retailer inspection operations and operating costs; and

WHEREAS, In order to receive the grant funding, the City submitted a completed Grand Award Memorandum of Understanding to the State of California DOJ; and

NOW, THEREFORE, BE IT RESOLVED by the City Council that:

1. The City Manager or a designated representative is hereby authorized, on behalf of the City, to accept grant funding in the amount of $41,918.00 from the state of California DOJ.
2. The City Manager or a designated representative is hereby authorized and directed, on behalf of the City, to execute the grant documents and to submit all documents, including, without limitation, contracts, amendments, extensions, and payment requests as appropriate and comply with the funding terms and conditions of the grant.
3. The City Manager is hereby authorized and directed to establish all required accounts and make any and all expenditures, appropriations, transfers, and/or distributions of funds on behalf of the City as are necessary and appropriate to carry out the purpose and intent of this resolution.
4. Grant funds received hereunder shall not be used to supplement ongoing law enforcement expenditures.

PASSED, APPROVED AND ADOPTED this XXX day of XXX 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

Oakley Police Department

Sergeant Rick Grubaugh
3231 Main Street
Oakley, CA 94561
(925) 628-4382
grubaugh@ci.oakley.ca.us

MEMORANDUM OF UNDERSTANDING

with the

California Department of Justice

July 1, 2018 – June 30, 2020

I PURPOSE

This Memorandum of Understanding (the "MOU") is entered into by the Department of Justice ("DOJ") and the Oakley Police Department (hereinafter, "Grantee"), to provide grant funds to Grantee for expenditure. The Grantee will expend funds for the purposes identified in the approved Grant Application submitted by Grantee in response to the DOJ's Request for Proposals for activities of Local Law Enforcement Agencies to be funded under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (the "Act"), approved by the voters as Proposition 56.

This MOU becomes effective upon completion of all signatures, and expires on June 30, 2020.

The DOJ grants to Grantee $41,918, (the "Grant Amount") for expenditure in accordance with this MOU, including the Scope of Work included in the approved Grant Application.

The Request for Proposals, Grantee Handbook and Grant Application are incorporated by reference into this MOU.

II COMMUNICATION

All reports, notices, requests, and/or correspondence pertaining to this MOU shall be forwarded to the Tobacco Grant Unit at:

California Department of Justice
Division of Law Enforcement
Attn: Shannon Patterson
1300 I Street, Suite 1140
Sacramento, CA 95814
TobaccoGrants@doj.ca.gov
(916) 210-7418

III BUDGET

Grantee agrees to expend the Grant Amount in accordance with the approved Budget (Attachment 1).

Grantee must submit any request for a change to a Budget item in writing or via e-mail to the DOJ and any changes to the Budget must be pre-approved in writing by the Tobacco Grant Unit at least thirty (30) days in advance of any change to the Budget item.

IV COST REIMBURSEMENT/INVOICING

DOJ agrees to reimburse Grantee, in arrears, for Grantee's actual expenditures in performing the Scope of Work, upon receipt of invoices from Grantee and approval of the invoices by DOJ.

Grantee will submit only one (1) invoice each month for items included in the Budget, included completed travel and training, if applicable. The Grantee is required to ensure that all vendor deliverables are accepted and approved, equipment delivered, travel completed, and administrative activities performed. Invoiced amounts may not exceed the costs specified in the approved Budget.[1]

Grantee will provide substantiation to DOJ pertaining to acceptance of hardware, software, services, and deliverables along with approved invoices for payment. Invoices paid by the Grantee and submitted to the DOJ for reimbursement must include the invoice number, invoice date, service period, agreement number, vendor name, vendor contact information, amounts, along with the approved Budget Template clearly identifying which expenditure the invoice is associated with. Grantee shall provide copies of packing slips substantiating delivery of purchased equipment. Grantee invoices and supporting documentation must be sent to the DOJ in hard copy format no later than the 15th calendar day following the month of expenditure. (Example, a purchase made on June 2nd would require invoice to be received by the DOJ no later than July 15th).

Invoices must be e-mailed or delivered via U.S. Mail addressed to:

California Department of Justice
Division of Law Enforcement
Attn: Tobacco Grant Unit
1300 I Street, Suite 1140
Sacramento, CA 95814
TobaccoGrants@doj.ca.gov

V BUDGET CONTINGENCY CLAUSE

It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under the agreement does not appropriate sufficient funds for this MOU, this MOU shall be of no further force and effect. In this event, the DOJ shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this MOU and Grantee shall not be obligated to continue performing any provisions of this agreement for which it would have been reimbursed.

If funding for any fiscal year is reduced or deleted in the Budget Act for purposes of this MOU, the DOJ shall have the option to either cancel this MOU with no liability occurring to the DOJ, or offer an amendment to the Grantee to reflect the reduced amount.

VI QUARTERLY REPORTING REQUIREMENTS

Grantee will submit quarterly progress reports to the DOJ. These reports, which will describe progress made on the recipient's Scope of Work, shall be submitted to DOJ according to the following schedule:

[1] Approved Budget included under Attachment 1.

1) January 1 through March 31: Due April 15
2) April 1 through June 30: Due July 15
3) July 1 through September 30: Due October 15
4) October 1 through December 31: Due January 15

Grantees shall submit any other reports and data as required by the DOJ.

VII ADMINISTRATION AND AUDIT

The DOJ is not liable for the Grantee's use of funds or any subsequent audit findings.

Grantee agrees that the DOJ and the California State Auditor, or their designated representatives shall have the right to review and copy any records and supporting documentation pertaining to the funds expended by Grantee and the Grantee's performance of the Scope of Work under this MOU. Grantee agrees to maintain all such records and reports for possible audit for a minimum of three (3) years after payment by DOJ of the final invoice submitted by Grantee. Grantee agrees to allow access to such records during normal business hours and to allow interviews with officers and employees who might reasonably have information related to such records. [Grantee agrees to include a similar right for DOJ and the California State Auditor to audit records and interview staff in any subcontract related to performance of the MOU.]

Should Grantee fail to comply with this MOU, including any expenditures for purposes not permitted under the MOU, DOJ may take one or more of the actions described under Remedies for Noncompliance in the Grant Handbook. Actions include but are not limited to requiring Grantee to return grant funds, and any other remedies available under law, and the Grantee may be disqualified from applying for or receiving future grant funds.

VIII GRANTEE CONTACT INFORMATION

Chris Thorsen, Chief
Oakley Police Department
3231 Main Street Oakley, Ca 94561
(925) 625-8854
thorsen@ci.oakley.ca.us

Eric Christensen, Captain
Oakley Police Department
3231 Main Street Oakley, Ca 94561
(925) 625-8854
christensen@ci.oakley.ca.us

Rick Grubaugh, Sergeant
Oakley Police Department
3231 Main Street Oakley, Ca 94561
(925) 625-8827
grubaugh@ci.oakley.ca.us

IX MISCELLANEOUS PROVISIONS

Amendment-No amendment or variation of the terms of this MOU is valid unless made in writing, and signed by the duly authorized representatives of the parties.

Assignment- This MOU is not assignable by Grantee in whole or in part.

Indemnification- Grantee agrees to indemnify and hold harmless the DOJ, its officers, agents and employees from all claims, liabilities, or losses in connection with the performance of this MOU.

Termination – The DOJ may terminate this MOU and be relieved of any obligation to provide grant funds to Grantee should Grantee fail to perform the Scope of Work at the time and in the manner provided in this MOU.

X AUTHORIZATION

The DOJ and Grantee, by their duly authorized officials, have executed this MOU on the respective dates indicated below. This MOU and any future amendments shall be forwarded to the Division of Law Enforcement, Office of the Chief, with all its attachments, and will become effective upon completion of signature from all parties. .

6-21-18

Chris Thorsen Date
Chief of Police
Oakley Police Department

10/27/18

SHANNON PATTERSON, GRANT MGR. Date
Office of the Chief
California Department of Justice

Kevin Gardner

6/27/18

KEVIN GARDNER, Chief
Office of the Chief
California Department of Justice

Date

7/3/18

CHRIS RYAN, Chief
Office of Fiscal Management
California Department of Justice

Date

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

Costs Per Fiscal Year (July 1 - June 30)

A. Personal Services

Salaries

Classification/Positions	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
	SUBTOTAL	$ -	$ -	$ -

Overtime

Classification/Positions	Computation	FY 2017-18	FY 2018-19	FY 2019-20
Investigations Sergeant	18 hours x 101.75 hr per year	$ -	$ 1,832	$ 1,832
School Resource Officer	7.5 hours x 84.00 hr per year	$ -	$ 630	$ 630
Police Officer	138 hours x 84.00 hr per year	$ -	$ 11,592	$ 11,592
Sergeant	60 hours x 101.75 he per year	$ -	$ 6,105	$ 6,105
	SUBTOTAL	$ -	$ 20,159	$ 20,159

Benefits

Classification/Positions	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
	SUBTOTAL	$ -	$ -	$ -
	TOTAL PERSONAL SERVICES	$ -	$ 20,159	$ 20,159

B. Operating Expenses (e.g. supplies, signage, tobacco products, etc.)

Description	Computation	FY 2017-18	FY 2018-19	FY 2019-20
Compliance certificates	19 estimated compliance certificates per year x 10.52	$ -	$ 200	$ 200
Food for staff during operations	6 ops x 4 staff per year = 24 meals = 18.75 per meal	$ -	$ 450	$ 450
Administration supplies	Compliance letters and postage, estimated 150.00 pr yr	$ -	$ 150	$ 150
		$ -	$ -	$ -
		$ -	$ -	$ -
	TOTAL	$ -	$ 800	$ 800

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

C. Equipment (tangible items with a per-unit cost of $5,000 or more)

Description	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
	TOTAL	$ -	$ -	$ -

D. Travel Expenses/Registration Fees*

Description and Destination	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
*For DQT-sponsored events only. Travel will only be reimbursed under the current state r	TOTAL	$ -	$ -	$ -

E. Other Expenses

Description	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
		$ -	$ -	$ -
	TOTAL	$ -	$ -	$ -

F. Administrative Costs*

Description	Computation	FY 2017-18	FY 2018-19	FY 2019-20
		$ -	$ -	$ -
		$ -	$ -	$ -
*Administrative costs may not exceed 5% of the total budget.	TOTAL	$ -	$ -	$ -

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

SUMMARY

Budget Category	FY 2017-18	FY 2018-19	FY 2019-20	Total Request
A. Personal Services	$ -	$ 20,159	$ 20,159	$ 40,317
B. Operating Expenses	$ -	$ 800	$ 800	$ 1,600
C. Equipment	$ -	$ -	$ -	$ -
D. Travel/Registration	$ -	$ -	$ -	$ -
E. Other Expenses	$ -	$ -	$ -	$ -
F. Administrative Costs	$ -	$ -	$ -	$ -
TOTAL PROJECT COSTS	$ -	$ 20,959	$ 20,959	$ 41,917

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: November 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

FROM: Joshua McMurray, Community Development Director

SUBJECT: **Adoption of a Resolution Authorizing the Filing of an Application to the State of California Housing and Community Development Department for the SB 2 Planning Grant Program**

Background

Senate Bill No. 2 (SB 2), the Atkins, Building Homes and Jobs Act, made legislative findings and declarations to establish a permanent, ongoing source of funding to support the production of affordable housing. The bill, which became effective on January 1, 2018, gave Contra Costa County the ability to impose a recordation fee on real estate documents. For the recordation of each real estate document, the County can impose a fee of $75 (not to exceed $225) to each parcel of the real property. As a one-time component of SB 2, 50 % of the fees collected from all counties in 2018 were allocated to the SB 2 Planning Grants Program (PGP) funds, which is intended to provide technical and financial assistance to jurisdictions. The State distributes grant funds through a noncompetitive application process, to help jurisdictions finance the preparation, adoption or implementation of plans that streamline housing approvals or accelerate housing production. Additional information on the SB 2 PGP program can be found on the program webpage: http://www.hcd.ca.gov/grants-funding/active-funding/planning-grants.shtml.

The California Department of Housing and Community Development (HCD) released a Notice of Funding Availability (NOFA) on March 28, 2019, identifying the amount of $123 million available to local governments under the SB 2 (PGP). Funding for each locality is based on population estimates published by the Department of Finance. The City of Oakley is defined as a small size locality, with a population less than 60,000 people, thus the maximum award the City can receive is $160,000. The table on the next page shows the minimum and maximum award amounts for the three-different types of localities.

Table 2: *Minimum and Maximum Award Amounts*

All Localities	Large Localities – Defined as ≥ 200,000 people	Medium Localities – Defined as 60,000 to 200,000 people	Small Localities – Defined as ≤ 60,000 people
Minimum award amount: **$25,000**	Maximum award amount: **$625,000**	Maximum award amount: **$310,000**	Maximum award amount: **$160,000**

For a link to the 2018 DOF Population Estimates, E-5, see:
http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/

To be eligible for a planning grant, the City's proposed projects must demonstrate a nexus to housing production acceleration or meet the State's proposed Priority Policy Area (PPA) categories. Applications proposing a project that falls into one of the PPA categories are looked upon favorably; the project is automatically deemed as one that would accelerate housing production, and one that does not need to demonstrate further benefits or provide further documentation in the application.

As defined by HCD, PPAs feature one of the following zoning, design, and policy characteristics:

- Rezone to permit housing by-right
- Objective design and development standards
- Specific plans or form-based codes coupled with CEQA streamlining
- Accessory dwelling units (ADU) or other low-cost building strategies
- Expedited processing
- Housing related infrastructure financing and fee reduction strategies

As part of the grant application process, HCD requires that the City Council adopt a resolution authorizing application for, and receipt of, PGP funds. The final due date for HCD to receive an application is November 30, 2019.

Analysis

The SB 2 PGP funds are flexible and allow jurisdictions to use funds for the creation of programs and policies that facilitate housing production. Because the grant is intended to increase housing production, the City is given some flexibility in allocating the funding within the two identified projects if approved. The City can make modifications based on the final scopes of work and the ability to accomplish tasks given allocated funding and timeline. The two projects Staff proposes for the PGP application are aimed at providing additional resources to encourage housing production. Both projects are consistent with the State's PPAs, and both projects has direct nexus to accelerating housing development.

Priority Policy Areas (PPA)

Project #1: Accessory Dwelling Unit (ADU) Resources
Estimated Project Cost $50,000

The City will facilitate ADU production through the development of useful guides, prototypes, and resources that equip homeowners undertaking construction of an ADU and expedite the permitting process. The City will produce or update resources, such as: develop a submittal checklist across all City departments and develop pre-approved construction plans with prototypes of architectural designs that property owners may apply toward ADU construction.

Project #2: Housing Element sites analysis and CEQA
Estimated Project Cost $110,000

The City is required to update its Housing Element (part of the General Plan) by December 2022. Part of the Housing Element is the City's implementation of the Regional Housing Needs Allocation (RHNA), which looks at sites with appropriate zoning to support a range of housing needed to meet the needs of residents. This effort will focus on the identification of sites that implement RHNA and completing the necessary project-level environmental review to streamline the development of this housing. The Housing Element and RHNA are State mandates. Although at this time it is not known what the City's share of the RHNA will be, it is expected that our numbers will increase by two to three times last cycles (1,000 to 1,500 affordable units). The RHNA should be known by mid-June 2021. For reference, the RHNA numbers for this current Housing Cycle allocated 489 affordable unit to Oakley (80% to <30% of the Area Median Income). That required the City to apply the Affordable Housing Overlay Zone to approximately 16-acres of land in Oakley. The next RHNA could require at least double that in order to meet the State mandate and the SB2 funds could be used to offset the costs of what would normally be funded by the General Fund.

Staff has reviewed the proposed projects with the State and believes that these activities meet the objectives and requirements of the Planning Grant Program.

Fiscal Impact

There is no significant fiscal impact associated with this item. The Senate Bill 2 Planning Grants Program does not require a local financial commitment or "match" from local jurisdictions requesting grant funds.

Environmental Review

The actions recommended in this report are exempt from review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Sections 15061(b)(3). The actions would initiate a planning process and are not determinative

of any specific outcome. Any proposed changes to the Municipal Code resulting from the two proposed projects would be subject to CEQA public review process prior to Council adoption.

Recommendation

Staff recommends that the City Council adopt the Resolution Authorizing the City Manager or the City Manager's Designee to Apply for the California Department of Housing and Community Development (HCD)'s SB 2 Planning Grants Program (PGP) in the Amount of $160,000 and if Awarded, Authorize the City Manager or the City Manager's Designee to Execute the Standard Agreement.

Attachments

1. Draft Resolution

RESOLUTION NO. XX-19

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL AUTHORIZING THE APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS

FINDINGS

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the City Council of the City of Oakley desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to $123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley resolves as follows:

SECTION 1. The City Council is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application in the amount not to exceed one hundred and sixty thousand dollars ($160,000).

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the City Manager is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount not to exceed one hundred and sixty thousand dollars ($160,000), and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the [City/County's] obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The City of Oakley shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City Council hereby agrees to use the funds for eligible uses in the manner presented in the application as

approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

SECTION 4. The City Manager is authorized to execute the City of Oakley Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant.

PASSED AND ADOPTED by the City Council of the City of Oakley, California, this 12th day of November 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: November 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

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

SUBJECT: Approval of Contract Amendment # 1 with Universal Site Services, Inc. (USS) for Porter Maintenance Services for various City of Oakley Parks and Facilities

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Background and Analysis

The City of Oakley utilizes a wide range of consultants and contractors across all departments to augment City staff as needed to accommodate the workload activities. One of the areas that this approach is used is in various public works maintenance operations (i.e. Landscaping, Traffic Signal, Street Light, etc.) to ensure the community receives high quality and timely maintenance services. One of the key elements of the City's public infrastructure system is the parks and facilities.

In June 2018, staff prepared and distributed a Request for Proposals (RFP) to potential contractors to provide porter maintenance services for various City of Oakley Parks and Facilities. On September 25, 2018 City Council approved a Porter Maintenance services agreement for that work with Universal Site Services, Inc. (USS) for an annual amount of $120,000.

The scope of porter maintenance services that USS provides for City's parks and facilities are; litter removal, emptying of the trash receptacles, minor graffiti removal, damp cleaning trash receptacles, benches and tables, restroom cleaning and restocking, and drinking fountain disinfecting and cleaning for various parks and facilities. USS has done a very good job in this past year performing the above referenced porter maintenance services. The current agreement with USS expires on October 31, 2019.

With a number of new parks and facilities that have been constructed since last year and will be coming under City's jurisdiction for maintenance services, staff held meetings with USS to work on refining the scope of work and details of adding the new parks and facilities (i.e. Emerson and Gilbert Ranch Park and Pathways, Duarte Park and Basin, Athletic Field at Nunn Wilson Park) to the current porter services maintenance contract, which produced an updated scope of work and annual contract amount of $178,848.

During this past year, Staff has found USS to continually provide responsive, cost effective, and professional maintenance services as reflected by the quality of the City's parks and facilities seen by the public. The updated maintenance contract amount by USS has remained very competitive and economical for the City of Oakley.

Staff is recommending that an agreement amendment with USS be approved by the City Council to extend the term of the current porter services agreement for an additional two (2) years, from November 12, 2019 through June 30, 2022. With the attached detailed maintenance cost structure, the City has the flexibility to add the various parks and facilities into the service contract as they come into public use in the coming months.

Fiscal Impact

Funding for this item is included in the City of Oakley Parks and Landscape Division related budgets for anticipated expenditures of porter maintenance services from various Lighting and Landscaping Districts (LLD) or Community Facility Districts (CFD), and there are no impacts to the City's General Fund for this maintenance service contract.

Staff Recommendation

Staff recommends that the City Council adopt the Resolution approving the agreement amendment with USS, and extend the term from October 31, 2019 to June 30, 2022 and accept the updated pricing schedule; and authorize the City Manager to execute this contract Amendment # 1.

Attachments

1) Resolution
2) Price Schedule
3) Agreement Amendment

RESOLUTION NO. __-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AMENDMENT # 1 TO THE AGREEMENT WITH UNIVERSAL SITE SERVICES, INC. (USS) TO PROVIDE CONTINUED PORTER MAINTENANCE SERVICES FOR THE CITY OF OAKLEY

WHEREAS, the City of Oakley (City) and Universal Site Services, Inc. (USS) entered into an agreement dated November 1, 2018 for porter maintenance services; and

WHEREAS, USS has expressed an interest in extending the contract with the revised scope of work; and

WHEREAS, USS has the professional qualified personnel and resources to provide porter maintenance services for the City and has satisfactorily performed its professional services during the last year; and

WHEREAS, the parties have agreed to the terms and conditions of the Agreement to provide an extension to June 30, 2022 and to revise the scope of work to increase the annual maintenance cost to $178,848; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley to adopt the resolution approving the amendment and to extend the end date of the contract from October 31, 2019 to June 30, 2022, and authorize the City Manager to execute contract Amendment # 1.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the **12th of November, 2019** by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

EXISTING CONTRACT PRICING FOR 2018/2019 Contract Expires October 31 2019					
ZONE	**LOCATION**	**# Site Visits Per Week**	**Coding**	**Monthly Amount**	**Annual Amount**
Z-1	CROCKETT PARK	5	132-33-233-5300	$ 541.67	$ 6,500.04
Z-1	MAIN STREET PARK	2	132-33-234-5300	$ 625.00	$ 7,500.00
	Main ST CIP 165 AB and Parkinglot	2			
Z-1	LAUREL BALLFIELDS PARK	5	132-33-235-5300	$ 541.67	$ 6,500.04
Z-1	FREEDOM BASIN PARK	3	132-33-236-5300	$ 250.00	$ 3,000.00
Z-1	CIVIC CENTER and PARK	5	132-33-238-5300	$ 458.33	$ 5,499.96
Z-1	CYPRESS TRAIL HEAD	2	132-33-241-5300	$ 166.67	$ 2,000.04
CAM	OAKLEY PLAZA SHOPPING CTR	5	138-82-002-5300	$ 1,250.00	$ 15,000.00
3-15	HOLLY CREEK PARK	2	184-31-015-5300	$ 333.32	$ 3,999.84
3-17	CREEKSIDE PARK	5	186-31-017-5300	$ 666.67	$ 8,000.04
3-19	NUNN-WILSON PARK W/KODA	5	188-31-019-5300	$ 666.67	$ 8,000.04
3-20	MARSH CREEK GLENN PK	2	189-31-020-5300	$ 250.00	$ 3,000.00
3-22	BRIARWOOD PARK	2	191-31-022-5300	$ 833.33	$ 9,999.96
	CYPRESS GROVE POND	3			
	CYPRESS GROVE PARK	3			
3-23	RIATA PARK	1	192-31-023-5300	$ 1,000.00	$ 12,000.00
	HEARTWOOD PARK	1			
	SHADY OAK PARK	3			
	LIVE OAK RANCH PARK	1			
	SIMONI RANCH OPEN SPACE	2			
3-25	MAGNOLIA PARK	3	194-31-025-5300	$ 1,166.67	$ 14,000.04
	NOVARINA PARK	3			
3-26	LAKEWOOD DRIVE PARK	1	195-31-026-5300	$ 1,250.00	$ 15,000.00
	SYCAMORE DRIVE PARK	1			
	MANRESA PARK	1			
	SUMMER LAKE	5			
	LAKESIDE PARK	1			
	LEEWARD PARK	1			
	CATAMARAN PARK + WLKWY	1			
	TOTAL		**TOTALS**	**$ 10,000.00**	**$ 120,000.00**

Revised USS Scope of Porter Maintenance Work						
ZONE	LOCATION	# Site Visits Per	Coding	Monthly Amount	Annual Amount	
Z-1	CROCKETT PARK	5	132-33-233-5300	$ 542.00	$ 6,504.00	
Z-1	MAIN STREET PARK Main ST CIP 165 AB and Parkinglot	2	132-33-234-5300	$ 625.00	$ 7,500.00	
Z-1	LAUREL BALLFIELDS PARK	5	132-33-235-5300	$ 542.00	$ 6,504.00	
Z-1	FREEDOM BASIN PARK	3	132-33-236-5300	$ 250.00	$ 3,000.00	
Z-1	Dewey Park CIVIC CENTER and PARK	2 5	132-33-238-5300	$ 560.00	$ 6,720.00	
Z-1	Oakley Recreation Center	3	132-33-239-5300	$ 385.00	$ 4,620.00	
Z-1	CYPRESS TRAIL HEAD	2	132-33-241-5300	$ 170.00	$ 2,040.00	
CAM	OAKLEY PLAZA SHOPPING CTR	5	138-82-002-5300	$ 1,250.00	$ 15,000.00	
3-01	Vintage Parkway	2	170-31-001-5300	$ 100.00	$ 1,200.00	
3-05	Oak Grove Park	1	174-31-005-5300	$ 100.00	$ 1,200.00	
3-15	Heather Park HOLLY CREEK PARK	2 5	184-31-015-5300	$ 560.00	$ 6,720.00	Pricing increase at Holly Creek reflects change from 2 to 5 day per week site visits to be initiated after installation of public restroom facility
3-17	CREEKSIDE PARK	5	186-31-017-5300	$ 670.00	$ 8,040.00	
3-19	NUNN-WILSON PARK W/KODA Nunn Wilson Athletic Field	5 5	188-31-019-5300	$ 750.00	$ 9,000.00	Pricing increase reflects added athletic field area to be initiated upon completion of project
3-20	MARSH CREEK GLENN PK	2	189-31-020-5300	$ 250.00	$ 3,000.00	
3-22	BRIARWOOD PARK CYPRESS GROVE POND Cypress/Picasso/Monet Cans CYPRESS GROVE PARK	2 3 3 3	191-31-022-5300	$ 1,000.00	$ 12,000.00	
3-23	RIATA PARK HEARTWOOD PARK SHADY OAK PARK LIVE OAK RANCH PARK Harvest Park SIMONI RANCH OPEN SPACE	1 1 3 1 1 2	192-31-023-5300	$ 1,200.00	$ 14,400.00	
3-25	MAGNOLIA PARK Daffodil Park Brown Rd. Cans Magnolia Trail NOVARINA PARK	3 3 3 3 3	194-31-025-5300	$ 1,400.00	$ 16,800.00	
3-26	LAKEWOOD DRIVE PARK SYCAMORE DRIVE PARK MANRESA PARK SUMMER LAKE LAKESIDE PARK LEEWARD PARK CATAMARAN PARK + WLKWY	1 1 1 5 1 1 1	195-31-026-5300	$ 1,250.00	$ 15,000.00	
CFD 2015-1	Emerson Ranch Park & Paths	5	401-34-001-5300	$ 1,500.00	$ 18,000.00	Pricing for Emerson Ranch anticipated to be initiated January 2020
CFD - Neighborhood (CITYWIDE)	Duarte Park/Basin	5	402-34-808-5300	$ 300.00	$ 3,600.00	Pricing for Duarte Park anticipated to be initiated December 2019
CFD - Neighborhood (CITYWIDE)	Delany Park & Paths	5	402-34-808-5300	$ 1,500.00	$ 18,000.00	Pricing for Delany Park anticipated to be initiated July 2020
			TOTALS	**$ 14,904.00**	**$ 178,848.00**	

Yellow Highlights - reflect new and/or additional parks & facilities, and additional service days at existing facilities.

AMENDMENT # 1 TO THE AGREEMENT BETWEEN THE CITY OF OAKLEY AND UNIVERSAL SITE SERVICES, INC. (USS) FOR PORTER MAINTENANCE SERVICES FOR VARIOUS CITY OF OAKLEY PARKS AND FACILITIES

This Amendment is entered into by and between the City of Oakley, a municipal corporation (hereinafter referred to as "City"), and Universal Site Services, Inc. a California Corporation (hereinafter referred to as "Contractor"), effective as of November 12, 2019.

RECITALS

A. The City of Oakley and Universal Site Services, Inc. executed a maintenance service Agreement for porter maintenance services for various City of Oakley parks and facilities on November 1, 2018 through October 31, 2019. (herein after referred to as the "Agreement"); and,

B. City and Contractor now desire that the following amendments be made to the Contractor's Agreement: Extend the Porter Maintenance Services Agreement for Various City of Oakley Parks and Facility Services an additional two years, to June 30, 2022, with the revised scope of work and the increased annual cost of $178,848.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements contained herein, City and Contractor mutually agree and covenant as follows:

1. Except as provided herein, the terms used in this Amendment shall have the same meaning as the same terms have in the Agreement.
2. The Agreement is hereby amended as follows:
   a. Paragraph 1.1, Term of Services, amended as follows: The term of this Agreement shall begin on the Effective Date of November 12, 2019 and shall end on June 30, 2022.
3. Except as provided herein, all other terms and provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Oakley, a municipal corporation in the State of California, has authorized the execution of this Amendment in duplicate by its City Manager and attestation by its City Clerk under authority of Resolution No. ____, adopted by the Council of the City of Oakley on the 12th day of November, 2019, and the parties have caused this Amendment to be executed in duplicate.

City of Oakley, a municipal corporation

By: _____
Bryan H. Montgomery, City Manager

Universal Site Services, Inc.

By: _____ Signature:_____
Name, Title

ATTEST:

_____
Libby Vreonis, City Clerk

APPROVED AS TO FORM:

_____
Derek P. Cole, City Attorney

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: November 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

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

SUBJECT: Acceptance of work associated with the demolition of structures at the site of the Oakley Community Regional Park Project - Capital Improvement Project Number 176, and approval of the Phase 1 design

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Background and Analysis

The City's adopted Capital Improvement Program (CIP) Budget designates funding for various infrastructure repair and replacement projects. This is consistent with the City's goals to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

One of the key projects in the City's CIP is the construction of the Oakley Community Regional Park. This project will transform a 55 acre site at the north end of Sellers Avenue that was given to the City as part of the development agreements related to the Emerson and Gilbert Ranch Subdivision projects. This site will be a key feature of the City's park network and a major destination point for the residents and visitors of the community.

This 55 acre site decades ago was used as a dairy operation facility with accommodations for the cattle and employees who worked at the facility. The dairy operations ended over 20 years ago and since then, the site has been dormant and severely deteriorated with buildings and structures falling apart in abandoned condition. The condition of the site was unsafe and exposed the City with liability in case an accident would occur at the site.

The City Council at its meeting on January 8, 2019 awarded a contract to Campanella Corporation to perform Asbestos and Lead abatement, and the demolition and disposal of the structures at this site. There are 2 structures which were kept and not demolished at this site. One is the main house that was occupied decades ago by the previous dairy owners. The house will be renovated and incorporated into the new Oakley Community Regional Park as one of the feature attractions. Also a covered area will be kept to be used as a place for a future City corporation yard to service this park.

The site demolition and clean up has been successfully completed by Campanella Corporation. The City applied for State grant funding for the actual park construction in June 2019 and the notification for the agencies that would be qualified for the State grant will be announced in early 2020.

Fiscal Impact

The authorized budget for the construction of this project was $348,680. This project was completed on time and under the authorized budget for a total of $328,430.00.

Pursuant to the contract documents, 5% of the accrued costs were withheld from the amount paid to the contractor. These funds are called "retention", and are held until the end of the project to ensure that the contractor completes the project in a timely manner. Approval of this item will authorize the release of the retention payment to the contractor. The retention was already budgeted as part of the contract and change order approvals, so there is no additional fiscal impact associated with this action.

Environmental

In March of 2010, the California Department of Water Resources ("DWR") approved the Dutch Slough Tidal Marsh Restoration Project, and in doing so certified the project's Environmental Impact Report ("EIR") (SCH# 2006042009). That EIR included analysis of the Oakley Community Regional Park at a conceptual level with emphasis placed on the first phase of the park development. Since that time, DWR also certified a Supplemental EIR for the same project. Changes to the project that caused the Supplemental EIR did not result in any changes to the analysis or potential impacts caused by the park.

Since the conceptual design of Phase 1 of the park became more defined, the City hired Raney Planning and Management to conduct a California Environmental Quality Act ("CEQA") analysis. The findings of that analysis were that the criteria to conduct a Supplemental EIR were not met and instead an Addendum to the Dutch Slough Tidal Marsh Restoration Project EIRs ("EIR Addendum") was provided. More information on those criteria can be found in the Addendum. In summary, Phase 1 of the park, as currently defined, will not result in any new, or substantially more adverse, significant environmental impacts than those disclosed in the DEIR and Supplemental DEIR.

Staff Recommendation

Staff recommends that the City Council Adopt the Resolution accepting CIP Project No. 176 – the demolition of structures at the site of the Oakley Community Regional Park Project as constructed by Campanella Corporation, to be complete, and to direct the City Clerk to file a Notice of Completion for the project with the County Recorder.

The Dutch Slough Tidal Marsh Restoration EIRs are accessible on the Department of Water Resources website through the following link: https://water.ca.gov/Programs/Integrated-Regional-Water-Management/Delta-Ecosystem-Enhancement-Program/Dutch-Slough-Tidal-Restoration-Project

Attachments

1. Resolution
2. Notice of Completion
3. Addendum to the Dutch Slough Tidal Marsh Restoration Project EIRs

RESOLUTION NO. __-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING THE WORK AS COMPLETE WITH CAMPANELLA CORPORATION, FOR CIP 176 - DEMOLITION OF STRUCTURES AT THE SITE OF THE OAKLEY COMMUNITY REGIONAL PARK PROJECT, AND APPROVAL OF THE PHASE 1 DESIGN

WHEREAS, on March 26, 2019 by adopting Resolution No. 50-19, the City Council awarded a construction contract to Campanella Corporation for the demolition of structures at the site of the Oakley Community Regional Park Project, CIP No. 176; and

WHEREAS, Campanella Corporation, has satisfied the contractual requirements necessary for the acceptance of the demolition of structures at the site of the Oakley Community Regional Park Project - CIP No. 176 to be deemed complete.

WHEREAS, the City Council hereby makes the following factual findings regarding approval of the Phase 1 design:

A. On March 17, 2010, the Environmental Impact Report (EIR) for the Dutch Slough Tidal Marsh Restoration Project (SCH# 2006042009), which included a conceptual analysis of the City's Community park with an emphasis on the first phase of development, was certified by the California Department of Water Resources ("DWR"). On October 31, 2014, DWR certified a Supplemental EIR for the project. That Supplemental EIR found no changes in the EIR's analysis of the City's Community Park. Together, the EIR and Supplemental EIR are referred to as the "EIRs" or "project's EIRs";

B. Pursuant to Section 15164 of the CEQA Guidelines, an addendum to the Dutch Slough Tidal Marsh Restoration Project's EIRs was prepared by the City. The Addendum incorporates, by reference, the analysis contained in the certified Project EIRs, and addresses only those issues specific to Phase 1 of the Community Park Project. The Addendum concludes that the project will not result in new, or substantially more adverse, significant environmental impacts than those disclosed in the Project EIRs.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley that the demolition of structures at the site of the Oakley Community Regional Park Project - CIP No. 176 is hereby accepted as complete.

BE IT FURTHER RESOLVED AND ORDERED, that the City Clerk is hereby directed to file a Notice of Completion for the demolition of structures at the site of the Oakley Community Regional Park Project - CIP No. 176 with the County Recorder, and that the City Council hereby approves the Phase 1 design.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 12th of November, 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

PURSUANT TO GOVERNMENT CODE §6103 NO FEE IS REQUIRED FOR THE RECORDATION OF THIS DOCUMENT

WHEN RECORDED MAIL TO:
City Clerk
City Of Oakley
3231 Main Street
Oakley, CA 94561

RECORDING REQUESTED BY:
City Of Oakley
3231 Main Street
Oakley, CA 94561

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

NOTICE OF COMPLETION
CIP 176 – Demolition of structures at the site of the Oakley Community Regional Park Project

NOTICE IS HEREBY GIVEN THAT:

The CITY OF OAKLEY, a political subdivision of the State of California, did, on March 26, 2019 enter into an agreement with Campanella Corporation, for the construction of Capital Improvement Program Project Number 176 – Demolition of structures at the site of the Oakley Community Regional Park Project.

The Owner's nature of interest or estate in the property described below is in fee.

The work described in the contract documents was to furnish all material, labor, and equipment necessary to complete CIP No. 176 – Demolition of structures at the site of the Oakley Community Regional Park Project.

On November 12, 2019 said contract, as a whole was completed and the work was accepted by the City Council of the City of Oakley.

VERIFICATION

I have read the foregoing NOTICE OF COMPLETION and know the contents thereof; the same is true of my knowledge. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed this 12th day of November 2019 at Oakley, California.

Date: _____

By: _____
Libby Vreonis, City Clerk
City of Oakley, California

OAKLEY
CALIFORNIA

ADDENDUM TO A CERTIFIED ENVIRONMENTAL IMPACT REPORT

The City of Oakley, California, a municipal corporation, does hereby prepare, make declare, and publish the Addendum to a certified Environmental Impact Report (EIR) for the following described project:

Project Name: Oakley Community Park Project

The City of Oakley, Planning Division, has reviewed the proposed project and on the basis of the whole record before it, has determined that substantial evidence does not exist that the project, as identified in this Addendum, would have a significant effect on the environment beyond that which was previously evaluated in the EIR prepared for the Dutch Slough Tidal Marsh Restoration Project (SCH # 2006042009). A subsequent EIR is not required pursuant to the California Environmental Quality Act of 1970 (Sections 21000, et. Seq., Public Resources Code of the State of California).

This Addendum to a certified EIR has been prepared pursuant to Title 14, Section 15164 of the California Code of Regulations.

Kenneth Strelo, Principal Planner
City of Oakley

By: _____
Date: October 28, 2019

Oakley Community Park Project
Addendum to an Environmental Impact Report

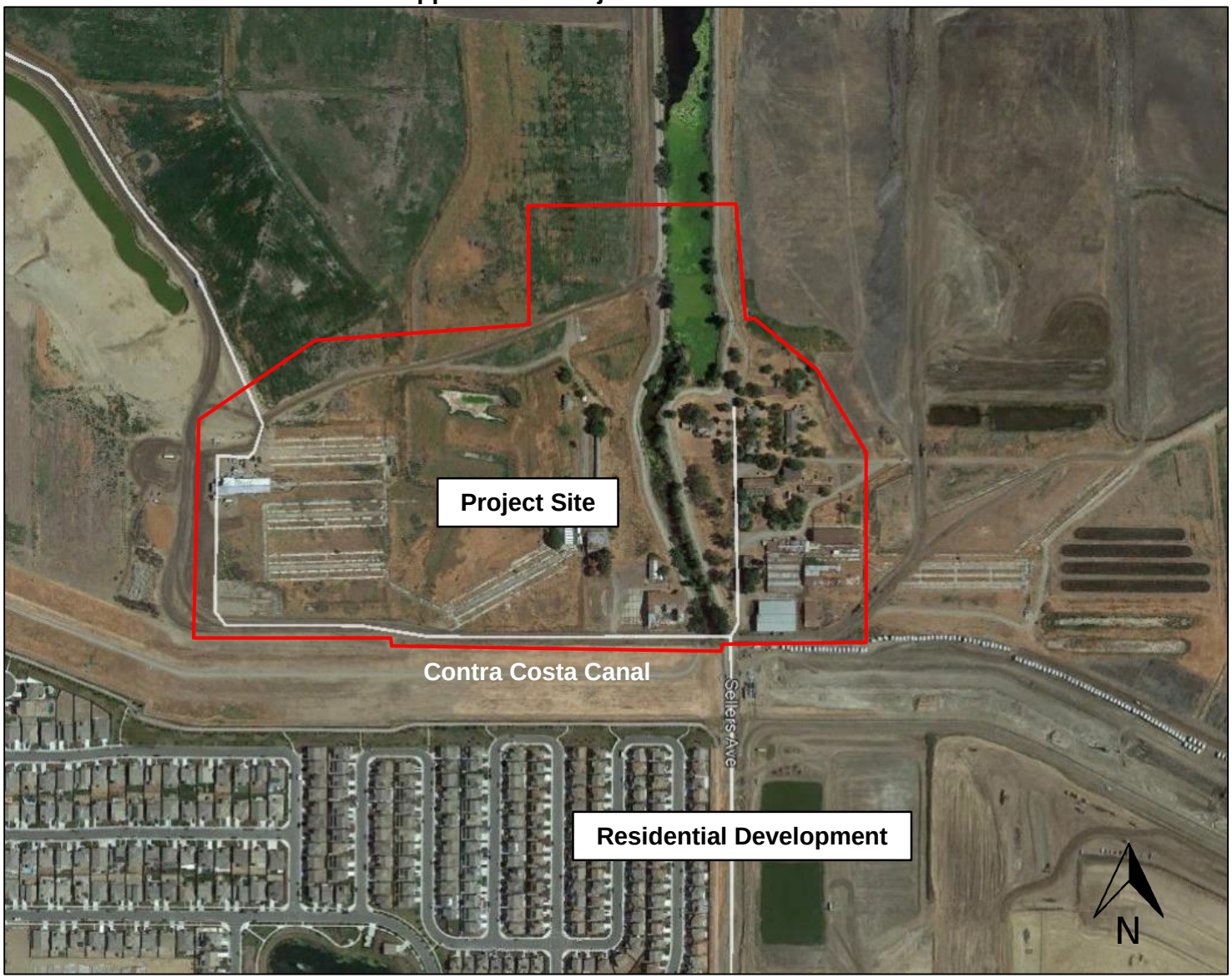
Project Name: Oakley Community Park Project

Project Location: The 55-acre project site is located north of the intersection of Sellers Avenue and the undergrounded Contra Costa Canal, and south of the terminus of the Emerson Slough, in the City of Oakley, California (see Figure 1). The project site is identified by Assessor's Parcel Numbers 037-191-038 and 032-081-017. The site has been heavily disturbed through past agricultural activities. Structures and foundations related to past agricultural uses exist within the site; however, any existing structures would be demolished prior to implementation of the proposed project. The site contains portions of Emerson Slough and remnants of a man-made drainage basin. Land to the north, east, and west of the project site is vacant and part of the Department of Water Resources Dutch Slough Tidal Marsh Restoration Project. Land to the south, southeast, and southwest of the project site, is characterized by newly developed residential uses and areas that have been recently graded for development of residential uses. The recently undergrounded Contra Costa Canal separates the project site from the residential uses to the south.

Current Plan Designations and Zoning: The current General Plan land use and zoning designation for the project site is Parks and Recreation.

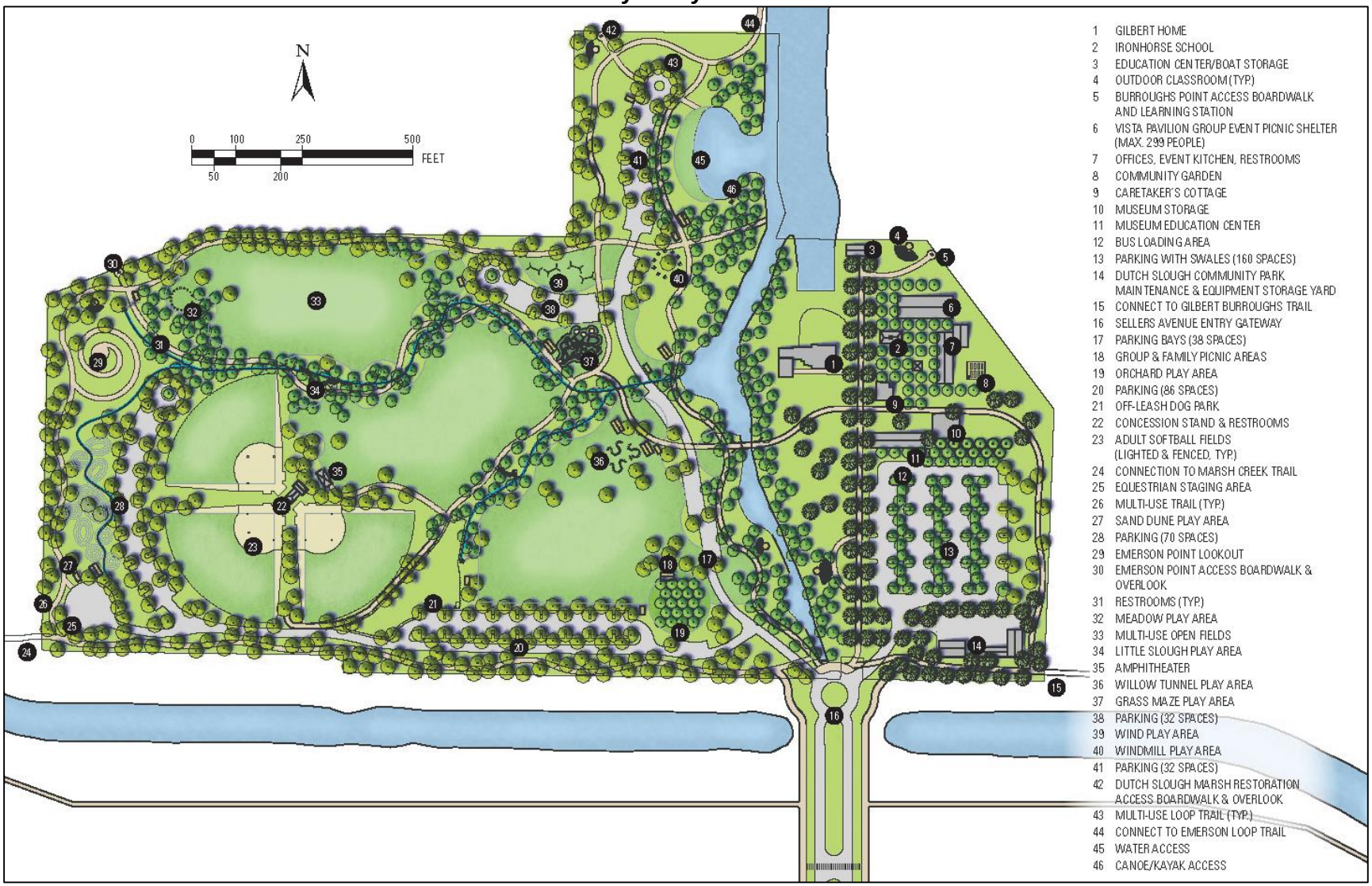
Project Background: Development of the project site as a community park has been planned in the City's General Plan, and was previously analyzed as part of the Dutch Slough Tidal Marsh Restoration Project EIR (Dutch Slough Restoration EIR), State Clearinghouse #2006042009, which was prepared in November of 2008. The California Department of Water Resources and the California State Coastal Conservancy prepared the Dutch Slough Restoration EIR to analyze various marsh restoration activities, and included two related projects: development of a Community Park at the project site, and implementation of the Ironhouse Sanitary District's (ISD's) West Marsh Creek Delta Restoration Project. At the time that the analysis for the Dutch Slough Restoration EIR was prepared, the Community Park at the project site was anticipated to include a 55-acre park that provided shoreline access, educational opportunities, and recreational opportunities. Both active and passive recreational uses were anticipated, including sports fields, interpretive and educational facilities, a canoe/kayak boat launch, and an amphitheater (See Figure 2). In general, active uses were anticipated to be developed on the western side of Emerson Slough, with more intensive uses, such as the sports fields and parking areas, located on the southern part of the park site. Supporting infrastructure was anticipated to include boardwalks, outdoor classrooms, fencing, restrooms, canoe/kayak storage areas and windmills. On-site trails were anticipated within the park, which would connect to proposed future or existing trails leading off-site into the surrounding restoration areas. In recognition of the habitat value of Emerson Slough and the areas to the north of the park, passive uses were proposed for the northern portion of the project site. Initial phases of the Community Park Project were anticipated to include clearing all existing structures except a caretaker's cottage and an existing redwood barn. The project site was previously used as a dairy farm and for various other agricultural uses. Structures related to previous use of the site as a dairy farm are dilapidated, and the City has commenced demolition and removal of the existing structures.

Figure 1
Approximate Project Site Boundaries



115

Figure 2
Previously Analyzed Park Plan



Since certification of the Dutch Slough Restoration EIR, the City has proposed slight alterations to the types and locations of uses within the Community Park. Due to the proposed alterations, this addendum seeks to determine whether the proposed Community Park Project (proposed project) would trigger any of the criteria within CEQA Guidelines section 15162, necessitating further environmental analysis. A discussion of the standards used throughout this addendum is provided below.

Rationale for Preparation of the Addendum

CEQA Guidelines Section 15164, subd. (a) provides that the lead agency or a responsible agency shall prepare an addendum to a previously certified Environmental Impact Report or Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent Environmental Impact Report (EIR) or ND have occurred (CEQA Guidelines, Section 15164, subd. [a]).

An addendum need not be circulated for public review but can be included in or attached to the Final EIR or ND (CEQA Guidelines Section 15164, subd. [c]). The decision-making body shall consider the addendum with the Final EIR prior to making a decision on the project (CEQA Guidelines Section 15164, subd. [d]). An agency must also include a brief explanation of the decision not to prepare a subsequent EIR or ND pursuant to Section 15162 (CEQA Guidelines Section 15164, subd. [e]).

Consequently, once an EIR or ND has been certified for a project, no subsequent EIR or ND is required under CEQA unless, based on substantial evidence:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant

effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This addendum and attached documents constitute substantial evidence supporting the conclusion that preparation of a supplemental or subsequent EIR is not required prior to approval of the proposed community park project, and provides the required documentation under CEQA.

Project Description: Since certification of the Dutch Slough Restoration EIR, the City has proposed refinements to the uses and design of the proposed community park. In general, the City envisions similar uses for the project site as previously proposed and presented in Figure 2. The majority of the changes include relocation of previously proposed uses within the project site. For instance, the orientation of proposed play fields has been slightly altered, and the proposed amphitheater is now anticipated to be located closer to the center of the project site (see Figure 3); however the total number of play fields remains unchanged. Thus, proposed uses on the western portion of the project site would generally remain the same, and would include trails, meadow areas, a pavilion/amphitheater, three sports fields, parking areas, and play areas. The eastern portion of the project site was previously anticipated primarily for interpretive and educational uses, with an anticipated museum and multiple historical structures. Although the City anticipates maintaining some of the planned interpretive and educational uses, the eastern portion of the project site is now anticipated to be primarily used for agricultural educational activities. The project continues to include a boat launch area, which would provide access to Emerson Slough to non-motorized vessels. However, the design of the boat launch has been slightly changed.

The City is currently seeking grant funding to support implementation of the project in phases, with the first phase including development of the sport field complex. Subsequent phases of the project would include development of the other proposed uses, such as the play areas, amphitheater, boat launch, and agricultural uses. Although the City is only requesting funds for the first phase of development currently, this addendum analyzes buildout of the entire community park.

The analysis presented in this addendum will focus on the potential for the aforementioned changes to the orientation and design of recreational and interpretive uses to result in conditions necessitating the preparation of a subsequent EIR or ND as discussed above.

Figure 3
Proposed Community Park Concept Plan



ENVIRONMENTAL CHECKLIST

COMPARING CHANGES AND/OR NEW INFORMATION TO PREVIOUS ENVIRONMENTAL DOCUMENTS

The purpose of the checklist is to evaluate the categories in terms of any **"changes"** or **"new information"** that may result in a changed environmental impact evaluation. A "no" answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no relevant change in the condition or status of the impact due to its insignificance or its treatment in a previous environmental document.

EXPLANATION OF CHECKLIST EVALUATION CATEGORIES

Where Impact was Analyzed in Prior Environmental Documents
This column provides a reference to the pages of the other environmental documents where information and analysis may be found relative to the threshold listed under each topic.

Do Proposed Changes Involve New or More Severe Impacts?
Pursuant to Section 15162(a)(1) of the CEQA Guidelines, this column indicates whether the changes represented by the proposed project will result in new significant impacts or a substantial increase in the severity of a previously identified significant impact that have not already been evaluated and mitigated by the previous EIR. If a "yes" answer is given, additional mitigation measures acceptable to the applicant will be specified in the discussion section, including a statement of impact status after mitigation.

Any New Circumstances Involving New or More Severe Impacts?
Pursuant to Section 15162(a)(2) of the CEQA Guidelines, this column indicates whether there have been changes to the project site or the vicinity (environmental setting) that have occurred subsequent to the certification of the previous EIR that would result in new significant impacts or a substantial increase in the severity of a previously identified significant impact that were not evaluated and mitigated by the previous EIR. If a "yes" answer is given, additional mitigation measures will be specified in the discussion section, including a statement of impact status after mitigation.

Any New Information of Substantial Importance?
Pursuant to Section 15162(a)(3) of the CEQA Guidelines, this column indicates whether there is new information of substantial importance which was not known and could have been known with the exercise of reasonable diligence at the time the previous EIR was certified. New information of substantial importance includes: (1) one or more significant effects not discussed in the previous EIR, (2) significant effects previously examined that are substantially more severe than shown in the previous EIR, (3) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project

proponents decline to adopt the mitigation measure or alternative; or (4) mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative. If additional analysis is conducted and no new information of substantial importance is identified, no new or additional mitigation is necessary. If the additional analysis indicates new information of substantial importance, no additional environmental documentation is needed if it is found that a new or modified mitigation would eliminate a new significant impact or reduce the increase in severity to less than substantial.

Prior Environmental Document Mitigations Implemented or Address Impacts.
Pursuant to Section 15162(a)(3) of the CEQA Guidelines, this column indicates whether other environmental documents provide mitigation measures to address effects in the related impact category. If N/A is indicated, a previous environmental document and this environmental checklist conclude that the impact does not occur with this project, and, therefore, no mitigation is needed.

DISCUSSION AND MITIGATION SECTIONS

Discussion:
A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers and provide substantial evidence supporting the impact conclusion. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented. The discussion is organized into four sections: Changes to the Project; Changes in Circumstances; Changes in Information; and Conclusion.

CEQA Topics
The proposed Community Park Project would result in a limited potential to impact the physical environment. Therefore, it is reasonable and appropriate to focus this environmental analysis on those CEQA topics for which impacts may be triggered as a result of the proposed project. The environmental checklist presented herein focuses on the following CEQA issue areas which were analyzed in the Dutch Slough Restoration EIR: Air Quality, Greenhouse Gas (GHG) Emissions, Hydrology and Water Quality, Noise, and Transportation. Each topic is evaluated in detail within the corresponding checklist section. Remaining CEQA topics for which new impacts clearly would not occur as a result of the signal projects (e.g., public services, recreation, etc.) are summarily addressed in the section entitled “Remaining CEQA Topics.”

Prior CEQA Mitigation Measures:
Applicable mitigation measures from the previous environmental documents that apply to the changes or new information are referenced under each environmental category.

Environmental Issue Area	Where Impact Was Analyzed in Dutch Slough Restoration EIR	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?
Air Quality. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	pg. 3.6-9 to 3.6-11	No	No	No
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	pg. 3.6-9 to 3.6-11	No	No	No
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	pg. 3.6-9 to 3.6-11	No	No	No
d. Expose sensitive receptors to substantial pollutant concentrations?	pg. 3.6-9 to 3.6-11	No	No	No
e. Create objectionable odors affecting a substantial number of people?	pg. 3.6-9 to 3.6-11	No	No	No

Discussion:

Changes to the Project

The project components have not been altered from the components analyzed in the 2008 EIR; rather, the changes include relocation of previously proposed uses within the project site. For instance, the orientation of the proposed play fields has been slightly altered,

and the proposed amphitheater is now anticipated to be located closer to the center of the project site; however, the overall use of the site remains unchanged. Air quality was analyzed in the previous EIR based on standards established by the Bay Area Air Quality Management District (BAAQMD).

As discussed in the Dutch Slough Restoration EIR, the proposed project's primary source of air pollutants would be vehicle trips to and from the site. Based on the Traffic Impact Analysis prepared for the community park, the proposed project would generate a maximum of 124 daily vehicle trips on weekdays, 312 daily trips on Saturdays, and 348 daily trips on Sundays. The original 2008 EIR analyzed impacts to air quality with an estimated 125 daily trips. Using the trip rate applicable at the time, the original air quality analysis determined that the project would emit 1.0 lb/day of reactive organic gases (ROG) and 1.4 lb/day of nitrogen oxides (NO_X) which is far below the BAAQMD standards. Although BAAQMD has updated their standards since certification of the Dutch Slough Restoration EIR, the proposed project would still not exceed the standard of 54 lb/day for either ROG or NO_X. While the proposed project is expected to nearly triple the number daily vehicle trips on Sundays, tripling of the ROG and NO_X emissions would still result in compliance with BAAQMD standards. The tripling of emissions would only occur under a worst-case scenario on one day of the week. The remaining weekdays would result in the same trip rates as was used in the Dutch Slough Restoration EIR. Therefore, although the proposed project would result in an increase in trips during the weekends, the average daily trip rate would remain very similar to what was analyzed in the original 2008 EIR.

Based on the above, the proposed project would not result in an increase in air pollutants that have not already been analyzed. Based on prior analysis and even with an increase in trips to the project site on weekends, the ROG and NO_X emissions at the project site would not exceed the applicable standards.

The Dutch Slough Restoration EIR also analyzed the potential for the project to violate air quality standards during construction activities. However, the impact was found to be less than significant because BAAQMD has developed mitigation measures that all projects under the jurisdiction of BAAQMD are required to implement, including watering exposed surfaces, covering haul trucks, reducing idling times, and maintaining construction equipment. The modifications to the site plan would not alter the original construction. All of the elements of the original project would still be incorporated, and thus, the construction length and intensity would be consistent with what was previously analyzed.

Finally, because the project site is more than four acres, implementation of an enhanced dust control program during construction would be required with the project. Mitigation Measure 3.6.1-2 would require the project implement basic and enhanced control measures in order to reduce the potential short-term impact from fugitive dust.

Overall, the proposed project would result in a slightly higher number of daily vehicle trips on Sundays; however, the initial estimate of ROG and NO_X emissions were so far below the most recent BAAQMD thresholds that tripling the emissions estimate to account for the increase in vehicle trips would not result in a significant impact. Furthermore, the construction intensity would be the same as was analyzed in the Dutch Slough Restoration EIR given that the proposed project would not increase the development area or building

intensity on the site. With implementation of the mitigation to reduce impacts associated with fugitive dust, the proposed project would not result in new or substantially more severe significant impacts.

Changes in Circumstances

In 2010, BAAQMD updated their thresholds of significance for ROG and NO_X. Although the 2008 EIR analyzed project impacts under the 2008 ROG and NO_X thresholds, as discussed above, the criteria pollutant emissions from the project, both at the time of the analysis and presently, are well below the current standards. Accordingly, new circumstances that would involve new significant impacts or substantially more severe impacts do not exist.

Changes in Information

New information of substantial importance which was not known and could have been known with the exercise of reasonable diligence at the time the previous EIR was certified have not occurred. New information, including significant effects not previously discussed or examined, mitigation measures previously found not to be feasible, or mitigation measures that are considerably different from those analyzed in the previous EIR were not discovered, and thus, new impacts do not exist.

Conclusion

Based on the above, the proposed project would not result in any changes, new circumstances, or new information that would involve new significant impacts or substantially more severe impacts related to air quality from what has been anticipated for the project site in the 2008 EIR.

Prior CEQA Mitigation Measures:

The following mitigation measures from the Dutch Slough Restoration EIR would apply to the proposed project.

3.6.1-2 *Because the proposed project is more than 4.0 acres, implementation of an enhanced dust control program during construction is recommended to achieve a less-than-significant dust nuisance impact. The list of suggested PM-10 mitigation measures is included in Table 3.6-6.*

Table 3.6-6: Control Measures for Construction Emissions of PM-10
Basic Control Measures (Required) *The following controls will be implemented:* • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials or require all truck to maintain at least 2 feet of freeboard. Pave, apply water three times daily, to apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
Enhanced Control Measure (Recommended because large scale of grading) The following additional measures are recommended to be implemented at this construction site: • Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.). • Limit traffic speeds on unpaved surfaces to 15 mph. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replant vegetation in disturbed areas as quickly as possible.

3.6.1-2.1 *A portion of all candidate fill material from borrow sites shall be tested to confirm its suitability in terms of very low VOC levels and low biological content that could create emissions of toxic or odorous materials during on-site cut/fill operations.*

3.6.2-2.2 *During the contractor selection process, preference shall be given to any grading contractor that guarantees to provide scrapers that emit 20 percent less NOx and 45 percent less PM-10 than the statewide average for the same equipment.*

3.6.3-2 *In addition to a requirement for inclusion of Mitigation Measures 3.6.2-2.1 and 3.6.2-2.2 in this alternative, the following additional mitigation measure is recommended for the Maximum Fill alternative:*

- *Imported fill shall be obtained from locations that minimize truck travel through incorporated portions of the City of Oakley.*

Environmental Issue Area	Where Impact Was Analyzed in the Dutch Slough Restoration EIR	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?
Greenhouse Gas Emissions. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	pg. 3.6-11 to 3.6-13	No	No	No
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	pg. 3.6-11 to 3.6-13	No	No	No

Discussion:

Changes to the Project

The project components have not changed from what was previously analyzed in the Dutch Slough Restoration EIR; however, the site plan has been altered. Most elements of the project would remain, such as the baseball fields and amphitheater, while construction on the eastern side of the site would include more open space for gardens and agricultural education instead of buildings. As such, the changes to the project site plan could result in an alternative analysis of greenhouse gas (GHG) emissions.

The Dutch Slough Restoration EIR included a thorough evaluation of emissions related to proposed project. As determined in the EIR, the primary source of GHGs would be from diesel-powered construction equipment. The analysis in the EIR took into account the estimated number of construction workers, types of equipment, estimated number of days for construction, and estimated volumes of imported fill. As a result, the Dutch Slough Restoration EIR concluded that the total emissions from construction-related activities would be 245 metric tons of CO_2 equivalent per year. While emissions would be created through the operation of construction equipment, the EIR evaluated the benefits of the wetland restoration projects such as the Dutch Slough Restoration Project which would become a long-term carbon sink. Nonetheless, the Dutch Slough Restoration EIR included mitigation that incorporates best management practices for reduction of construction-related GHG emissions. The inclusion of the best management practices in conjunction with the short period of time of emissions and the carbon sink located on the site would ensure that the project would not result in significant GHG emissions.

During operation of the proposed project, GHG emissions would primarily be generated by vehicle trips to and from the site. However, as discussed above, and in the Dutch Slough Restoration EIR, the wetland restoration on the project site is anticipated to create a long-term carbon sink, which would eventually offset emissions from project-related vehicular traffic. Because the average daily trips to the project site would be very similar to what was anticipated in the Dutch Slough Restoration EIR, the projected operational GHG emissions would continue to be mitigated by the on-site carbon sink.

Because the proposed project would not result in more intensive construction than was previously analyzed, and the project would result in a similar number of average daily vehicle trips, the conclusions reached in the Dutch Slough Restoration EIR related to GHG emissions remain applicable to the proposed project. Thus, the proposed project would not result in a significant impact associated with GHG emissions.

Changes in Circumstances

On September 8, 2016, AB 197 and SB 32 were enacted with the goal of providing further control over GHG emissions in the State. SB 32 built on previous GHG reduction goals by requiring that the CARB ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by the year 2030. Although this change in circumstances would apply to the proposed project, as discussed above, the original 2008 EIR determined that the long-term impacts of GHG emissions are less than significant. The modifications to the site plan would not alter the site in such a way that GHG emissions would drastically increase relative to what was anticipated in the 2008 EIR. Furthermore, the proposed project would include more agricultural development on the eastern portion of the site, which would encourage preservation of natural land on the project site. The overall anticipated uses on the project site would be consistent with what was analyzed in the 2008 EIR. Therefore, the project would not result in an increase in GHG emissions. Given that the proposed project would not result in substantially increased GHG emissions relative to buildout of the site per the approved Dutch Slough Restoration EIR, new circumstances that would involve new significant impacts or substantially more severe impacts do not exist.

Changes in Information

New information of substantial importance which was not known and could have been known with the exercise of reasonable diligence at the time the previous EIR was certified have not occurred. New information, including significant effects not previously discussed or examined, mitigation measures previously found not to be feasible, or mitigation measures that are considerably different from those analyzed in the previous EIR were not discovered, and thus, new impacts do not exist.

Conclusion

Based on the above, the proposed project would not result in any changes, new circumstances, or new information that would involve new significant impacts or substantially more severe impacts related to GHG emissions from what has been anticipated for the project in the 2008 EIR.

Prior CEQA Mitigation Measures:

The following mitigation measures from the Dutch Slough Restoration EIR would apply to the proposed project.

3.6.1-3.1 *Construction crews will be required to follow BMPs for reduction of emissions, such as limits on idling, keeping engines in tune, and possibly retrofits to increase fuel efficiency. These BMPs will be included in worker environmental education sessions. All measures in the CARB "Heavy-Duty Vehicle Greenhouse Gas Emission Reduction Measures" will also be adhered to if the measures have been instituted by the time construction starts.*

3.6.1-3.2 *If future research (prior to project implementation) shows that the restored wetlands are likely to sequester significantly less carbon than current estimates, the open water areas will be designed to be managed for maximum carbon sequestration.*

Environmental Issue Area	Where Impact Was Analyzed in the Dutch Slough Restoration EIR	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?
Hydrology and Water Quality Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	pg. 3.2-25 to 3.2-40	No	No	No
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	pg. 3.2-25 to 3.2-40	No	No	No
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in substantial erosion or siltation on- or off-site; ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. Impede or redirect flood flows?	pg. 3.2-25 to 3.2-40	No	No	No
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	pg. 3.1-15 to 3.1-16	No	No	No

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	pg. 3.2-25 to 3.2-40	No	No	No

Discussion:

Changes to the Project

The project components have not been altered from the components analyzed in the 2008 EIR; rather, the changes include relocation of previously proposed uses within the project site. For instance, the orientation of the proposed play fields has been slightly altered, and the proposed amphitheater is now anticipated to be located closer to the center of the project site; however, the number of fields remains unchanged. The eastern portion of the site was originally anticipated to be used primarily for interpretive and educational uses, with an anticipated museum and multiple historical structures. Although some of the planned structures would remain, the eastern portion of the site is now anticipated to primarily be used for agricultural education activities. The changes to the proposed project would alter the site plan such that new impacts related to hydrology and water quality could occur.

The topography of the project site varies from zero to 20 feet across the site with levee areas reaching an elevation of 10 feet adjacent to Emerson Slough. Treated stormwater would be piped out to Emerson Slough. The Dutch Slough Restoration EIR incorporated several mitigation measures with the aim of reducing pollutants and concentrations of metal in the surrounding Marsh Creek, Dutch Slough, and Emerson Slough. Implementation of all mitigation measures would remain a stipulation of development of the project. However, due to the change in the site plan, the methods for treatment of stormwater have been updated.

Mitigation Measure 3.2.1-1.3 in the Dutch Slough Restoration EIR requires the proposed project develop a Stormwater Pollution Prevention Plan (SWPPP) that would implement several Best Management Practices (BMPs) in order to reduce erosion and sedimentation during construction. This mitigation measure would remain applicable and would ensure compliance with the City's stormwater requirements.

All municipalities within Contra Costa County are required to develop more restrictive surface water control standards for new development projects as part of the renewal of the Countywide National Pollutant Discharge Elimination System (NPDES) permit. Known as the "C.3 Standards", new development and redevelopment projects that create or replace 10,000 or more sf of impervious surface area must contain and treat stormwater runoff from the site. Because the proposed project would create more than 10,000 square feet (sf) of impervious surface area, the proposed project would be considered a C.3 regulated project and is required to include appropriate site design measures, source controls, and hydraulically-sized stormwater treatment measures. In addition, the project site is within Drainage Area 30b, and would be required to pay the applicable Contra Costa County Flood Control and Water Conservation District (CCCFCWCD) drainage fees.[1]

[1] Contra Costa County Flood Control District. *Contra Costa County Formed Drainage Areas.* February 7, 2008.

The new Stormwater Management Memo implements several new stormwater treatment measures, including several Low Impact Development (LID) strategies. Among the four proposed LID strategies would include optimization of the site layout. The site would be regraded to raise elevations to be in excess of the 100-year FEMA defined flood plain elevation of nine feet along Emerson Slough and a minimum elevation of four feet along the northern project boundary to conform with the adjacent project. A majority of the western half of the site would be level to accommodate the four baseball fields and an open meadow area. The eastern half of the site may either be level or gradually steepen to meet the levee grades so long as crops and planting can be supported.

A total of 15 Drainage Management Areas (DMAs) have been outlined in the Stormwater Control Plan prepared for the proposed project. Several of the DMAs would be self-treating and retaining landscape areas. In order to treat runoff water from roof and parking DMAs, bioretention facilities would be designed around the project site. As surface improvements become more finalized, the DMAs would be modified. Currently, 80,000 sf have been set aside as opportunities for LID treatment areas, while preliminarily only 25,000 sf would be needed. Calculations would be included with the final Storm Water Control Plan. The proposed project would adhere to all C.3 Standards and the final size and design of the bioretention facilities would be finalized prior to approval of project plans. Therefore, the efficacy of the stormwater discharge rates cannot be determined. Pre- and post-project stormwater discharge calculations would be necessary to demonstrate compliance with the C.3 Standards and the efficacy of the proposed bio-retention areas. While compliance with the above would ensure that the project would result in a less-than-significant impact to hydrology and water quality, the C.3 Standards were not in place at the time of the 2008 EIR. Therefore, a modification has been made to Mitigation Measure 3.2.1-1.1 from the Dutch Slough Restoration EIR to ensure that all applicable standards and regulations are included in the proposed project.

Changes in Circumstances

Although C.3 Standards have been modified since the certification of the Dutch Slough Restoration EIR, the proposed project would implement modifications to Mitigation Measure 3.2.1-1.1 to address such regulatory changes. The Dutch Slough Restoration EIR was certified by the Department of Water Resources in 2010 and the physical conditions of the area existing at the time of certification remain today.

Changes in Information

The proposed project does not contain any new information of substantial importance which was not known and could have been known with the exercise of reasonable diligence at the time the Dutch Slough Restoration EIR was certified.

Conclusion

Based on the above, the proposed project would not result in any changes, new circumstances, or new information that would involve new significant impacts or substantially more severe impacts related to hydrology and water quality from what has been anticipated for the project site in the Dutch Slough Restoration EIR.

Prior CEQA Mitigation Measures:

The following Mitigation Measure from the Dutch Slough Restoration EIR has been modified using project specific information. The application of the modified Mitigation Measure shall ensure that potential impacts from the proposed project would remain less than significant.

3.2.1-1.1 *A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared prior to any construction on any portion of the Project, and implemented during construction. Individual SWPPPs may be prepared for various construction components or phases (e.g., demolition of existing site structures, grading of one parcel, etc.). The SWPPP(s) shall be prepared according to requirements of the State's Construction Activities Storm Water Permit (Construction Permit; State Board Order No. 99-08-DWQ, NPDES Permit CAS000002), following guidance contained in Section A of that permit, and it shall include all appropriate best management practices (BMPs) for minimizing stormwater runoff and the potential pollution it may cause. Coverage shall be obtained under the Construction Permit by filing a Notice of Intent and fee prior to construction of any project component.*

Prior to issuance of grading permits, the Public Works and Engineering Department shall review the final plans, identifying permanent stormwater control measures to be implemented with the project. The final plans shall include calculations demonstrating that post-project stormwater flows comply with the applicable provisions of the C.3 Standards and meet City standards.

Only the applicable mitigation measures to the proposed changes have been brought forth in this Environmental Checklist. Further hydrology analysis and mitigation is provided in the Dutch Slough Restoration EIR. For reference, Mitigation Measures 3.1.1-1.1, 3.1.1-1.2, 3.1.1-2.1, 3.1.1-2.2, 3.1.1-4, 3.1.1-5, 3.1.1-6.1, 3.1.1-6.2, 3.1.1-6.3, 3.1.1-7 and 3.1.1-9 can be found on pages 3.1-14 through 3.1-25 of the Dutch Slough Restoration EIR. Additionally, water quality analysis and Mitigation Measures 3.2.1-1.2, 3.2.1-1.3, 3.2.1-1.4, 3.2.1-2.1, 3.2.1-2.2, 3.2.1-3, 3.2.1-4, 3.2.1-7, and 3.2.1-8 can be found on pages 3.2-24 through 3.2-34 of the Dutch Slough Restoration EIR.

Environmental Issue Area	Where Impact Was Analyzed in the Dutch Slough Restoration EIR.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?
Noise. Would the project:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	pg. 3.7-1 to 3.7-10	No	No	No
b. Generation of excessive groundborne vibration or groundborne noise levels?	pg. 3.7-1 to 3.7-10	No	No	No
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	pg. 3.7-1 to 3.7-10	No	No	No

Discussion:

Changes to the Project

The project components have not been altered from the components analyzed in the 2008 EIR; rather, the changes include relocation of previously proposed uses within the project site and would not affect noise impacts associated with the proposed uses. The Dutch Slough Restoration EIR included an analysis of on-site construction noise associated with the proposed project and associated improvements. As noted in the EIR, the City of Oakley permits construction noise between 7:30 AM to 7:00 PM Monday through Friday and 9:00 AM to 7:00 PM on Saturdays, Sundays, and holidays. The predicted construction noise levels associated with the project would not exceed 20 dB at a distance of 500 feet, which was the estimated distance to the nearest sensitive receptor. While the construction noise levels would remain the same or decrease because of the altered site plan, the operational traffic noise at the project site could be different because of the relocation of the parking area. Additionally, the new orientation of the ballfields and amphitheater could impact the sound levels from the proposed project.

Existing Conditions

As part of the proposed project, a new Environmental Noise Assessment was prepared for the proposed project. The existing noise setting was analyzed under current conditions, which include buildout of the area with residential development that was not previously analyzed in the 2008 EIR. Table 1 below shows the predicted existing traffic noise levels at a standard distance of 50-feet from the centerlines of the existing immediate project area roadways for existing conditions, as well as distances to existing traffic noise contours.

Table 1
Existing Traffic Noise Levels and Distances to Contours

Roadway	Segment	L_{dn} at 50 Feet	Distance to Contours (feet)		
			70 dB L_{dn}	65 dB L_{dn}	60 dB L_{dn}
Cypress Road	West of Sellers Avenue	63 dBA L_{dn}/CNEL	18	40	85
Cypress Road	East of Sellers Avenue	63 dBA L_{dn}/CNEL	18	39	84
Sellers Avenue	South of the Project Site	46 dBA L_{dn}/CNEL	1	3	6

Source: FHWA-RD-7-108 with inputs from TJKM Transportation Consultants and j.c. brennan & associates, Inc., 2019.
Notes: Distances to traffic noise contours are measured in feet from the centerlines of the roadways.

To quantify existing ambient noise levels in the vicinity of the project site, j.c. brennan & associates, Inc. conducted short-term and continuous noise level measurements on and in the vicinity of the project site. The noise level measurements were taken on August 27th and 28th, 2019. The noise level measurements were conducted to determine typical background noise levels and for comparison to the project-related noise levels. Table 2 shows a summary of the noise measurement results.

Table 2
Existing Ambient Noise Monitoring Results

Site	Location	Date	L_{dn}/CNEL	Daytime (7:00 AM to 10:00 PM)			Nighttime (10:00 PM to 7:00 AM)		
				L_{eq}	L_{50}	L_{max}	L_{eq}	L_{50}	L_{max}
Continuous 24-hour Noise Measurement Site									
A	On Project Site	8/27-8/28	60.7/(54.0)	60.5	45.7	81.0	51.0	46.0	65.6
B	South of the Canal	8/27-8/28	54.4	50.2	47.0	59.1	47.4	40.3	58.6
Short-term Noise Measurement Sites									
1	Northeast of Entry	8/27-8/28	N/A	55.2 55.9	44.5 55.1	79.9 61.0	@9:00 AM @2:25 PM		
2	West Side of Site	8/27-8/28	N/A	50.7 50.4	45.6 48.1	64.0 69.8	@9:45 AM @3:10 PM		

Source: j.c. brennan & associates, Inc., 2019.
Notes: Adjusted L_{dn}/CNEL based upon separating the construction truck traffic from the measured hourly noise levels.

Traffic Noise

The original Dutch Slough Restoration EIR determined that traffic noise does not represent any constraints to the proposed project for future buildout conditions. In order to confirm that the project modifications would not change the conclusions of the original EIR, j.c. brennan & associates, Inc. utilized the new daily trip generation and trip distribution information provided by the traffic consultant, and the traffic volumes for the varying scenarios. Table 3 and Table 4 show the predicted traffic noise levels for the Existing, Existing Plus Project, Future, and Future Plus Project scenarios.

Table 3
Predicted Existing and Existing Plus Project Traffic Noise Levels at 50 Feet

Location	Predicted Exterior Existing (No Project) Traffic Noise Levels	Predicted Exterior Existing + Project Traffic Noise Level	Distance to Noise Contours Existing + Project	
			65 dB L_{dn}	70 dB L_{dn}
Cypress Road				
West of Sellers Avenue	63 dBA L_{dn}/CNEL	63 dBA L_{dn}/CNEL	40 feet	18 feet
East of Sellers Avenue	63 dBA L_{dn}/CNEL	63 dBA L_{dn}/CNEL	39 feet	18 feet
Sellers Avenue				
South of Project Site	46 dBA L_{dn}/CNEL	47 dBA L_{dn}/CNEL	3 feet	1 foot

Source: TJKM and j.c. brennan & associates, Inc., 2019.
Notes: Predicted noise levels and distances to contours are form the centerline of the roadway.

Table 4
Predicted Future and Future Plus Project Traffic Noise Levels at 50 Feet

Location	Predicted Exterior Existing (No Project) Traffic Noise Levels	Predicted Exterior Existing + Project Traffic Noise Level	Distance to Noise Contours Existing + Project	
			65 dB L_{dn}	70 dB L_{dn}
Cypress Road				
West of Sellers Avenue	69 dBA L_{dn}/CNEL	69 dBA L_{dn}/CNEL	100 feet	46 feet
East of Sellers Avenue	69 dBA L_{dn}/CNEL	69 dBA L_{dn}/CNEL	91 feet	42 feet
Sellers Avenue				
South of Project Site	60 dBA L_{dn}/CNEL	60 dBA L_{dn}/CNEL	22 feet	10 foot

Source: TJKM and j.c. brennan & associates, Inc., 2019.
Notes: Predicted noise levels and distances to contours are form the centerline of the roadway.

Information provided by the project traffic consultant indicated that the peak daily trip generation would occur on Sundays, with a total of 348 daily one-way trips. Based on the models conducted by j.c. brennan & associates, Inc., the proposed project would result in traffic noise between 37 dBA and 45 dBA L_{dn}/CNEL at a distance of 50-feet from the roadway centerline. Based upon the results, the

project would not result in exceedance of the City of Oakley exterior noise level standards. In addition, based on the tables above, the project would not result in a significant increase in traffic noise levels on the local roadway system. Standard construction practices, consistent with the Uniform Building Code would provide an exterior to interior noise level reduction of approximately 25 dB, assuming that air conditioning is included for each unit, which allows residents to close windows for the required acoustical isolation. Therefore, as long as exterior traffic noise levels at the existing residential building façade would not exceed 70 dB L_{dn}/CNEL the interior noise levels would typically comply with the interior noise level standard of 45 dB L_{dn}/CNEL. As shown in Table 3 and Table 4, the exterior traffic noise levels do not exceed 70 dB L_{dn}/CNEL; as a result, interior levels would be anticipated to comply with the 45 dB L_{dn}/CNEL standard

Community Park Noise Sources

As a means of predicting athletic field noise levels, the new Environmental Noise Assessment utilized noise measurement data collected from the Big League Dreams Sports Complex in Cathedral City, California. The Big League Dreams Sports Complex had three replica stadiums, approximately 10 batting cages, a volleyball court, and two additional softball fields. The complex is considered to be larger than the proposed project, and the data is considered to be conservative. During the noise level measurements, each stadium and each softball filed had a scheduled game for each hour between 6:00 PM and 11:00 PM. Noise levels associated with the recreational activities included crowd noise, public address system noise, and parking lot noise. The measured noise levels were generally 55 dBA to 57 dBA L_{eq}, with maximum noise levels ranging between 65 dB and 70 dB, at a distance of 100 feet from the center of the nearest field.

Based upon the noise level data collected for the Big League Dreams Sports Complex, and using the data as reference noise levels for the proposed project athletic fields, the predicted hourly average and maximum noise levels at the nearest residences to the south are predicted to be 43 dBA L_{eq} and 51 dBA L_{max}. Based on the City's standards, the predicted noise levels would comply with the City of Oakley daytime and nighttime hourly noise level performance standards for non-transportation noise sources at new projects.

Parking Lots

Based upon the trip generation rates provided by the project traffic consultant, the peak hour trip generation is expected to total 47 vehicles. Noise levels due to parking lot operations are represented by the sound exposure levels (SELs). The measured SELs account for the sound energy during each parking lot arrival or departure, and the overall duration of the event. The SEL essentially compresses all of the sound energy during the entire event into one second. In general, the measured SEL due to a parking lot arrival or departure is approximately five dB to 10 dB higher than the measured maximum noise level.

Based upon 37 total vehicles arriving and departing in a single hour, the hourly L_{eq} can be determined. As a means of determining the noise levels due to parking lot activities, j.c. brennan & associates, Inc. utilized noise level data collected for previous parking lot studies. A typical SEL due to automobile arrivals and departures, including car doors slamming and people conversing, is approximately 71 dB,

at a distance of 50 feet. Based upon the calculation, the peak hour L_{eq} is 51.4 dBA, at a distance of 500 feet. Given that nearest residences are located approximately 50 feet from the center of parking lots along the west property line and a portion of the south property line, the peak hour L_{eq} is approximately 31 dBA. Therefore, the overall noise levels would not exceed the City of Oakley standards of 55 dB for non-transportation noise sources from new projects.

Events

The majority of activities associated with Phase II of the project are passive and are not expected to have significant noise sources. However, Phase II would include development of an amphitheater. The Dutch Slough Restoration EIR evaluated the amphitheater, and although the orientation of the stage has been slightly altered in the new site plan, the stage would remain facing away from the nearest residences. Accordingly, the altered orientation of the amphitheater would not result in any new or more significant impacts Additionally, special events would be anticipated to be of the same nature and size and, thus, the following excerpt from the Dutch Slough Restoration EIR is sufficient for analysis.

> *The City Community Park may be used for occasional special events, such as the annual Almond Festival. This event could draw up to 5,000 people per day (spread out throughout the day). The Draft City Community Park Master Plan states that special events would occur in the park that would focus on the amphitheater and the areas near the concession stand. These special events "would support the central field as the focal place for events of 3,000 to 5,000 people at one time. Field areas and other places within the City Community Park could be used for overflow parking, but it is likely that that additional parking for such events may be required offsite. This occasional impact is considered to be less than significant because the City of Oakley would require a permit for such special events.*

Therefore, unless a detail of potential uses for the amphitheater change from the previous analysis, the amphitheater noise impacts are expected to be less than significant.

Changes in Circumstances

The area surrounding the project site has been developed with residential uses since certification of the Dutch Slough Restoration EIR. While the development of residences places new sensitive receptors within the project site that were not previously analyzed, the new Environmental Noise Assessment determined that the project would not result in new impacts at the sensitive receptors. Accordingly, new circumstances that would involve new significant impacts or substantially more severe impacts do not exist.

Changes in Information

New information of substantial importance which was not known and could have been known with the exercise of reasonable diligence at the time the previous EIR was certified have not occurred. New information, including significant effects not previously discussed or

examined, mitigation measures previously found not to be feasible, or mitigation measures that are considerably different from those analyzed in the previous EIR were not discovered, and thus, new impacts do not exist.

Conclusion

Based on the above, the proposed project would not result in any changes, new circumstances, or new information that would involve new significant impacts or substantially more severe impacts related to noise resources from what has been anticipated for the project site in the Dutch Slough Restoration EIR.

Prior CEQA Mitigation Measures:

Mitigation Measure 3.7.1-1 from the Dutch Slough Restoration EIR would apply to the proposed project.

3.7.1-1 *Hauling of fill from off-site borrow sites or off-hauling of any contaminated site soils shall minimize passing any substantial collection of noise-sensitive land uses (i.e. occupied houses, schools, hospitals), and shall be limited to less than 250 loads per day.*

Environmental Issue Area	Where Impact Was Analyzed in Dutch Slough Restoration EIR.	Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance?
Transportation/Traffic Would the project:				
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	p. 3.13-2 to p. 3.13-5	No	No	No
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	p. 3.13-2 to p. 3.13-5	No	No	No
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	p. 3.13-2 to p. 3.13-5	No	No	No
d. Result in inadequate emergency access?	p. 3.13-2 to p. 3.13-5	No	No	No

Discussion:

Changes to the Project

The project components have not been altered from the components analyzed in the 2008 EIR; rather, the site plan configuration has been modified. For example, the orientation of the play fields has been slightly altered and the amphitheater is now anticipated to be closer to the center of the project site. Additionally, the eastern portion of the site would include more agricultural education activities and fewer buildings. Nonetheless, the alteration of the site plan could change the analysis of the transportation and traffic impacts included in the original 2008 EIR. Therefore, a Transportation Assessment for the proposed project was performed by TJKM traffic consultants. The following analysis is based on the findings of the Transportation Assessment.

Vehicle Access and On-Site Circulation

Access to the project site would be provided by Cypress Road through Sellers Avenue. Sellers Avenue is a two-lane, north-south rural road that extends north from Marsh Creek Road to terminate at East Cypress Avenue. New residential development has been

constructed along Sellers Avenue. The avenue is planned to be fully developed as a 60-foot wide collector street with a number of driveways, and with a bike lane. Cypress Road is a two to four lane, undivided roadway running in an east-west direction. Cypress Road extends from Empire Avenue to the west to Main Street to the east. Traffic operations at key intersections on Cypress Road were evaluated as part of the Citywide model update which included an evaluation of intersection level of service (LOS). The results of the model are as follows:

- Under existing conditions, the intersection of Sellers Avenue and Cypress Road was found to operate acceptably at LOS B during both the weekday AM and weekday PM peak hours with less than 20 seconds of average motor vehicle delay; and
- The intersection of Sellers Avenue with Main Street was also found to operate acceptably at LOS C during both the weekday AM and weekday PM peak hours, with average delay of less than 35 seconds.

With the completion of anticipated residential development in the area, intersections on Cypress Avenue near the project site are anticipated to operate acceptably at LOS D with planned improvements. Based on the trip generation discussed below, the community park would not generate a significant number of vehicle trips which would degrade the LOS at the abovementioned intersections.

Trip Generation

Project trips were estimated using vehicle trip generation rates from the Institution of Transportation Engineers publication *Trip Generation, 10th Edition* (2017) for Public Parks (ITE Code 411). The proposed project is expected to generate 124 daily trips on weekdays, 312 daily trips on Saturdays, and 348 daily trips on Sundays. Table 5 shows the project trip generation.

Vehicle trips during weekend peak hours would not be anticipated to result in significant transportation impacts given lower total volumes on surrounding area streets on weekends. The park would be anticipated to generate 37 Saturday peak hour vehicle trips and 47 Sunday peak hour vehicle trips.

The project would generate just one vehicle trip during the weekday AM peak hour and 26 vehicle trips during the weekday PM peak hour (roughly one vehicle trip every 2 minutes during weekday PM peak hour conditions). Approximately 70 percent of the trips would travel west on Cypress Road, 20 percent would travel south on Sellers Avenue, and 10 percent would travel east on Cypress Avenue. Based on the trip generation and distribution, project trips would not result in a significant traffic-related impacts. Given the relatively low volume of weekday peak-hour vehicle trips that would be generated by the proposed community park: the project would be unlikely to affect weekday peak-hour traffic LOS at area intersections, and traffic impacts resulting from the proposed project would be less than significant.

Table 5
Project Trip Generation

Land Use	ITE Code	Size	Average Daily Vehicle Trips			Weekday Peak Hours						Weekend Peak Hours					
						AM Peak			PM Peak			Saturday			Sunday		
			Weekday	Saturday	Sunday	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Community Park	411	55 acres	124	312	348	1	0	1	14	12	26	21	16	37	18	29	47

Source: TJKM and Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, 2017.

Notes:
1. Average weekday vehicle trips based on fitted curve equation: (55 Acres * 0.64) + 88.46 = 124 vehicle trips.
2. Average Saturday vehicle trips derived from ratio of ITE Saturday linear rate to weekday linear rate, multiplied by weekday trip forecast of 124 trips.
3. Average Sunday vehicle trips derived from ratio of ITE Sunday linear rate to ITE weekday linear rate, multiplied by weekday trip forecast of 124 trips.
4. Weekday AM Peak Hour vehicle trips based on linear rate of 0.02 vehicle trips per acre.
5. Weekday PM Peak Hour vehicle trips based on fitted curve equate: (55 Acres * 0.06) + 22.6 = 26 vehicle trips.
6. Saturday Peak Hour vehicle trips based on fitted curve equation (55 Acres * 0.20) + 26.40 = 37 vehicle trips.
7. Sunday peak hour vehicle trips based on fitted curve equation (55 Acres * 0.18) + 36.85 = 47 vehicle trips.

Similarly, the project contribution to daily traffic volumes on typical weekdays would be relatively small. On Cypress Avenue, the future estimated traffic volume is over 30,000 weekday vehicle trips per day, while the community park would generate approximately 124 daily vehicle trips.

Bicycle and Pedestrian Access

Access to the proposed park would be via Sellers Avenue, which has been developed with sidewalks and bicycle lanes. The revised park plan would not result in any change to the planned bicycle and pedestrian access, and the park would continue to provide multi-use trails.

Conclusion

Based on the above, the proposed project would generate relatively few peak hour vehicle trips and would be unlikely to result in significant traffic impacts at intersections near the project site. Additionally, the project site plan would provide adequate vehicle access and on-site circulation throughout the parking areas. Thus, transportation related impacts resulting from the proposed project are anticipated to be less-than-significant.

Changes in Circumstances

The area surrounding the project site has been developed in the past several years with planned residential communities. While the development in the area could constitute a change in circumstances, the Traffic Assessment was performed to determine any potential impacts that would be created by the proposed project as a result of the new development. Because the Traffic Assessment determined that the project would not result in any significant impacts related to traffic operation in the area, circumstances that would involve new significant impacts or substantially more severe impacts do not exist.

Changes in Information

New information of substantial importance which was not known and could have been known with the exercise of reasonable diligence at the time the previous EIR was certified have not occurred. New information, including significant effects not previously discussed or examined, mitigation measures previously found not to be feasible, or mitigation measures that are considerably different from those analyzed in the previous EIR were not discovered, and thus, new impacts do not exist.

Conclusion

The proposed project would result in similar if not fewer trips associated with operation of the park. Additionally, the distribution of the trips would remain the same as was previously anticipated and new impacts related to traffic would not occur. Thus, the impacts associated with traffic at the project site have been analyzed in the Dutch Slough Restoration EIR and would not drastically change.

Based on the above, the proposed project would not result in any changes, new circumstances, or new information that would involve new significant impacts or substantially more severe impacts related to transportation and circulation from what has been anticipated for the project site in the Dutch Slough Restoration EIR.

Prior CEQA Mitigation Measures (as modified in this Addendum):

None applicable.

REMAINING CEQA TOPICS

In addition to the CEQA topics discussed in the previous sections of this Addendum, the Dutch Slough Restoration EIR included analysis of the following issue areas:

- Aesthetics;
- Agricultural Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Land Use;
- Public Services, Utilities, and Service Systems; and
- Recreation.

Because the scope of the proposed project is limited to the modifications of the site plan, the project would not result in new or more severe impacts beyond what was analyzed in the Dutch Slough Restoration EIR for the issue areas listed above. For example, the proposed project would remain a park with virtually the same views of the site as was previously proposed. Thus, the modification to the site plan would not change the analysis of the visual character of the site. As discussed in the Dutch Slough Restoration EIR, the project would not conflict with a Williamson Act contract and would not convert agricultural resources to non-agricultural use. Because the project site has not changed, the same conclusion would apply. The proposed project would actually increase the potential for agricultural education and land use, thus benefitting agricultural resources more than the prior proposed site plan. The project site is in the same condition as was originally analyzed. Thus, the same special-status plant and animal species would be present on the site. As discussed in the original EIR, the construction of a permanent public access trail and the addition of the park would have effects on tidal wetland wildlife. However, as required by Mitigation Measure 3.4.1-2.2 of the Dutch Slough Restoration EIR, the project would be required to offset habitat loss with enhancements in the tidal area. Additionally, the East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan was active at the time of the 2008 EIR, and consistency with the document was analyzed at the time. The Dutch Slough Restoration EIR concluded a less-than-significant impact and the proposed project would not alter the conclusion.

Based on the conclusions in the Dutch Slough Restoration EIR, the proposed project could result in the removal of two structures that could be eligible for the California Register as a Rural Historic Landscape. Mitigation was included in the EIR that would allow for relocation of the main Gilbert House and the main Burroughs House, if the conditions permit. Other mitigation options would require historic documentation of the structures or creation of a museum exhibit within the proposed park area. In addition, a search of the California Historical Resources Information System was conducted on September 23, 2019 by the Northwest Information Center (NWIC). The search concluded that the site does not contain any recorded archaeological resources. However, the State Office of Historic Property Directory lists two recorded structures adjacent to the project site: the Contra Costa Canal and Babbe's Landing. In addition, the NWIC base maps show five recorded historic-period cultural resources within the project area, including the following: Emerson Dairy, Emerson Levee, Gilbert Levee, Central Shuey, and Dutch Slough Rural Historic Landscape. Given that the Dutch Slough Restoration EIR analyzed the potential impacts to all of the above listed resources and determined that only the main houses on the Gilbert and Emerson dairies would be historical resources, the existing mitigation measures included in the 2008 EIR would be sufficient to reduce any potential impacts to cultural resources on the project site. As such, the existing analysis and mitigation in the original EIR would still apply to the proposed project and the conclusion would remain less than significant.

With respect to geology and soils issues, the Dutch Slough Restoration EIR analyzed the soil conditions at the project site and determined that although seismic hazards could occur, the project would implement appropriate design and construction measures to ensure that the structures and levees would withstand seismic events. Additionally, design level geotechnical investigations would be conducted to mitigate for potential erosion, liquefaction, landslide, subsidence, or unstable soils. The EIR concluded a less-than-significant impact related to geologic conditions. Because the conditions on the project site have not changed, the proposed project would have a less-than-significant impact related to geologic conditions with implementation of the applicable mitigation measures.

A Phase I ESA was performed in August 2019 on the former Emerson and Gilbert Dairy parcels and determined that recognized environmental conditions (RECs) were still present on the site with regard to oil and petroleum-stained soils. The same conditions were analyzed in the Dutch Slough Restoration EIR and mitigated to a less-than-significant level with implementation of Mitigation Measure 3.15.1-1, which requires performance of a Phase II ESA and implementation of appropriate soil remediation actions. Because the conditions on the project site have not changed, the proposed project would result in the same conclusion.

As discussed in the Dutch Slough Restoration EIR, the project would not divide an established community or conflict with an applicable land use plan, policy, or regulation, or conflict with any applicable habitat conservation plan or natural community conservation plan. Therefore, the proposed project would result in the same conclusion. With regard to public services, the proposed project would result in the same use and intensity of development on the project site and, thus, would not increase demand on public services beyond what was analyzed in the Dutch Slough Restoration EIR. The EIR concluded that the City would have sufficient water, stormwater, and wastewater infrastructure for development of the project site with the proposed park. Finally, the Dutch Slough Restoration EIR concluded that the project would be required to implement mitigation which would regulate the conflicts between motorized and non-motorized watercrafts, as well as post signage during construction activities to ensure safe usage of the park. Thus, the impacts to public services, utilities, and recreation would all remain less than significant.

Since the adoption of the Dutch Slough Restoration EIR, Appendix G of the CEQA Guidelines has been updated to include several new sections of analysis, principally, Energy, Wildfire, and Tribal Cultural Resources.

With regard to energy, the proposed project is anticipated to generate relatively limited demand for energy. Small amounts of energy would be required for on-site illumination, which would be provided through modern, energy efficient, lighting equipment. Additional energy demand may be demanded by proposed structures; however, proposed structures would be limited in scale and would be required to comply with the California Building Energy Efficiency Standards (CBEES) in place at the time of construction. Compliance with the CBEES would ensure that energy is consumed efficiently within the project site. Consequently, impacts related to energy would be less than significant.

The project site is located within a Local Responsibility Area, and is not in proximity to any high or very high fire hazard severity zones.[2] Accordingly, the project would not be at elevated risk from wildfires, and a less-than-significant impact would occur.

Although not specifically identified for analysis in the Dutch Slough Restoration EIR, the presence or absence of Tribal Cultural Resources was generally considered, due to the known pattern of native American activity in the project region. Consequently, the Dutch Slough Restoration EIR included mitigation measures related to the discovery of archaeological materials during construction within the Dutch Slough Restoration project area. In particular, Mitigation Measure 3.12.1-1 would ensure that should evidence of native American activities be discovered, such as flaked stone tools and chipping debris, ground stone tools, or human skeletal remains, work would cease and a formal assessment would be conducted to determine

[2] CAL FIRE. *Contra Costa County Draft Fire Hazard Severity Zones in LRA*. September 19, 2007.

the origin and potential native American nature of such resources. The proposed project does not include any changes that could increase or alter the potential for impacts to Tribal Cultural Resources to occur, as the same amount of land would be disturbed as was previously anticipated in the Dutch Slough Restoration EIR. Thus, implementation of Mitigation Measure 3.12.1-1 would ensure that implementation of the proposed project would result in a less-than-significant impact related to Tribal Cultural Resources.

CONCLUSION

As established in the discussions above regarding the potential effects of the proposed project, the proposed changes would not result in any new significant information of substantial importance, new impacts, new mitigation measures, new or revised alternatives, or an increase the severity of previously identified impacts that would require major revisions to the original Dutch Slough Tidal Marsh Restoration Project EIR. As such, the proposed project would not result in any conditions identified in CEQA Guidelines Section 15162, and a subsequent EIR is not required.

OAKLEY
CALIFORNIA

STAFF REPORT

Date: November 12, 2019

Approved and Forwarded to the City Council

To: Bryan H. Montgomery, City Manager

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

Subject: Approval of Contract Amendment # 1 with TNT Dev Services, Inc. for On-Call Consulting Services Related to the Current Development Engineering and Inspection Services for FY 2019/20

Background and Analysis

The City of Oakley utilizes a wide range of consultants and contractors across all departments to augment City staff as needed to accommodate the workload activities. One of the areas that this approach is used is in private development services. Since the volume of private development activity fluctuates with the overall economic climate of the region, the Community Development and Public Works Departments use staff augmentation as needed to process and manage the development project workloads.

The Public Works Department has gone through a restructuring in conjunction with the FY 2019/20 budget process to create a more efficient and cost effective development engineering services team. The department will use the services of a contract engineer to augment current staffing to provide expeditious service for development engineering and inspection services. This approach gives the organization flexibility and agility to adjust to the level of service needed by private developers that frequently change as the regional economic climate changes.

On May 28, 2019, an agreement was executed between the City of Oakley and TNT Dev Services, Inc. for an on-call consulting services agreement related to Development Engineering services. The contract was limited to a not-to-exceed amount of $100,000 for FY 2019/20.

The amount of construction work on private development projects in Oakley has continued to increase, especially along the East Cypress Road corridor at the Gilbert Ranch Subdivision. In addition, the construction work at the Shiloh Subdivision (Main Street/Simoni Ranch Road), Alicante Village (Main Street), The Vines (Oakley Road), Acacia (Main Street), Duarte Ranch (Laurel Road), Twin Oaks Senior Resident Mixed

Use Project (Main Street), the new ARCO and 7-Eleven stations on Laurel Road, and the new Oakley Logistics Project (Bridgehead Road) will require additional engineering and inspection services to keep these projects on schedule.

Staff has needed to increase the amount of work being performed by consultants in order to meet development project inspection needs for site infrastructure improvements. As a result, staff is requesting an increase of $200,000 in the contract amount for TNT Dev Services, Inc. for FY 2019/20.

Fiscal Impact

Approval of the resolution will increase the not-to-exceed contract amount by $200,000 for FY 2019/20. Private development projects will fund the services on an as needed basis. The private developers will be fully paying all costs associated with the consultant services, and there will not be any City General Funds used in this contract.

Staff Recommendation

Staff recommends that the City Council adopt the resolution amending the agreement with TNT Dev Services, Inc. and authorize the City Manager to execute the agreement.

Attachments

1) Resolution
2) Amendment

RESOLUTION NO. __-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING CONTRACT AMENDMENT # 1 TO THE AGREEMENT WITH TNT DEV SERVICES, INC. FOR DEVELOPMENT ENGINEERING AND CONSTRUCTION INSPECTION SERVICES

WHEREAS, on May 28, 2019 the City executed an agreement with TNT Dev Services, Inc. for Development Engineering and Construction Inspection Services with the not-to-exceed amount of $100,000 for FY 2019/20; and

WHEREAS, the level of development construction activity has continued to increase rapidly which is anticipated to continue into the upcoming year; and

WHEREAS, after review of the expenditures to date for FY 2019/20 and projecting the demand for these services through the end of this fiscal year, staff determined that the original not-to-exceed amount of $100,000 will not be sufficient to provide consultant development engineering and construction inspection services to cover the construction workload for FY 2019/20; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley that Contract Amendment # 1 with TNT Dev Services, Inc. for Development Engineering and Construction Inspection Services with the not-to-exceed amount of $200,000 for FY 2019/20; and is hereby approved. A copy of the Contract Amendment is attached hereto as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Oakley, California, this 12th day of November 2019 by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF OAKLEY AND TNT DEV SERVICES, INC. RELATED TO THE ON-CALL CONSULTING SERVICES FOR FY 2019/20 FOR PRIVATE DEVELOPMENT PROJECT ENGINEERING AND INSPECTION SERVICES

This Amendment is entered into by and between the City of Oakley, a municipal corporation (hereinafter referred to as "City"), and TNT Dev Services, Inc., a California Corporation (hereinafter referred to as "Consultant"), effective as of the 12th day of November, 2019.

RECITALS

A. On May 28, 2019, City and Consultant executed an Agreement for on-call consulting services related to the Development Engineering and Construction Inspection Services (hereinafter referred to as the "Agreement"); and,

B. City and Consultant now desire that the following amendment be made to the Consultant's services: increase to the not-to-exceed contract amount from $100,000 to $300,000 for FY 2019/20; and,

C. Except as provided herein, all other terms and provisions of the Agreement shall remain in full force and effect.

AGREEMENT

IN WITNESS WHEREOF, the City of Oakley, a municipal corporation in the State of California, has authorized the execution of this Amendment in duplicate by its City Manager and attestation by its City Clerk under authority of Resolution No. 71-19, adopted by the Council of the City of Oakley on the 12th day of November, 2019, and the parties have caused this Amendment to be executed in duplicate.

City

City of Oakley, a municipal corporation

By: _____
Bryan H. Montgomery, City Manager

ATTEST:

_____
Libby Vreonis, City Clerk

Consultant

TNT Dev Services, Inc., a California Corporation

By: _____
Trang TuNguyen, President

APPROVED AS TO FORM:

_____
Derek P. Cole, City Attorney

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: Tuesday, November 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

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

SUBJECT: Ratify Election: Adopt Ordinance No. 14-19 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 171 within the Oakley Special Police Tax Area for Police Protection Services for the Shiloh Subdivision 8975 project located at the southwest corner of Main Street and Simoni Ranch Road (APN 034-250-011)

Background and Analysis

On June 11, 2019, the City Council adopted a Resolution approving the Shiloh Subdivision 8975 project Design Review (DR 03-19) that will consist of 69 single-family residential lots at build-out and is located on the southwest corner of Main Street and Simoni Ranch Road (currently APN 034-250-011). The project will have an HOA for parking, common landscape areas, and CC&R enforcement. Home sizes range from 1,478 sf. to 2,196 sf. of living area with a front-facing 2-car garage.

The Conditions of Approval for the Shiloh Subdivision 8975 project Design Review (DR 03-19) requires the property owner to mitigate the financial impact that their development project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area District 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 Shiloh Subdivision 8975 Design Review (DR 03-19) project has requested that the City assist with annexing APN 034-250-011 into the Oakley Special Police Tax Area to satisfy their conditions of approval.

On September 24, 2019, the City Council introduced Ordinance No. 14-19 which would authorize a special tax for police services within Zone 171 subject to property owner voter approval. On October 24, 2019, the City Clerk conducted the property owner election. There was one (1) ballot issued to the property owner representing APN 034-250-011. The City Clerk tabulated the property owner ballot and 100% of the property owners were in favor of annexing into the Oakley Special Police Tax Area as Zone 171.

Fiscal Impact

There will be no financial impact to the City's General Fund. The applicants have funded all costs associated with the annexation of Zone 171 to the Oakley Special Police Tax Area. The FY 2019-20 special tax rate for single-family residential parcels is $1,116.70/parcel. Therefore, successful creation of the Zone is expected to provide up to $77,052.30 (in FY 2019-20 dollars) in revenue annually. The taxes can be collected on the property tax rolls commencing in FY 2020-21.

Recommended Action

Staff recommends that the City Council ratify the election and adopt Ordinance No. 14-19 authorizing the levy of a special tax on parcels of land within Tax Area Zone 171 within the Oakley Special Police Tax Area for Police Protection Services for the Shiloh Subdivision 8975 project located at the southwest corner of Main Street and Simoni Ranch Road (APN 034-250-011).

Attachments

1) One (1) Signed Ballot
2) Ordinance No. 14-19
    a. Exhibit A – Boundary Map for Police Tax Area Zone 171
    b. Exhibit B – Tax Rate Schedule for Fiscal Year 2019-20

SPECIAL POLICE TAX AREA BALLOT
CREATING ZONE 171 FOR THE SHILOH SUBDIVISION 8975 PROJECT LOCATED AT THE SOUTHWEST CORNER OF MAIN STREET AND SIMONI RANCH ROAD

Assessor's Parcel Number: 034-250-011

Record Owner: Kb Home South Bay Inc

Address: Southwest Corner of Main Street and Simoni Ranch Road, Oakley, CA, 94561

Shall Ordinance No. 14-19 of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 171 of the Oakley Special Police Tax Area to maintain the present level of police protection service and provide additional funding for increased police protection service? The initial annual special tax rate for County use code 11 (Single Family Residence) is $1,116.70 per parcel and $558.35 per vacant parcel per the current FY 2019-20 rate schedule. I also acknowledge that the tax rate can be adjusted annually as described in Ordinance No. 14-19.

X Yes, Ordinance No. 14-19 shall be approved.

_____ No, Ordinance No. 14-19 shall not be approved.

Signature of Authorized Representative for
KB HOME SOUTH BAY INC.

Craig Merry
Printed Name

President
Title

CITY OF OAKLEY

ORDINANCE NO. __-19

AN ORDINANCE OF THE CITY OF OAKLEY ESTABLISHING OAKLEY SPECIAL POLICE TAX AREA ZONE 171 WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL TAX FOR POLICE PROTECTION SERVICES FOR THE SHILOH SUBDIVISION 8975 PROJECT LOCATED AT THE SOUTHWEST CORNER OF MAIN STREET AND SIMONI RANCH ROAD (APN 034-250-011)

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 Assessor Parcel Number 034-250-011 of real property on the secured property tax roll of Contra Costa County that is within Oakley Special Police Tax Area Zone 171 of the Oakley Special Police Tax Area 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 the Article XIIIA of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary for the benefit of the residents of Zone 171.

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 171 (hereinafter called "Zone") means that portion of the incorporated area of the City of Oakley located within the boundaries as shown on the map Exhibit A hereto.

E. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of this Ordinance, parcel does not include any land or improvements outside the boundaries of Zone 171 nor any land or improvements owned by any governmental entity.

F. Pursuant to Government Code §53978, "voter" means a person owning real property within the Zone at the time this Ordinance was adopted, as shown on the last equalized assessment role prepared by the Contra Costa County Assessor's Office.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2019 through June 30, 2020) 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, 2020 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 of 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 October 24, 2019 so that taxes shall first be collected hereunder for the tax year beginning July 1, 2019. If not confirmed by two-thirds of the voters participating in the election, this Ordinance and the tax approved herein shall not become effective.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on November 12, 2019 by the following vote:

PASSED, APPROVED AND ADOPTED this 12th day of November, 2019 by the following vote:

AYES:
NOES:
ABSTENTION:
ABSENT:

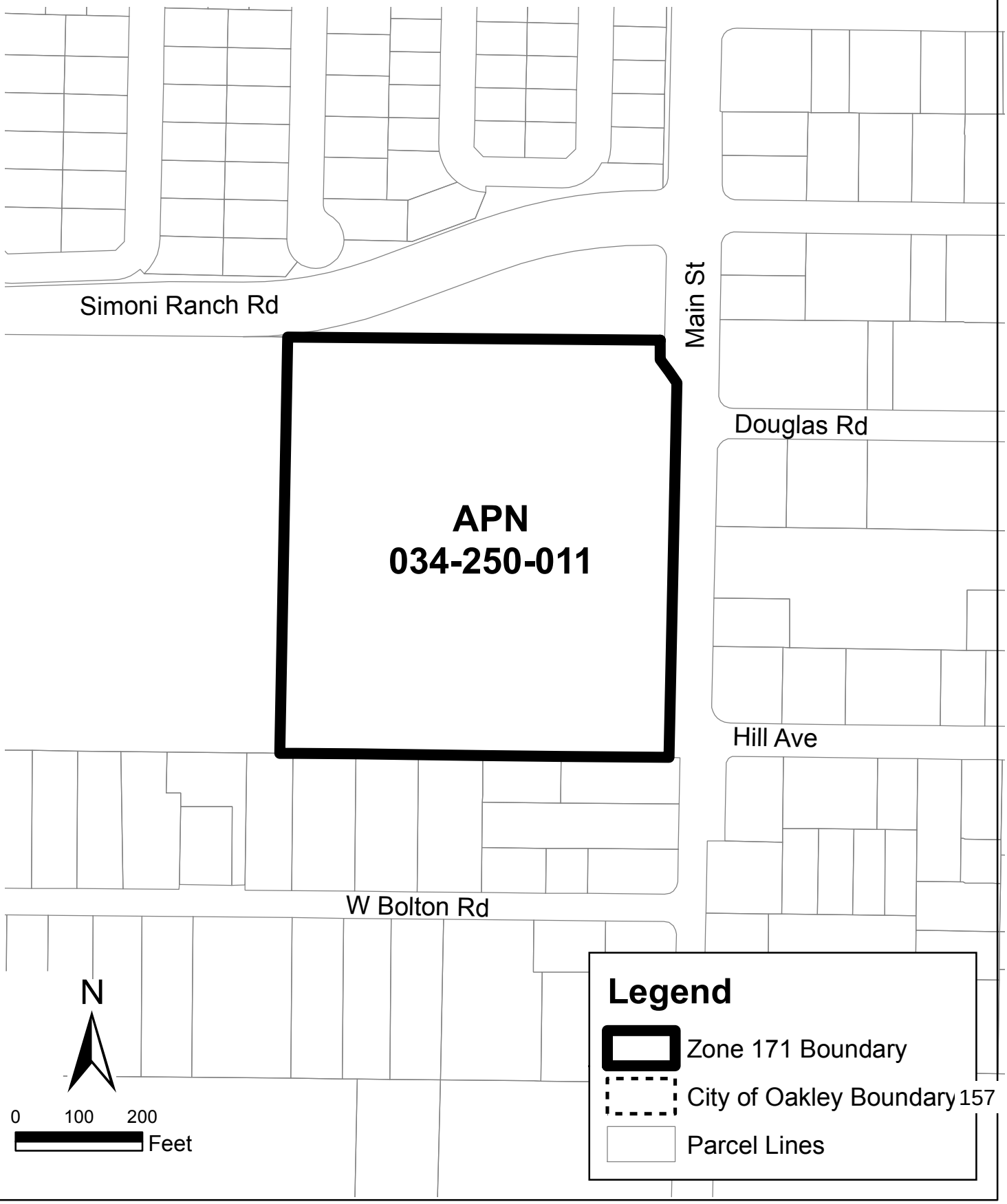
APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA ZONE 171
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA



CITY OF OAKLEY SCHEDULE FOR POLICE SERVICE TAX
FOR FISCAL YEAR 2019/2020

PROPERTY USE CODE CATEGORY	DESCRIPTION	FY18/19 TAX PER PARCEL	FY19/20 TAX PER PARCEL
11	Single Family Residence – 1res., 1 site	$1,073.65	$1,116.70
12	Single Family Residence – 1 res., 2 or more sites	$1,073.65	$1,116.70
13	Single Family Residence – 2 res., on 1 or more sites	$1,717.84	$1,786.72
14	Single Family Residence – other than single fam. Land	$1,073.65	$1,116.70
15	Misc. Improvements – 1 site	$1,073.65	$1,116.70
16	Misc. Improvements – 2 or more sites	$1,073.65	$1,116.70
17	Vacant – 1 site	$536.83	$558.35
18	Vacant – 2 or more sites	$536.83	$558.35
19	Single Family Residence – Det. W/common area	$1,073.65	$1,116.70
20	Vacant – Multiple	$536.83	$558.35
21	Duplex	$1,717.84	$1,786.72
22	Triplex	$2,576.76	$2,680.08
23	Fourplex	$3,435.68	$3,573.44
24	Combinations	$1,073.65	$1,116.70
25	Apartments (5 –12 Units)	$4,294.60	$4,466.80
26	Apartments (13 – 24 Units)	$11,165.96	$11,613.68
27	Apartments (25 – 59 Units)	$21,473.00	$22,334.00
28	Apartments (60+ units)	$51,535.20	$53,601.60
29	Attached PUDs: Cluster Homes, Condos, etc.	$1,073.65	$1,116.70
30	Vacant – Commercial	$536.83	$558.35
31	Commercial Stores – Not Supermarkets	$2,147.30	$2,233.40
32	Small Grocery Stores – (7-11, etc.)	$3,220.95	$3,350.10
33	Office Buildings	$2,147.30	$2,233.40
34	Medical, Dental	$2,147.30	$2,233.40
35	Service Stations, Car Wash	$2,147.30	$2,233.40
36	Garages	$2,147.30	$2,233.40
37	Community Facilities (Recreational, etc.)	$4,294.60	$4,466.80
38	Golf Courses	$2,147.30	$2,233.40
39	Bowling Alleys	$1,073.65	$1,116.70
40	Boat Harbors	$2,684.13	$2,791.75
41	Supermarkets – (not shopping centers)	$3,220.95	$3,350.10
42	Shopping Centers	$4,294.60	$4,466.80
43	Financial Buildings – (Ins., Title, Banks, S&L)	$1,073.65	$1,116.70
44	Motels, Hotels & Mobile Home Parks	$5,368.25	$5,583.50
45	Theaters	$2,415.71	$2,512.58
46	Drive-in Restaurants	$1,610.48	$1,675.05
47	Restaurants	$1,610.48	$1,675.05
48	Multiple & Commercial	$1,610.48	$1,675.05
49	New Car Agencies	$1,610.48	$1,675.05
50	Vacant Land (not part of Ind. Park or P. & D.)	$402.62	$418.76
51	Industrial Park	$3,220.95	$3,350.10
52	Research & Development	$1,610.48	$1,675.05
53	Light Industrial	$1,610.48	$1,675.05
54	Heavy Industrial	$1,610.48	$1,675.05
55	Mini Warehouses (public storage)	$3,220.95	$3,350.10
56	Misc. Improvements	$3,220.95	$3,350.10
61	Rural, Res., Improvement 1A-10A	$805.24	$837.53
62	Rural, w/or w/o structure 1A-10A	$805.24	$837.53
70	Convalescent Hospitals / Rest Homes	$1,610.48	$1,675.05
73	Hospitals	$1,610.48	$1,675.05
74	Cemeteries / Mortuaries	$1,610.48	$1,675.05
75	Fraternal & Service Organizations	$1,610.48	$1,675.05
76	Retirement Housing Complex	$5,368.25	$5,583.50
78	Parks & Playgrounds	$3,220.95	$3,350.10
85	Public & Private Parking	$1,610.48	$1,675.05
87	Common Area	$1,610.48	$1,675.05
88	Mobile Homes	$805.24	$837.53
89	Other (split parcels in different tax code areas)	$805.24	$837.53
99	Homeowner's Association Owned Common Areas	$644.19	$670.02

The tax rates shown in this schedule shall be automatically adjusted on July 1 of each year, beginning on July 1, 2016 by the increase in the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland-Bay Area and applying that rate to the prior year amounts for each property use code category. However, the City Council reserves the right to itself the opportunity to adjust the rate in the following year if the CPI adjustment is insufficient to reimburse the City for the costs of providing levels of police services as approved by the City Council.

CALCULATION OF COST OF LIVING INCREASE	
Percent increase from FY 2018-19 in the San Francisco-Oakland-Bay Area Consumer Price Index for all Urban Consumers.	4.01%

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: Tuesday, November 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

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

SUBJECT: Annexation No. 19 (Shiloh Subdivision 8975) to the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services)

Background and Analysis

On June 11, 2019, the City Council adopted a Resolution approving the Shiloh Subdivision 8975 project Design Review (DR 03-19) that will consist of 69 single-family residential lots at build-out and is located on the southwest corner of Main Street and Simoni Ranch Road (currently APN 034-250-011). The project will have an HOA for parking, common landscape areas, and CC&R enforcement. Home sizes range from 1,478 sf. to 2,196 sf. of living area with a front-facing 2-car garage.

The Conditions of Approval for the Shiloh Subdivision 8975 project require the property owner to mitigate their project's financial impact on the City's park, street lighting, landscape and stormwater service budgets. On January 12, 2016, the Oakley City Council formed City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, 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 park, street lighting, landscape and stormwater service budgets. The property owner for Shiloh Subdivision 8975 has requested that the City assist them with annexing the project (currently APN 034-250-011) into CFD No. 2015-2 to satisfy their conditions of approval.

Prior to tonight's City Council meeting, the property owner 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 park, street lighting, landscape and stormwater service budgets.

Fiscal Impact

There will be no financial impact to the City's General Fund. The applicants have funded all costs associated with the annexation of their project to CFD No. 2015-2. The FY 2019-20 special tax rates per Single-Family parcel are as follows:

FY 2019-20 Special Tax Rates per Single-Family Parcel	
Special Tax Component	**FY 2019-20 Maximum Annual Special Tax Rates**
Regional Park Maintenance Tax	$141.21
Community Parks Maintenance Tax	$311.84
Street Lighting Maintenance Tax	$61.57
Neighborhood Parks & Landscape Maintenance Tax	$114.11
Stormwater/Water Quality Maintenance Tax	$9.42
Total	**$638.15**

Annexation No. 19 (Shiloh Subdivision 8975) is expected to consist of 69 single-family residential lots at build-out. Therefore, successful annexation into CFD No. 2015-2 could provide up to $44,032 (FY 2019-20 dollars) in revenue annually when the property is developed. The taxes can be collected on the property tax rolls commencing in FY 2020-21.

Staff Recommendation

The conditions of approval for the Shiloh Subdivision 8795 project located at the southwest corner of Main Street and Simoni Ranch Road requires the property owner to mitigate their project's financial impact on the City's stormwater service budget. Staff recommends that the City Council:

1. Adopt a Resolution Approving the Annexation (Annexation No. 19) of Property Located in the Future Annexation Area of the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, 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, Street Light, Landscape and Stormwater Services);
    a. Exhibit A: Description of Services;
    b. Exhibit B: Cost Estimate; and
    c. Exhibit C: Supplement to the Rate and Method of Apportionment of Special Tax – Tax Zone No. 19;
2. Resolution Approving the Annexation (Annexation No. 19) of Property Located in the Future Annexation Area of the City of Oakley

Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services);

3. Boundary Map – Annexation Map No. 19 to City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services); and
4. Amendment No. 19 to Notice of Special Tax Lien - City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, 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, Street Light, Landscape and Stormwater Services)

Annexation No. 19 – Tax Zone No. 19

November 12, 2019

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, Street Light, 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. 19" 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 XIIIA 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.: 034-250-011

Acres: 9.63 acres

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

Annexation No. 19 - Tax Zone No. 19

Property Owner

By: _____

Name: _____

Title: _____

Notice Address: _____

_____

_____

EXHIBIT A

CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Street Light, 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.

Street Lighting

Maintenance, including servicing, repair, replacement and removal of street lights (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, Street Light, Landscape and Stormwater Services)

Cost Estimate
(FY 2019-20 Dollars)

Special Tax Component	FY 2019-20 Special Tax Requirement
Regional Park Maintenance Tax	$9,743
Community Parks Maintenance Tax	$21,517
Street Lighting Maintenance Tax	$4,248
Neighborhood Parks & Landscape Maintenance Tax	$7,874
Stormwater/Water Quality Maintenance Tax	$650
Total	**$44,032**

EXHIBIT C

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

SUPPLEMENT TO THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX – TAX ZONE NO. 19

Special Taxes in the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, 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, Street Light, Landscape and Stormwater Services) pursuant to Annexation No. 19 will be annexed to Tax Zone No. 19 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 parks and landscaping 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 will 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 within a Tax Zone of CFD No. 2015-2 to be defined as a Non-Residential Parcel – In Compliance, all Non-Residential Parcels within the Tax Zone 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 parks and landscaping 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 will maintain its parcel's frontage landscaping during the immediate following fiscal year or 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 within a Tax Zone of CFD No. 2015-2 is defined as a Non-Residential Parcel – Out of Compliance, then all Non-Residential Parcels within the Tax Zone must 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 Parcel – In Compliance" this definition only applies for the purpose of calculating the annual neighborhood parks and landscaping maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor as a Condominium Parcel, Multi-Family Parcel, or Single-Family Parcel and for which the developer or homeowners association corresponding to the parcel has notified the City in writing by the preceding February 1st that it will maintain the neighborhood parks and landscaping associated with the parcel's development during the immediate following fiscal year and the City Manager or his/her designee has determined that the developer or homeowners association has maintained the neighborhood parks and landscaping associated with the parcel's development in previous Fiscal Years to City Landscape Maintenance Standards. In addition, in order for any residential parcel within a Tax Zone of CFD No. 2015-2 to be defined as a Residential Parcel – In Compliance, all residential parcels within the Tax Zone must also be defined as Residential Parcel – In Compliance.

"Residential Parcel – Out of Compliance" this definition only applies for the purpose of calculating the annual neighborhood parks and landscaping maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor as a Condominium Parcel, Multi-Family Parcel, or Single-Family Parcel and for which the developer or homeowners association corresponding to the parcel has not notified the City in writing by the preceding February 1st that it will maintain the neighborhood parks and landscaping associated with the parcel's development during the immediate following fiscal year or the City Manager or his/her designee has determined that the developer or homeowners association has not maintained the neighborhood parks and landscaping associated with the parcel's development in previous Fiscal Years to City Landscape Maintenance Standards. In addition, if any residential parcel within a Tax Zone of CFD No. 2015-2 is defined as a Residential Parcel – Out of Compliance, then all residential parcels within the Tax Zone must also be defined as Residential Parcel – Out of Compliance.

“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, Street Lighting 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 2019-20 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 2019-20 Maximum Tax**	
Regional Park Maintenance Tax	Single-Family Parcel	$141.21	per Parcel
Regional Park Maintenance Tax	Condominium Parcel	$105.91	per Parcel
Regional Park Maintenance Tax	Multi-Family Parcel	$70.60	per Unit
Regional Park Maintenance Tax	Non-Residential Parcel	$423.63	per Acre
Community Parks Maintenance Tax	Single-Family Parcel	$311.84	per Parcel
Community Parks Maintenance Tax	Condominium Parcel	$233.87	per Parcel
Community Parks Maintenance Tax	Multi-Family Parcel	$155.92	per Unit
Community Parks Maintenance Tax	Non-Residential Parcel	$935.51	per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	$61.57	per Parcel
Street Lighting Maintenance Tax	Condominium Parcel	$46.18	per Parcel
Street Lighting Maintenance Tax	Multi-Family Parcel	$30.79	per Unit
Street Lighting Maintenance Tax	Non-Residential Parcel	$184.70	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Single-Family Parcel (Residential Parcel - In Compliance)	$0.00	per Parcel
Neighborhood Parks & Landscaping Maintenance Tax	Single-Family Parcel (Residential Parcel - Out of Compliance)	$114.11	per Parcel
Neighborhood Parks & Landscaping Maintenance Tax	Condominium Parcel (Residential Parcel - In Compliance)	$0.00	per Parcel
Neighborhood Parks & Landscaping Maintenance Tax	Condominium Parcel (Residential Parcel - Out of Compliance)	$85.58	per Parcel
Neighborhood Parks & Landscaping Maintenance Tax	Multi-Family Parcel (Residential Parcel - In Compliance)	$0.00	per Unit
Neighborhood Parks & Landscaping Maintenance Tax	Multi-Family Parcel (Residential Parcel - Out of Compliance)	$57.06	per Unit
Neighborhood Parks & Landscaping Maintenance Tax	Non-Residential Parcel - In Compliance	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Non-Residential Parcel - Out of Compliance	$1,198.23	per Acre
Stormwater/Water Quality Maintenance Tax	Single-Family Parcel	$9.42	per Parcel
Stormwater/Water Quality Maintenance Tax	Condominium Parcel	$7.07	per Parcel
Stormwater/Water Quality Maintenance Tax	Multi-Family Parcel	$4.71	per Unit
Stormwater/Water Quality Maintenance Tax	Non-Residential Parcel	$98.92	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 2019-20 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 2019-20 Maximum Tax**	
Regional Park Maintenance Tax	Single-Family Parcel	$423.63	per Acre
Regional Park Maintenance Tax	Condominium Parcel	$317.72	per Acre
Regional Park Maintenance Tax	Multi-Family Parcel	$211.81	per Acre
Regional Park Maintenance Tax	Non-Residential Parcel	$211.81	per Acre
Community Parks Maintenance Tax	Single-Family Parcel	$935.51	per Acre
Community Parks Maintenance Tax	Condominium Parcel	$701.63	per Acre
Community Parks Maintenance Tax	Multi-Family Parcel	$467.76	per Acre
Community Parks Maintenance Tax	Non-Residential Parcel	$467.76	per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	$184.70	per Acre
Street Lighting Maintenance Tax	Condominium Parcel	$138.52	per Acre
Street Lighting Maintenance Tax	Multi-Family Parcel	$92.36	per Acre
Street Lighting Maintenance Tax	Non-Residential Parcel	$92.36	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Single-Family Parcel (Residential Parcel - In Compliance)	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Single-Family Parcel (Residential Parcel - Out of Compliance)	$1,198.23	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Condominium Parcel (Residential Parcel - In Compliance)	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Condominium Parcel (Residential Parcel - Out of Compliance)	$1,198.23	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Multi-Family Parcel (Residential Parcel - In Compliance)	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Multi-Family Parcel (Residential Parcel - Out of Compliance)	$1,198.23	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Non-Residential Parcel - In Compliance	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Non-Residential Parcel - Out of Compliance	$1,198.23	per Acre
Stormwater/Water Quality Maintenance Tax	Single-Family Parcel	$98.92	per Acre
Stormwater/Water Quality Maintenance Tax	Condominium Parcel	$98.92	per Acre
Stormwater/Water Quality Maintenance Tax	Multi-Family Parcel	$98.92	per Acre
Stormwater/Water Quality Maintenance Tax	Non-Residential Parcel	$98.92	per Acre

3. Escalation of Maximum Special Tax

On July 1, 2020, 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. _____

RESOLUTION APPROVING THE ANNEXATION (ANNEXATION NO. 19) OF PROPERTY LOCATED IN THE FUTURE ANNEXATION AREA OF

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

RESOLVED by the City Council (the "Council") of the City of Oakley (the "City"), County of Contra Costa, State of California, that:

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, Street Light, Landscape and Stormwater Services)" (the "CFD") and (ii) the "City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, 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 034-250-011 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.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, as follows:

1. Recitals. The foregoing recitals are all true and correct.

2. Approval of Annexation. The City Council hereby determines that Assessor's Parcel Number 034-250-011 is annexed into Tax Zone No. 19 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 034-250-011 is added to the CFD.

4. Boundaries Described. The revised boundaries of the CFD including Assessor's Parcel Number 034-250-011 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 at a meeting held on the November 12, 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Claire Alaura, Mayor

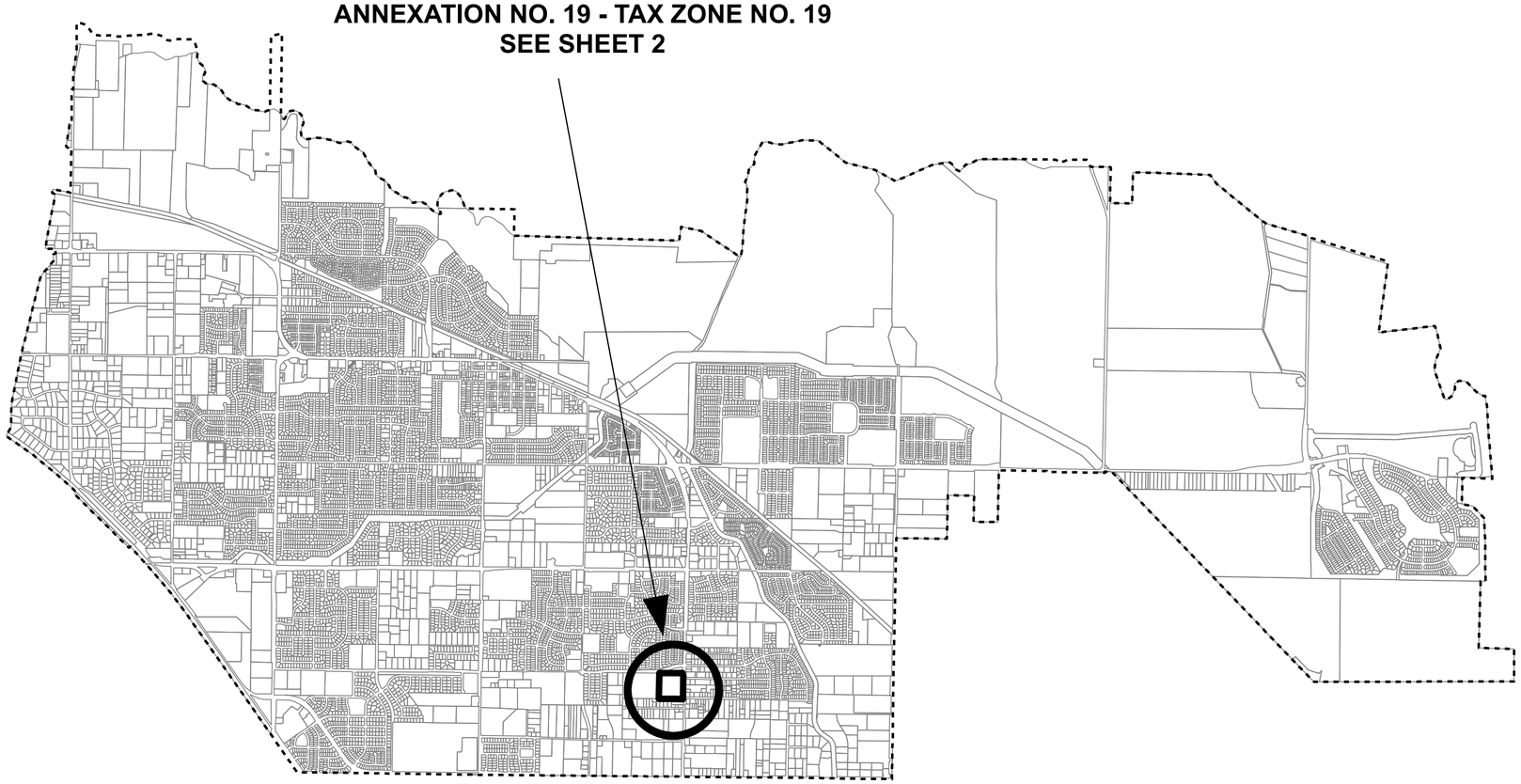
ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

ANNEXATION MAP No. 19 TO
CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2015-2
(PARKS, STREET LIGHTS, LANDSCAPE MAINTENANCE AND STORMWATER)

CITY OF OAKLEY
CONTRA COSTA COUNTY, STATE OF CALIFORNIA

ANNEXATION NO. 19 - TAX ZONE NO. 19
SEE SHEET 2



Legend

- CFD No. 2015-2 Annexation Area No. 19
- City of Oakley Boundary
- Parcel Lines

N

0 2,500 5,000 Feet

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF OAKLEY THIS _____ DAY OF _____, 2019.

_____
LIBBY VREONIS, CITY CLERK
CITY OF OAKLEY
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING ANNEXATION No. 19 TO CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2015-2 (PARKS, STREET LIGHTS, 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 _____, 2019, BY ITS RESOLUTION No. _____.

_____
LIBBY VREONIS, CITY CLERK
CITY OF OAKLEY
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

FILED THIS _____ DAY OF _____, 2019, 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, STREET LIGHTS, 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.

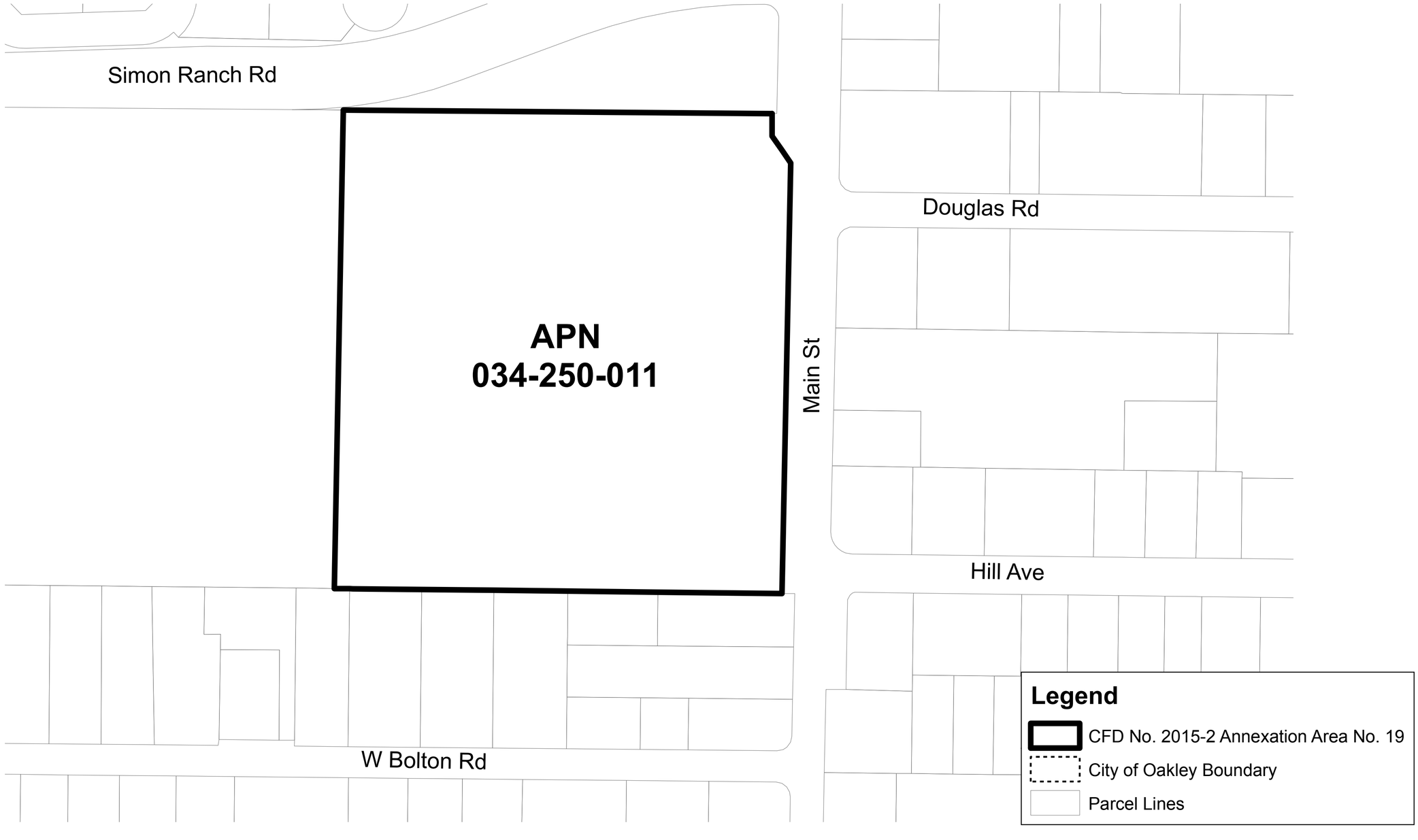
ASSESSOR PARCELS WITHIN BOUNDARY: FOR PARTICULARS OF LINES AND DIMENSIONS OF PARCELS, REFERENCE IS MADE TO THE ASSESSOR PARCEL MAPS OF CONTRA COSTA COUNTY FOR ASSESSOR PARCEL NUMBER 034-250-011.

ANNEXATION MAP No. 19 TO

CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2015-2
(PARKS, STREET LIGHTS, LANDSCAPE MAINTENANCE AND STORMWATER)

CITY OF OAKLEY
CONTRA COSTA COUNTY, STATE OF CALIFORNIA

Annexation No. 19 - Tax Zone No. 19



RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:

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

AMENDMENT NO. 19 TO NOTICE OF SPECIAL TAX LIEN

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

Annexation No. 19 - Tax Zone No. 19

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. 19 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, Street Light, 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. 19 to Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services), County of Contra Costa, State of California," heretofore recorded at _____ on _____, 2019, 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 with in 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. 19 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 _____, 2019

By: _____
Libby Vreonis, City Clerk,
City of Oakley

EXHIBIT	Assessor's Parcel No(s).	Name(s) of Property Owners	A
CITY OF	034-250-011	KB HOME SOUTH BAY INC	

OAKLEY
Community Facilities District No. 2015-2
(Parks, Street Light, Landscape and Stormwater Services)

Annexation No. 19 – Tax Zone No. 19

ASSESSOR'S PARCEL NUMBERS AND OWNERS OF LAND WITHIN ANNEXATION NO. 19 – TAX ZONE NO. 19

EXHIBIT B

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

SUPPLEMENT TO THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX – TAX ZONE NO. 19

Special Taxes in the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, 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, Street Light, Landscape and Stormwater Services) pursuant to Annexation No. 19 will be annexed to Tax Zone No. 19 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 parks and landscaping 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 will 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 within a Tax Zone of CFD No. 2015-2 to be defined as a Non-Residential Parcel – In Compliance, all Non-Residential Parcels within the Tax Zone 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 parks and landscaping 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 will maintain its parcel's frontage landscaping during the immediate following fiscal year or 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 within a Tax Zone of CFD No. 2015-2 is defined as a Non-Residential Parcel – Out of Compliance, then all Non-Residential Parcels within the Tax Zone must 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 Parcel – In Compliance" this definition only applies for the purpose of calculating the annual neighborhood parks and landscaping maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor as a Condominium Parcel, Multi-Family Parcel, or Single-Family Parcel and for which the developer or homeowners association corresponding to the parcel has notified the City in writing by the preceding February 1st that it will maintain the neighborhood parks and landscaping associated with the parcel's development during the immediate following fiscal year and the City Manager or his/her designee has determined that the developer or homeowners association has maintained the neighborhood parks and landscaping associated with the parcel's development in previous Fiscal Years to City Landscape Maintenance Standards. In addition, in order for any residential parcel within a Tax Zone of CFD No. 2015-2 to be defined as a Residential Parcel – In Compliance, all residential parcels within the Tax Zone must also be defined as Residential Parcel – In Compliance.

"Residential Parcel – Out of Compliance" this definition only applies for the purpose of calculating the annual neighborhood parks and landscaping maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor as a Condominium Parcel, Multi-Family Parcel, or Single-Family Parcel and for which the developer or homeowners association corresponding to the parcel has not notified the City in writing by the preceding February 1st that it will maintain the neighborhood parks and landscaping associated with the parcel's development during the immediate following fiscal year or the City Manager or his/her designee has determined that the developer or homeowners association has not maintained the neighborhood parks and landscaping associated with the parcel's development in

previous Fiscal Years to City Landscape Maintenance Standards. In addition, if any residential parcel within a Tax Zone of CFD No. 2015-2 is defined as a Residential Parcel – Out of Compliance, then all residential parcels within the Tax Zone must also be defined as Residential Parcel – Out of Compliance.

"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, Street Lighting 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 2019-20 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 2019-20 Maximum Tax**	
Regional Park Maintenance Tax	Single-Family Parcel	$141.21	per Parcel
Regional Park Maintenance Tax	Condominium Parcel	$105.91	per Parcel
Regional Park Maintenance Tax	Multi-Family Parcel	$70.60	per Unit
Regional Park Maintenance Tax	Non-Residential Parcel	$423.63	per Acre
Community Parks Maintenance Tax	Single-Family Parcel	$311.84	per Parcel
Community Parks Maintenance Tax	Condominium Parcel	$233.87	per Parcel
Community Parks Maintenance Tax	Multi-Family Parcel	$155.92	per Unit
Community Parks Maintenance Tax	Non-Residential Parcel	$935.51	per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	$61.57	per Parcel
Street Lighting Maintenance Tax	Condominium Parcel	$46.18	per Parcel
Street Lighting Maintenance Tax	Multi-Family Parcel	$30.79	per Unit
Street Lighting Maintenance Tax	Non-Residential Parcel	$184.70	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Single-Family Parcel (Residential Parcel - In Compliance)	$0.00	per Parcel
Neighborhood Parks & Landscaping Maintenance Tax	Single-Family Parcel (Residential Parcel - Out of Compliance)	$114.11	per Parcel
Neighborhood Parks & Landscaping Maintenance Tax	Condominium Parcel (Residential Parcel - In Compliance)	$0.00	per Parcel
Neighborhood Parks & Landscaping Maintenance Tax	Condominium Parcel (Residential Parcel - Out of Compliance)	$85.58	per Parcel
Neighborhood Parks & Landscaping Maintenance Tax	Multi-Family Parcel (Residential Parcel - In Compliance)	$0.00	per Unit
Neighborhood Parks & Landscaping Maintenance Tax	Multi-Family Parcel (Residential Parcel - Out of Compliance)	$57.06	per Unit
Neighborhood Parks & Landscaping Maintenance Tax	Non-Residential Parcel - In Compliance	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Non-Residential Parcel - Out of Compliance	$1,198.23	per Acre
Stormwater/Water Quality Maintenance Tax	Single-Family Parcel	$9.42	per Parcel
Stormwater/Water Quality Maintenance Tax	Condominium Parcel	$7.07	per Parcel
Stormwater/Water Quality Maintenance Tax	Multi-Family Parcel	$4.71	per Unit
Stormwater/Water Quality Maintenance Tax	Non-Residential Parcel	$98.92	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 2019-20 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 2019-20 Maximum Tax**	
Regional Park Maintenance Tax	Single-Family Parcel	$423.63	per Acre
Regional Park Maintenance Tax	Condominium Parcel	$317.72	per Acre
Regional Park Maintenance Tax	Multi-Family Parcel	$211.81	per Acre
Regional Park Maintenance Tax	Non-Residential Parcel	$211.81	per Acre
Community Parks Maintenance Tax	Single-Family Parcel	$935.51	per Acre
Community Parks Maintenance Tax	Condominium Parcel	$701.63	per Acre
Community Parks Maintenance Tax	Multi-Family Parcel	$467.76	per Acre
Community Parks Maintenance Tax	Non-Residential Parcel	$467.76	per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	$184.70	per Acre
Street Lighting Maintenance Tax	Condominium Parcel	$138.52	per Acre
Street Lighting Maintenance Tax	Multi-Family Parcel	$92.36	per Acre
Street Lighting Maintenance Tax	Non-Residential Parcel	$92.36	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Single-Family Parcel (Residential Parcel - In Compliance)	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Single-Family Parcel (Residential Parcel - Out of Compliance)	$1,198.23	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Condominium Parcel (Residential Parcel - In Compliance)	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Condominium Parcel (Residential Parcel - Out of Compliance)	$1,198.23	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Multi-Family Parcel (Residential Parcel - In Compliance)	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Multi-Family Parcel (Residential Parcel - Out of Compliance)	$1,198.23	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Non-Residential Parcel - In Compliance	$0.00	per Acre
Neighborhood Parks & Landscaping Maintenance Tax	Non-Residential Parcel - Out of Compliance	$1,198.23	per Acre
Stormwater/Water Quality Maintenance Tax	Single-Family Parcel	$98.92	per Acre
Stormwater/Water Quality Maintenance Tax	Condominium Parcel	$98.92	per Acre
Stormwater/Water Quality Maintenance Tax	Multi-Family Parcel	$98.92	per Acre
Stormwater/Water Quality Maintenance Tax	Non-Residential Parcel	$98.92	per Acre

3. Escalation of Maximum Special Tax

On July 1, 2020, 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.

Agenda Date: _____

Agenda Item: _____

OAKLEY
CALIFORNIA

STAFF REPORT

Approved and Forwarded to City Council:

Bryan H. Montgomery, City Manager

Date: Tuesday, November 12, 2019

To: Bryan H. Montgomery, City Manager

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

Subject: Approval of Subdivision Improvement Agreement, Final Map, and Grant of Sanitary Sewer Easement for Subdivision 8975 Shiloh Subdivision (Southwest corner of Main Street and Simoni Ranch)

Background and Analysis

On March 26, 2007 the City Council adopted Resolution 38-07 conditionally approving the tentative map for Subdivision 8975, a 75-unit residential subdivision. On June 13, 2017, the City Council adopted Resolution 72-17, which extended the life of the project Tentative Map to March 26, 2020. On August 14, 2018, the City Council approved the amended Final Development Plan for 69 residential units and adopted Resolution 104-18. The developer, KB Homes South Bay, Inc. has substantially completed the conditions of approval for this development and wishes to execute the Subdivision Improvement Agreement, record the Final Map, and Grant the Sanitary Sewer Easement necessary to install the improvements of this subdivision. The Shiloh subdivision is located on the Southwest corner of Main Street and Simoni Ranch Road.

The subdivision requires sewer services from Iron House Sanitary District (ISD) and the off-site portion of the sewer main is required by ISD to install the sewer line across the existing park land located to the north owned by the City. Existing utilities on Main Street conflicted with the original designed alignment of the sewer line. Therefore, a Sanitary Sewer Easement needs to be granted from the City to ISD as shown in the attached Grant Deed to be executed. The sanitary sewer proposed design is essential for the completion of the infrastructure improvements. The developer will be required to obtain an encroachment permit prior to undertaking any work in the area covered by the easement.

The Grant Deed has been prepared by the Developer in conjunction with the Title Company. The easement documents will guarantee the developer is responsible for construction and installation of the Sanitary Sewer system. Any repairs for damages to the existing park caused by the sewer line installation will be the responsibility for the developer to repair to the satisfaction of the City Engineer. ISD will be the responsible party for any ongoing maintenance, repairing and replacing of the sanitary sewer line and related appurtenances.

KB Homes South Bay Inc, a California Corporation has now requested approval by the City Council for the final map for Subdivision 8975 Shiloh Subdivision for the 69 residential units in a gated community maintained by a Homeowner's Association.

In order to satisfy all remaining conditions of approval, the applicant has requested that the City enter into a Subdivision Improvement Agreement and wishes to execute the attached agreement.

The City Engineer and City Surveyor have reviewed the tentative map approval documents and the final map, and have found the map to be technically correct, in substantial compliance with the conditionally approved tentative map, and all final map conditions of approval have been met (or are being secured by way of the Subdivision Improvement Agreement).

Fiscal Impact

There is no fiscal impact associated with this action.

Staff Recommendation

Staff recommends that the City Council adopt the Resolutions authorizing the City Manager to execute the Subdivision Improvement Agreement, Grant the Sanitary Sewer Easement to ISD, and approve the Final Map for Subdivision 8975 Shiloh Subdivision.

Attachments

1) Resolution Approving the Final Map titled Subdivision 8975 Shiloh Subdivision and Approving the Grant Deed for Sanitary Sewer Easement
2) Resolution Approving the Subdivision Improvement Agreement
3) Subdivision Improvement Agreement
   Exhibit A - City Council Resolution 38-07
   Exhibit B - City Council Resolution 72-17
   Exhibit C - City Council Resolution 104-18
   Exhibit D - Insurance Requirements
   Exhibit E - Verification of Required Insurance
   Exhibit F - Prevailing Wage
4) Grant Deed and Plat and Legal for Sanitary Sewer Easement
5) Reduction of Subdivision 8975 Shiloh Subdivision Final Map

RESOLUTION NO. XX-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE FINAL MAP OF SUBDIVISION 8975 SHILOH SUBDIVISION AND APPROVING THE GRANT DEED FOR SANITARY SEWER EASEMENT

WHEREAS, KB Home South Bay, Inc., a California corporation has satisfied the necessary conditions of approval for Subdivision 8975 Shiloh Subdivision, as approved by the City Council on March 26, 2007 Resolution Number 38-07; and

WHEREAS, on June 13, 2017, the city council adopted Resolution 72-17, which extended the life of the project Tentative Map to March 26, 2020; and

WHEREAS, on August 14, 2019, the city council adopted Resolution 104-18 for a 69 residential units subdivision; and

WHEREAS, the City Engineer has determined that the conditions of approval for the project have been satisfied; and

WHEREAS, in order to provide Sanitary Sewer connection to serve the project, a Sanitary Sewer Easement located in City-owned property, is to be granted to Iron House Sewer District; and

WHEREAS, the Sanitary Sewer Easement attached hereon as Attachment 4 along with the legal description and plat, for the Sewer Easement have been reviewed and accepted by Staff; and

WHEREAS, the City Engineer has determined that the legal description and plat for the Sanitary Sewer Easement is technically correct; and

WHEREAS, the City Surveyor has determined that the final map attached hereon as Attachment 5 is technically correct

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley that the final map labeled “Subdivision 8975 the Shiloh Subdivision”, as prepared by CBG Engineers be approved.

AND BE IT FURTHER RESOLVED by the City Council of the City of Oakley hereby grants to ISD an easement described in the Sanitary Easement attached hereto as Exhibit A, and authorizes the City Manager to sign the easement deed granting ISD the easement as described in the Legal Description and Plat included with Exhibit A, and to send the executed Easement Deed to ISD for its acceptance and recordation with the County Recorder of the County of Contra Costa.

PASSED AND ADOPTED by the City Council of the City of Oakley, California, this 12th day of November 2019 by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

RESOLUTION NO. XX-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT WITH KB HOME SOUTH BAY, INC., A CALIFORNIA CORPORATION FOR SUBDIVISION 8975 THE SHILOH SUBDIVISION AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT

WHEREAS, the City Council of the City of Oakley, California, wishes to enter into a Subdivision Improvement Agreement with KB Home South Bay, Inc. a California Corporation for the development of a residential subdivision known as Subdivision 8975, the Shiloh Subdivision; and

WHEREAS, this agreement will require the developer to complete approximately $310,798.82 in public improvements, landscape and drainage infrastructure and $812,000 for private improvements within the subdivision, in accordance with the project conditions of approval and City standard construction design.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley that the Subdivision Improvement Agreement with KB Home South Bay, Inc. is hereby approved, and the City Manager is hereby authorized to execute the Subdivision Improvement Agreement for the development of Subdivision 8975 the Shiloh Subdivision in the form attached hereto as Exhibit A and is made part of this resolution.

PASSED AND ADOPTED by the City Council of the City of Oakley, California, this 12th day of November 2019 by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

CITY OF OAKLEY
SUBDIVISION IMPROVEMENT AGREEMENT
SUBDIVISION 8975

This agreement is made and entered into this ____ day of _____, 2019 by and between the City of Oakley, a municipal corporation, hereinafter referred to as "CITY", and KB Home South Bay, Inc, a California Corporation hereinafter referred to as "DEVELOPER".

R E C I T A L S

WHEREAS, it has been determined by the City Council of the City of Oakley, State of California, that DEVELOPER, the subdivider of Subdivision 8975, desires to improve and dedicate those public improvements (hereafter "The Improvements") required by the conditions of approval for the project as adopted by the City of Oakley City Council via Resolutions Numbered 38-07, 72-17 and 104-18 in accordance with the requirements and conditions set forth in approvals, the requirements of the Subdivision Map Act of the State of California, and those certain plans and specifications for said development approved by CITY and titled Shiloh Property-Improvement Plan, Subdivision 8975 as prepared by CBG Civil Engineers, Inc. and Shiloh, Oakley *Landscape plans* as prepared by Gates and Associates now on file in the office of the City Engineer, which are hereby referred to for a more definite and distinct description of the work to be performed under this Agreement as though set forth at length herein; and

WHEREAS, DEVELOPER and CITY acknowledge that not all conditions of approval ("COA") contained in Resolutions Numbered 38-07, 72-17 and 104-18 have been satisfied, but nevertheless, DEVELOPER desires to file a final map. The satisfaction of all COA are the subject of this Agreement and DEVELOPER's agreement to satisfy all COA and construct the Improvements identified in the aforementioned COA is a material part of the consideration for this Agreement; and

WHEREAS, DEVELOPER intends to satisfactorily complete The Improvements within the time hereinafter specified, and CITY intends to accept DEVELOPER's offer(s) of dedication of The Improvements in consideration for DEVELOPER's satisfactory performance of the terms and conditions of this Agreement:

NOW, THEREFORE, in consideration of the mutual promises, conditions and covenants herein contained, the parties agree as follows:

1. Improvements.

DEVELOPER agrees to complete The Improvements (both public and private), landscaping, and such other improvements (including appurtenant equipment) as required per the project Conditions of Approval for Vesting Tentative Map 8975 and Final Development Plan Amendment as set forth in Exhibit A, Exhibit B and Exhibit C to this Agreement, which is incorporated herein as if set forth at this point, or as otherwise

required in the subdivision ordinance., including without limitation all Improvements. In the event that any provision of this Agreement conflicts with the provisions of Exhibit A, B or B the provisions of Exhibits A, B and C shall prevail to the extent that the conflicting provision in Exhibits A, B and C require a greater or more extensive improvement or expenditure, or to the extent that that provision extends DEVELOPER's obligations over a greater period of time than the specific provision set forth herein. Such improvements shall also be made in conformance with the City of Oakley Municipal Code and Contra Costa County Ordinance Code as adopted and enforced by the City of Oakley.

DEVELOPER will commence construction of The Improvements within 90 days following the date on which CITY executes this Agreement. DEVELOPER shall complete said work not later than 18 months following said date of execution in a good workmanlike manner, in accordance with accepted construction practices and in a manner equal or superior to the requirements of the City of Oakley Municipal Code and Contra Costa County Ordinance Code and rulings made thereunder; and where there is a conflict between the improvement plans and the City Municipal Code or County Ordinance Code, the stricter requirements shall govern. It is understood that the City of Oakley was incorporated effective July 1, 1999, and as such continues to rely on certain laws, ordinances and design standards of the County of Contra Costa. References herein to the County Code or County Ordinance Code are understood to refer to such ordinances and codes as if adopted by the City of Oakley.

Time is of the essence in this Agreement. Upon completion, DEVELOPER shall furnish CITY with a complete and reproducible set of final as-built plans of The Improvements, including any authorized modifications.

2. Estimated Cost of Improvements and Possible Future Cash Deposit.

The estimated cost of constructing The Improvements required by this Agreement as adjusted for inflation is agreed to be $203,000 for Public Improvements, $107,798.82 for the landscape improvements within the City Right of Way and $812,000 for Private Improvements within the subdivision. Said amounts include costs and reasonable expenses and fees which may be incurred in enforcing the obligation secured.

3. Bonds Furnished.

Concurrently with the execution of this Agreement, DEVELOPER shall furnish CITY with the following security in the forms specified in Government Code sections 66499.1 and 66499.2 or in a form satisfactory to the CITY Attorney if different from said Government Code forms:

a. Faithful Performance. Either a cash deposit, a corporate surety bond issued by a company duly and legally licensed to conduct a general surety business in the State of California, or an instrument of credit equivalent to one hundred percent (100%) of the estimate set forth in Paragraph 2 and sufficient to assure CITY that The Improvements will be satisfactorily completed.

b. Labor and Materials. Either a cash deposit, a corporate surety bond issued by a company duly and legally licensed to conduct a general surety business in the State of California, or an instrument of credit equivalent to fifty percent (50%) of the estimate set forth in Paragraph 2 and sufficient to assure CITY that DEVELOPER'S contractors, subcontractors, and other persons furnishing labor, materials, or equipment shall be paid therefor.

c. Warranty Security. To warranty the Developer's work for a period of one (1) year following the recordation of the Notice of Completion against any defective work or labor done or defective materials furnished in the additional amount of twenty five percent (25%) of the estimate set forth in Paragraph 2.

d. If required by CITY, a cash deposit, corporate surety bond, or instrument of credit sufficient to assure CITY that the surface water drainage of the subdivision shall not interfere with the use of neighboring property, including public streets and highways.

CITY shall be the sole indemnitee named on any instrument required by this Agreement. Any instrument or deposit required herein shall conform to the provisions of Chapter 5 of the Subdivision Map Act.

4. Insurance Required.

Concurrently with the execution hereof, DEVELOPER shall obtain or cause to be obtained and filed with the CITY, all insurance required in this paragraph and as set forth in Exhibit D, and such insurance shall have been approved by the Finance Director of CITY, or his designee, as to form, amount and carrier. Prior to the commencement of work under this Agreement, DEVELOPER's general contractor shall obtain or cause to be obtained and filed with the Finance Director, all insurance required under this paragraph and as set forth in Exhibit D, evidenced herein as Exhibit E, and such insurance shall have been approved by the Finance Director of CITY, as to form, amount and carrier. DEVELOPER shall not allow any contractor or subcontractor to commence work on this contract or subcontract until all insurance required for DEVELOPER and DEVELOPER's general contractor shall have been so obtained and approved. Said insurance shall be maintained in full force and effect until the completion of work under this Agreement and the final acceptance thereof by CITY. All requirements herein provided shall appear either in the body of the insurance policies or as endorsements and shall specifically bind the insurance carrier.

5. Work Performance and Guarantee.

Except as otherwise expressly provided in this Agreement, and excepting only items of routine maintenance, ordinary wear and tear and unusual abuse or neglect, DEVELOPER guarantees all work executed by DEVELOPER and/or DEVELOPER's agents, and all supplies, materials and devices of whatsoever nature incorporated in, or attached to the work, or otherwise delivered to CITY as a part of the work pursuant to the Agreement, to be free of all defects of workmanship and materials for a period of one (1) year after initial acceptance of the entire work by CITY. DEVELOPER shall repair or replace any or all such work or material, together with all or any other work or materials which may be displaced or damaged in so doing, that may prove defective in workmanship or material within said one-year guarantee period without expense or charge of any nature whatsoever to CITY. DEVELOPER further covenants and agrees that when defects in design, workmanship and materials actually appear during the one-year guarantee period, and have been corrected, the guarantee period shall automatically be extended for an additional year to insure that such defects have actually been corrected.

In the event the DEVELOPER shall fail to comply with the conditions of the foregoing guarantee within thirty (30) days time, after being notified of the defect in writing, CITY shall have the right, but shall not be obligated, to repair or obtain the repair of the defect, and DEVELOPER shall pay to CITY on demand all costs and expense of such repair. Notwithstanding anything herein to the contrary, in the event that any defect in workmanship or material covered by the foregoing guarantee results in a condition which constitutes an immediate hazard to the public health, safety, or welfare, CITY shall have the right to immediately repair, or cause to be repaired, such defect, and DEVELOPER shall pay to CITY on demand all costs and expense of such repair. The foregoing statement relating to hazards to health and safety shall be deemed to include either temporary or permanent repairs which may be required as determined in the sole discretion and judgment of CITY.

If CITY, at its sole option, makes or causes to be made the necessary repairs or replacements or performs the necessary work, DEVELOPER shall pay, in addition to actual costs and expenses of such repair or work, fifty percent (50%) of such costs and expenses for overhead and interest at the maximum rate of interest permitted by law accruing thirty (30) days from the date of billing for such work or repairs.

6. Inspection of the Work.

DEVELOPER shall guarantee free access to CITY through its City Engineer and his designated representative for the safe and convenient inspection of the work throughout its construction. Said CITY representative shall have the authority to reject all materials and workmanship which are not in accordance with the plans and specifications, and all such materials and or work shall be removed promptly by DEVELOPER and replaced to the satisfaction of CITY without any expense to CITY in strict accordance with the improvement plans and specifications.

7. Agreement Assignment.

This Agreement shall not be assigned by DEVELOPER without the written consent of CITY.

8. Abandonment of Work.

Neither DEVELOPER nor any of DEVELOPER's agents or contractors are or shall be considered to be agents of CITY in connection with the performance of DEVELOPER's obligations under this Agreement.

If DEVELOPER refuses or fails to obtain prosecution of the work, or any severable part thereof, with such diligence as will insure its completion within the time specified, or any extension thereof, or fails to obtain completion of said work within such time, or if DEVELOPER should be adjudged as bankrupt, or should make a general assignment for the benefit of DEVELOPER's creditors, or if a receiver should be appointed, or if DEVELOPER, or any of DEVELOPER's contractors, subcontractors, agents or employees should violate any of the provisions of this Agreement, the CITY through its Public Works Director may serve written notice on DEVELOPER and DEVELOPER's surety or holder of other security of breach of this Agreement, or of any portion, thereof, and default of DEVELOPER.

In the event of any such notice of breach of this Agreement, DEVELOPER's surety shall have the duty to take over and complete The Improvements herein specified; provided, however, that if the surety, within thirty (30) days after the serving upon it of such notice of breach, does not give CITY written notice of its intention to take over the performance of the contract, and does not commence performance thereof within thirty (30) days after notice to CITY of such election, CITY may take over the work and prosecute the same to completion, by contract or by any other method CITY may deem advisable, for the account and at the expense of DEVELOPER and DEVELOPER's surety shall be liable to CITY for any damages and/or reasonable and documented excess costs occasioned by CITY thereby; and, in such event, CITY, without liability for so doing, may take possession of, and utilize in completing the work, such materials, appliances, plant and other property belonging to DEVELOPER as may be on the site of the work and necessary therefor.

All notices herein required shall be in writing, and delivered in person or sent by registered mail, postage prepaid.

Notices required to be given to CITY shall be addressed as follows:

City Manager and City Engineer
City of Oakley
3231 Main Street
Oakley, CA 94561

Notices required to be given to DEVELOPER shall be addressed as follows:

KB Home South Bay, Inc.
Attn: Christopher Moi
4830 Business Center Drive, Suite 150
Fairfield, CA 94534

Notices required to be given surety of DEVELOPER shall be addressed as follows:

Brenda Wong
Marsh USA Inc.
633 W 5th Street, Suite 1400,
Los Angeles CA 90071

Any party or the surety may change such address by notice in writing to the other party and thereafter notices shall be addressed and transmitted to the new address.

Concurrently with the execution of this Agreement, DEVELOPER has executed and has caused to be acknowledged an abstract of this Agreement. DEVELOPER agrees CITY may record said abstract in the Official Records of Contra Costa County.

9. Use of Streets or Improvements.

At all times prior to the final acceptance of the work by CITY, the use of any or all streets and improvements within the work to be performed under this Agreement shall be at the sole and exclusive risk of DEVELOPER. The issuance of any building or occupancy permit by CITY for dwellings located within the tract shall not be construed in any manner to constitute a partial or final acceptance or approval of any or all such improvements by CITY. DEVELOPER agrees that CITY's Building Official may withhold the issuance of building or occupancy permits when the work or its progress may substantially and/or detrimentally affect public health and safety.

10. Safety Devices.

DEVELOPER shall provide and maintain such guards, watchmen, fences, barriers, regulatory signs, warning lights, and other safety devices adjacent to and on the tract site as may be necessary to prevent accidents to the public and damage to the property. DEVELOPER shall furnish, place, and maintain such lights as may be necessary for illuminating the said fences, barriers, signs, and other safety devices. At the end of all work to be performed under this Agreement, all fences, barriers, regulatory signs, warning lights, and other safety devices (except such safety items as may be shown on the plans and included in the items of work) shall be removed from site of the work by the DEVELOPER, and the entire site left clean and orderly.

11. Acceptance of Work.

Upon notice of the completion of the work covered by this agreement and the delivery of a set of final as-built plans to CITY by DEVELOPER, CITY, through its City Engineer or his designated representative, shall examine the work without delay, and, if found to be in accordance with said plans and specifications and this Agreement, shall recommend acceptance of the work to the City Council and, upon such acceptance, shall notify DEVELOPER or his designated agents of such acceptance. CITY reserves the right to not accept the work until all construction activities, including those related to building construction, within the project boundaries has been completed.

12. Patent and Copyright Costs.

In the event that said plans and specifications require the use of any material, process or publication which is subject to a duly registered patent or copyright, DEVELOPER shall be liable for, and shall indemnify CITY from any fees, costs or litigation expenses, including attorneys' fees and court costs, which may result from the use of said patented or copyrighted material, process or publication.

13. Alterations in Plans and Specifications.

Any alteration or alterations made in the plans and specifications which are a part of this Agreement or any provision of this Agreement shall not operate to release any surety or sureties from liability on any bond or bonds attached hereto and made a part hereof, and consent to make such alterations is hereby given, and the sureties to said bonds hereby waive the provisions of Section 2819 of the Civil Code of the State of California.

14. Liability.

a. DEVELOPER Primarily Liable. DEVELOPER hereby warrants that the design and construction of The Improvements will not adversely affect any portion of adjacent properties and that all work will be performed in a proper manner. DEVELOPER agrees to indemnify, defend, release, and hold harmless CITY, and each of its elective and appointive boards, commissions, officers agents and employees, from and against any and all loss, claims, suits, liabilities, actions, damages, or causes of action of every kind, nature and description, directly or indirectly arising from an act or omission of DEVELOPER, its employees, agents, or independent contractors in connection with DEVELOPER'S actions and obligations hereunder; provided as follows:

1. That CITY does not, and shall not, waive any rights against DEVELOPER which it may have by reason of the aforesaid hold harmless agreement, because of the acceptance by CITY, or the deposit with CITY by DEVELOPER, of any of the insurance policies described in Paragraph 4 hereof.

2. That the aforesaid hold harmless agreement by DEVELOPER shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of any of the aforesaid operations referred to in this paragraph, regardless of whether or not CITY has prepared, supplied, or approved of plans and/or specifications for the subdivision, or regardless of whether or not such insurance policies shall have been determined to be applicable to any of such damages or claims for damages.

b. Design Defect. If, in the opinion of the CITY, a design defect in the work of improvement becomes apparent during the course of construction, or within one (1) year following acceptance by the CITY of the improvements, and said design defect, in the opinion of the CITY, may substantially impair the public health and safety, DEVELOPER shall, upon order by the CITY, correct said design defect at his sole cost and expense, and the sureties under the Faithful Performance and Labor and Materials Bonds shall be liable to the CITY for the corrective work required.

c. Litigation Expenses. In the event that legal action is instituted by either party to this Agreement, and said action seeks damages for breach of this Agreement or seeks to specifically enforce the terms of this Agreement, and, in the event judgment is entered in said action, the prevailing party shall be entitled to recover its attorneys' fees and court costs. If CITY is the prevailing party, CITY shall also be entitled to recover its attorney's fees and costs in any action against DEVELOPER's surety on the bonds provided under paragraph 3.

15. Recitals.

The foregoing Recitals are true and correct and are made a part hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate at Oakley, California, the day and year first above written.

CITY OF OAKLEY

By:

_____
Bryan H. Montgomery
City Manager

APPROVED AS TO FORM:

_____
Derek P. Cole
City Attorney

ATTEST:

_____
Libby Vreonis, City Clerk

DEVELOPER:
KB Home South Bay, Inc
A California Corporation

_____
By: Craig Merry,
Division President

Exhibits:

Exhibit A – City of Oakley, City Council, Resolution 38-07

Exhibit B – City of Oakley, City Council, Resolution 72-17

Exhibit C - City of Oakley, City Council, Resolution 104-18

Exhibit D - Insurance Requirements

Exhibit E - Verification of Required Insurance

Exhibit F - Prevailing Wage

EXHIBIT A

(RESOLUTION 38-07)

RESOLUTION NO. 38-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING OF SUBDIVISION 8975 BY MERITAGE HOMES, LOCATED AT THE SOUTHWEST CORNER OF MAIN STREET AND SIMONI RANCH ROAD, INCLUDING A GENERAL PLAN AMENDMENT, REZONE, VESTING TENTATIVE MAP, DESIGN REVIEW, CONDITIONAL USE PERMIT AND CERTIFICATION OF THE MITIGATED NEGATIVE DECLARATION

FINDINGS

A. Meritage Homes, on behalf of the property owner, (together, "Applicants"), has submitted applications to develop approximately 9.29-acres, off of Simoni Ranch Road, directly east of Gehringer School with 75 single-family lots (the "Project"). The Project application includes requests for approval of the following:

- General Plan Amendment from Single Family High Density to Multi Family Low Density Residential;
- Rezone from General Agriculture to Planned Development for Residential (P-1);
- Vesting Tentative Map 8975, which would subdivide 9.29 acres into 75 single-family lots;
- Design Review to approve four models on the 75 lots within the subdivision; and a
- Conditional Use Permit to allow fences/walls over 6' in height.

B. As part of this application, the project site is proposed for a Multi-Family Low (ML) land use designation. The proposed unit densities of the Project are consistent with the proposed General Plan designation.

C. The City prepared a Negative Declaration dated December 28, 2006, which reflected the independent judgment of the City as to the potential environmental effects of the project.

D. On March 5, 2007, the Planning Commission held a properly noticed public hearing at which it received a report from City staff, oral and written testimony from the Applicants and the public, and deliberated on the applications. At the conclusion of its deliberations, the Commission took a vote and expressed its recommendation that the City Council should approve the project, subject to the conditions recommended by staff and as revised by the Commission during its deliberations.

E. On March 26, 2007, the City Council held a properly noticed public hearing at which it received a report from City staff, oral and written testimony from the Applicants and the public, and deliberated on the applications. At the conclusion of its deliberations, the Council took a vote and adopted this

resolution to approve the project, subject to the conditions recommended by the Planning Commission and as revised by the Council during its deliberations.

F. These Findings are based on the City's General Plan, the City's Zoning and Subdivision Ordinances, the Residential Design Guidelines, and the information submitted to the City Council at its March 26, 2007 meeting, both written and oral, including oral information provided by the Applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Subdivision (hereafter the "Record").

NOW, THEREFORE, on the basis of the above findings of fact and the entire Record, the City Council makes the following additional findings in support of the approval:

1. Regarding the General Plan Amendment from SH to ML, the Planning Commission recommends that the City Council find:

The change in Land Use designation will not be detrimental to the orderly development of the City. The ML designation will blend with the surrounding neighborhoods, provide a natural linkage and buffer from the highway to lower density developments to the northwest, and will provide residents in Oakley an alternative housing density.

2. Regarding the approval of Vesting Tentative Map 8975, the Commission recommend that the Council finds that the proposed subdivision, together with the provisions of its design and improvement, is consistent with the General Plan. The number of units, layout of lots and streets, identified improvements and dedications, and other technical requirements comply with the density prescribed by the General Plan and its applicable policies.

a. The Project complies with Measure C Growth Management requirements.

3. Regarding the Design Review of the Shiloh (Subdivision 8975) Development, the Commission recommends that the Council find that:

a. The proposed development of 75 single-family homes is consistent with the proposed General Plan designation. ***As part of this project the applicant is requesting a General Plan Amendment. This proposal meets the standards of the proposed land use designation.***

b. The proposed development of 75 single-family homes complies with all applicable Zoning regulations. ***The applicant is proposing P-1 zoning. This designation allows for flexibility in development standards. As proposed and conditioned the development meets the intent of the Zoning Ordinance and Residential Design Guidelines.***

c. The proposed design and materials of the single-family homes are compatible with the surrounding area. ***The proposed development provides thoughtful design and quality materials which will blend and enhance the existing neighborhoods surrounding this development.***

4. Regarding the Conditional Use Permit the Planning Commission recommends that the City Council find:

a. *The proposed project, as approved, is not detrimental to the health, safety, and general welfare of the City –* ***The proposed fences and walls over 6 feet in height will help to blend the new development with the existing grades n the neighboring parcels and will ensure this development does not create any odd or dangerous transitional grades.***

b. The proposed use will not adversely affect the orderly development of property within the City - ***The proposed development will conform to the City's Residential Design Guidelines as well as the Zoning Ordinance, thereby ensuring the orderly development of this property*** *;*

c. The proposed use, will not adversely affect the preservation of property values and protection of tax base within the City - ***The proposed soundwall will mitigate noise from the existing roadway and railways and is designed to match the existing soundwall thereby preserving the property values of surrounding properties;***

d. The proposed use will not adversely affect the policies and goals set by the General Plan – ***The construction of fences and walls over 6 feet will not adversely affect the policies set by the General Plan. The walls and fences will provide noise attenuation and privacy to the new and existing neighbors, thereby implementing the goals set in the General Plan.***

e. The proposed use, as conditioned, will not create a nuisance and/or enforcement problems within the neighborhood - ***The proposed soundwall will be properly landscaped as per the Residential Design guidelines and is within the City's Right-of-Way in which sufficient maintenance personnel exist to prevent or mitigate any nuisances that may arise*** *;*

f. The proposed use will not encourage marginal development within the neighborhood - ***The proposed development consists of single family dwellings which will blend seamlessly with the surrounding neighborhood;*** *and*

g. Special conditions or unique characteristics of the subject property and its location or surroundings have been established – ***The proposed soundwall is within close proximity to Main Street/Highway 4, thereby requiring special height requirements to mitigate the sound.***

BE IT FURTHER RESOLVED THAT, on the basis of the foregoing Findings and the entire Record, the Planning Commission, subject to the conditions listed below, recommends to the Council approval of the following entitlements:

- Approve the General Plan Amendment;
- Approve Vesting Tentative Map;
- Approve the Conditional Use Permit; and

- Approves the Design Review.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves the Applicant's request for the General Plan Amendment, Vesting Tentative Map, Conditional Use Permit and Design Review with the following conditions:

CONDITIONS OF APPROVAL

Planning Division Conditions

General

1. This Vesting Tentative Map, Conditional Use Permit and Design Review are approved, as shown on the exhibits (dated February 22, 2007) and attachments, and as modified by the following Conditions of Approval, subject to final review and approval by the Community Development Director.

2. This Vesting Tentative Map, Conditional Use Permit and Design Review are approved as of (CC date). This approval shall be effectuated within a period of three (3) years from this date and if not effectuated shall expire on **(date of Council Approval).** *Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of three years from (**date of Council Approval**).*

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

4. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days may be modified on prior written approval by the Community Development Director. *(Mitigation Measure XI-16)*

5. Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary. *(Mitigation Measures V-5 & V-6)*

Development Standards

6. The P-1 zone district shall have the following standards:

   - Minimum lot area: 2,500 square feet
   - Minimum front yard setback (to public streets): 18-feet to front loaded garage that accesses a public street, 10-feet to living space, 10-feet to porches; all measured perpendicular to the structure
   - Minimum side yard setback: 4-feet minimum, sum of both sides 8-feet. Corner lots shall maintain a street side yard setback (Secondary frontage) of 10-feet, all perpendicular to the structure

- Minimum rear yard setback: 8-feet, porches may encroach within the rear yard, but shall be no closer than 3-feet to any property line
- Lots 18 – 20, 22 – 25, 28 – 31, and 34 – 37 shall have a rear yard setback of 10-feet
- Maximum fence and wall height: 10-feet
- Maximum Building Height: 27-feet

Subdivision

7. Parking shall not be allowed within the motor courts. On-Street parking shall be allowed on all public streets with the exception of A Street. Parking shall be restricted at the project entrance on A Street to the first drive way of the home on lot 75.

8. Each motor court shall be paved with colored concrete as reviewed and approved by the Community Development Director.

9. Parcels A and B shall be dedicated to the City as park land in order to replace the parkland that will be removed for the construction of A Street. The applicant will not receive parkland credit for these parcels.

10. A mix of evergreen and deciduous trees as well as shrubs and ground cover shall be planted along the street frontage as specified in the Residential Design Guidelines per the review and approval of the Community Development Director.

11. Parcels A and B shall be landscaped with turf to blend with the existing park, as well as dense screen shrubs adjacent to the sound wall.

12. The neighborhood entries shall be identified by accent paving, project monument signage and accent planting per the review and approval of the Community Development Director.

13. The right-of-way on A Street, from B & C Court to D Court, shall provide a varying depth of 10 to 15 feet behind the sidewalk to provide for landscaping. The landscaping shall include a mix of deciduous and evergreen trees, shrubs and ground cover per the review and approval of the Community Development Director.

14. Concrete paths shall be provided from the side yard of each unit to the motor court. The path shall be wide enough to accommodate trash bins.

15. Within the subdivision good neighbor fences shall be constructed of six-foot high wood fences with metal posts or acceptable alternative as reviewed and approved by the Community Development Director. Corner lots or any good neighbor fence facing a street shall provide an enhanced wood fence with two feet of lattice along the top. All wood fencing visible from the street shall be stained or painted on both sides to prevent water damage to the satisfaction of the Community Development Director.

16. Along Simoni Ranch Road adjacent to Simoni Park, and along the rear of Lots 1 & 2 on A Street, the applicant shall provide a six foot tall masonry wall of a similar design and materials as the Live Oak Ranch wall to the north, per the review and approval of the Community Development Director.

17. A seven to twelve-foot masonry wall pursuant to the sound study shall be located along the perimeter of the site adjacent to Main Street. The wall shall be of masonry construction of similar design and materials as the Live Oak Ranch wall per the review and approval of the Community Development Director.

18. A six foot vinyl fence or acceptable alternative such as Trex or Woodcrete shall be constructed along the south and west perimeter of the subdivision per the review and approval of the Community Development Director.

19. The applicant shall work with the Oakley Unified Elementary School District to remove the chain link fence on the school site and blend the grades of the school site with the grades of the subdivision boundary at the discretion of the School District.

20. The Homeowner's Association shall be responsible for all front yard landscaping, the landscaping on Parcel E and along A Street as well as the south and west perimeter fencing and any good neighbor fences visible from the public right-of-way within the subdivision. The Homeowner's Association shall be reviewed and approved by the Community Development Director.

21. Retaining wall/fence combinations shall be no higher than 12 feet in height. Retaining wall shall be of masonry construction.

22. A landscaping and irrigation plan for all areas shown on the landscape plan shall be submitted for review and approval of the Community Development Director prior to the issuance of building permits. Landscaping shall conform to the Oakley Landscape Guidelines and the City's Water Conservation Landscape Ordinance 82-26 and shall be installed prior to final occupancy. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with the City's Water Conservation Ordinance.

23. California native drought tolerant plants shall be used as much as possible. All trees shall be a mix of fifteen-gallon and 24" box; all shrubs shall be a minimum five-gallon size, except as otherwise noted.

24. All landscaped areas not covered by shrubs or groundcover shall be covered with bark or acceptable alternative as reviewed and approved by the Community Development Director. On slopes greater than 3 to 1, the

applicant shall use an alternative to bark per the review and approval of the Community Development Director.

25. Each lot shall have a minimum of two different types of trees along the street frontage.

26. The applicant shall maintain all private landscaping until occupancy

27. A street tree plan shall be submitted for review prior to issuance of Building Permits. The street trees shall be inter-mixed throughout the subdivision, so there are a variety of trees on every street, per review of the Community Development Department.

28. The street names shall be approved by the Community Development Department and the East Contra Costa Fire District.

29. Where a lot/parcel is located within 300' of a high voltage electric transmission line, the applicant shall record the following notice:

> "The subject property is located near a high voltage electric transmission line. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such a hypothesis is established. At this time no risk assessment has been made."

When a Final Subdivision Public Report issued by the California Department of Real Estate is required, the applicant shall also request that the Department of Real Estate insert the above note in the report.

30. The following statements shall be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that they own property in an agricultural area:

> "This document shall serve as notification that you have purchased land in an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust or blowing sand; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment such as zon guns and aerial crop dusting and certain animals, including equestrian trails as well as flies may exist on surrounding properties. This statement is again, notification that this is part of the agricultural way of life in the open space areas of the

City of Oakley and you should be fully aware of this at the time of purchase.

31. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

Mitigation Measures

32. All mitigation measures addressed in the Mitigated Negative Declaration shall be complied with and addressed as outlined in the Mitigation Monitoring Program, per the review and approval of the Community Development Director.

33. A light plan with the location and design of light fixtures shall be submitted for review and approval of the Community Development Department, Engineering Department and Police Department. The applicant shall shield all on-site lighting so the light is directed within the project site and does not illuminate adjacent properties. *(Mitigation Measure I-1)*

34. Prior to the issuance of grading permit, the project developer shall submit to California Department of Fish and Game (CDFG) and the Community Development Department a pre-construction survey of the project site for burrowing owl performed in accordance with CDFG standards. A qualified biologist shall conduct the survey not more than 30 days prior to the application for a grading permit. In addition, if ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be re-surveyed.

If burrowing owls are not discovered, further mitigation is not required. If burrowing owls are observed during the pre-construction surveys, the applicant shall perform the following measures to limit the impact on the burrowing owls:

- A fenced 300-foot buffer shall be created between the nesting site(s) (that is, the active burrow[s]) and any earth-moving activity or other disturbance. This 300-foot buffer could be removed once a qualified biologist determines that the young have fledged. Typically, the young fledge by August 31; however, this date may be earlier or later than August 31 and would have to be determined by a qualified raptor biologist.

- After the burrowing owls are finished nesting on the project site, and after CDFG approves a mitigation plan, any remaining burrowing owls that are residents on the project site shall be passively relocated by a qualified biologist in accordance with CDFG's policies for passive removal. Any permit required to passively remove burrowing owls must be obtained from CDFG

prior to the passive removal of resident owls from the project site. Verification of compliance with this measure shall be submitted to the Community Development Department. (*Mitigation Measure IV-3)*

35. Prior to the issuance of grading permit, the project developer shall submit to California Department of Fish and Game (CDFG) and the Community Development Department a pre-construction survey of the project site for Swainson's hawk performed in accordance with CDFG standards. The survey shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist to be approved by the Community Development Department in order to identify nests on the project site. If active nests are found, construction activities shall not take place within 500 feet of the raptor nests and 100 feet of other migratory birds until the young have fledged. Trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January). If active nests are not found during the pre- construction survey, further mitigation is not required. In addition, if ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be re-surveyed. *(Mitigation Measure IV-4)*

36. All grading and foundation plans for the development designed by the project Civil and Structural Engineer must be reviewed and approved by the City Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the design. *(Mitigation Measure VI-7)*

37. Prior to issuance of grading permit, the project applicant shall provide to the City of Oakley a detailed environmental assessment pertaining to the on-site soils. If pesticides or herbicides are not detected, further mitigation is not necessary. If the assessment finds concentrations of a pesticide or herbicide, the applicant shall submit a remediation plan to the Contra Costa County Environmental Health Department and Department of Toxic Substance Control (DTSC) for approval, and shall remediate the soils to the satisfaction of Contra Costa County Environmental Health Department and the DTSC. *(Mitigation Measure VII-9).*

38. During construction, if areas of debris or odors are observed that may be associated with a hazardous substance or petroleum product, the project applicant shall contact a qualified firm, the property owner, the City, and the Contra Costa County Environmental Health Department for further assessment. If these parties determine that the items are not hazardous, they shall be removed and discarded in accordance with City standards at the expense of the applicant. If these parties determine that subsurface hazardous substances are located on-site, these substances shall be removed and the soil remediated to the satisfaction of the Contra Costa County Environmental Health Department and DTSC at the expense of the applicant. (*Mitigation Measure VII-10)*

39. Prior to approval of Improvement Plans, the plans shall show the construction of a 9-foot tall sound wall along the eastern property line adjacent to Main Street as required in the Environmental Noise Assessment prepared for the project, for the review and approval of the City Engineer. The soundwall shall be constructed airtight over the wall face and at the base where the wall meets the ground. The minimum surface weight shall be at least 3 pounds per square foot. In addition a 6-foot high fence shall be constructed along the most southern property line as well as for home lots 38 and 39 to compensate for discontinuities on the proposed sound wall design. *(Mitigation Measure XI-14)*

40. Windows on the second floor that face Main Street shall be fitted with windows with adequate acoustical ratings as to comply with the interior noise criterion of 45 L_{dn}. The final detailed design of noise insulation features necessary to maintain interior noise levels at acceptable levels shall be completed at the time that the final plans are available and prior to the issuance of building permit for the approval of the City Engineer. *(Mitigation Measure XI-15)*

41. All construction equipment shall use properly operating mufflers, and combustion equipment such as pumps or generators shall not be allowed to operate within 500 feet of any occupied residence during construction hours, without first surrounding the equipment by a noise protection barrier, as approved by the City Building Official. (*Mitigation Measure XI-17)*

42. Prior to issuance of any building permits, the project proponent shall pay the appropriate statutory fees to the two existing school districts. (*Mitigation Measure XIII-20)*

43. Prior to the issuance of building permits, the applicant shall pay the project's fair share toward the Oakley CIP, for the improvements at the intersection of Main Street and Brownstone Road, as determined by the City Engineer. (*Mitigation Measure XV-23*)

44. Prior to the issuance of building permits, the applicant shall pay the project's fair share towards wastewater impact fees and applicable financing mechanisms, as determined by the City Engineer. (*Mitigation Measure XVI-25).*

45. Prior to the issuance of building permits, the applicant shall pay the project's fair share toward applicable financing mechanisms for Randall-Bold WTP and other water supply infrastructure expansion, as determined by the City Engineer, including, but not limited to, the Oakley CIP. (*Mitigation Measure XVI-26*)

Design Review

46. Within a motor court, no two floor plans shall have the same elevation.

47. The applicant shall provide color schemes and materials for staff review and approval prior to the issuance of the first building permit.

48. All windows and doors shall be trimmed on all four sides.

49. Forty percent of the garage doors throughout the subdivision shall have windows.

50. The use of stone veneer shall be carried to the fence line or change in wall plane per the review of the Community Development Director.

51. All houses that side or back onto a road shall have additional architectural embellishments on the side and rear elevations.

52. Energy efficient water heaters and dual zone air conditioning shall be included for all units.

Building Division Conditions

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

54. An Automatic Life Safety Sprinkler System shall be required in all new residential occupancies pursuant to Ordinance 22-06. The Automatic Life Safety Sprinkler Systems in one-family and two-family dwellings and attached and detached garages shall be designed and installed to the standards and requirements found in the most recent version of the NFPA (National Fire Protection Association), Standard 13D. A minimum of two sprinkler pilot heads shall be installed in a dwelling's attic area, if applicable.

55. Prior to requesting a *Final Inspection* from the Building Division all Conditions of Approval required for occupancy must be completed.

Public Works and Engineering Conditions

Applicant shall comply with the requirements of Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan received by the Community Development Department on February 26, 2007.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO FILING THE FINAL MAP UNLESS OTHERWISE NOTED:

General:

56. Submit improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and pay the appropriate processing costs in accordance with the Municipal Code and these conditions of approval. The plans shall be consistent with the Stormwater Control Plan for the project, include the drawings and specifications necessary to implement the required stormwater control measures, and be accompanied by a Construction Plan C.3 Checklist as described in the Stormwater C.3 Guidebook.

57. Submit a final map prepared by a licensed land surveyor or qualified registered civil engineer to the City Engineer and pay appropriate fees in accordance with the Code and these conditions of approval.

58. Submit grading plans including erosion control measures and revegetation plans prepared by a registered civil engineer to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval. The erosion control plan shall utilize standard construction practices to limit the erosion effects during construction and shall include, but is not limited to the following:
    - Hydro-seeding;
    - Placement of erosion control measures within drainageways and ahead of drop inlets;
    - The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);
    - The placement of straw wattles along slope contours;
    - Directing subcontractors to a single designated "wash-out" location (as opposed to allowing them to wash-out in any location they desire);
    - The use of siltation fences; and
    - The use of sediment basins and dust palliatives *(Mitigation Measure VI-8)*

59. Submit landscaping plans for publicly maintained landscaping, including planting and irrigation details, as prepared by a licensed landscape architect to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.

60. Execute any agreements required by the Stormwater Control Plan which pertain to the transfer of ownership and/or long term maintenance of stormwater treatment mechanisms required by the plan prior to the final inspection of the first house within the subdivision.

61. Building permits for house construction shall not be issued until the subdivision streets serving the lots have been paved.

Roadway Improvements:

62. Construct the frontage of Main Street to City public road standards for a 40-foot half width roadway within a 62-foot half width right of way, including curb, six-foot detached sidewalk (meandering within the landscape area so that the minimum landscape width is no less than six feet), right of way landscaping, necessary longitudinal and transverse drainage, pavement widening to a minimum of 28 feet, and conforms to existing improvements. The face of curb shall be located 40 feet from the centerline and any conforms to existing improvements must take place outside of the limits of the project. The planned median will be constructed at a later date and not as part of this project.

63. Construct the project streets to City public road standards and as shown on the Tentative Map with the following exceptions:

    A. The minimum street grade may be lowered from the standard 1% to 0.75% provided that the project proponent demonstrates that the City's drainage standards can be achieved.
    B. Submit a turning radius exhibit to the City Engineer for review and approval to illustrate that the ninety-degree turns of project streets can accommodate the largest expected vehicle to use the streets without the inclusion of City standard elbows. If the exhibit illustrates that elbows are necessary to accommodate the expected traffic then they shall be included in the improvement plans.

64. Install traffic control devices such as stop signs and other signing and striping on the project streets to the satisfaction of the City Engineer. Signage shall be required along Simoni Ranch Road in the vicinity of "A" Street directing drivers to not block the intersection. The locations of the signs shall be to the satisfaction of the City Engineer.

65. Construct emergency vehicle accesses from "C" Court to Main Street and from "D" Court to Main Street. The design and configuration of the accesses shall be per the current City standard and shall be subject to the review and approval of the City Engineer.

66. Replace the full width of pavement for the area along Lot 18 and the Campos property to the south that is to be removed for the construction of the storm drain line and the sanitary sewer line within the Gehringer School property. The asphalt concrete/aggregate base rock pavement section shall be approved by the City Engineer and school district but shall not less in thickness than exists prior to removal.

67. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.

68. Submit a phasing plan for the project streets to the City Engineer for review if the street improvement will be phased. The plan shall include

provisions for emergency vehicle access, temporary turn-around facilities, and access to the occupied lots.

69. Modify the median on Simoni Ranch Road to include an eastbound left turn bay of approximately 245 feet with the Shiloh left turn bay of 75 feet and a 120 foot taper. (*Mitigation Measure VII-24)*

Road Alignment/Sight Distance:

70. Submit a preliminary plan and profile to the City Engineer for review showing all required improvements to Main Street. The sketch plan shall be to scale, show horizontal and vertical alignments, transitions, curb lines, lane striping and cross sections and shall provide sight distance for a design speed of 45 miles per hour. The plan shall extend a minimum of 150 feet ± beyond the limits of the proposed work.

Road Dedications:

71. Convey to the City, by Offer of Dedication, the right of way for the project streets.

72. Convey to the City, by offer of dedication, the right of way for Main Street for the planned future half width of 62-feet along the project frontage.

73. Relinquish abutter's rights of access along all non-primary frontages to the satisfaction of the City Engineer.
74. Furnish necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road, utility and drainage improvements.

Street Lights:

75. Install streetlights along all project streets and the project Main Street frontage. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. The lights on the project streets shall be decorative per City standards, and the lights along Main Street shall be General Electric "cobra head" style.

Grading:

76. Submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the subdivision including, but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections.

77. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for

maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

78. Grade all pads so that they drain directly to the public street at a minimum of one percent without the use of private drainage systems through rear and side yards.

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

80. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities. The dust and litter control plan shall include the following per the review and approval of the City Engineer:

    - Water all active construction areas at least twice daily;
    - Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard;
    - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
    - Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
    - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
    - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
    - Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
    - Limit traffic speeds on unpaved roads to 15 mph;
    - Install sandbags or other erosion control measures to prevent silt runoff to public roadways; and
    - Replant vegetation in disturbed area as quickly as possible. (*Mitigation Measure III-2*)

81. Submit a haul route plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule

of hauling. Based on this plan the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.

82. Prior to commencement of any site work that will result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.

83. Submit an updated erosion control plan reflecting current site conditions to the City Engineer for review and approval no later than September 1st of every year while the Notice of Intent is active.

84. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.

Utilities/Undergrounding:

85. Underground all new and existing utility distribution facilities, including those along the frontage of Main Street. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

86. All utility boxes shall be installed underground and all wires and cables must be installed in conduits. Compliance with this condition shall be at the discretion of the City Engineer.

87. Construct the sewer line from D Court to West Bolton Road consistent with the preliminary alignment shown on the tentative map or to an alternative alignment approved by the City Engineer and Ironhouse Sanitary District.

Drainage Improvements:

88. Collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse consistent with the plans for Drainage Area 30B as prepared by the Contra Costa

County Flood Control and Water Conservation District. (*Mitigation Measure VIII-12)*

89. Construct the storm drain line from D Court to West Bolton Road consistent with the preliminary alignment shown on the tentative map or to an alternative alignment approved by the City Engineer. The storm drain shall include a catch basin to drain the existing low point located roughly between Assessor's Parcel Numbers 034-241-009 and 034-241-009.

90. Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater pond to the City Engineer for review and approval.

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

92. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

93. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.

Landscaping in the Public Right of Way:

94. Install public right of way landscaping along Main Street prior to the issuance of the building permit for the 75th unit.

95. Maintain all landscaping within the public right of way until such time that the adjacent roadway improvements have been accepted for maintenance.

National Pollutant Discharge Elimination System (NPDES):

96. Comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley - Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.cccleanwater.org.

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

    - Offer pavers for walkways and other appropriate hardscape surfaces as an option to buyers to minimize impervious areas.

- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives as approved by the City Engineer. *(Mitigation Measure VIII-11)*

Fees/Assessments:

97. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 00-85 and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.

    A. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);

    B. Regional Transportation Development Impact Mitigation Fee (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);

    C. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03); (*Mitigation Measure XIII-21*)

    D. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03); (*Mitigation Measure XIII-21*)

    E. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);

    F. Child Care Facilities "In Lieu" Fee (adopted by Ordinance Nos. 18-99 and 23-99);

    G. Fire Facilities Impact Fee, collected by the City on behalf of the Oakley Fire Protection District; (*Mitigation Measure XIII-18*)

    H. South Oakley Infrastructure Master Plan Fee (adopted by Resolution No. 52-03); and

    I. General Plan Fee (adopted by Resolution No. 53-03)

    The applicant should contact the City Engineer prior to constructing any public improvements to determine if any of the required improvements are eligible for credits or reimbursements against the applicable traffic benefit fees or from future developments.

98. Annex the property to the City of Oakley Landscape and Lighting District No. 1 for citywide landscaping and park maintenance, subject to an assessment for maintenance based on the assessment methodology described in the Engineer's Report. The assessment shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. Any required election and/or ballot protest proceedings shall be completed prior to approval of the final map. The Applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of annexation shall be paid by Applicant.

99. Annex the property to the City of Oakley Landscape and Lighting District No. 1 for citywide street lighting costs and maintenance, subject to an assessment for street light maintenance based on the assessment methodology described in the Engineer's Report. The assessment shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. Any required election and/or ballot protest proceedings shall be completed prior to filing of the final map. The applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of annexation shall be paid by Applicant.

100. Annex the property to the City of Oakley Landscape and Lighting District No. 1 for project specific landscaping maintenance, subject to an assessment for landscape operation and maintenance based on the assessment methodology described in the Engineer's Report. The assessment shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. Any required election and/or ballot protest proceedings shall be completed prior to filing of the final map. The applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of annexation shall be paid by Applicant.

101. Participate in the provision of funding to maintain police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to filing of the final map. Should the homes be occupied prior to the City receiving the first disbursement from the tax bill, the project proponent shall be responsible for paying the pro-rata share for the remainder of the tax year prior to the City conducting a final inspection. *(Mitigation Measure XIII-19)*

102. Participate in the formation of a mechanism to fund the operation and maintenance of the public storm drain system, including storm water quality monitoring and reporting,. The appropriate funding mechanism

shall be determined by the City and may include, but not be limited to, an assessment district, community services district, or community facilities district. The funding mechanism shall be formed prior to filing of any final or parcel map, and the project proponent shall fund all costs of the formation. (*Mitigation Measure VIII-13)*

103. Applicant shall comply with the drainage fee requirements for Drainage Area 30B as adopted by the County Board of Supervisors. The applicant shall pay the fee in effect at the time of building permit issuance. Certain improvements required by the Conditions of Approval for this development or the Code may be eligible for credit or reimbursement against the drainage area fee. The developer should contact the City Engineer to personally determine the extent of any credit or reimbursement for which they might be eligible. Any credit or reimbursements shall be determined prior to filing the final map or as approved by the Flood Control District.

104. Participate in the City's South Oakley Infrastructure Master Plan both by cooperating with the City's consultant team in the design and implementation of specific infrastructure projects and by providing this project's fair share contribution to the costs of preparing the study. The fair share contribution shall be paid in accordance with Resolution 52-03.

ADVISORY NOTES

THE FOLLOWING ADVISORY NOTES ARE PROVIDED TO THE APPLICANT AS A COURTESY BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

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

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

C. Applicant shall comply with the requirements of Ironhouse Sanitary District.

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

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

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

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

H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.

J. The applicant shall obtain an encroachment permit from Caltrans for construction within the State right of way.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 26th day of March 2007, by the following vote:

AYES: Anderson, Connelley, Nix, Rios, Romick

NOES: None

ABSTENTIONS: None

ABSENT: None

APPROVED:

Kevin Romick
MAYOR

ATTEST:

Mary Ottenstead
CITY CLERK

EXHIBIT B

(RESOLUTION 72-17)

RESOLUTION NO. 72-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING A TENTATIVE MAP EXTENSION FOR THE PROJECT KNOWN AS SHILOH 8975 TENTATIVE MAP EXTENSION (TME 06-17). APN 034-250-011.

FINDINGS

WHEREAS, on May 9, 2017, Calendev, LLC. ("Applicant"), filed an application requesting to extend the approval of Tentative Map 8975 (known as "Shiloh Subdivision") for a period of one (1) additional year. The first phase had a final map recorded in October 2016, and grading has been completed. The project is located on the southwest corner of Main Street and Simoni Ranch Road and is zoned P-1 (Planned Unit Development). APN 034-250-011; and

WHEREAS, on June 8, 2017, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the map is currently set to expire on March 26, 2017; and

WHEREAS, Shiloh Subdivision consists of approximately 9.3 acres subdivided into 75 detached single family residential lot; and

WHEREAS, the General Plan Land Use Designation for the project site is Mulit-Family Residential, Low Density ("ML") as depicted in the Oakley 2020 General Plan Figure 2-2 (Land Use Diagram). The site is zoned "P-1" (Planned Unit Development) District; and

WHEREAS, the Tentative Map was originally approved by the Oakley City Council on March 26, 2007 through adoption of Resolution No. 38-07; and

WHEREAS, it can be seen with certainty that the request for an extension to the tentative map will not result in any new physical impacts to the project, and therefore not result in any new significant environmental impacts. The project falls within the scope of the original California Environmental Quality Act (CEQA) analysis and no further environmental analysis is required; and

WHEREAS, on June 1, 2017, the Notice of Public Hearing for the project was published in the Contra Costa Times, and posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, and outside the library at Freedom High School located at 1050 Neroly Road; and

WHEREAS, on June 13, 2017, the City Council opened the public hearing and received a report from City Staff, oral and written testimony from the applicant and public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

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

WHEREAS, these Findings are based on the City's General Plan, the City's Zoning and Subdivision Ordinances, the Subdivision Map Act, Vesting Tentative Map 8975, the project's P-1 District and Final Development Plan, and the information submitted to the City Council at its June 13, 2017 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Subdivision (hereafter the "Record").

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

A. Regarding the application requesting approval of Shiloh 8975 Tentative Map Extension (TME 06-17), the City Council finds that:

1. The proposed tentative map extension does not modify any of the original Tentative Map's design, and therefore, all of the findings made on the original Tentative Map (City Council Resolution No. 38-07) are still valid and apply to this extension; and

2. All conditions of approval in City Council Resolution No. 38-07, not otherwise modified by this resolution, are still in effect.

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

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves the applicant's request for Shiloh 8975 Tentative Map Extension (TME 06-17), subject to the following conditions:

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Department Conditions

1. Applicant shall comply with the requirements of the Oakley Municipal Code and applicable Conditions of Approval from City Council Resolution No. 38-07. Any exceptions must be stipulated in these Conditions of Approval.

2. This approval shall extend the period of the tentative map for a period of one (1) additional year, resulting in Tentative Map 8975 expiring on March 26, 2020,

unless it is further extended pursuant to the Subdivision Map Act or other automatic extensions. This extension shall constitute one (1) year of the maximum six (6) years of discretionary extension(s) allowed under Government Code section 66452.6(e).

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

4. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

Public Works and Engineering Department Conditions

5. In regards to Annexations, the following condition shall replace Condition of Approval Nos. 98, 99, 100, and 102 of City Council Resolution No. 38-07: Prior to filing a final map, the Applicant shall annex the property to the City of Oakley Community Facilities District No. 2015-2 which provides a funding mechanism to mitigate the Development's fiscal impact associated with the City's regional, community and neighborhood parks, public area landscaping, street lights and storm water facilities. The Applicant shall apply for annexation and provide all information and documents required by the City or its agents in processing the annexation. All costs of annexation shall be paid by Applicant.

6. In regards to Street Lights, the following condition shall revise Condition of Approval No. 75 of City Council Resolution No. 38-07: Install streetlights along all project streets and the Main Street frontage. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. The lights shall be LEDs and decorative per City standards and the lights along Main Street shall be Cobra Head style per City standards.

7. In regards to Landscaping Maintenance, the following condition shall revise Condition of Approval No. 95 of City Council Resolution No. 38-07: Maintain all landscaping within the public right of way until such time that the adjacent roadway improvements have been accepted for maintenance. City shall reasonably consider partial acceptance of landscape and roadway improvements subject to improvements being complete, landscaping passing the required plant establishment period, and adequate funds being available from the City of Oakley Community Facilities District No. 2015-2 to operate and maintain the landscaping being accepted.

Advisory Notes:

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

A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
B. The project will require a grading permit pursuant to the Ordinance Code.
C. Applicant shall comply with the requirements of Ironhouse Sanitary District.
D. The applicant shall comply with the requirements of the Diablo Water District.
E. Comply with the requirements of the East Contra Costa Fire Protection District.
F. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
G. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on June 13, 2017 by the following vote:

AYES: Alaura, Hardcastle, Higgins, Pope, Romick
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

Sue Higgins, Mayor

ATTEST:

Libby Vreonis, City Clerk

6/13/2017
Date

EXHIBIT C

(RESOLUTION 104-18)

RESOLUTION NO. 104-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING A FINAL DEVELOPMENT PLAN AMENDMENT FOR THE PROJECT KNOWN AS SHILOH SUBDIVISION 8975 FINAL DEVELOPMENT PLAN AMENDMENT (FDP 01-17). APN 034-250-011.

FINDINGS

WHEREAS, on October 13, 2017, Calendev, LLC. ("Applicant"), filed an application requesting approval of a Final Development Plan Amendment for the Shiloh Subdivision 8975 development ("Project"). The project was originally approved as a 75 unit residential subdivision with 5-pack motor court layout and lot sizes down to 2,500 sf. Main access was to Simoni Ranch Road to the north. The amended Final Development Plan will consist of 69 single family residential lots of approximately 4,000 sf. each, and with main access to Main Street to the east. The project will have an HOA for parking, common landscape areas, and CC&R enforcement. The project is located on the southwest corner of Main Street and Simoni Ranch Road, and is zoned P-1 (Planned Development) District. APN 034-250-011; and

WHEREAS, on November 13, 2017, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the General Plan Land Use Designation for the project site is Multi-Family Residential, Low Density ("ML") as depicted in the Oakley 2020 General Plan Figure 2-2 (Land Use Diagram). The site is zoned "P-1" (Planned Unit Development) District; and

WHEREAS, the Shiloh Subdivision 8975 project, which included approval of a General Plan Amendment, Rezone, Tentative Map, Conditional Use Permit, Design Review, and adoption of the project's mitigated negative declaration, was originally approved by the Oakley City Council on March 26, 2007 through adoption of Resolution No. 38-07; and

WHEREAS, the Shiloh Subdivision 8975 Tentative Map Extension was approved by the City Council on June 13, 2017 through adoption of Resolution No. 72-13, which extended validity of the Tentative Map to March 26, 2020; and

WHEREAS, the proposed project does not constitute significant changes to the physical impacts analyzed as a part of the original project, and falls within the scope of the Shiloh Subdivision 8975 Initial Study and Mitigated Negative Declaration (SCH# 2006122107). The project will be subject to all applicable Mitigation Measures of the Shiloh Subdivision 8975 Mitigation and Monitoring Program; and

WHEREAS, on or before August 3, 2018, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's

boundaries, and mailed or emailed to parties requesting such notice, and to outside agencies; and

WHEREAS, on August 14, 2018, the City Council opened the public hearing and received a report from City Staff, oral and written testimony from the applicant and public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

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

WHEREAS, these Findings are based on the City's General Plan, the City's Zoning and Subdivision Ordinances, the Subdivision Map Act, Vesting Tentative Map 8975, the project's P-1 District and Final Development Plan Amendment, and the information submitted to the City Council at its August 14, 2018 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Subdivision (hereafter the "Record").

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

A. Regarding the application requesting approval of Shiloh Subdivision 8975 Final Development Plan Amendment (FDP 01-17), the City Council finds that:

1. The project is consistent with the General Plan, in that it consists of a residential development within the allowable density range (7.43 dwelling units/gross acre proposed; ML allows 5.6 – 9.6); and

2. Detached single family residential development is a highly desired product type and is in harmony with the surrounding neighborhood, which is also detached single family residential development. Layout of the streets in a grid pattern will create a harmonious development that allows for access from more than one direction; and

3. Existence of the Home Owner's Association should result in a positive impact on the City because it will ensure a standard of quality aesthetics within the subdivision through enforcement of CC&Rs and parking.

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

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves the applicant's request for Shiloh Subdivision 8975 Final Development Plan Amendment (FDP 01-17), subject to the following conditions:

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Department Conditions

General:

1. Applicant shall comply with the requirement of the Oakley Municipal Code and applicable conditions of approval ("COA") from City Council Resolution Nos. 38-07 ("Reso. 38-07") and 72-13 ("Reso. 72-13"). Any exceptions or modifications are stipulated in this resolution's Conditions of Approval.

2. This Final Development Plan ("FDP") is approved, as shown on the revised plans, date stamped by the Community Development Department on May 10, 2018, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.

3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on August 14, 2018, subject to conditions of approval.

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

5. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

Development Standards:

6. COA #6 from Reso. 38-07 shall be modified as follows to represent the amended FDP:

   - Minimum lot area: 4,000 sf.
   - Minimum front yard setback (to private streets): 18 feet to garage; 10 feet to living area or porch.
   - Minimum side yard setback: 4 feet minimum on interior side yards; 10 feet minimum on corner side yards.
   - Minimum rear yard setback: 8 feet.
   - Lots 59-64 shall have a minimum rear yard setback of 10 feet.

- Maximum wall height: 10 feet.
- Maximum fence height: Subject to OMC.
- Maximum building height: 27 feet.

Subdivision:

7. COA #7 from Reso 38-07 shall be modified to read: Parking shall not be allowed on the private streets, and shall be reserved to driveways, garages, and designated parking spaces.

8. COA #12 from Reso. 38-07 shall be modified to read: The neighborhood entries shall be designed in a manner consistent with the landscape plans included with the approved Final Development Plan.

9. COA #20 from Reso. 38-07 shall be modified to read: The Home Owner's Association ("HOA") shall be responsible for maintenance of the private road, common landscape areas, storm water control areas, and project entries. The HOA shall also be responsible for enforcement of parking regulations and the CC&Rs. The Home Owner's Association and CC&Rs shall be reviewed and approved by the Community Development Director.

Deleted Planning Department Conditions:

10. The following "Planning Department Conditions" from Reso. 38-07 are specific to the previously approved FDP, or are no longer relevant, and are hereby deleted through adoption of this resolution: 8, 9, 11, 13, 14, 16, 17, 19, and 46.

Building Division Conditions

11. COA #54 from Reso. 38-07 shall be modified to read: An Automatic Life Safety Sprinkler System shall be required in all new construction pursuant to Ordinance 22-06. The automatic Life Safety Sprinkler Systems in commercial and industrial buildings shall be designed and installed to the standards and requirements found in the most recent version of the NFPA (National Fire Protection Association). Automatic Life Safety Sprinkler Systems in hotels and apartments shall be installed to the standards and requirements found in the most recent version of the NFPA Standard 13R. After July 1, 2011, the Automatic Life Safety Sprinkler Systems in one and two family dwellings, and townhouses not more than three stories above grade plane, shall be designed and installed to the standards and requirements found in the 2010 California Residential Code section R313.

12. COA #55 from Reso. 38-07 shall be modified to read: Prior to requesting a Certificate of Occupancy from the Building Division, all Conditions of Approval required for occupancy must be completed. When the Public Works Division and the Planning Division place Conditions of Approval on the project, those divisions will sign off on the project prior to the request for a Building division

final inspection. Similarly, if the Health Department and/or Fire Department reviewed and approved the original plans, those departments must sign off on the project prior to the request for a final inspection by the Building Division.

Public Works and Engineering Department Conditions

General:

13. COA #58 from Reso. 38-07 shall be modified to read: Submit grading plans including erosion control measures and re-vegetation plans prepared by a registered civil engineer to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.

Roadway Improvements:

14. COA #62 from Reso. 38-07 shall be modified to read: Construct the frontage of Main Street to City public road standards for a 40-foot half width roadway within a 62-foot half width right of way, including curb, six-foot detached sidewalk (meandering within the landscape area so that the minimum landscape width is no less than six feet), right of way landscaping, necessary longitudinal and transverse drainage, pavement widening to a minimum of 28 feet, and conforms to existing improvements. The face of curb shall be located 40 feet from the centerline and any conforms to existing improvements must take place outside of the limits of the project. Improvements on Main Street shall include a two way left turn lane between Douglas Road and Davis Lane and left turn lanes between Davis Lane and Hill Avenue. The taper length south of the project frontage shall have the design speed of 40 MPH. The planned median will be constructed at a later date and not as part of this project.

15. Construct the connection to Simoni Ranch Road as right-in, right-out only.

16. COA #63 from Reso. 38-07 shall be modified to read: Construct the project streets as shown on the approved Shiloh Final Development Plan Amendment Subdivision 8975 with the following exceptions:

    a. The minimum street grade may be lowered from the standard 1% to 0.75% provided that the project proponent demonstrates that the City's drainage standards can be achieved.

    b. Submit a turning radius exhibit to the City Engineer for review and approval to illustrate that the ninety-degree turns of project streets can accommodate the largest expected vehicle to use the streets without the inclusion of City standard elbows. If the exhibit illustrates that elbows are necessary to accommodate the expected traffic then they shall be included in the improvement plans.

17. Install traffic calming measures consistent with the City's Neighborhood Traffic Management Program. The traffic calming measures shall be included on the improvement plans and are subject to the review and approval of the City Engineer.

18. COA #69 from Reso. 38-07 shall be modified to read: Modify the median on Simoni Ranch Road to include an eastbound left turn bay of approximately 245 feet.

Road Alignment/Sight Distance:

19. COA #70 from Reso. 38-07 shall be modified to read: Submit a preliminary plan and profile to the City Engineer for review showing all required improvements to Main Street. The sketch plan shall be to scale, show horizontal and vertical alignments, transitions, curb lines, lane striping and cross sections and shall provide sight distance for a design speed of 40 miles per hour. The plan shall extend a minimum of 150 feet ± beyond the limits of the proposed work.

Grading:

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

Utilities/Undergrounding:

21. COA #87 from Reso. 38-07 shall be modified to read: Construct the sewer line from southwest corner of B Circle to West Bolton Road consistent with the preliminary alignment shown on the tentative map or to an alternative alignment approved by the City Engineer and Ironhouse Sanitary District.

Drainage Improvements:

22. COA #89 from Reso. 38-07 shall be modified to read: Construct the storm drain line from the southwest corner of B Circle to West Bolton Road consistent with the preliminary alignment shown on the tentative map or to an alternative alignment approved by the City Engineer. The storm drain shall include a catch basin to drain the existing low point located roughly between Assessor's Parcel Numbers 034-241-008 and 034-241-009.

Landscaping in the Public Right of Way:

23. COA #94 from Reso. 38-07 shall be modified to read: Install public right of way landscaping along Main Street prior to the issuance of the building permit for the 50th unit or concurrently with the construction of the sound wall. Public right of way landscaping along the project streets shall be installed prior to occupancy of homes adjacent to that street.

Deleted Public Works and Engineering Department Conditions:

24. The following "Public Works and Engineering Department Conditions" from Reso. 38-07 are specific to the previously approved FDP, or are no longer relevant, and are hereby deleted through adoption of this resolution: 65, 66, and 71.

Advisory Notes:

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

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

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

C. Applicant shall comply with the requirements of Ironhouse Sanitary District.

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

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

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

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

H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.

PASSED, APPROVED AND ADOPTED this 14th day of August, 2018 by the following vote:

AYES: Alaura, Higgins, Pope, Romick
NOES:
ABSTENTIONS:
ABSENT: Hardcastle

APPROVED:

Randy Pope, Mayor

ATTEST:

Libby Vreonis, City Clerk

8/15/18
Date

EXHIBIT D

INSURANCE REQUIREMENTS

CONSTRUCTION CONTRACTS

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability** (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than **$5,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit (i.e., $10,000,000)
2. **Automobile Liability**: Insurance Services Office Form Number CA 0001 covering Code 1 (any auto), with limits no less than **$5,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation** insurance as required by the State of California, with Statutory Limits, and Employers' Liability insurance with a limit of no less than $1,000,000 per accident for bodily injury or disease.
4. **Builder's Risk** (Course of Construction) insurance utilizing an "All Risk" (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions.
5. **Surety Bonds** as described below.
6. **Professional Liability** (if Design/Build), with limits no less than $1,000,000 per occurrence or claim, and $2,000,000 policy aggregate.
7. **Contractors' Pollution Legal Liability** and/or Asbestos Legal Liability and/or Errors and Omissions (if project involves environmental hazards) with limits no less than $1,000,000 per occurrence or claim, and $2,000,000 policy aggregate.

If the contractor maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

Contractor shall procure and maintain for the duration of the contract, and if Contractor has a claims-made policy, Contractor shall maintain for two years thereafter, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees or subcontractors.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: the contractor shall cause the insurer to reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, employees, and volunteers; or the Contractor shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

1. **The City, its officers, officials, employees, and volunteers are to be covered as additional insureds** on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations and automobiles owned, leased, hired, or borrowed by or on behalf of the Contractor. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 10 01 and CG 20 37 10 01forms if later revisions used).
2. For any claims related to this project, the **Contractor's insurance coverage shall be primary** insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be in excess of the Contractor's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall provide notice will be provided to City in the event that the policy is terminated. Contractor shall immediately notify City of any insurance cancellation or termination and shall provide replacement insurance policy documentation to the City.

Builder's Risk (Course of Construction) Insurance

Contractor may submit evidence of Builder's Risk insurance in the form of Course of Construction coverage. Such coverage shall **name the City as a loss payee** as their interest may appear.
If the project does not involve new or major reconstruction, at the option of the City, an Installation Floater may be acceptable. For such projects, a Property Installation Floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, machinery or equipment damaged, impaired, broken, or destroyed during the performance of the Work, including during transit, installation, and testing at the City's site.

Claims Made Policies

If any coverage required is written on a claims-made coverage form:

1. The retroactive date must be shown, and this date must be before the execution date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of contract work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the contract effective, or start of work date, the Contractor must purchase extended reporting period coverage for a minimum of five (5) years after completion of contract work.
4. A copy of the claims reporting requirements must be submitted to the City for review.
5. If the services involve lead-based paint or asbestos identification/remediation, the Contractors Pollution Liability policy shall not contain lead-based paint or asbestos exclusions. If the services involve mold identification/remediation, the Contractors Pollution Liability policy shall not contain a mod exclusion, and the definition of Pollution shall include microbial matter, including mold.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of no less than A:VII, unless otherwise acceptable to the City.

Waiver of Subrogation

Contractor hereby agrees to waive rights of subrogation which any insurer of Contractor may acquire from Contractor by virtue of the payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation. **Worker's Compensation policies shall be endorsed with a waiver of subrogation** in favor of the City for all work performed by the Contractor, its employees, agents and subcontractors.

Verification of Coverage

Contractor shall furnish the City with original certificates and amendatory endorsements, or copies of the applicable insurance language, effecting coverage required by this contract. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements, required by these specifications, at any time.

Subcontractors

Contractor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that City is an additional insured on insurance required from subcontractors. For CGL coverage subcontractors shall provide coverage with a format least as broad as CG 20 10 10 01 and CG 20 37 10 01.

Surety Bonds

Contractor shall provide the following Surety Bonds:
1. Bid bond
2. Performance bond
3. Payment bond
4. Maintenance bond

The Payment Bond and the Performance Bond shall be in a sum equal to the contract price. If the Performance Bond provides for a one-year warranty a separate Maintenance Bond is not necessary. If the warranty period specified in the contract is for longer than one year a Maintenance Bond equal to 10% of the contract price is required. Bonds shall be duly executed by a responsible corporate surety, authorized to issue such bonds in the State of California and secured through an authorized agent with an office in California.

Special Risks or Circumstances

City reserves right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other circumstances.

EXHIBIT E

VERIFICATION OF INSURANCE

EXHIBIT F

PROVISIONS REQUIRED FOR PUBLIC WORKS PROJECTS PURSUANT TO CALIFORNIA LABOR CODE SECTION 1720 *ET SEQ*.

The Developer will ensure that any contract issued by the Developer or any privities of the Developer concerning the Improvements includes, and requires the parties to such contract to comply with, all applicable provisions contained in this Exhibit A and any other applicable requirements contained in California Labor Code Section 1720 and following.

HOURS OF WORK:

A. In accordance with California Labor Code Section 1810, eight (8) hours of labor in performance of the Services shall constitute a legal day's work under this Agreement.

B. In accordance with California Labor Code Section 1811, the time of service of any worker employed in construction of the Improvements is limited to eight hours during any one calendar day, and forty hours during any one calendar week, except in accordance with California Labor Code Section 1815; which provides that work in excess of eight hours during any one calendar day and forty hours during any one calendar week is permitted upon compensation for all hours worked in excess of eight hours during any one calendar day and forty hours during any one calendar week at not less than one-and-one-half times the basic rate of pay.

C. The Developer and its contractors and subcontractors shall forfeit as a penalty to the City $25 for each worker employed in the construction of the Improvements for each calendar day during which the worker is required or permitted to work more than eight (8) hours in any one calendar day, or more than forty (40) hours in any one calendar week, in violation of the provisions of California Labor Code Section 1810 and following.

WAGES:

A. In accordance with California Labor Code Section 1773.2, the City has determined the general prevailing wages in the locality in which the Improvements are to be constructed for each craft or type of work needed to be as published by the State of California Department of Industrial Relations, Division of Labor Statistics and Research, a copy of which is on file in the City Engineer's office and shall be made available on request. The Developer, and contractors and subcontractors engaged in the construction of the Improvements shall pay no less than these rates to all persons engaged in construction of the Improvements.

B. In accordance with Labor Code Section 1775, the Developer and any contractors and subcontractors engaged in construction of the Improvements shall comply with Labor Code Section 1775 which establishes a penalty of up to $50 per day for each worker engaged in the construction of the Improvements who the Developer or any contractor or subcontractor pays less than the specified prevailing wage. The amount of such penalty shall be determined by the Labor Commissioner and shall be based on consideration of the mistake, inadvertence, or neglect of the Developer, contractor or subcontractor in failing to pay the correct rate of prevailing wages, or the previous record of the Developer, contractor or subcontractor in meeting applicable prevailing wage obligations, or the willful failure by the Developer, contractor or subcontractor to pay the correct rates of prevailing wages. A mistake, inadvertence, or neglect in failing to pay the correct rate of prevailing wages is not excusable if the Developer, contractor or subcontractor had knowledge of their obligations under the California Labor Code. The Developer, contractor or subcontractor shall pay the difference between the prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate. If a subcontractor worker engaged in construction of the Improvements is not paid the general prevailing per diem wages by the subcontractor, subject to applicable law, the prime contractor is not liable for any penalties therefore unless the prime contractor had knowledge of that failure or unless the prime contractor fails to comply with all of the following requirements:

1. Any agreement executed between the Developer and a contractor or a contractor and a subcontractor for the construction of part of the Improvements shall include a copy of the provisions of California Labor Code Sections 1771, 1775, 1776, 1777.5, 1813, and 1815.

2. The contractor shall monitor payment of the specified general prevailing rate of per diem wages by the subcontractor by periodic review of any subcontractor's certified payroll records.

3. Upon becoming aware of a subcontractor's failure to pay the specified prevailing rate of wages, the contractor shall diligently take corrective action to halt or rectify the failure, including, but not limited to, retaining sufficient funds due the subcontractor for construction of the Improvements.

4. Prior to making final payment to the subcontractor, the contractor shall obtain an affidavit signed under penalty of perjury from the subcontractor that the subcontractor has paid the specified general prevailing rate of per diem wages employees engaged in the construction of the Improvements and any amounts due pursuant to California Labor Code Section 1813.

C. In accordance with California Labor Code Section 1776, the Developer and each contractor and subcontractor engaged in construction of the Improvements, shall keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed in construction of the Improvements. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following:

1. The information contained in the payroll record is true and correct.

2. The employer has complied with the requirements of Sections 1771, 1811, and 1815 for any services performed by the employer's employees on the public works project.

The payroll records required pursuant to California Labor Code Section 1776 shall be certified and shall be available for inspection by the City and its authorized representatives, the Division of Labor Standards Enforcement, the Division of Apprenticeship Standards of the Department of Industrial Relations and shall otherwise be available for inspection in accordance with California Labor Code Section 1776.

D. In accordance with California Labor Code Section 1777.5, the prime contractor, on behalf of the Developer and any contractors or subcontractors engaged in construction of the Improvements, shall be responsible for ensuring compliance with California Labor Code Section 1777.5 governing employment and payment of apprentices on public works contracts.

E. In case it becomes necessary for the Developer or any contractor or subcontractor engaged in construction of the Improvements to employ on the construction of the Improvements any person in a trade or occupation (except executive, supervisory, administrative, clerical, or other non manual workers as such) for which no minimum wage rate has been determined by the Director of the Department of Industrial Relations, the Developer, contractor or subcontractor shall pay the minimum rate of wages specified therein for the classification which most nearly corresponds to services to be performed by that person. The minimum rate thus furnished shall be applicable as a minimum for such trade or occupation from the time of the initial employment of the person affected and during the continuance of such employment.

RECORDING REQUESTED BY:
First American Title Company

MAIL TAX STATEMENT
AND WHEN RECORDED MAIL DOCUMENT TO:

Ironhouse Sanitary District
450 Walnut Meadows Drive
Oakley, California 94561

Space Above This Line for Recorder's Use Only

A.P.N.: 034-410-074 (portion of)
& 034-410-078 (portion of, new APN, not assessed yet)

File No.: 0192-598975MAP

GRANT OF EASEMENT

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX $0 R&T Code 11911; CITY TRANSFER TAX $; SURVEY MONUMENT FEE $

[ ] computed on the consideration or full value of property conveyed, OR
[ ] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[ ] unincorporated area; [**X**] City of **Oakley**, and
[x] Exempt from transfer tax; Reason: **R&T Code 11911, consideration less than $100**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

City of Oakley (hereinafter City), a California municipal corporation,

hereby GRANT(s) to **Ironhouse Sanitary District and its successor, a public entity within the State of California**, and its successors or assigns,

the following described property in the City of **Oakley**, County of **Contra Costa**, State of **California**:

This deed is being recorded to effectuate the Sanitary Sewer Easement for the right to construct, alter, operate, maintain and repair a sewer line or lines and appurtenances thereto including access, in such sizes and configuration as the Grantee deems necessary over a portion of Parcel B shown and so designated on Subdivision 8541, "Main Street Property", recorded November 16, 2004, in Book 470 of Maps, at Page 24, in the office of the County Recorder of Contra Costa County.

It is understood and agreed that the CITY and its successors or assigns shall incur no liability with respect to such offer of dedication, shall not assume any responsibilities, including all costs associates with the construction and maintenance of such system.

For legal description and plat see Exhibit "A" and Exhibit "B" attached hereto and made a part hereof.

This instrument shall bind and ensure to the benefit of the successors and assigns of the parties hereto.

Mail Tax Statements To: **SAME AS ABOVE**

A.P.N.: 034-410-074 (portion of)
& 034-410-078 (portion of, new APN, not assessed yet)

File No.: 0192-598975MAP

Dated: _____, 2019

City of Oakley, a California municipal corporation

By: _____

Name: _____

Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF _____)SS

COUNTY OF _____)

On _____ before me, _____ , Notary Public, personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

This area for official notarial seal.

_____

Notary Signature

SEPTEMBER 12, 2019
JOB NO.: 1048-070

EXHIBIT A
LEGAL DESCRIPTION
SANITARY SEWER EASEMENT
OAKLEY, CALIFORNIA

REAL PROPERTY, SITUATE IN THE CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL B, AS SAID PARCEL B IS SHOWN AND SO DESIGNATED ON SUBDIVISION 8541, "MAIN STREET PROPERTY", RECORDED NOVEMBER 16, 2004, IN BOOK 470 OF MAPS, AT PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL B,

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE SOUTHERN LINE OF SAID PARCEL B, NORTH 89°31'18" WEST 124.30 FEET;

THENCE, LEAVING SAID SOUTHERN LINE AND ENTERING SAID PARCEL B, NORTH 00°28'42" EAST 20.00 FEET;

THENCE, SOUTH 89°31'18" EAST 125.00 FEET TO THE EASTERLY LINE OF SAID PARCEL B COMMON WITH THE WESTERLY LINE OF MAIN STREET;

THENCE, ALONG SAID COMMON LINE THE FOLLOWING TWO(2)COURSES;

1. SOUTH 01°13'14" WEST 19.59 FEET,

2. SOUTH 47°22'19" WEST 0.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,497 SQUARE FEET OF LAND, MORE OR LESS.

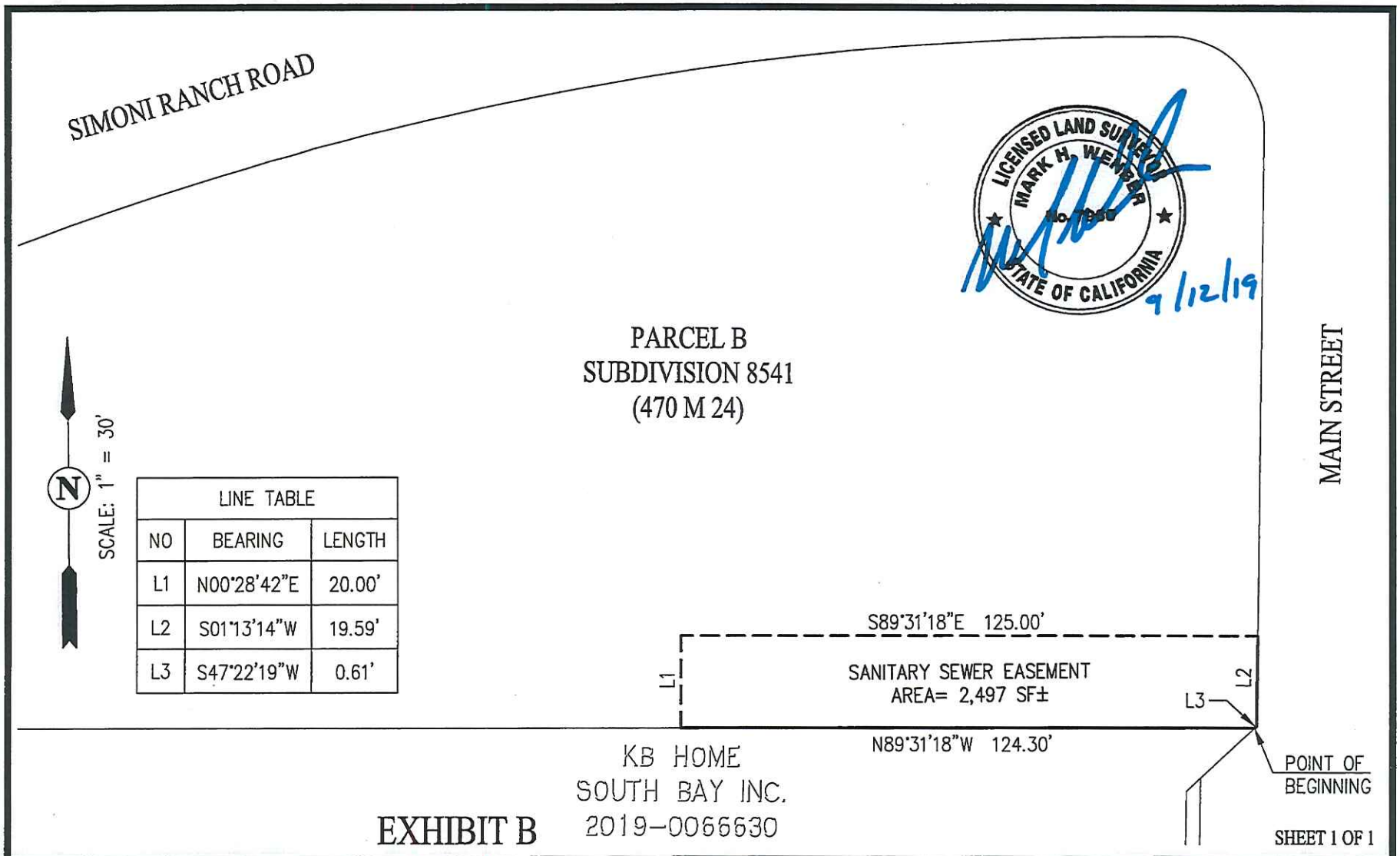
ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

LICENSED LAND SURVEYOR
MARK H. WEHBER
No. 7960
STATE OF CALIFORNIA

9/12/19

MARK H. WEHBER, P.L.S.
L.S. NO. 7960



PLAT TO ACCOMPANY LEGAL DESCRIPTION

PORTION OF PARCEL B, SUBDIVISION 8541 (470 M 24)
SANITARY SEWER EASEMENT
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA
SEPTEMBER 12, 2019

cbg
SAN RAMON (925) 866-0322
SACRAMENTO (916) 375-1877
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9/12/2019 4:34 PM

JOB NO. 1048-070

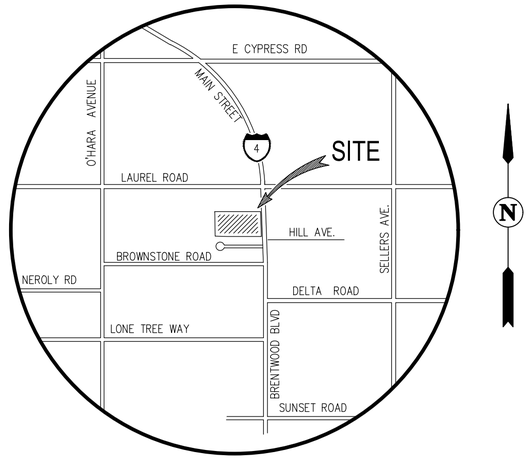
G:\1048-70\ACAD\SURVEY\PLATS\1048-070_PLAT007 SSE.DWG

SUBDIVISION 8975
SHILOH PROPERTY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF A PORTION OF THE NORTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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OCTOBER 2019



VICINITY MAP

NOT TO SCALE

OWNER'S STATEMENT

THE UNDERSIGNED, BEING A PARTY HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACE WITHIN THE HEAVY BLACK LINES UPON THIS MAP, DOES HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THE SAME.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:
THE AREAS DESIGNATED AS MAIN STREET (WIDENING).

THE REAL PROPERTY DESCRIBED BELOW IS DESIGNATED AS AN EASEMENT FOR PUBLIC PURPOSES:

1. THE AREAS DESIGNATED AS "PUBLIC UTILITY EASEMENT" OR "PUE" FOR STORM DRAIN, SANITARY SEWER, WATER, UNDERGROUND ELECTRIC, GAS, CABLE TELEVISION, AND TELEPHONE USE AND ANY/ALL IMPROVEMENTS AND APPURTENANCES INSTALLED, INCLUDING CONSTRUCTION, ACCESS, AND MAINTENANCE OF THESE IMPROVEMENTS AND APPURTENANCES.

2. THE AREAS DESIGNATED AS "EMERGENCY VEHICLE ACCESS EASEMENT" (EVAE) FOR THE INGRESS AND EGRESS OF EMERGENCY VEHICLES.

THE AREAS DESIGNATED AS PARCEL A (UMBRIA WAY, ABRUZZO WAY, LOMBARDY DRIVE, CALABRIA DRIVE), PARCEL B (CALABRIA DRIVE, PIEMONTE WAY), PARCEL C (LOMBARDY DRIVE, PIEMONTE WAY), AND PARCEL D (CAMPANIA DRIVE, ABRUZZO WAY) ARE PRIVATE STREETS FOR THE USE OF, BUT NOT LIMITED TO, PURPOSES OF PRIVATE INGRESS AND EGRESS, PRIVATE UTILITIES, LANDSCAPING AND ALL APPURTENANCES TO THE ABOVE. MAINTENANCE OF SAID PRIVATE STREETS ARE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION, ALL IN ACCORDANCE WITH THE SUBDIVISION RESTRICTIONS GOVERNING THIS PROJECT. SAID PARCELS ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS MAP. SAID PARCELS ARE NOT HEREBY DEDICATED TO THE GENERAL PUBLIC.

THE AREAS DESIGNATED AS PARCELS F, G, H, I, J, K, L, M, AND N ARE COMMON AREAS ARE FOR THE BENEFIT OF LOTS 1 THROUGH 69, BUT NOT LIMITED TO, PRIVATE INGRESS AND EGRESS, PRIVATE UTILITIES, RECREATIONAL PURPOSES, LANDSCAPING AND ALL APPURTENANCES TO THE ABOVE. MAINTENANCE OF SAID PARCELS ARE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION, ALL IN ACCORDANCE WITH THE SUBDIVISION RESTRICTIONS GOVERNING THIS PROJECT. SAID PARCELS ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS MAP. SAID PARCELS ARE NOT HEREBY DEDICATED TO THE GENERAL PUBLIC.

THE AREA DESIGNATED AS PARCEL E IS FOR THE PURPOSE OF A STORMWATER DETENTION BASIN AND APPURTENANCES. SAID PARCEL IS TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS MAP. SAID PARCEL IS NOT HEREBY DEDICATED TO THE GENERAL PUBLIC.

THIS MAP SHOWS ALL THE EASEMENT ON THE PREMISES, OR OF RECORD WITHIN THE BOUNDARY LINES OF HEREIN EMBODIED MAP AS SHOWN ON THE PRELIMINARY TITLE REPORT NUMBER 0131-622367 ALA LN DATED JANUARY 7, 2019 PREPARED BY FIRST AMERICAN TITLE COMPANY

AS OWNER: KB HOME SOUTH BAY INC., A CALIFORNIA CORPORATION

BY: _____

NAME: _____

TITLE: _____

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____ } SS.
COUNTY OF _____ }

ON _____, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

SIGNATURE: _____

NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

MY COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF KB HOMES SOUTH BAY, INC ON MARCH 2019 . I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2022 , AND THAT THE MONUMENTS ARE, OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

_____
DATE

LICENSED LAND SURVEYOR
MARK H. WEHBER
7960
STATE OF CALIFORNIA

_____
MARK H. WEHBER, P.L.S.
L.S. NO. 7960

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20_____, AT _____M. IN BOOK _____ OF _____, AT PAGE _____, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

DOCUMENT NO. _____

JOSEPH E. CANCIAMILLA
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER

SUBDIVISION 8975
SHILOH PROPERTY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF A PORTION OF THE NORTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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OCTOBER 2019

CITY SURVEYOR'S STATEMENT

I, FRANCIS JOSEPH KENNEDY, CITY SURVEYOR OF THE CITY OF OAKLEY, DO HEREBY STATE THAT I HAVE EXAMINED THIS MAP ENTITLED "SUBDIVISION NO. 8975" AND AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

FRANCIS JOSEPH KENNEDY
CITY SURVEYOR, CITY OF OAKLEY,
CONTRA COSTA COUNTY, STATE OF CALIFORNIA
R.C.E. NO. 21771

DATE

REGISTERED PROFESSIONAL ENGINEER
FRANCIS J. KENNEDY
No. 21771
CIVIL
STATE OF CALIFORNIA

CITY COUNCIL STATEMENT

I, KOUROSH ROHANI, PUBLIC WORKS DIRECTOR OF THE CITY OF OAKLEY, HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF OAKLEY HAS APPROVED THE TENTATIVE MAP FOR "SUBDIVISION NO. 8795" DATED OCTOBER 13, 2018, WHICH INCLUDES THIS SUBDIVISION, UPON WHICH THIS FINAL MAP IS BASED.

DATE: _____

KOUROSH ROHANI
PUBLIC WORKS DIRECTOR
CITY OF OAKLEY, CONTRA COSTA COUNTY
STATE OF CALIFORNIA

SIGNATURE OMISSION NOTE:

PURSUANT TO GOVERNMENT CODE SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

1. AN UNDIVIDED 1/2 INTEREST IN ALL OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBON AND MINERAL SUBSTANCES BELOW A POINT 500 FEET BELOW THE SURFACE OF SAID LAND, TOGETHER WITH THE RIGHT TO TAKE, REMOVE, MINE AND DISPOSE OF ALL SAID OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBON AND MINERAL SUBSTANCES, BUT WITHOUT ANY RIGHT WHATSOEVER TO ENTER UPON THE SURFACE OF SAID LAND OR UPON ANY PART OF SAID LAND WITHIN 500 FEET OF SAID SURFACE, AS RESERVED IN THE DEED FROM VITTORIO BALDOCCHI, RECORDED MAY 21, 1964, BOOK 4622, PAGE 590 OFFICIAL RECORDS

2. THE UNRECORDED POLE LINE EASEMENT FOUND IN PG&E DOCUMENT NO. 2102-02-0529

CITY CLERK'S STATEMENT

I, LIBBY VREONIS, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF OAKLEY, DO HEREBY CERTIFY THAT THE HEREIN EMBODIED FINAL MAP ENTITLED, "SUBDIVISION NO. 8975", CONSISTING OF EIGHT (8) SHEETS, THIS STATEMENT BEING ON SHEET TWO (2) THEREOF, WAS PRESENTED TO THE CITY COUNCIL, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____ , 20 _____ AND THAT SAID COUNCIL DID THEREUPON, BY RESOLUTION NUMBER _____ PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP AND DO ACCEPT SUBJECT TO IMPROVEMENT ANY PARCELS, DRIVES, COURTS, WAYS, STREETS AND ROADS OR EASEMENTS SHOWN THEREON AS DEDICATED FOR PUBLIC USE AND ALSO ACCEPT THE FILING OF THIS MAP SHALL CONSTITUTE THE ABANDONMENT OF A PORTION OF THE AREA CONVEYED TO CONTRA COSTA COUNTY IN BOOK 1320, PAGE 291 OF OFFICIAL RECORDS DESIGNATED HEREON THIS MAP AS "MAIN STREET ABANDONMENT" PER SECTION 66434(g) OF THE SUBDIVISION MAP ACT..

I FURTHER CERTIFY THAT ALL AGREEMENTS AND SURETY AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE COUNCIL OF THE CITY OF OAKLEY AND ARE ON FILE IN MY OFFICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 20___.

LIBBY VREONIS
CITY CLERK AND CLERK OF THE COUNCIL OF THE
CITY OF OAKLEY, CONTRA COSTA COUNTY,
STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

I, KOUROSH ROHANI, CITY ENGINEER OF THE CITY OF OAKLEY, DO HEREBY STATE THAT I HAVE EXAMINED THIS MAP ENTITLED "SUBDIVISION NO. 8975"; THAT SAID SUBDIVISION AS SHOWN IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP APPROVED BY THE CITY OF OAKLEY CITY COUNCIL ON OCTOBER 13, 2018, AND ANY SUBSEQUENT MODIFICATIONS THEREOF; AND THAT ALL PROVISIONS OF STATE LAW AND LOCAL ORDINANCES WHICH GOVERNED THE FILING OF SUBDIVISION MAPS AT THE TIME SAID TENTATIVE MAP WAS APPROVED HAVE BEEN COMPLIED WITH.

KOUROSH ROHANI
CITY ENGINEER, CITY OF OAKLEY,
CONTRA COSTA COUNTY, STATE OF CALIFORNIA
R.C.E. NO. 51138

DATE: _____

REGISTERED PROFESSIONAL ENGINEER
KOUROSH ROHANI
No. 51138
CIVIL
STATE OF CALIFORNIA

CLERK OF THE BOARD OF SUPERVISORS ' STATEMENT

I HEREBY STATE, AS CHECKED BELOW, THAT:

[ ] A TAX BOND ASSURING PAYMENT OF ALL TAXES WHICH ARE NOW A LIEN, BUT ARE NOT YET PAYABLE, HAS BEEN RECEIVED AND FILED WITH THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

[ ] ALL TAXES DUE HAVE BEEN PAID, AS CERTIFIED BY THE COUNTY REDEMPTION OFFICER.

DATED: _____

DAVID TWA
COUNTY ADMINISTRATOR
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY: _____
DEPUTY CLERK

SOILS REPORT

A SOILS REPORT ON WAS PREPARED BY ENGEO INCORPORATED, DATED NOVEMBER 29, 2018, PROJECT NO. 6657.000.000, SIGNED BY STEVE HARRIS, GE AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.

CERTIFICATE OF DEDICATION FOR SAME PUBLIC PURPOSE

KB HOME SOUTH BAY INC, HAS DEDICATED HEREON CERTAIN PUBLIC RIGHTS OF WAY FOR MAIN STREET, AND EASEMENTS FOR PUBLIC UTILITIES. THE CITY OF OAKLEY SHALL RECONVEY THE PROPERTY TO KB HOME SOUTH BAY INC, OR ITS SUCCESSOR IN INTEREST IF THE CITY OF OAKLEY SUBSEQUENTLY MAKES A DETERMINATION PURSUANT TO THE PROVISIONS OF SECTION 66477.5 OF THE SUBDIVISION MAP ACT THAT THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES, EXCEPT FOR ALL OR ANY PORTION OF THE PROPERTY THAT IS REQUIRED FOR THAT SAME PUBLIC PURPOSE OR FOR PUBLIC UTILITIES.

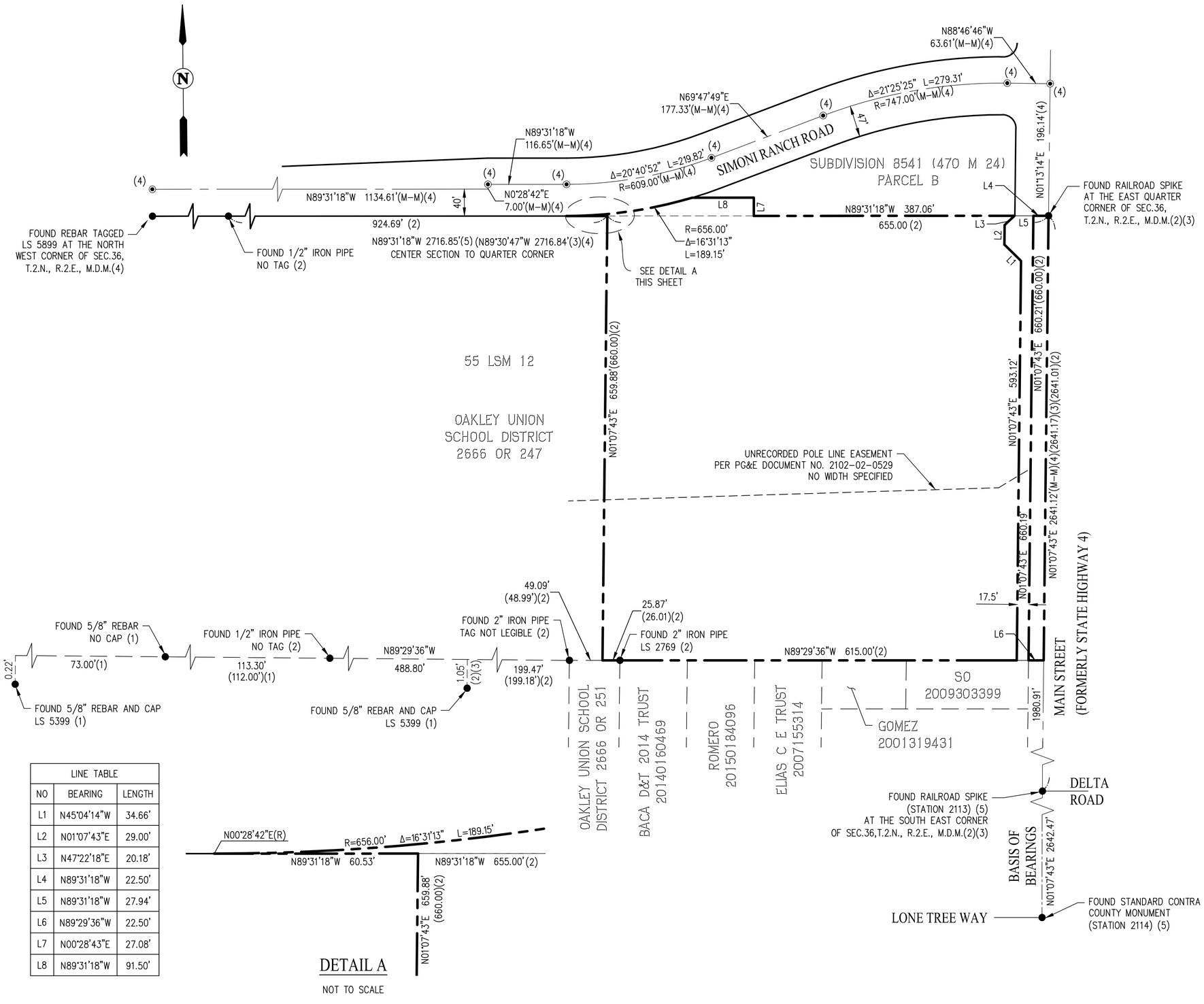
SUBDIVISION 8975
SHILOH PROPERTY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF A PORTION OF THE NORTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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SCALE: 1" = 100' OCTOBER 2019

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE



LINE TABLE		
NO	BEARING	LENGTH
L1	N45°04'14"W	34.66'
L2	N01°07'43"E	29.00'
L3	N47°22'18"E	20.18'
L4	N89°31'18"W	22.50'
L5	N89°31'18"W	27.94'
L6	N89°29'36"W	22.50'
L7	N00°28'43"E	27.08'
L8	N89°31'18"W	91.50'

DETAIL A
NOT TO SCALE

BASIS OF BEARINGS:

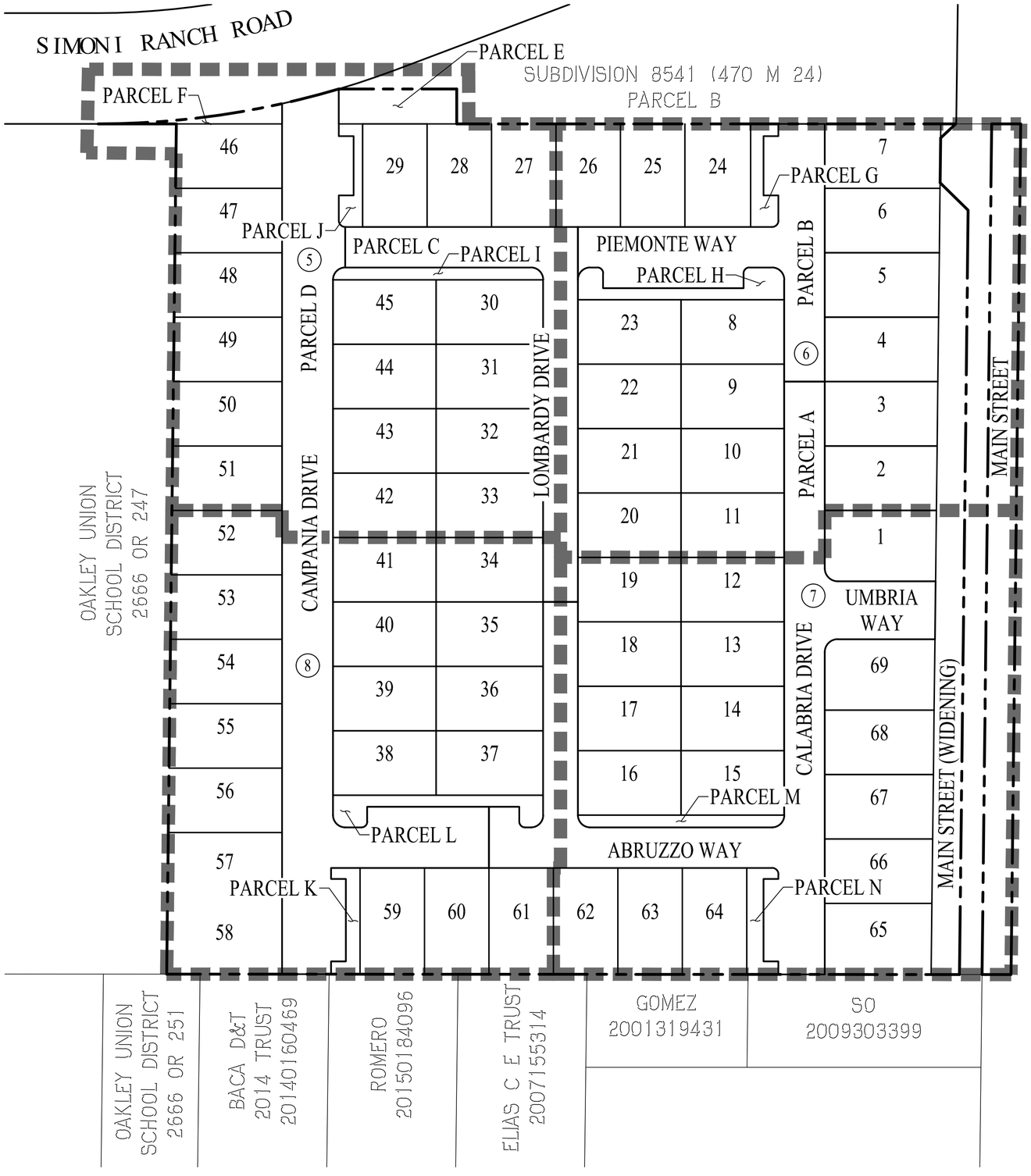
THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS SHOWN HEREON; THE BEARING BEING N01°12'55"E BETWEEN STATION 2113 AND STATION 2114 PER RECORD OF SURVEY NO. 2496 (118 LSM 40). THE BEARING SHOWN HEREON ARE BASED ON CALIFORNIA COORDINATE SYSTEM ZONE III 1983 NAD, EPOCH 1997.3. MULITIPLY DISTANCES SHOWN BY 0.99993638 TO OBTAIN GRID DISTANCES.

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
——— – ———	CENTERLINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
●	FOUND MONUMENT AS NOTED
◉	FOUND STANDARD MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET 3/4" IRON PIPE AND CAP, TAGGED LS 7960
PUE	PUBLIC UTILITY EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) PARCEL MAP (119 PM 8)
(2) RECORD OF SURVEY (55 LSM 12)
(3) RECORD OF SURVEY (93 LSM 22)
(4) SUBDIVISION 8541 (470 M 24)
(5) RECORD OF SURVEY (118 LSM 40)
(6) PARCEL MAP (4 PM 23)



SUBDIVISION 8975
SHILOH PROPERTY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF A PORTION OF THE NORTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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SCALE: 1" = 60' OCTOBER 2019

60' 0' 30' 60' 120' 240'
GRAPHIC SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS SHOWN HEREON; THE BEARING BEING N01°12'55"E BETWEEN STATION 2113 AND STATION 2114 PER RECORD OF SURVEY NO. 2496 (118 LSM 40). THE BEARING SHOWN HEREON ARE BASED ON CALIFORNIA COORDINATE SYSTEM ZONE III 1983 NAD, EPOCH 1997.3. MULITIPLY DISTANCES SHOWN BY 0.99993638 TO OBTAIN GRID DISTANCES.

LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- SHEET LIMIT
- (#) SHEET NUMBER

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) PARCEL MAP (119 PM 8)
(2) RECORD OF SURVEY (55 LSM 12)
(3) RECORD OF SURVEY (93 LSM 22)
(4) SUBDIVISION 8541 (470 M 24)
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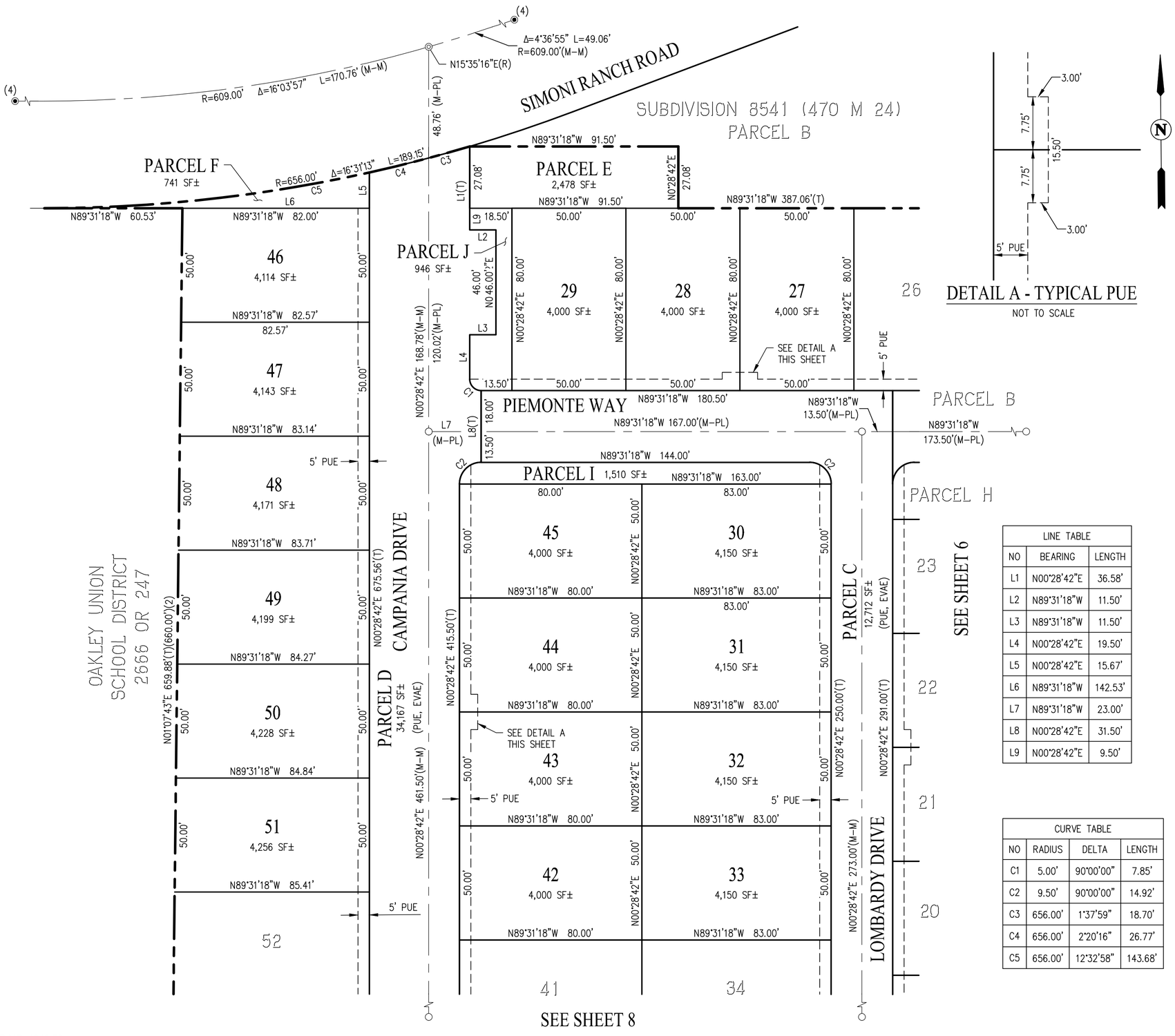
SUBDIVISION 8975
SHILOH PROPERTY

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SCALE: 1" = 30' OCTOBER 2019

30' 0' 15' 30' 60' 120'
GRAPHIC SCALE



DETAIL A - TYPICAL PUE
NOT TO SCALE

LINE TABLE		
NO	BEARING	LENGTH
L1	N00°28'42"E	36.58'
L2	N89°31'18"W	11.50'
L3	N89°31'18"W	11.50'
L4	N00°28'42"E	19.50'
L5	N00°28'42"E	15.67'
L6	N89°31'18"W	142.53'
L7	N89°31'18"W	23.00'
L8	N00°28'42"E	31.50'
L9	N00°28'42"E	9.50'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	5.00'	90°00'00"	7.85'
C2	9.50'	90°00'00"	14.92'
C3	656.00'	1°37'59"	18.70'
C4	656.00'	2°20'16"	26.77'
C5	656.00'	12°32'58"	143.68'

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS SHOWN HEREON; THE BEARING BEING N01°12'55"E BETWEEN STATION 2113 AND STATION 2114 PER RECORD OF SURVEY NO. 2496 (118 LSM 40). THE BEARING SHOWN HEREON ARE BASED ON CALIFORNIA COORDINATE SYSTEM ZONE III 1983 NAD, EPOCH 1997.3. MULITIPLY DISTANCES SHOWN BY 0.99993638 TO OBTAIN GRID DISTANCES.

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
——— · ———	CENTERLINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
●	FOUND MONUMENT AS NOTED
◉	FOUND STANDARD MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
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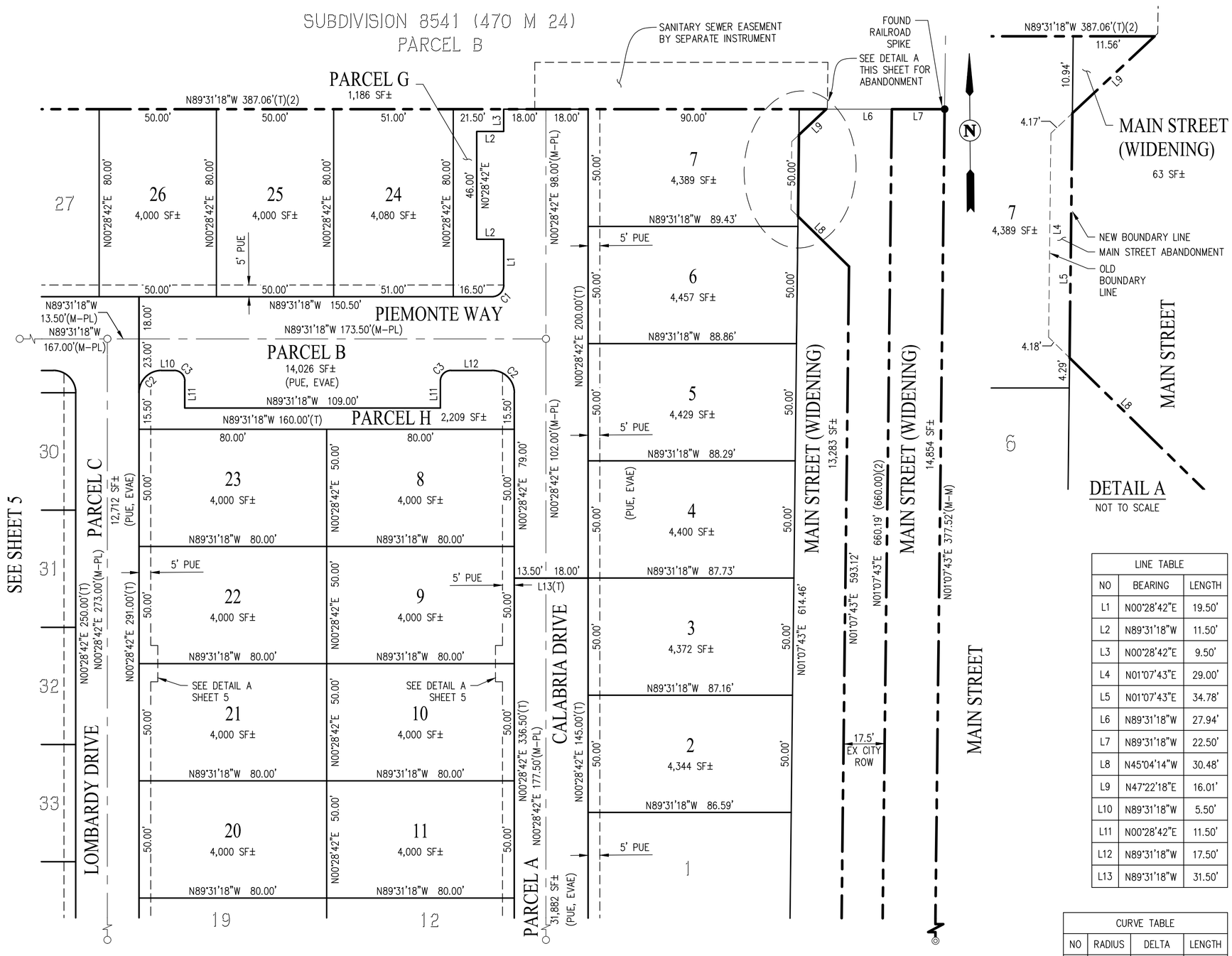
SUBDIVISION 8975
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SCALE: 1" = 30' OCTOBER 2019

30' 0' 15' 30' 60' 120'
GRAPHIC SCALE



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS SHOWN HEREON; THE BEARING BEING N01°12'55"E BETWEEN STATION 2113 AND STATION 2114 PER RECORD OF SURVEY NO. 2496 (118 LSM 40). THE BEARING SHOWN HEREON ARE BASED ON CALIFORNIA COORDINATE SYSTEM ZONE III 1983 NAD, EPOCH 1997.3. MULITIPLY DISTANCES SHOWN BY 0.99993638 TO OBTAIN GRID DISTANCES.

LEGEND

	SUBDIVISION BOUNDARY LINE
	RIGHT OF WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
●	FOUND MONUMENT AS NOTED
◉	FOUND STANDARD MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET 3/4" IRON PIPE AND CAP, TAGGED LS 7960
PUE	PUBLIC UTILITY EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT

LINE TABLE		
NO	BEARING	LENGTH
L1	N00°28'42"E	19.50'
L2	N89°31'18"W	11.50'
L3	N00°28'42"E	9.50'
L4	N01°07'43"E	29.00'
L5	N01°07'43"E	34.78'
L6	N89°31'18"W	27.94'
L7	N89°31'18"W	22.50'
L8	N45°04'14"W	30.48'
L9	N47°22'18"E	16.01'
L10	N89°31'18"W	5.50'
L11	N00°28'42"E	11.50'
L12	N89°31'18"W	17.50'
L13	N89°31'18"W	31.50'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	5.00'	90°00'00"	7.85'
C2	9.50'	90°00'00"	14.92'
C3	4.50'	90°00'00"	7.07'

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) PARCEL MAP (119 PM 8)
(2) RECORD OF SURVEY (55 LSM 12)
(3) RECORD OF SURVEY (93 LSM 22)
(4) SUBDIVISION 8541 (470 M 24)
(5) RECORD OF SURVEY (118 LSM 40)
(6) PARCEL MAP (4 PM 23)

SUBDIVISION 8975
SHILOH PROPERTY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF A PORTION OF THE NORTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

cbg
CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM

SCALE: 1" = 30' OCTOBER 2019

30' 0' 15' 30' 60' 120'
GRAPHIC SCALE

SEE SHEET 6

SEE SHEET 8

FOUND RAILROAD SPIKE AT THE EAST QUARTER CORNER OF SEC.36, T.2.N., R.2.E., M.D.M.(2)(3)

N

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS SHOWN HEREON; THE BEARING BEING N01°12'55"E BETWEEN STATION 2113 AND STATION 2114 PER RECORD OF SURVEY NO. 2496 (118 LSM 40). THE BEARING SHOWN HEREON ARE BASED ON CALIFORNIA COORDINATE SYSTEM ZONE III 1983 NAD, EPOCH 1997.3. MULITIPLY DISTANCES SHOWN BY 0.99993638 TO OBTAIN GRID DISTANCES.

LEGEND

	SUBDIVISION BOUNDARY LINE
	RIGHT OF WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
●	FOUND MONUMENT AS NOTED
◉	FOUND STANDARD MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET 3/4" IRON PIPE AND CAP, TAGGED LS 7960
PUE	PUBLIC UTILITY EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT

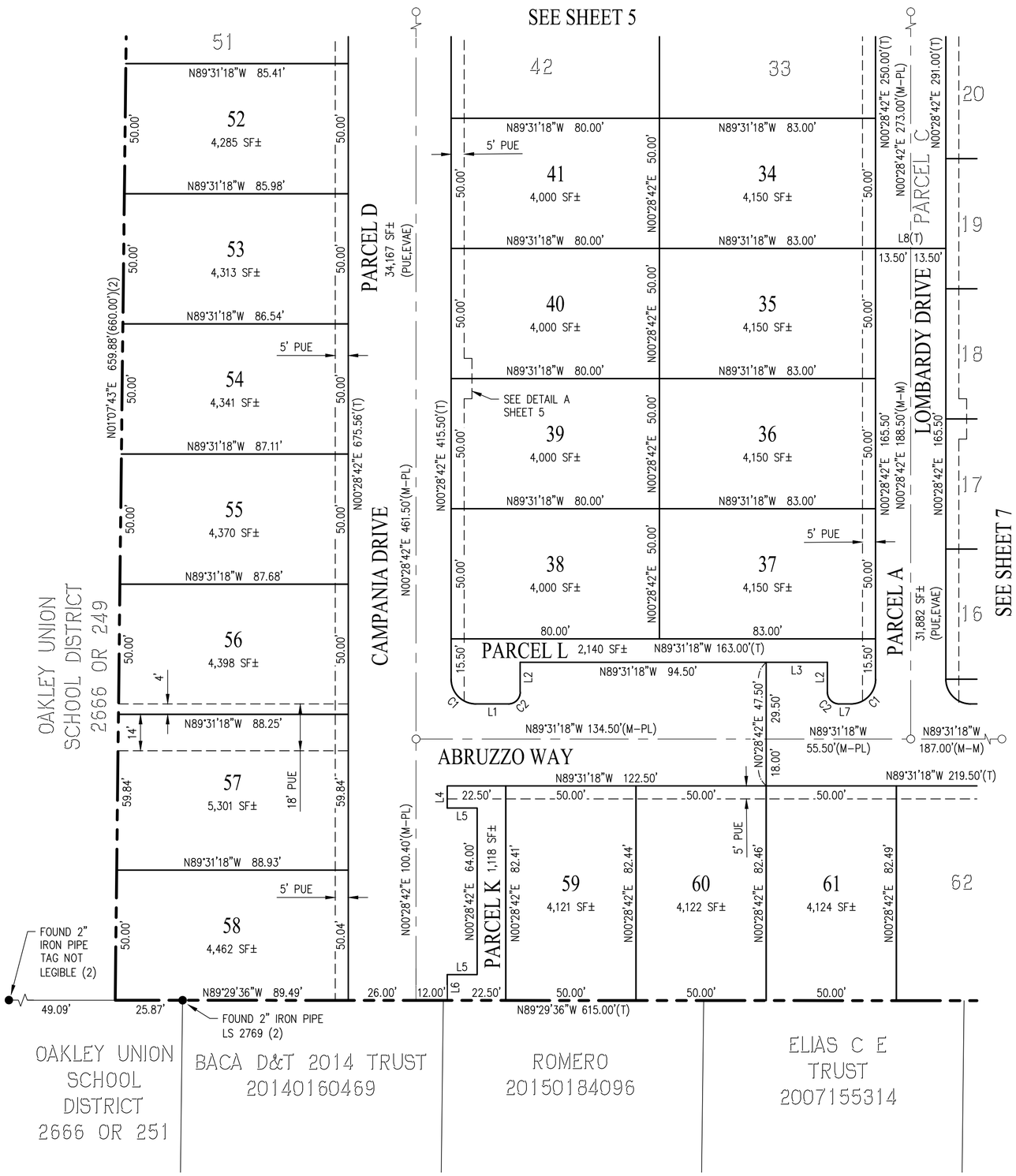
LINE TABLE		
NO	BEARING	LENGTH
L1	N00°28'42"E	10.07'
L2	N89°31'18"W	11.50'
L3	N00°28'42"E	3.50'
L4	N89°31'18"W	23.50'
L5	N89°29'36"W	22.50'
L6	N89°29'36"W	17.50'
L7	N89°31'18"W	27.00'
L8	N00°28'42"E	11.50'
L9	N89°31'18"W	4.50'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	10.00'	90°00'00"	15.71'
C2	9.50'	90°00'00"	14.92'
C3	4.50'	90°00'00"	7.07'
C4	5.00'	90°00'00"	7.85'

REFERENCES:

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(1) PARCEL MAP (119 PM 8)
(2) RECORD OF SURVEY (55 LSM 12)
(3) RECORD OF SURVEY (93 LSM 22)
(4) SUBDIVISION 8541 (470 M 24)
(5) RECORD OF SURVEY (118 LSM 40)
(6) PARCEL MAP (4 PM 23)

FOUND RAILROAD SPIKE (STATION 2113) (5) AT THE SOUTH EAST CORNER OF SEC.36,T.2.N., R.2.E., M.D.M.(2)(3)



LINE TABLE		
NO	BEARING	LENGTH
L1	N89°31'18"W	12.50'
L2	N00°28'42"E	11.50'
L3	N89°31'18"W	23.50'
L4	N00°28'42"E	8.50'
L5	N89°31'18"W	11.50'
L6	N00°28'42"E	9.90'
L7	N89°31'18"W	4.50'
L8	N89°31'18"W	27.00'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	9.50'	90°00'00"	14.92'
C2	4.50'	90°00'00"	7.07'

SUBDIVISION 8975
SHILOH PROPERTY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF A PORTION OF THE NORTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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SCALE: 1" = 30' OCTOBER 2019

30' 0' 15' 30' 60' 120'
GRAPHIC SCALE

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LEGEND

	SUBDIVISION BOUNDARY LINE
	RIGHT OF WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
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(5) RECORD OF SURVEY (118 LSM 40)
(6) PARCEL MAP (4 PM 23)

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: November 12, 2019

TO: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

FROM: Kenneth W. Strelo, Principal Planner

SUBJECT: **Middlefield at Delaney Park Design Review and Final Development Plan Amendment (DR 09-19, FDP 01-19)** – Request for Residential Design Review Approval of One Neighborhood Totaling 96 Single-Family Residential Lots within the Delaney Park Subdivision, and a Final Development Plan Amendment to Modify the Rear Setbacks for Plan 1.

Summary

This is an application by Richmond American Homes ("Applicant") requesting Design Review approval for 96 single family homes in Neighborhood 1 ("Middlefield") of the Delaney Park Subdivision (DR 09-19). This request represents the final design review application for the 581 lot single-family residential development known as "Delaney Park." Proposed homes consist of one (1) single-story and four (4) two-story floor plans ranging from 2,161 sf. to 3,284 sf. of livable area. The applicant is also requesting a Final Development Plan Amendment to amend the rear setback for Neighborhood 1 from a minimum 15 feet to a minimum 14 feet only for Plan 1 (FDP 01-19). Middlefield neighborhood consists of minimum 5,000 sf. lot sizes with a typical width of 50 feet and depth of 100 feet. The application also includes a development plan for house plotting, and conceptual front yard landscaping and good neighbor fence plans. The project site is zoned P-1 (Planned Unit Development) District, is located at northeast corner of East Cypress Road and Sellers Avenue, and is part of Vesting Tentative Map 9033 ("Gilbert Property Subdivision").

Staff Recommendation

Staff recommends the City Council adopt the resolution approving "Middlefield at Delaney Park Design Review and Final Development Plan Amendment (DR 09-19, FDP 01-19)", as conditioned.

Fiscal Impact

None. This is a developer funded account. All Staff time and City of Oakley generated materials are charged to the account.

Background

General Plan and Zoning

The Gilbert Property Subdivision (Tentative Map 9033, marketed as "Delaney Park") project site includes three residential General Plan Land Use Designations as follows:

- *Single Family Residential, High Density (SH);*
- *Single Family Residential, Medium Density (SM); and*
- *Multi-Family Residential, Low Density (ML).*

The site is zoned P-1 (Planned Unit Development) District. Although the project includes land designated for multi-family residential development, the adopted P-1 District zoning blends all three residential designations in a manner that remains consistent with the combined maximum allowed gross density. All residential lots will consist of detached, single-family homes. There are no additional uses proposed with this application.

Existing Entitlements and Development for Gilbert Subdivision 9033 (Delaney Park)

The Gilbert Property Subdivision has received several entitlements, including project Environmental Impact Report Certification, General Plan Land Use Amendments, Rezoning to P-1 District, a Vesting Tentative Map Approval and Amendment, and Final Development Plan Approval and Amendment. The subdivision site plan shows a total of five neighborhoods, and the proposed project represents the fifth and final neighborhood Design Review application for this development. Previous neighborhoods were approved as follows:

- "Delaney Park (Neighborhood 4) Design Review (DR 04-17)", consisting of 103 lots, was the first neighborhood to receive design review approval for this project through adoption of Resolution 145-17 by the City Council on October 24, 2017. Neighborhood 4 is now referred to as "Westerly", and will be throughout the duration of this Staff Report.

- "Northpoint at Delaney Park (Neighborhood 5) Design Review (DR 03-18)", consisting of 198 lots, was the second neighborhood to receive Design Review approval through adoption of Resolution 112-18 by the City Council on September 11, 2018.

- "Easton (DR 10-18) (Neighborhood 2) and Southport (DR 09-18) (Neighborhood 3) at Delaney Park Design Review" were the third and fourth neighborhoods to receive Design Review approval through adoption of Resolution 47-19 by the City Council on March 26, 2019.

Project Description

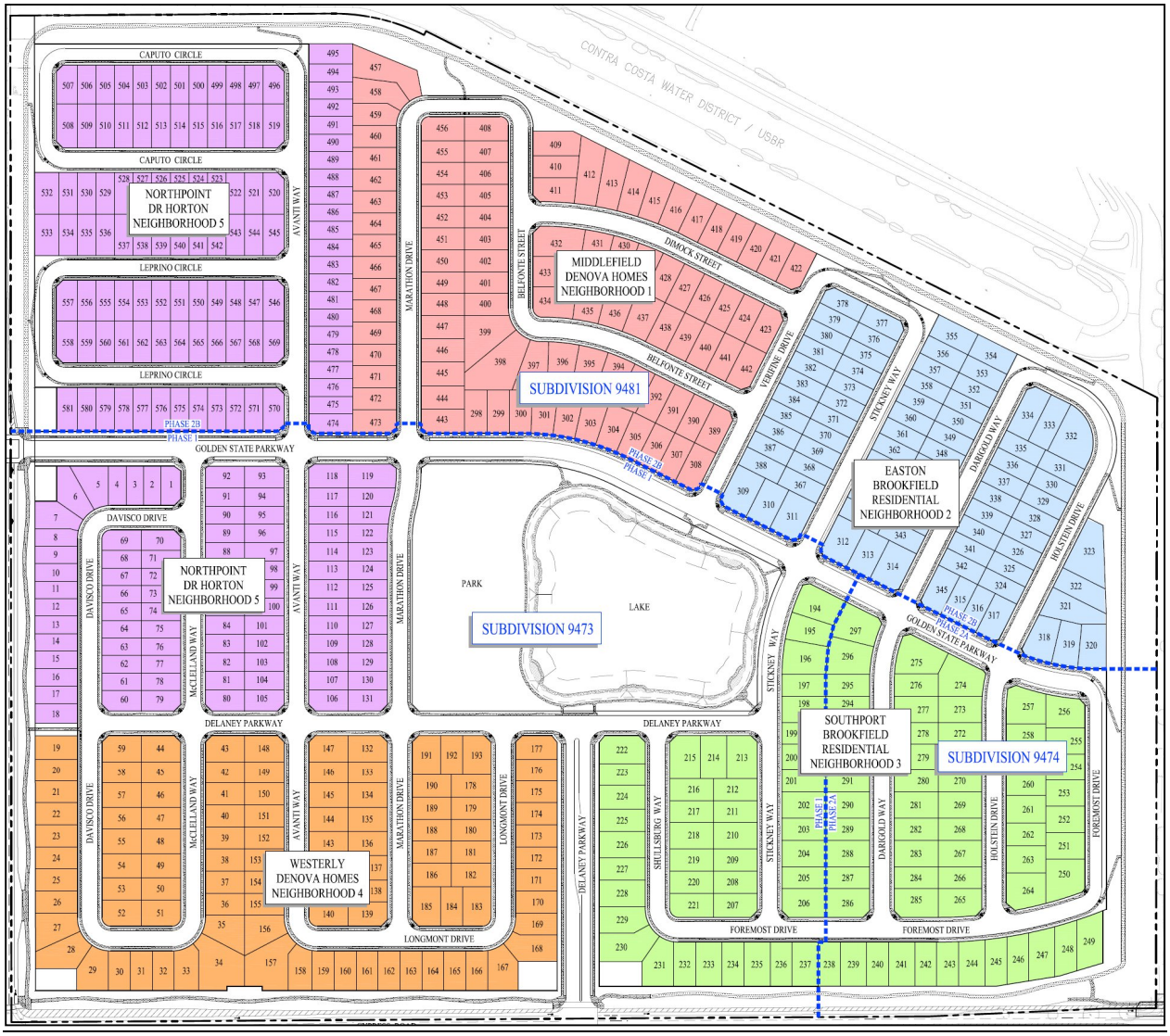
This project includes a Design Review application for a single residential neighborhood consisting of 96 single-family residential lots. The applicant has proposed five different

house plans, consisting of one (1) single-story and four (4) two-story plans, each with three different architectural types referred to as “Spanish,” “Prairie,” and “Craftsman.” Each architectural type includes three different color and material schemes, which provide slight variations in the paint colors, stone/brick veneers, and roofing colors.

Neighborhood Layout

Middlefield (Neighborhood 1) is located in the northern portion of the Delaney Park Subdivision, just north of the park and in between the Easton (Neighborhood 2) and Northpoint (Neighborhood 5). Golden State Parkway, the subdivision’s secondary entry on Sellers Avenue, runs adjacent to the southern boundary of Middlefield and fronts along 11 of Middlefield’s lots. The project levee and trail abuts the neighborhood to the north. Figure 1 shows a color blocked layout of the five neighborhoods.

Figure 1. Delaney Park Subdivision Neighborhood Layout



Neighborhood 1 (Middlefield) = 95 lots; Neighborhood 2 (Easton) = 80 lots; Neighborhood 3 (Southport) = 104 lots; Neighborhood 4 (Westerly) = 103 lots; Neighborhood 5 (Northpoint) = 198 lots: Total lots = 581.

Development Regulations and Lot Sizes

Development regulations, including minimum lot areas and dimensions and minimum setbacks, were approved with adoption of the Amended Final Development Plan. The applicable regulations for Middlefield are summarized in Table 1, below:

Table 1. Development Regulations for Middlefield

	Min. Lot Size (sf)	Typical Dimensions (ft)	Min. Front Yard Setbacks (ft)	Min. Side Yards Setbacks (ft)	Min. Rear Yard Setback (ft)
Middlefield (current)	5,000	50 x 100	Garage: 20 Living space: 15 Porch: 15	Interior sides: 5 with agg. of 10 Street side: 10	15
Middlefield (proposed)	Same	Same	Same	Same	Same for Plans 2, 3, 4, and 5 14 for Plan 1

In comparison of all five neighborhoods, Middlefield and Southport both share minimum lot sizes of 5,000 sf. Easton contains the second smallest minimum lot sizes at 4,000 sf. Westerly also has minimum 4,000 sf. lot sizes, except they are typically wider and shallower than Easton. Northpoint has the smallest minimum lot sizes at 3,600 sf.

Floor Plans and Architecture

This subsection of the Staff Report will include narrative descriptions and occasional pictures of the proposed homes. The goal is to provide a summary that supplements the Applicant's Plans (attached).

The Middlefield Design Review packet proposes one single-story, and four two-story floor plans with three architectural styles per plan. The Applicant's Plans use marketing specific call outs for each floor plan as follows: Plan 1 = Sarah N215; Plan 2 = Andrea N670; Plan 3 = Alexa N590; Plan 4 = Seth N29A; and Plan 5 = Sage N658. This Staff Report will refer to the Plan number rather than name. Livable areas of the homes (excludes garages, porches, and optional covered patios) come in at 2,161 (single-story), 2,836, 3,023, 3,030, and 3,284 sf. All floor plans provide at least three bedrooms

and two full baths. Plans 1, 2, 3, and 5 all include two-car garages, and Plan 4 has a three-car garage.

There are three architectural styles that are shared across all five plans: Spanish (Elevation "A"), Prairie (Elevation "B"), and Craftsman (Elevation "C"). Each architectural style has three color and material themes, which offer slight changes in the paint colors, roofing material designs, and stone/rock veneer. The Applicant's Plans include the color and material packet showing these combinations for each architectural style. Five house plans, each with three architectural styles, each with three color and material options creates the possibility for up to 45 different home designs. In addition to the choices in colors and materials, each architectural type will have a theme specific garage doors and exterior lighting. All wainscots will wrap to the fence line. Figure 2, below, shows an example of a front elevation for each architectural style.

Roof lines within each plan differ in relation to the specific architectural style. For example, with Plan 1, the Spanish and Craftsman styles have front facing gable ends, while the Prairie style has hip roofs in those same locations. However, the Spanish and Craftsman styles do not appear the same from the front due to the Spanish style using a taller gable above the front door, where the Craftsman uses a shallower gable that is stacked with the main gable over the main front facing window. There are examples of these types of changes between architectural styles of the same floor plan for each home.

Figure 2. Middlefield Streetscape of Front Elevations (with 10 foot combined side setbacks)



Development Plan

The Development Plan, which shows all of the lots and which house plan is proposed for each, as well as the probably setbacks from property lines, is included in the Applicant's Plans. When viewing the Development Plan, there are some noticeable themes due to how the house plans are colored for easy reference. For one, the plans are colored as follows: Plan 1 = beige, Plan 2 = brown, Plan 3 = pink; Plan 4 = maroon, and Plan 5 = purple. The product mix is show in Figure 3.

Figure 3. Product Mix

PRODUCT MIX				
PLAN COLOR	PLAN NUMBER	PLAN NAME	LOT COUNT	PERCENT OF TOTAL
	1	SARAH – N215	30	31.2%
	2	ANDREA – N670	16	16.7%
	3	ALEXA – N590	16	16.7%
	4	SETH – N29A	17	17.7%
	5	SAGE – N658	17	17.7%
		TOTAL	96	100%

As can be seen in the product mix, just over 31% (30 of the total 96 homes) are proposed as the only single-story (Plan 1). Six of those Plan 1s are plotted on corner lots. There are a total of 12 corner lots in the Middlefield neighborhood.

Environmental Analysis

The request for design review approval does not constitute changes to the physical impacts associated with the project and falls within the scope of the Gilbert Property Subdivision 9033 Environmental Impact Report ("EIR") (includes the Draft EIR, Final EIR and Addendum) (SCH# 2007012075).

Analysis

The proposed plans were analyzed for consistency with the adopted City of Oakley Residential Guidelines ("Guidelines"). Since the Tentative Map and Final Development Plan are already approved, the street layout, lot sizes and layout, and number of trees per lot are also already approved. Staff has focused this analysis on the home design and other elements discussed on the Project Description section of this Staff Report.

Residential Siting and Lot Design

The applicant has plotted the homes to provide substantial variations in the garage setbacks from the front property line. Interior side yard setbacks for both neighborhoods are at the minimum five feet; however, the plot plan shows several instances of larger side yards on either one or both of two adjacent homes. Rear yard depths vary based on the both the plan depth and orientation on the lot. Many of the Plan 1s have the minimum 14 foot rear yard setback, as well as the minimum 20 foot minimum setback to the garage. The Applicant has explained that the master developer for the project, DeNova Homes, is seeking to minimize the amount of overlap between neighborhoods when it comes to house size and livable area. That one extra foot of depth that requires the request for the rear setback amendment will allow Plan 1 to have 40 additional square feet of livable area.

Building mass is an element of lot siting and design. The architect for the project created changes in massing through variations in rooflines within the same plan type for most of the plans. These changes result in the same plan type having an architectural type with a lower side profile, for instance, when the main roof is hipped versus having

large side gables. Overall, combined with the changes in materials and rooflines, the same footprint home may appear much different aesthetically, further increasing the variety throughout the neighborhood.

There is one guideline commonly referenced for residential design reviews that is not consistently implemented with this project, which is the guideline related to the setback between adjacent two-story elements being at least 15 feet. Being a common topic of discussion for most residential projects, Staff is sensitive to this guideline and requires it be implemented when feasible. In many current and modern projects, this guidelines is more difficult to implement due to working with previously approved tentative maps that are created under P-1 Districts. P-1 Districts are often the result of creating smaller, narrower, and shallower lots in order to still build to the allowable gross density after losing acreage for neighborhood parks and storm water basins. They also allow for combined densities among different land use designations, which can result in densities higher than normal for 60 ft. wide, 6,000 sf. lots. In Middlefield, the minimum lot width is 50 feet, although some lots are irregular and offer additional width. All of the house plans for Middlefield are 40 feet wide (Plan 2 is just under at 39'9"), and none of the two-story plans have stepped-back second floor elevations. This means in most cases, adjacent homes will be 10 feet apart. There are a few unique situations where adjacent two-story will be at least 15 feet apart; however, it is noted that 31% of the homes are single-story.

As currently plotted, the project meets the guideline of including single-story homes on a minimum of 20% of the total lots and 50% of the corner lots. There are 30 proposed Plan 1s (single-story plan), which make up 31% of the total 96 lots, and six proposed on 12 of the corner lots, which meets the 50% corner lot guideline.

Architectural Character

The architectural character and design of the proposed homes went through minimal modifications or input from Staff throughout processing of the application, aside from input in response to the initial pre-application meeting. The final submittal of the homes includes prominent materials on the front facades, as well as more appropriate wrapping of those materials to a logical location. The side gables are filled with matching lap siding, where applicable. Additional external lighting was added where it created better symmetry, and should result in better nighttime crime discouragement and overall safety. The plans being presented to the City Council are consistent with the guidelines in that there is variety in the architectural elements, such as horizontal paneling, false shutters, and stone and brick veneer. Gable sidings and shutters are used on all four sides of the homes where applicable and feasible, and stone and brick veneer wraps to the side fence line, as applicable. Also, window trimming is found on all four sides of the homes.

Citizen Planning Advisors

The Oakley Citizen Planning Advisors received copies of the Applicant's Plans and project description via email on September 27, 2019. Staff received feedback from one

advisor that had questions regarding the choice of tree species adjacent to the sidewalk due to the mess it makes when dropping fruit. The City's Parks and Landscape Superintendent reviews final landscape plans and make recommendations on specific tree species based on their locations, such as near a sidewalk or proximity to utilities.

Findings

Draft findings are included in the attached resolution.

Recommendation

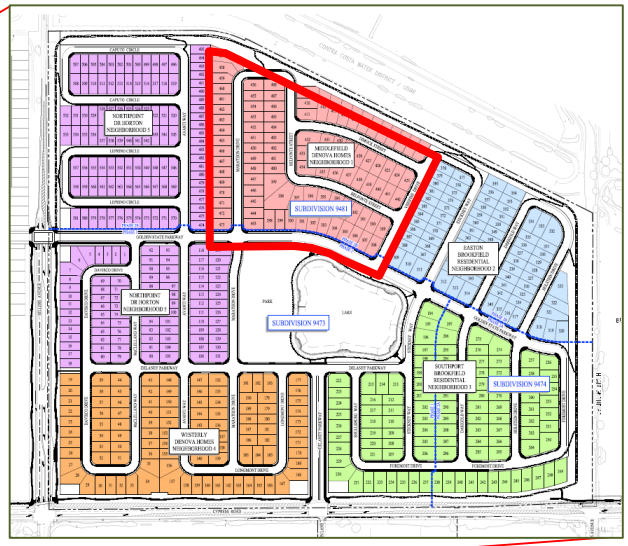
Staff recommends the City Council adopt the resolution approving "Middlefield at Delaney Park Design Review and Final Development Plan Amendment (DR 09-19, FDP 01-19)," as conditioned.

Attachments:

1. Vicinity Map
2. Public Hearing Notice
3. Applicant's Plans
4. Draft Resolution

Vicinity Map
Middlefield at Delaney Park Design Review and Final Development Plan Amendment
(DR 09-19, FDP 01-19)





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

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **November 12, 2019** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for **Design Review**.

Project Name: Middlefield at Delaney Park Design Review (DR 09-19).

Project Location: Delaney Park Subdivision (formerly known as "Gilbert Ranch"). Northeast corner of East Cypress Rd. and Sellers Ave.

Applicant: Richmond American Homes, One Harbor Center, Ste. 100, Suisun City, CA 94585. Ph. (209) 207-0480.

Request: This is a public hearing on a request for Design Review approval for 96 single family homes in Neighborhood 1 ("Middlefield") of the Delaney Park Subdivision. This request represents the final design review application for the 581 lot single-family residential development known as "Delaney Park." Proposed homes consist of one (1) single-story and four (4) two-story floor plans ranging from 2,161 sf. to 3,284 sf. of livable area. Middlefield neighborhood consists of minimum 5,000 sf. lot sizes with a typical width of 50 feet and depth of 100 feet. The application also includes a development plan for house plotting, and conceptual front yard landscaping and good neighbor fence plans. The project site is zoned P-1 (Planned Development) District. The project description and plans are available at: https://www.ci.oakley.ca.us/departments/planning-zoning/current-projects/.

How to Review: The Staff Report and its attachments will be available for public review, on or before **November 8, 2019** at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **November 12, 2019** agenda and clicking the project title link. (Note: City Hall is closed on the 1st and 3rd Fridays of each month). Interested persons are invited to submit written comments prior to, and may testify at, the public hearing. **Written comments may be submitted to Kenneth W. Strelo, Principal Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to strelo@ci.oakley.ca.us.**

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

RICHMOND® AMERICAN HOMES

MIDDLEFIELD AT DELANEY PARK

OAKLEY, CALIFORNIA

SARAH - N215 ..... 2,161 SQ.FT.

ANDREA - N670 ..... 2,836 SQ.FT.

ALEXA - N590 ..... 3,023 SQ.FT.

SETH - N29A ..... 3,030 SQ.FT.

SAGE - N658 ..... 3,284 SQ.FT.

ELEVATION 'A'- SPANISH

ELEVATION 'B' - PRAIRIE

ELEVATION 'C' - CRAFTSMAN

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SHEET INDEX

STREET SCENE

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A0.1 STREET SCENE SETBACK EXHIBIT

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A02 FLOOR PLAN OPTIONS
A03 FRONT ELEVATIONS (A,B,C)
A04 'A' FRONT & REAR ELEVATIONS
A05 'A' SIDE ELEVATIONS & ROOF PLAN
A06 'B' FRONT & REAR ELEVATIONS
A07 'B' SIDE ELEVATIONS & ROOF PLAN
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A29 FLOOR PLAN OPTIONS
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A31 'A' FRONT & REAR ELEVATIONS
A32 'A' SIDE ELEVATIONS & ROOF PLAN
A33 'B' FRONT & REAR ELEVATIONS
A34 'B' SIDE ELEVATIONS & ROOF PLAN
A35 'C' FRONT & REAR ELEVATIONS
A36 'C' SIDE ELEVATIONS & ROOF PLAN

SAGE N658

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A42 'B' FRONT & REAR ELEVATIONS
A43 'B' SIDE ELEVATIONS & ROOF PLAN
A44 'C' FRONT & REAR ELEVATIONS
A45 'C' SIDE ELEVATIONS & ROOF PLAN

COLOR BOARDS

'A' ELEVATION COLOR SCHEMES

'B' ELEVATION COLOR SCHEMES

'C' ELEVATION COLOR SCHEMES

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OAKLEY, CALIFORNIA
JOB # 109-19119
DATE: OCTOBER 29, 2019

SHEET INDEX

C1

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N670 - ANDREA
A ELEVATION
SPANISH

N590 - ALEXA
C ELEVATION
CRAFTSMAN

N21S - SARAH
B ELEVATION
PRAIRIE

N658 - SAGE
A ELEVATION
SPANISH

N29A - SETH
B ELEVATION
PRAIRIE

SCALE: $\frac{1}{4}$" = 1'-0"

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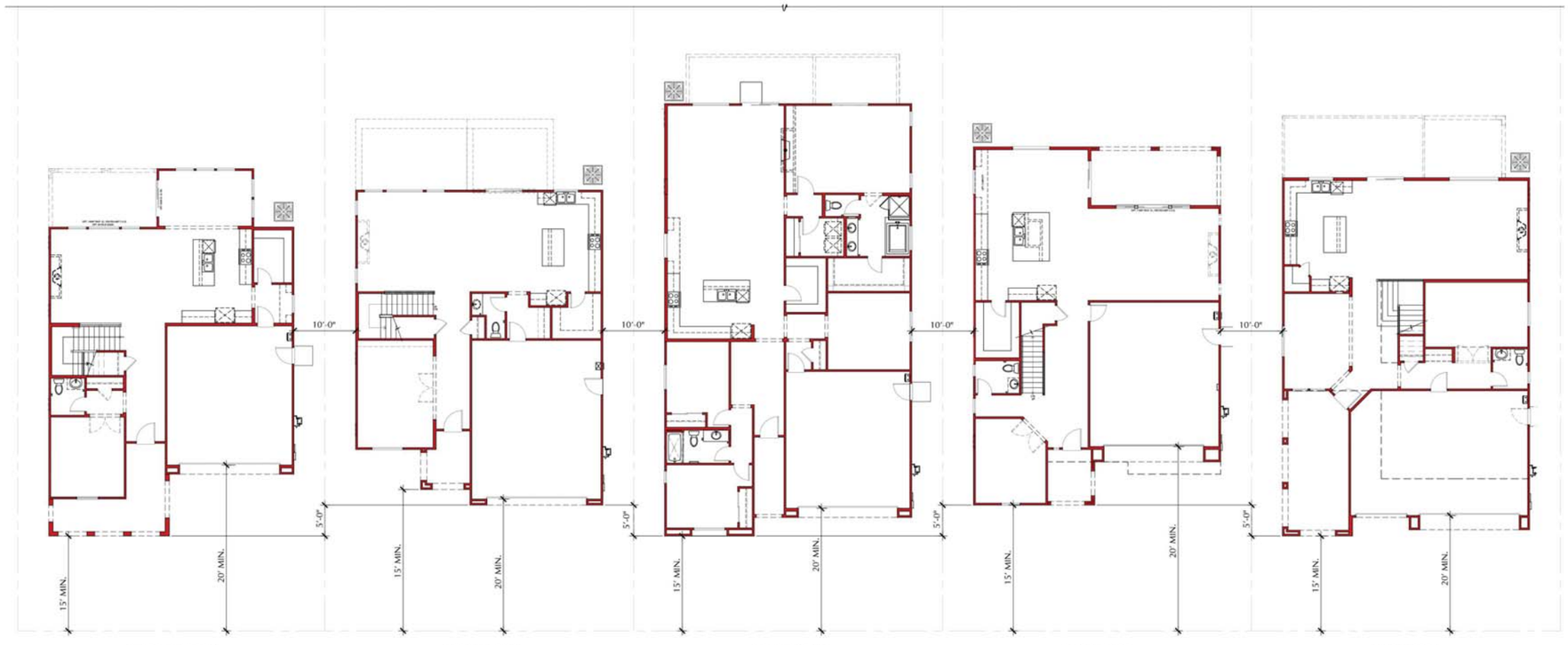
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STREET SCENE

A0

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STREET SCENE SETBACK EXHIBIT



N670-ANDREA
SPANISH

N590-ALEXA
CRAFTSMAN

N21S-SARAH
PRAIRIE

N658-SAGE
SPANISH

N29A-SETH
PRAIRIE

STREET SCENE

SCALE: $\frac{1}{8}$" = 1'-0"

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STREET SCENE

A0.1

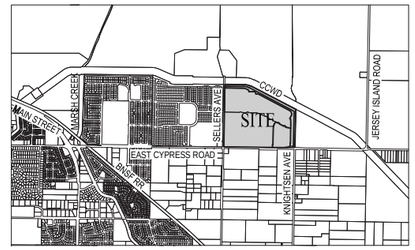
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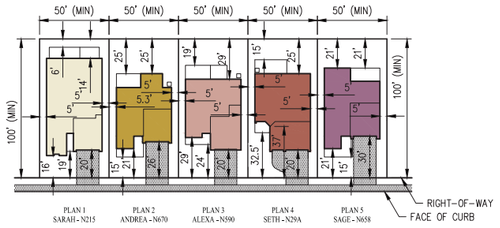
NEIGHBORHOOD INDEX MAP

SCALE: 1"= 400'



VICINITY MAP

NOT TO SCALE



TYPICAL LOT FIT

SCALE: 1"=50'

LEGEND

307 PLAN 5C	LOT NUMBER AND PLAN NUMBER AND ELEVATION
	LOT LINE
— x —	FENCE
	RETAINING WALL
	NEIGHBORHOOD BOUNDARY

PRODUCT MIX

PLAN COLOR	PLAN NUMBER	PLAN NAME	LOT COUNT	PERCENT OF TOTAL
	1	SARAH – N215	30	31.2%
	2	ANDREA – N670	16	16.7%
	3	ALEXA – N590	16	16.7%
	4	SETH – N29A	17	17.7%
	5	SAGE – N658	17	17.7%
		TOTAL	96	100%

TYPICAL LOT COVERAGE

PLAN NUMBER	PLAN NAME	BLDG FOOTPRINT (SF)	TYP. LOT COVERAGE
1	SARAH – N215	2,640±	52.8%
2	ANDREA – N670	1,745±	34.9%
3	ALEXA – N590	1,860±	37.2%
4	SETH – N29A	1,991±	39.8%
5	SAGE – N658	1,876±	37.5%

NOTE: BUILDING FOOTPRINT EXCLUDES PORCHES. CALCULATIONS ABOVE ARE BASED UPON THE MINIMUM LOT SIZE OF 50' WIDE BY 100' DEEP.

GENERAL NOTES:

1. OWNER/SUBDIVIDER: RICHMOND AMERICAN HOMES
   ONE HARBOR CENTER, SUITE 100
   SUISUN CITY, CA 94585
   PHONE: (707) 416-2798
   CONTACT: KEVIN FREDRICKSON
2. CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC.
   2633 CAMINO RAMON, SUITE 350
   SAN RAMON, CALIFORNIA 94583
   PHONE: (925) 866-0322
   CONTACT: ANGELO OBERTELLO
3. ACREAGE: 16.7 AC±
4. LAND USE: EXISTING – SINGLE FAMILY MEDIUM, SINGLE FAMILY LOW, MULTI–FAMILY HIGH
   PROPOSED – SINGLE FAMILY MEDIUM, SINGLE FAMILY LOW, MULTI–FAMILY HIGH
5. ZONING: EXISTING – P–1 (PLANNED DEVELOPMENT) DISTRICT
   PROPOSED – P–1 (PLANNED DEVELOPMENT) DISTRICT

MIDDLEFIELD AT DELANEY
DEVELOPMENT PLAN
NEIGHBORHOOD 1

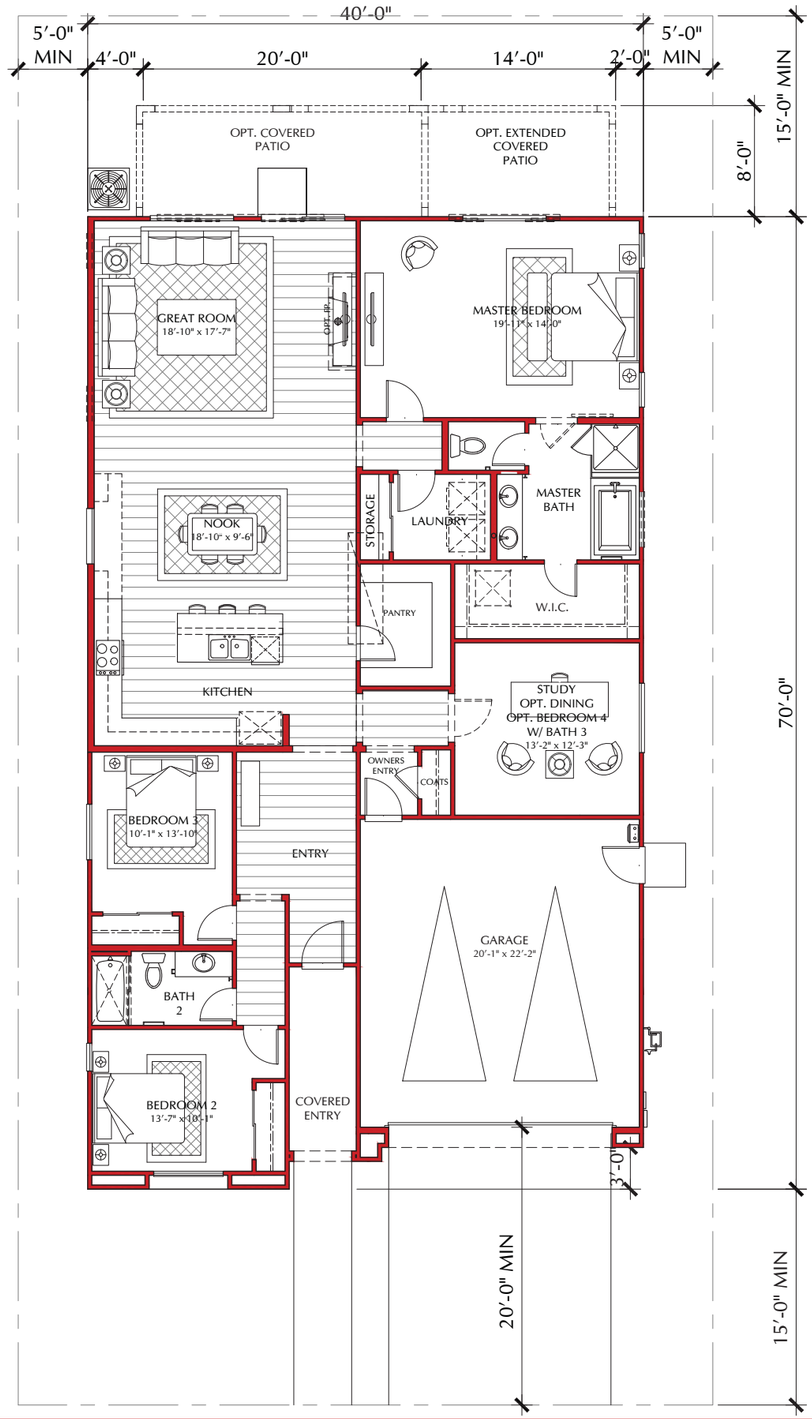
CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

0' 50' 150' 200'

SCALE: 1" = 50' DATE: SEPTEMBER 11, 2019

cbg
CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM

G:\8576-076\ACAD\EXHIBITS\8576-076_EX-002_DEVELOPMENT PLAN_NEIGHBORHOOD 1.DWG



FIRST FLOOR

SARAH - N21S

3 BEDROOMS / 2 BATHS / STUDY
2 CAR GARAGE

AREA TABULATION

FIRST FLOOR	2,161 S.F.
TOTAL	2,161 S.F.
COVERED ENTRY	63 S.F.
GARAGE (2 CAR)	464 S.F.
COVERED PATIO 1	99 S.F.
COVERED PATIO 2	265 S.F.

SCALE: $\frac{1}{4}$" = 1'-0"

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MIDDLEFIELD

OAKLEY, CALIFORNIA

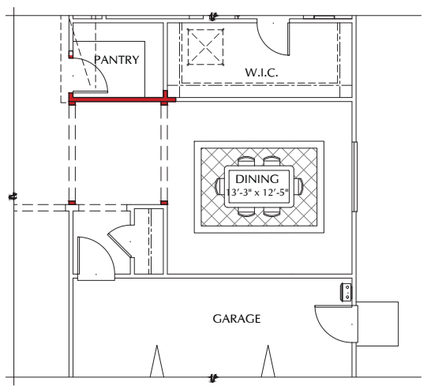
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DATE: OCTOBER 29, 2019

- SARAH N21S - FLOOR PLAN

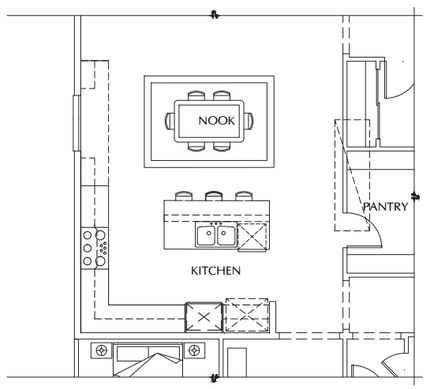
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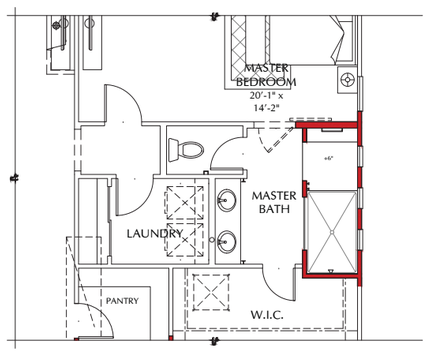
OPT. DINING ROOM PLAN N21S

SCALE: 1/4" = 1'-0"



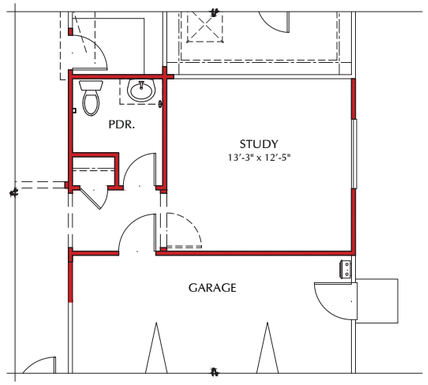
OPT. EXT. CAB AND DBL OVEN PLAN N21S

SCALE: 1/4" = 1'-0"



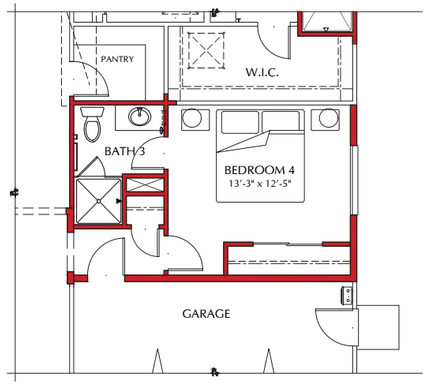
OPT. WALK IN SHOWER **PLAN N21S**

SCALE: 1/4" = 1'-0"



OPT. POWDER ROOM PLAN N21S

SCALE: 1/4" = 1'-0"



OPT. BEDROOM 4 / BATH 3 PLAN N21S

SCALE: 1/4" = 1'-0"

SCALE: $\frac{1}{4}$" = 1'-0"

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- SARAH N21S -
FLOOR PLAN OPT.

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FRONT ELEVATION

SPANISH

SARAH - N21S - A

MATERIAL CALLOUTS

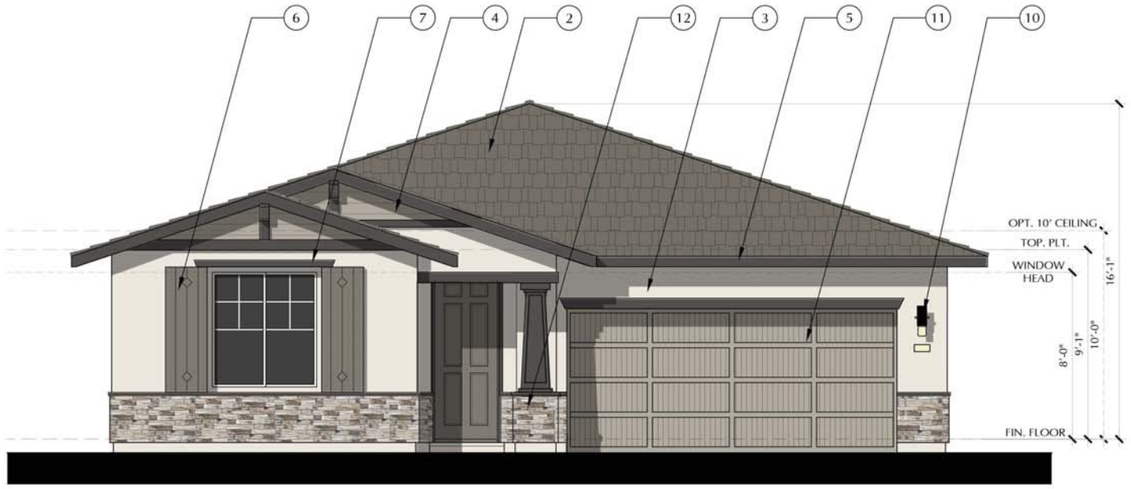
1 - CONCRETE 'S' ROOF TILE
2 - CONCRETE FLAT ROOF TILE
3 - 1- COAT STUCCO
4 - COMPOSITE SIDING
5 - WOOD FASCIA/BARGE
6 - FOAM SHUTTER
7 - FOAM TRIM
8 - FOAM CORBEL
9 - FOAM FAUX VENT PIPES
10 - EXTERIOR LIGHT
11 - ROLL UP GARAGE DOOR
12 - STONE VENEER
13 - BRICK VENEER
14 - FAUX VENT



FRONT ELEVATION

PRAIRIE

SARAH - N21S - B



FRONT ELEVATION

CRAFTSMAN

SARAH - N21S - C

SCALE: 3/8"=1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SARAH N21S-
FRONT ELEVATIONS

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FRONT ELEVATION

SPANISH

SARAH - N21S - A

SCALE: 3/8"=1'-0"



REAR ELEVATION

SPANISH

SARAH - N21S - A

SCALE: 3/8"=1'-0"

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SARAH N21S-
ELEVATION A
FRONT AND REAR

A04

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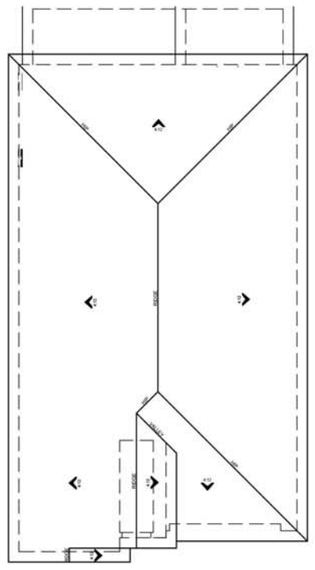


RIGHT ELEVATION

SPANISH

SARAH - N21S - A

SCALE: 3/8"=1'-0"



ROOF PLAN SARAH - A

SPANISH

SCALE: 1/8"=1'-0"



LEFT ELEVATION

SPANISH

SARAH - N21S - A

SCALE: 3/8"=1'-0"

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SARAH N21S-
ELEVATION A
SIDES AND ROOF

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FRONT ELEVATION

PRAIRIE

SARAH - N21S - B

SCALE: 3/8"=1'-0"



REAR ELEVATION

PRAIRIE

SARAH - N21S - B

SCALE: 3/8"=1'-0"

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SARAH N21S-
ELEVATION B
FRONT AND REAR

A06

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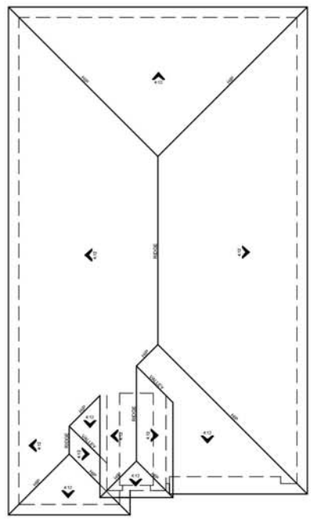


RIGHT ELEVATION

PRAIRIE

SARAH - N21S - B

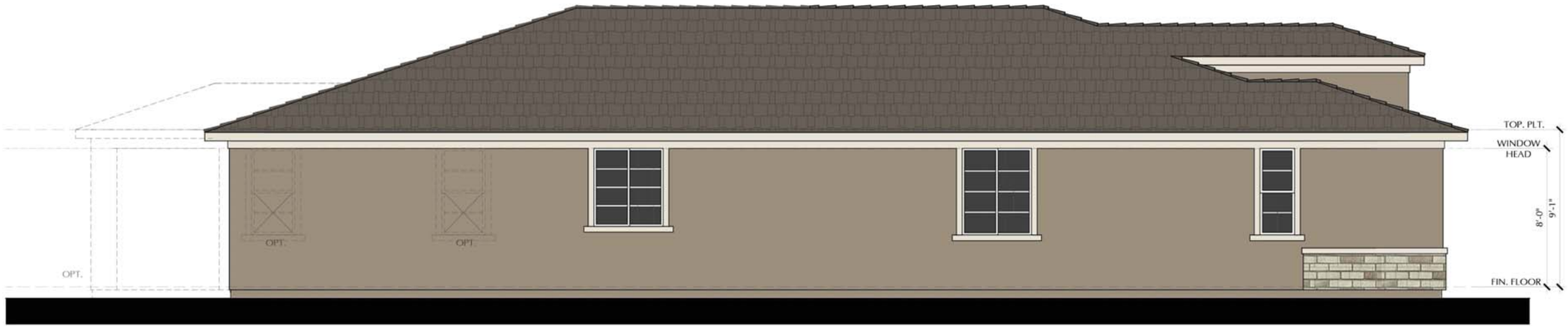
SCALE: 3/8"=1'-0"



ROOF PLAN SARAH - B

PRAIRIE

SCALE: 3/8"=1'-0"



LEFT ELEVATION

PRAIRIE

SARAH - N21S - B

SCALE: 3/8"=1'-0"

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SARAH N21S-
ELEVATION B
SIDES AND ROOF

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FRONT ELEVATION

CRAFTSMAN

SARAH - N21S - C

SCALE: 3/8"=1'-0"



REAR ELEVATION

CRAFTSMAN

SARAH - N21S - C

SCALE: 3/8"=1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

SCALE: 3/8" = 1'-0"

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-SARAH N21S-
ELEVATION C
FRONT AND REAR

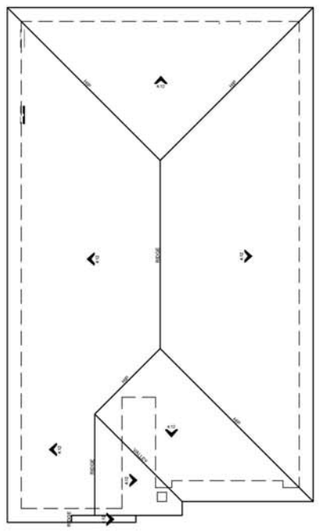
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RIGHT ELEVATION
CRAFTSMAN

SARAH - N21S - C



ROOF PLAN SARAH - C
SPANISH



LEFT ELEVATION
CRAFTSMAN

SARAH - N21S - C

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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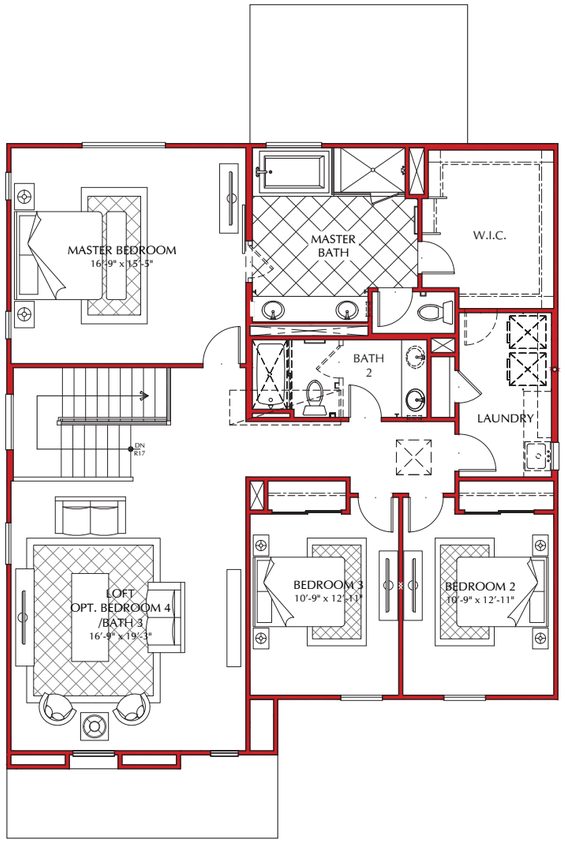
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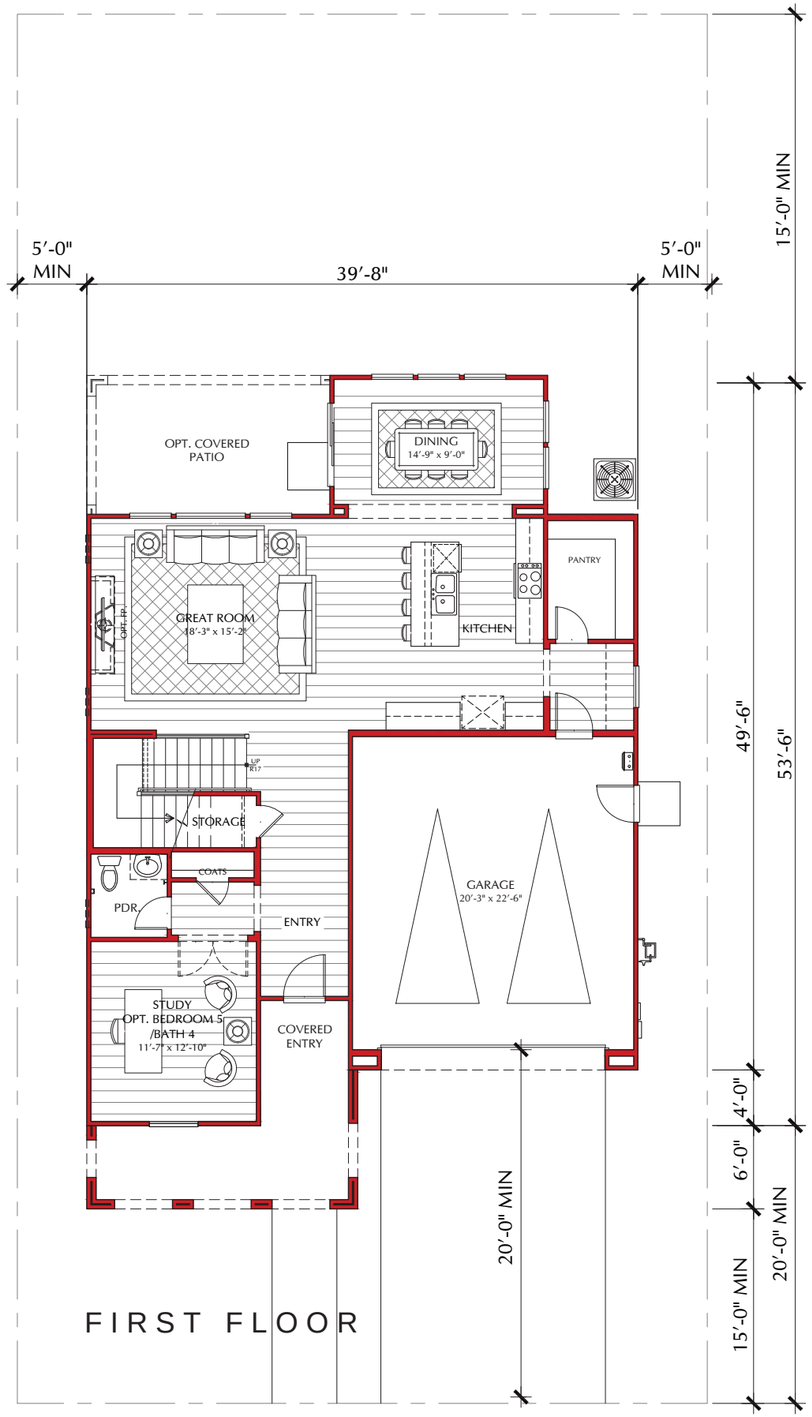
-SARAH N21S-
ELEVATION C
SIDES AND ROOF

A09

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SECOND FLOOR



FIRST FLOOR

ANDREA - N670

3 BEDROOMS / 2.5 BATHS / LOFT / STUDY
2 CAR GARAGE

AREA TABULATION

FIRST FLOOR	1,259 S.F.
SECOND FLOOR	1,577 S.F.
TOTAL	2,836 S.F.
COVERED ENTRY	154 S.F.
GARAGE (2 CAR)	474 S.F.
COVERED PATIO	166 S.F.

SCALE: $\frac{1}{4}$" = 1'-0"

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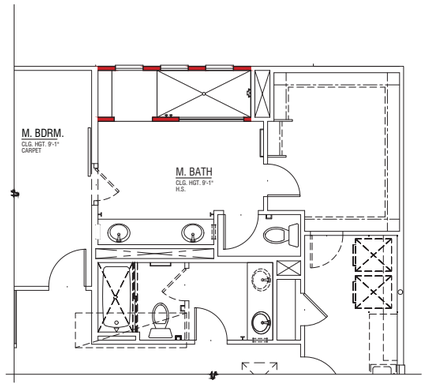
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- ANDREA N670 -
FLOOR PLAN

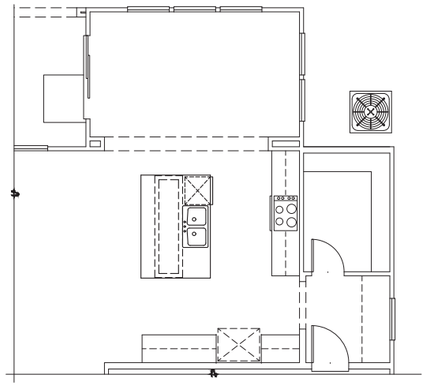
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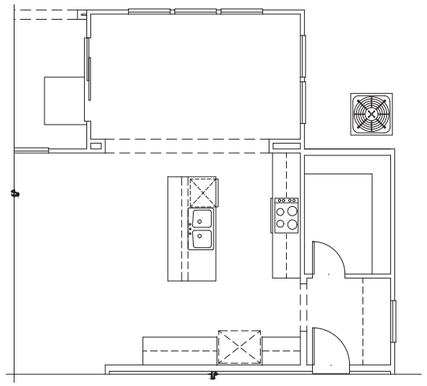
OPT. WALK IN SHOWER PLAN N670

SCALE: 1/4" = 1'-0"



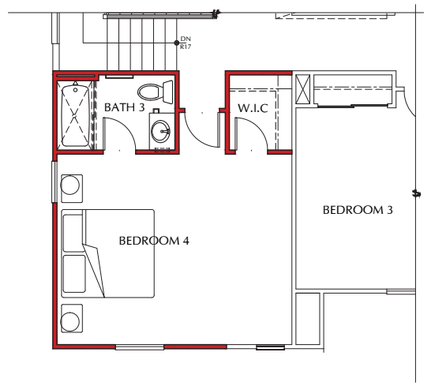
OPT. KITCHEN ISLAND #1 **PLAN N670**

SCALE: 1/4" = 1'-0"



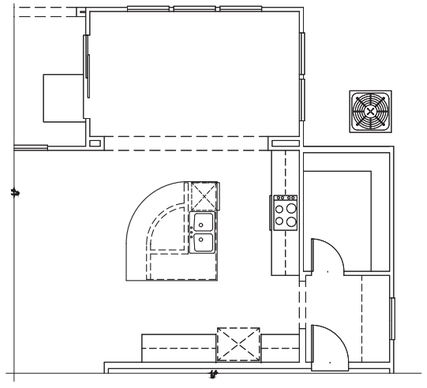
OPT. GOURMET KITCHEN **PLAN N670**

SCALE: 1/4" = 1'-0"



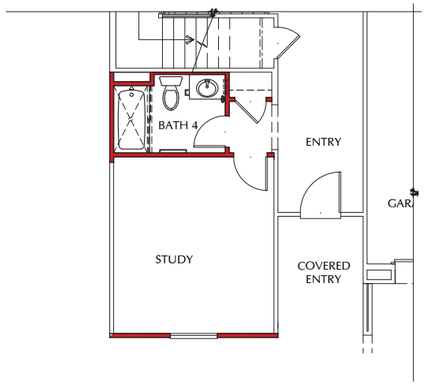
OPT. BEDROOM 4 / BATH 3PLAN N670

SCALE: 1/4" = 1'-0"



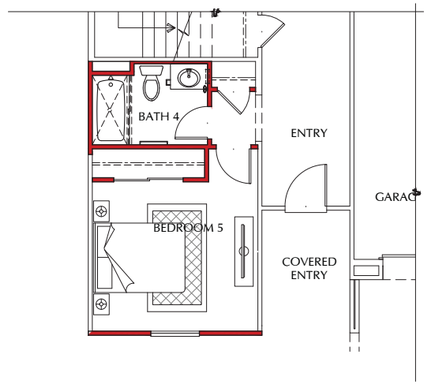
OPT. KITCHEN ISLAND #2 **PLAN N670**

SCALE: 1/4" = 1'-0"



OPT. STUDY / BATH 4 **PLAN N670**

SCALE: 1/4" = 1'-0"



OPT. BEDROOM 5 / BATH 4PLAN N670

SCALE: 1/4" = 1'-0"

SCALE: $\frac{1}{4}$" = 1'-0"

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- ANDREA N670 -
FLOOR PLAN OPT.

A11

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FRONT ELEVATION
SPANISH

ANDREA - N670 - A

MATERIAL CALLOUTS

1 - CONCRETE 'S' ROOF TILE
2 - CONCRETE FLAT ROOF TILE
3 - 1- COAT STUCCO
4 - COMPOSITE SIDING
5 - WOOD FASCIA/BARGE
6 - FOAM SHUTTER
7 - FOAM TRIM
8 - FOAM CORBEL
9 - FOAM FAUX VENT PIPES
10 - EXTERIOR LIGHT
11 - ROLL UP GARAGE DOOR
12 - STONE VENEER
13 - BRICK VENEER



FRONT ELEVATION
PRAIRIE
SCALE: 3/8" = 1'-0"

ANDREA - N670 - B



FRONT ELEVATION
CRAFTSMAN

ANDREA - N670 - C

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-ANDREA N670-
FRONT ELEVATIONS

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FRONT ELEVATION — ANDREA - N670 - A

SPANISH



REAR ELEVATION — ANDREA - N670 - A

SPANISH

SCALE: 3/8" = 1'-0"

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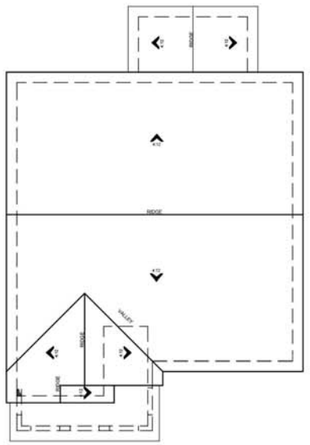
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-ANDREA N670-
ELEVATION A
FRONT AND REAR

A13

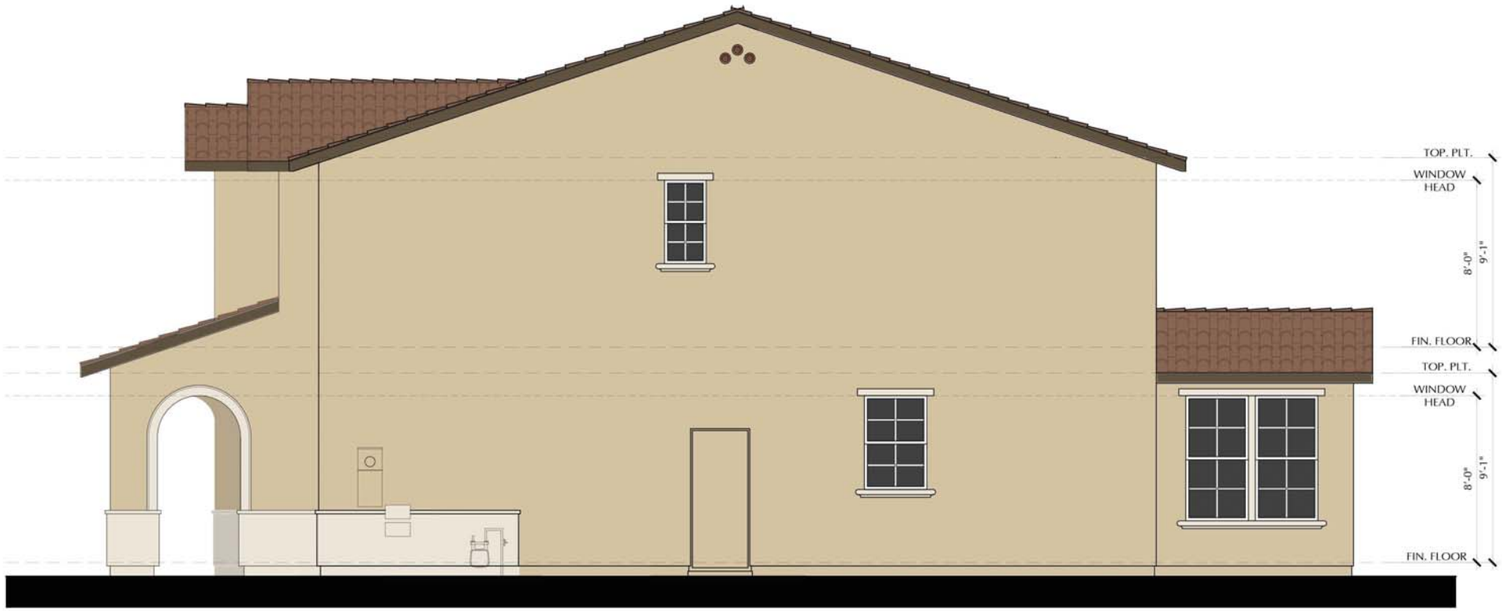
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ROOF PLAN ANDREA - A

SPANISH

SCALE: 3/8" = 1'-0"



RIGHT ELEVATION ANDREA - N670 - A

SPANISH



LEFT ELEVATION ANDREA - N670 - A

SPANISH

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-ANDREA N670-
ELEVATION A
SIDES AND ROOF

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FRONT ELEVATION

PRAIRIE

ANDREA - N670 - B

SCALE: 3/8"=1'-0"



REAR ELEVATION

PRAIRIE

ANDREA - N670 - B

SCALE: 3/8"=1'-0"

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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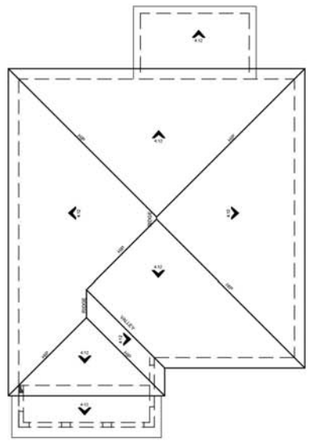
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-ANDREA N670-
ELEVATION B
FRONT AND REAR

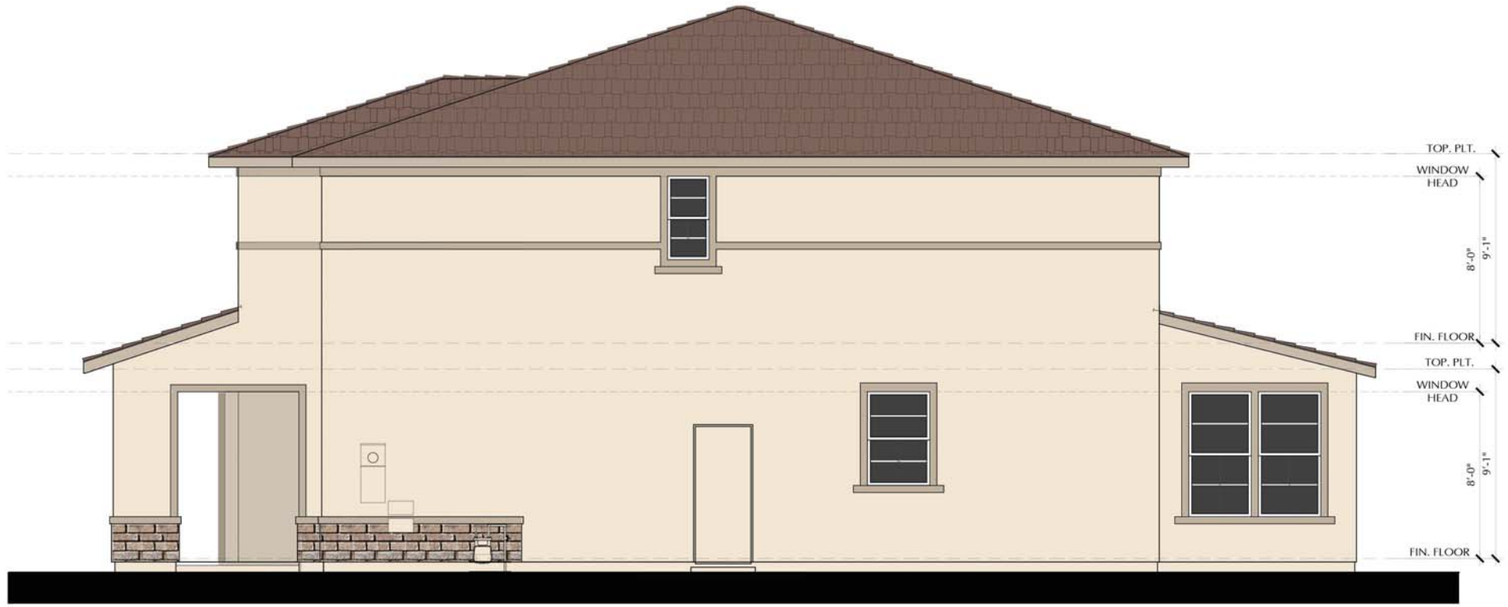
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ROOF PLAN ANDREA - B

PRAIRIE



RIGHT ELEVATION ANDREA - N670 - B

PRAIRIE



LEFT ELEVATION ANDREA - N670 - B

PRAIRIE

SCALE: 3/16" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-ANDREA N670-
ELEVATION B
SIDES AND ROOF

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FRONT ELEVATION

CRAFTSMAN

ANDREA - N670 - C

SCALE: 3/8"=1'-0"



REAR ELEVATION

CRAFTSMAN

ANDREA - N670 - C

SCALE: 3/8"=1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

SCALE: 3/8" = 1'-0"

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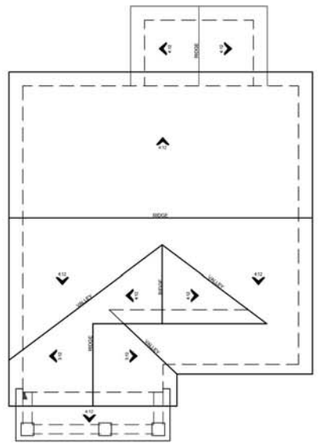
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-ANDREA N670-
ELEVATION C
FRONT AND REAR

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ROOF PLAN ANDREA - C

CRAFTSMAN



RIGHT ELEVATION

CRAFTSMAN

ANDREA - N670 - C



LEFT ELEVATION

CRAFTSMAN

ANDREA - N670 - C

SCALE: 3/8" = 1'-0"

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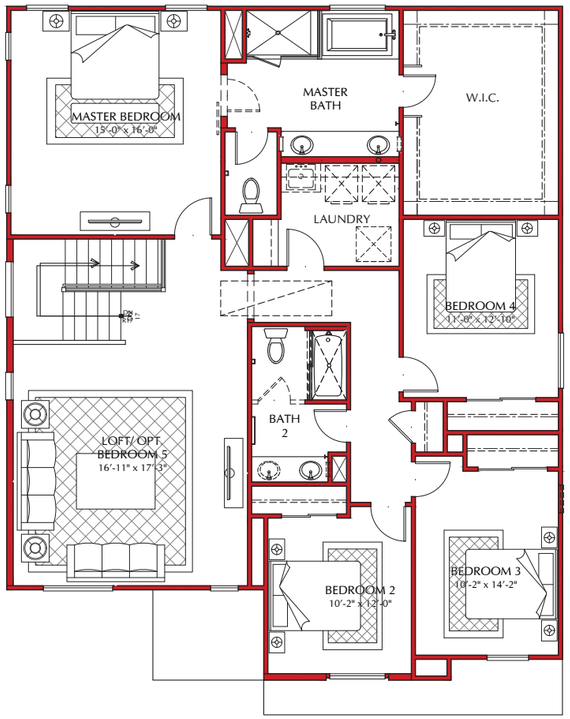
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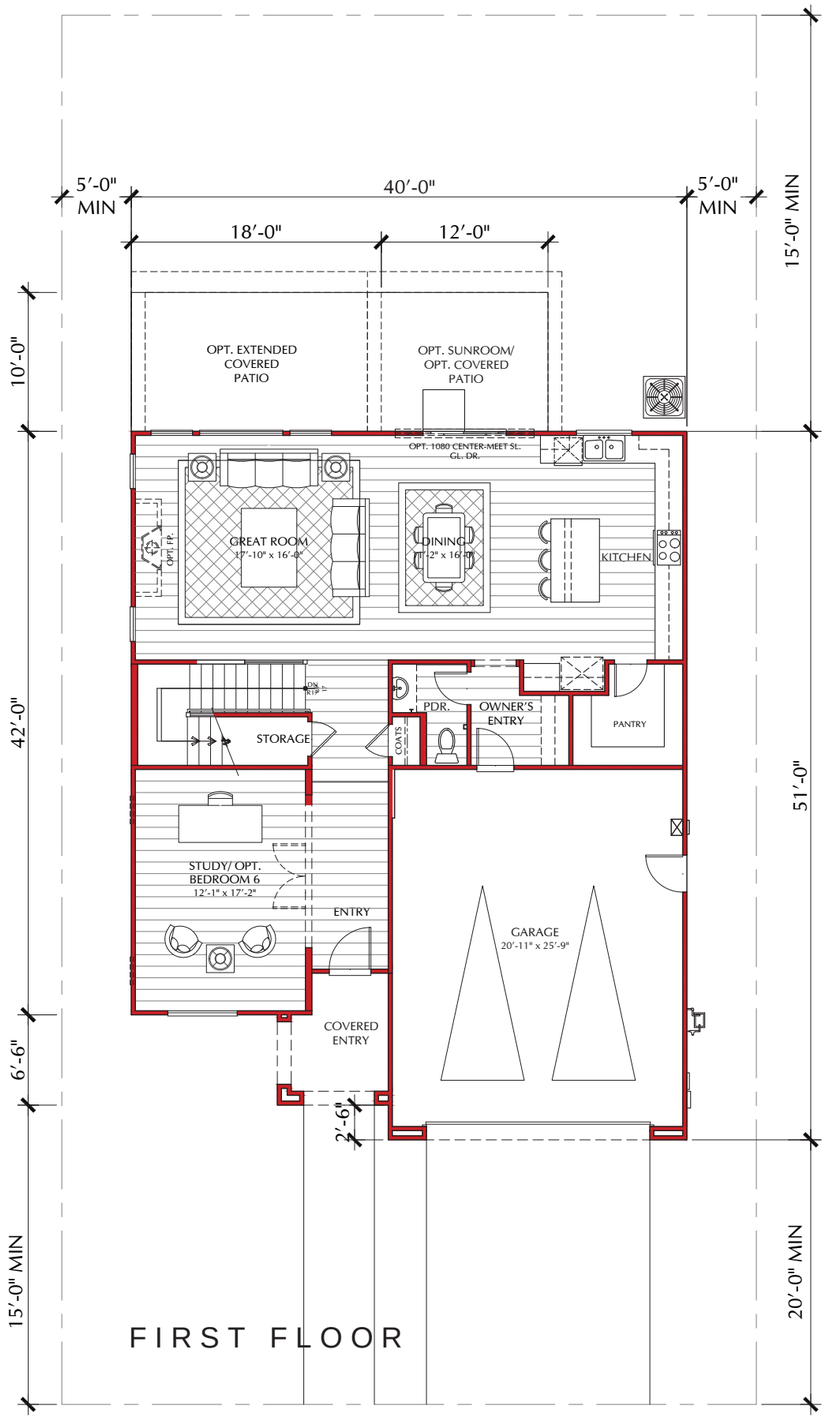
-ANDREA N670-
ELEVATION C
SIDES AND ROOF

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SECOND FLOOR



FIRST FLOOR

ALEXA - N590

4 BEDROOMS / 2.5 BATHS / LOFT / STUDY
2 CAR GARAGE

AREA TABULATION

FIRST FLOOR	1,288 S.F.
SECOND FLOOR	1,734 S.F.
TOTAL	3,022 S.F.
PORCH	68 S.F.
GARAGE (2 CAR)	555 S.F.
COVERED PATIO	300 S.F.

SCALE: $\frac{1}{4}$" = 1'-0"

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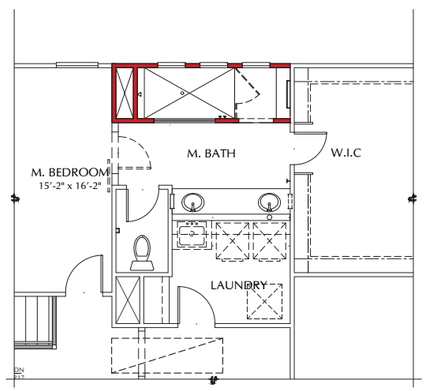
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- ALEXA N590 -
FLOOR PLAN

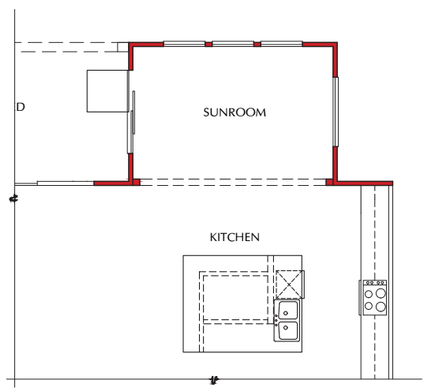
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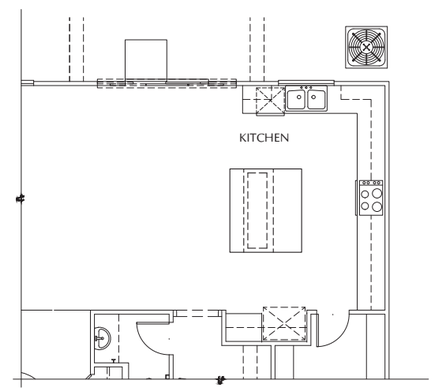
OPT. WALK IN SHOWER PLAN N590

SCALE: 1/4" = 1'-0"



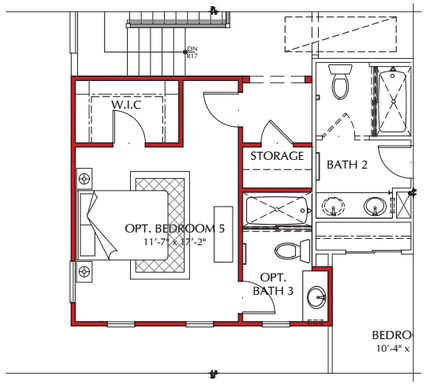
OPT. SUNROOM PLAN N590

SCALE: 1/4" = 1'-0"



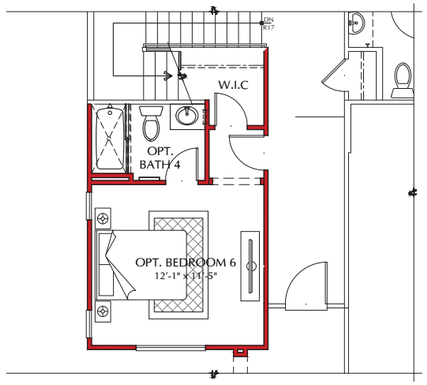
OPT. EXTENDED ISLAND **PLAN N590**

SCALE: 1/4" = 1'-0"



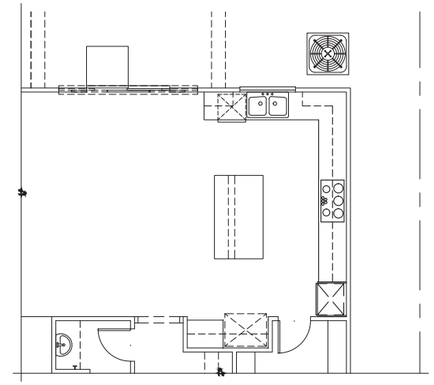
OPT. BED 5 / BATH 3 PLAN N590

SCALE: 1/4" = 1'-0"



OPT. BED 6 / BATH 4 PLAN N590

SCALE: 1/4" = 1'-0"



OPT. GOURMET KITCHEN PLAN N590

SCALE: 1/4" = 1'-0"

SCALE: $\frac{1}{4}$" = 1'-0"

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- ALEXA N590 -
FLOOR PLAN OPT.

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MATERIAL CALLOUTS

1 - CONCRETE 'S' ROOF TILE
2 - CONCRETE FLAT ROOF TILE
3 - 1- COAT STUCCO
4 - COMPOSITE SIDING
5 - WOOD FASCIA/BARGE
6 - FOAM SHUTTER
7 - FOAM TRIM
8 - FOAM CORBEL
9 - FOAM FAUX VENT PIPES
10 - EXTERIOR LIGHT
11 - ROLL UP GARAGE DOOR
12 - STONE VENEER
13 - BRICK VENEER

FRONT ELEVATION — ALEXA - N590 - A

SPANISH



FRONT ELEVATION — ALEXA - N590 - B

PRAIRIE

SCALE: 3/8" = 1'-0"



FRONT ELEVATION — ALEXA - N590 - C

CRAFTSMAN

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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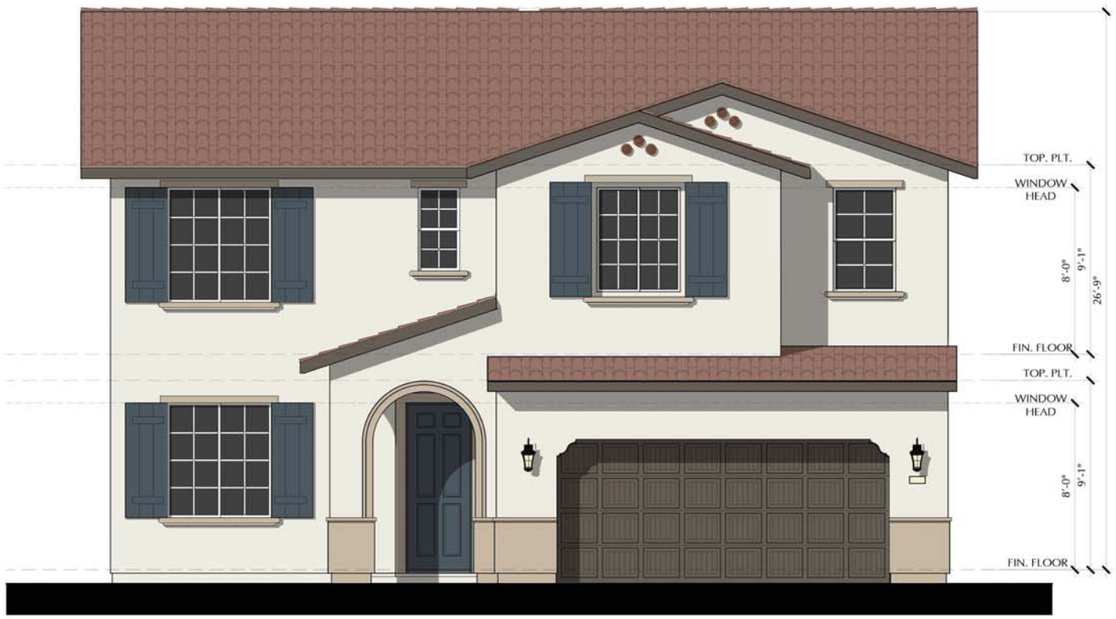
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-ALEXA N590-
FRONT ELEVATIONS

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FRONT ELEVATION

SPANISH

ALEXA - N590 - A

SCALE: 3/8"=1'-0"



REAR ELEVATION

SPANISH

ALEXA - N590 - A

SCALE: 3/8"=1'-0"

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-ALEXA N590-
ELEVATION A
FRONT AND REAR

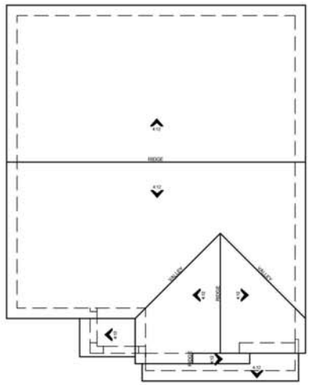
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RIGHT ELEVATION — ALEXA - N590 - A

SPANISH



ROOF PLAN — ALEXA - A

SPANISH



LEFT ELEVATION — ALEXA - N590- A

SPANISH

SCALE: 3/8" = 1'-0"

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-ALEXA N590-
ELEVATION A
SIDES AND ROOF

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FRONT ELEVATION

PRAIRIE

ALEXA - N590 - B

SCALE: 3/8"=1'-0"



REAR ELEVATION

PRAIRIE

ALEXA - N590 - B

SCALE: 3/8"=1'-0"

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-ALEXA N590-
ELEVATION B
FRONT AND REAR

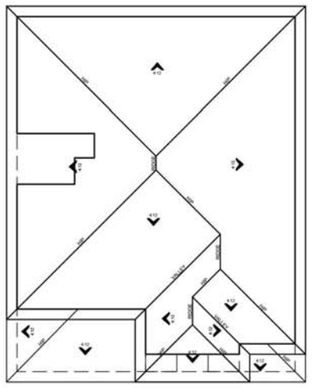
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RIGHT ELEVATION — ALEXA - N590 - B

PRAIRIE



ROOF PLAN — ALEXA - B

PRAIRIE



LEFT ELEVATION — ALEXA - N590 - B

PRAIRIE

SCALE: 3/8" = 1'-0"

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-ALEXA N590-
ELEVATION B
SIDES AND ROOF

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FRONT ELEVATION — ALEXA - N590 - C

CRAFTSMAN



REAR ELEVATION — ALEXA - N590 - C

CRAFTSMAN

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-ALEXA N590-
ELEVATION C
FRONT AND REAR

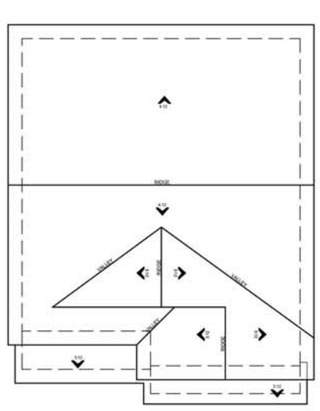
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RIGHT ELEVATION — ALEXA - N590 - C

CRAFTSMAN



ROOF PLAN — ALEXA - C

CRAFTSMAN



LEFT ELEVATION — ALEXA - N590 - C

CRAFTSMAN

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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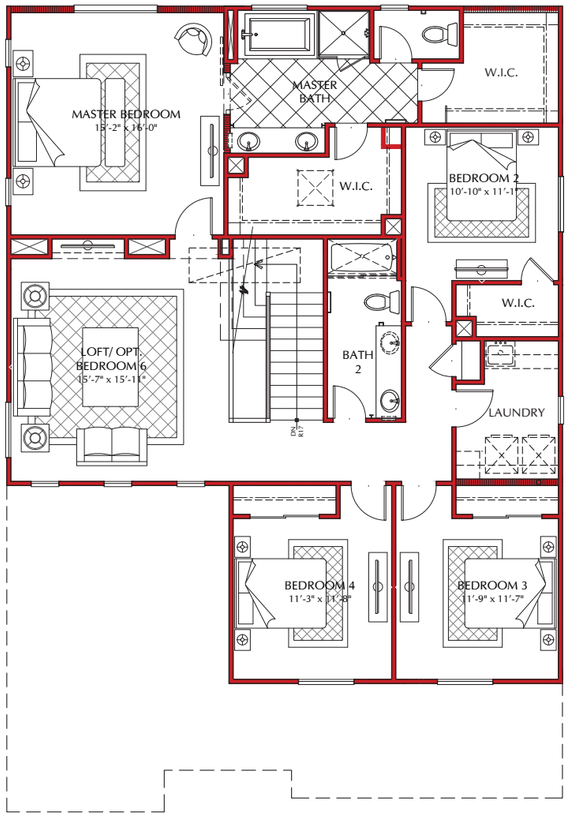
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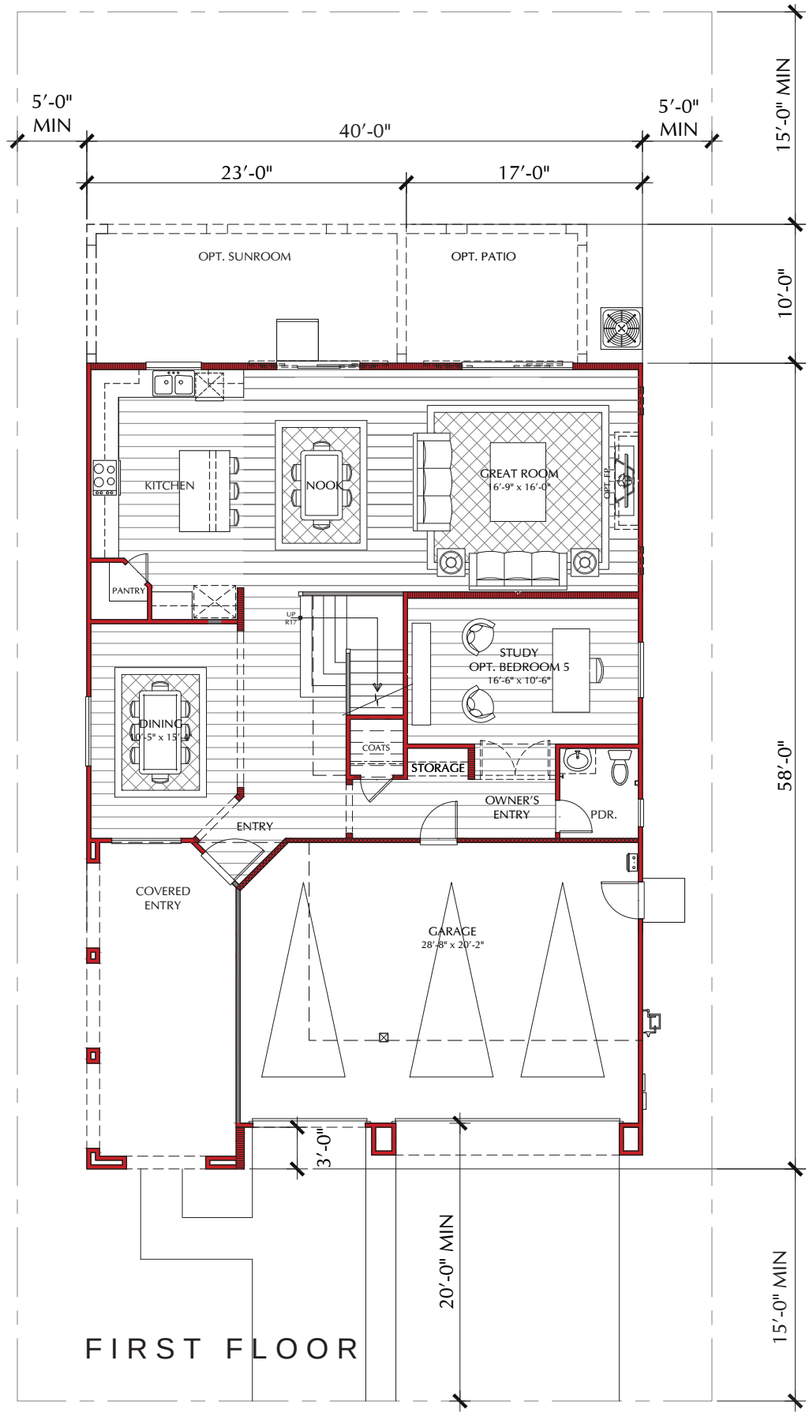
-ALEXA N590-
ELEVATION C
SIDES AND ROOF

A27

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SECOND FLOOR



FIRST FLOOR

SETH - N29A
4 BEDROOMS / 2.5 BATHS / LOFT / STUDY
3 CAR GARAGE

AREA TABULATION

FIRST FLOOR	1,392 S.F.
SECOND FLOOR	1,638 S.F.
TOTAL	3,030 S.F.
PORCH	249 S.F.
GARAGE (3 CAR)	593 S.F.
COVERED PATIO	230 S.F.

SCALE: $\frac{1}{4}$" = 1'-0"

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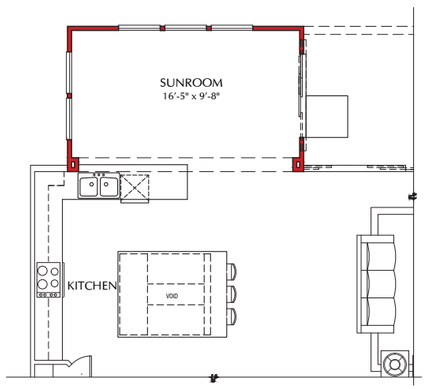
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- SETH N29A -
FLOOR PLAN

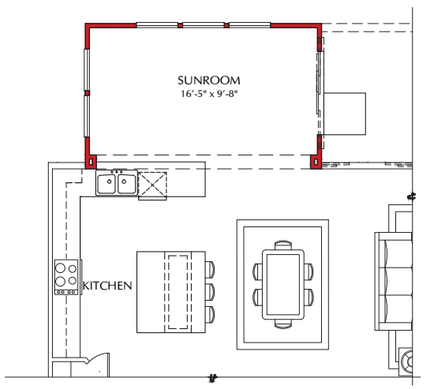
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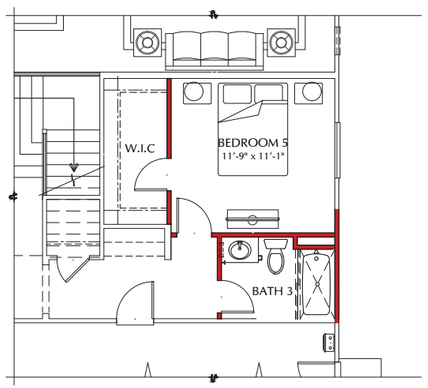
OPT. KITCHEN ISLAND #2 PLAN N29A

SCALE: 1/4" = 1'-0"



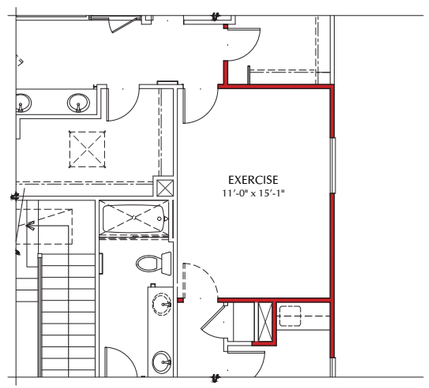
OPT. KITCHEN ISLAND #1 PLAN N29A

SCALE: 1/4" = 1'-0"



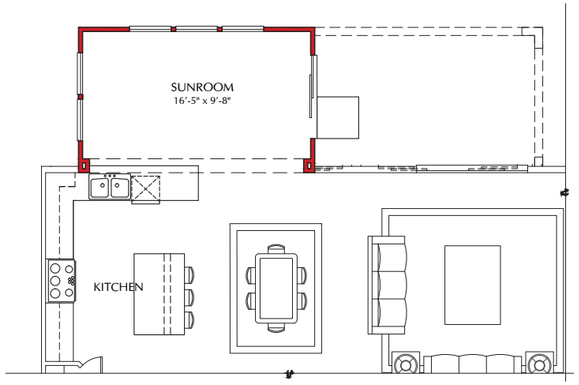
OPT. BED 5 / BATH 3 PLAN N29A

SCALE: 1/4" = 1'-0"



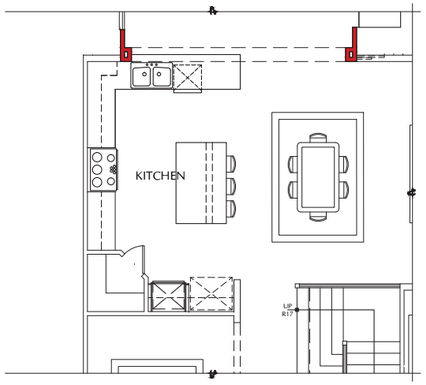
OPT. EXERCISE ROOM **PLAN N29A**

SCALE: 1/4" = 1'-0"



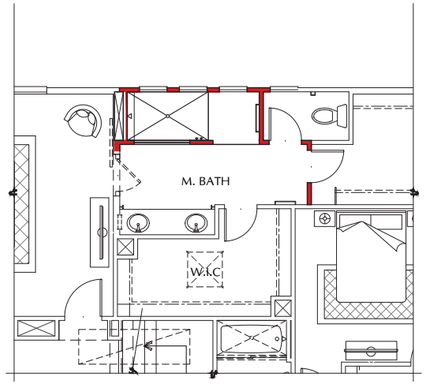
OPT. SUNROOM PLAN N29A

SCALE: 1/4" = 1'-0"



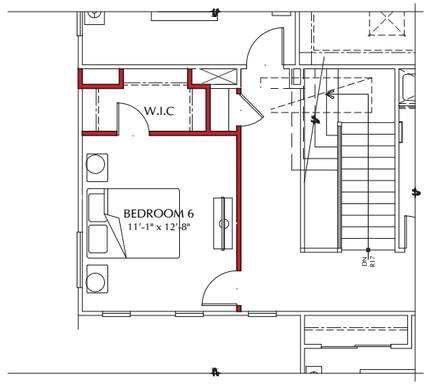
OPT. GOURMET KITCHEN PLAN N29A

SCALE: 1/4" = 1'-0"



OPT. WALK IN SHOWER PLAN N29A

SCALE: 1/4" = 1'-0"



OPT. BEDROOM 6 PLAN N29A

SCALE: 1/4" = 1'-0"

SCALE: $\frac{1}{4}$" = 1'-0"

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- SETH N29A -
FLOOR PLAN OPT.

A29

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MATERIAL CALLOUTS

1 - CONCRETE 'S' ROOF TILE
2 - CONCRETE FLAT ROOF TILE
3 - 1- COAT STUCCO
4 - COMPOSITE SIDING
5 - WOOD FASCIA/BARGE
6 - FOAM SHUTTER
7 - FOAM TRIM
8 - FOAM CORBEL
9 - FOAM FAUX VENT PIPES
10 - EXTERIOR LIGHT
11 - ROLL UP GARAGE DOOR
12 - STONE VENEER
13 - BRICK VENEER

FRONT ELEVATION — SETH - N29A - A

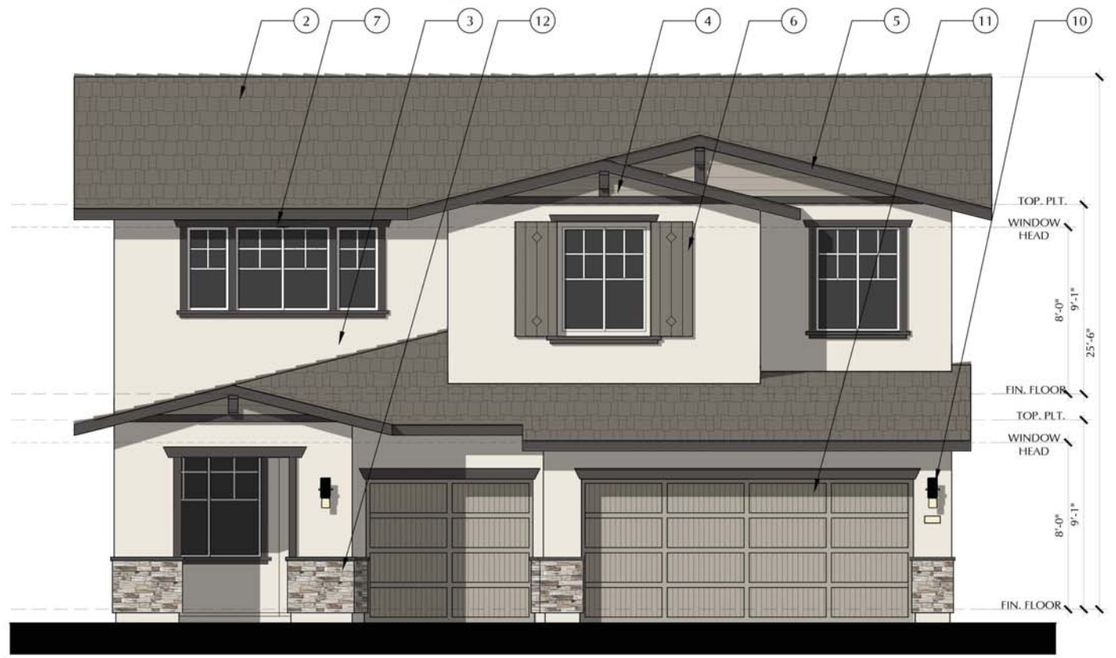
SPANISH



FRONT ELEVATION — SETH - N29A - B

PRAIRIE

SCALE: $\frac{3}{8}$" = 1'-0"



FRONT ELEVATION — SETH - N29A - C

CRAFTSMAN

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SETH N29A-
FRONT ELEVATIONS

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FRONT ELEVATION — SETH - N29A - A

SPANISH



REAR ELEVATION — SETH - N29A - A

SPANISH

SCALE: 3/8" = 1'-0"

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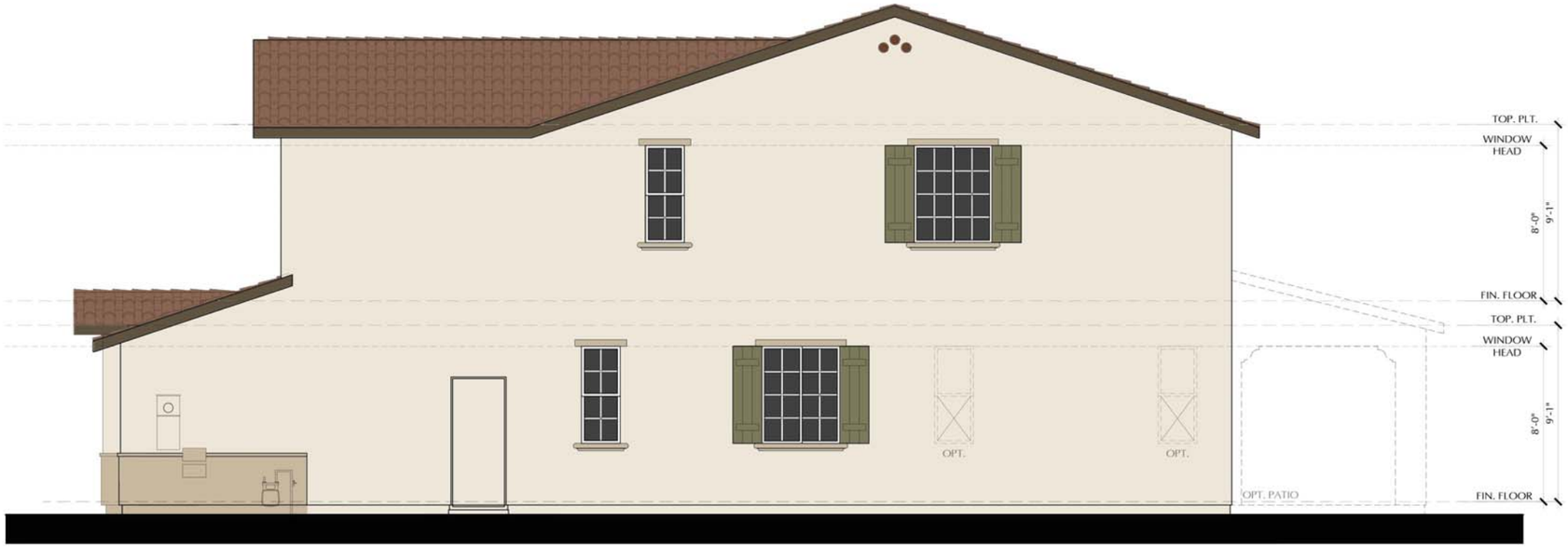
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-SETH N29A-
ELEVATION A
FRONT AND REAR

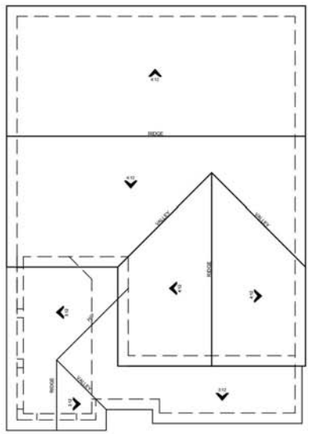
A31

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RIGHT ELEVATION — SETH - N29A - A

SPANISH



ROOF PLAN — SETH - A

SPANISH



LEFT ELEVATION — SETH - N29A - A

SPANISH

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SETH N29A-
ELEVATION A
SIDES AND ROOF

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FRONT ELEVATION

PRAIRIE

SETH - N29A - B

SCALE: 3/8"=1'-0"



REAR ELEVATION

PRAIRIE

SETH - N29A - B

SCALE: 3/8"=1'-0"

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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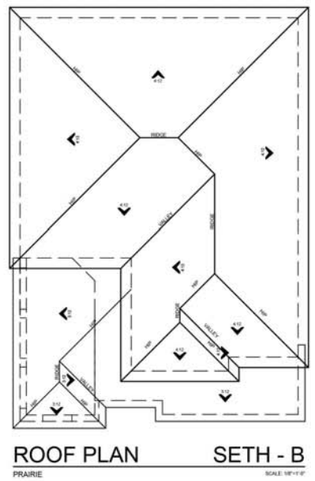
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-SETH N29A-
ELEVATION B
FRONT AND REAR

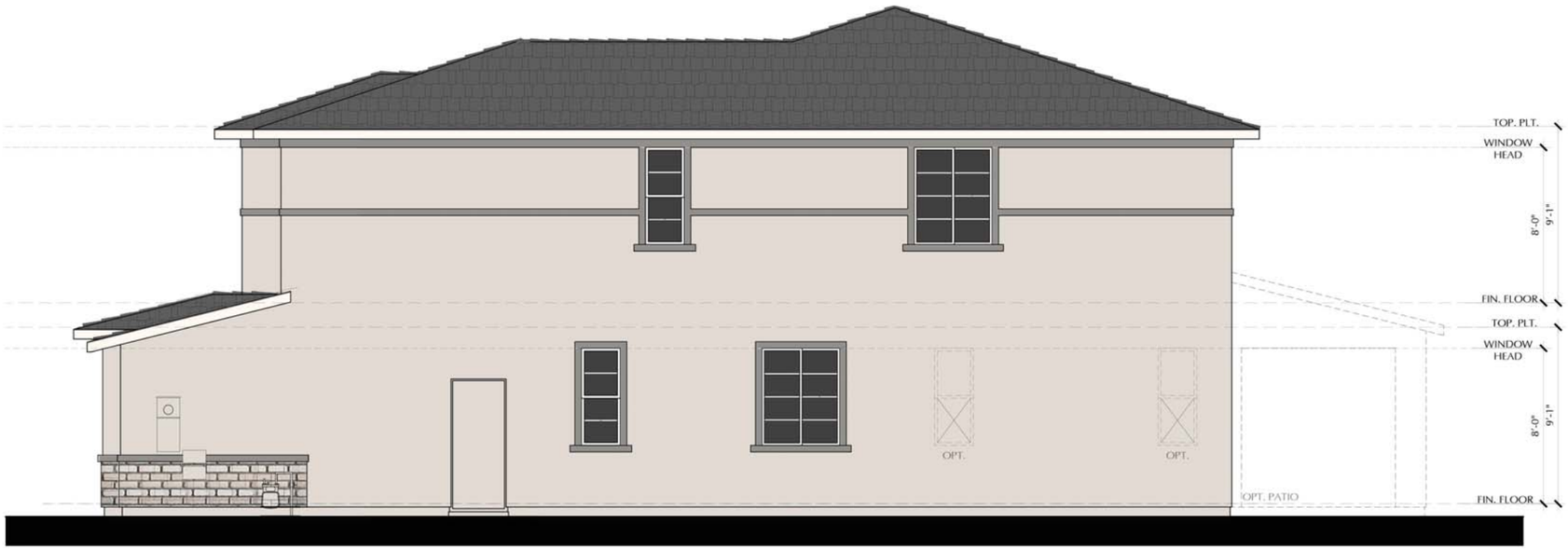
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ROOF PLAN SETH - B

PRAIRIE



RIGHT ELEVATION SETH - N29A - B

PRAIRIE



LEFT ELEVATION SETH - N29A - B

PRAIRIE

SCALE: 3/8" = 1'-0"

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-SETH N29A-
ELEVATION B
SIDES AND ROOF

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FRONT ELEVATION — SETH - N29A - C

CRAFTSMAN



REAR ELEVATION — SETH - N29A - C

CRAFTSMAN

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SETH N29A-
ELEVATION C
FRONT AND REAR

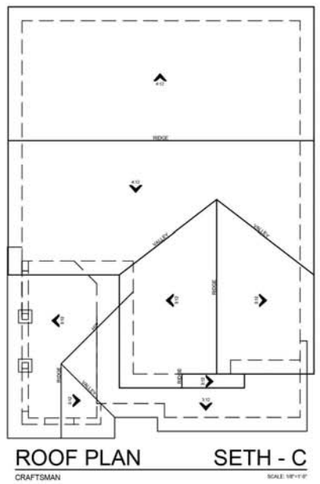
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RIGHT ELEVATION — SETH - N29A - C

CRAFTSMAN



ROOF PLAN — SETH - C

CRAFTSMAN



LEFT ELEVATION — SETH - N29A - C

CRAFTSMAN

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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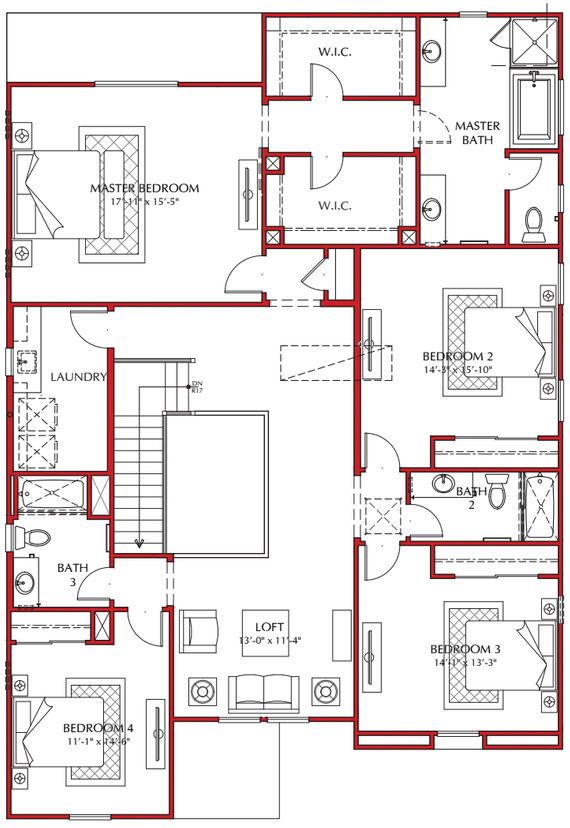
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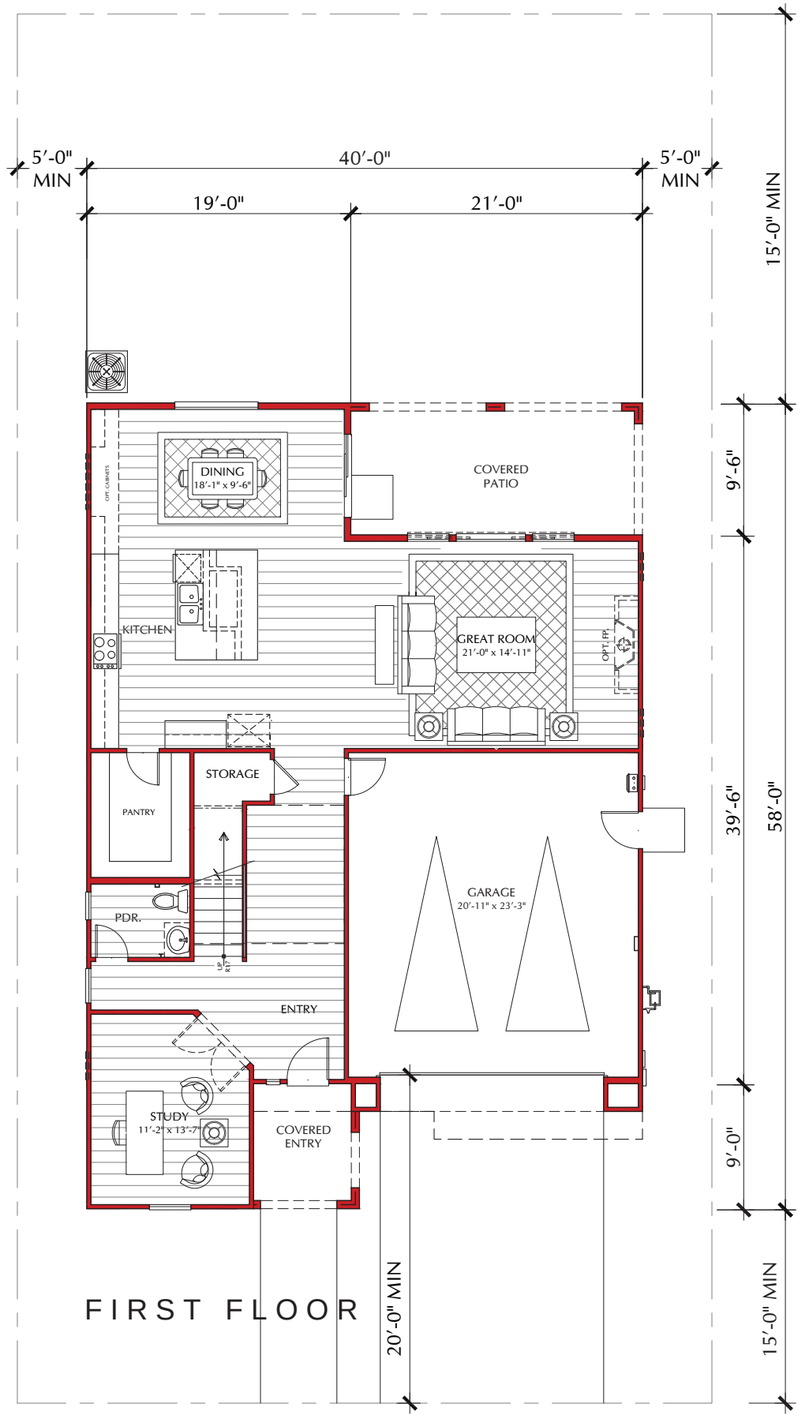
-SETH N29A-
ELEVATION C
SIDES AND ROOF

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SECOND FLOOR



FIRST FLOOR

SAGE - N658
4 BEDROOMS / 3.5 BATHS / LOFT / STUDY
2 CAR GARAGE

AREA TABULATION

FIRST FLOOR	1,368 S.F.
SECOND FLOOR	1,920 S.F.
TOTAL	3,288 S.F.
PORCH	199 S.F.
GARAGE (2 CAR)	501 S.F.
COVERED PATIO	68 S.F.

SCALE: $\frac{1}{4}$" = 1'-0"

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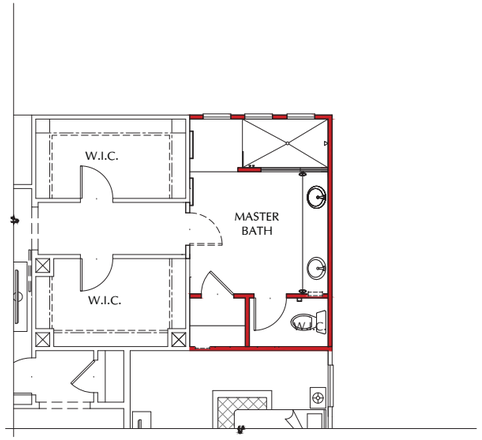
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- SAGE N658 -
FLOOR PLAN

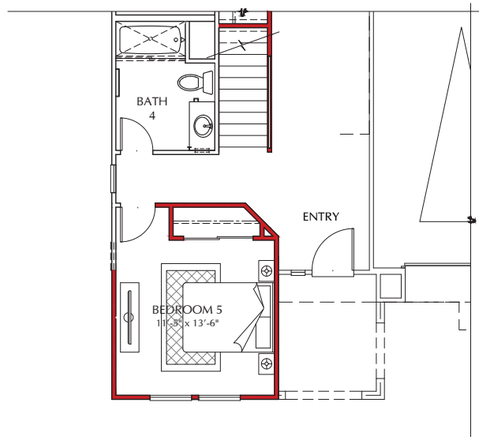
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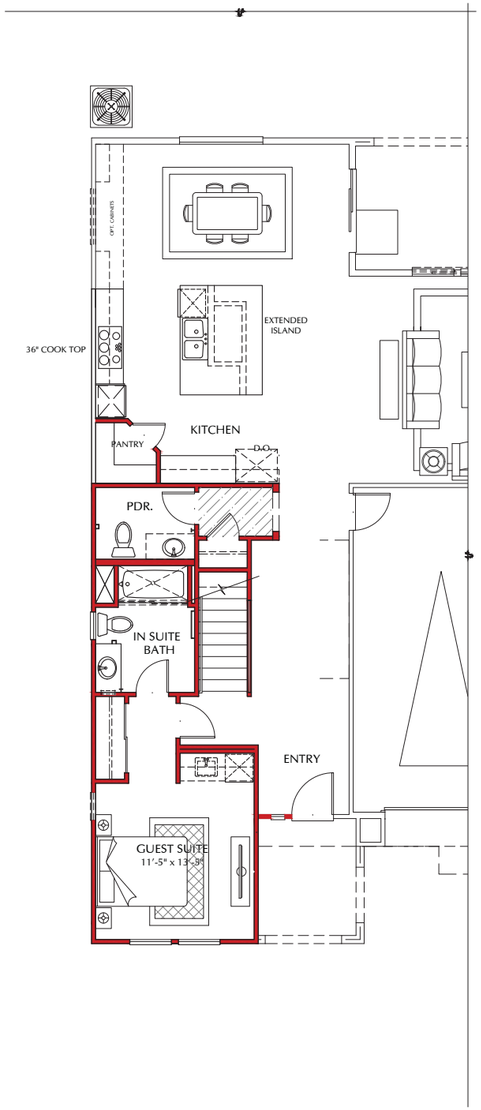
OPT. WALK IN SHOWER PLAN N658

SCALE: 1/4" = 1'-0"



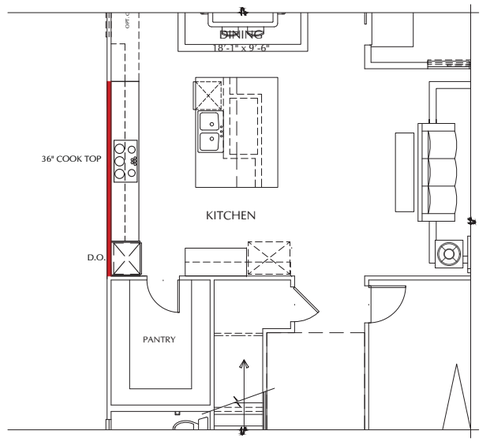
OPT. BEDROOM 5 / BATH 4 PLAN N658

SCALE: 1/4" = 1'-0"



OPT. GOUR. KIT. / GUEST SUITE
OPT. POWDER ROOM / PANTRY PLAN N658

SCALE: 1/4" = 1'-0"



OPT. GOURMET KITCHEN PLAN N658

SCALE: 1/4" = 1'-0"

SCALE: $\frac{1}{4}$" = 1'-0"

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- SAGE N658 -
FLOOR PLAN OPT.

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MATERIAL CALLOUTS

1 - CONCRETE 'S' ROOF TILE
2 - CONCRETE FLAT ROOF TILE
3 - 1- COAT STUCCO
4 - COMPOSITE SIDING
5 - WOOD FASCIA/BARGE
6 - FOAM SHUTTER
7 - FOAM TRIM
8 - FOAM CORBEL
9 - FOAM FAUX VENT PIPES
10 - EXTERIOR LIGHT
11 - ROLL UP GARAGE DOOR
12 - STONE VENEER
13 - BRICK VENEER

FRONT ELEVATION
SPANISH

SAGE - N658 - A





FRONT ELEVATION
PRAIRIE
SCALE: $\frac{3}{8}$" = 1'-0"

SAGE - N658 - B

FRONT ELEVATION
CRAFTSMAN

SAGE - N658 - C

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SAGE N658-
FRONT ELEVATIONS

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FRONT ELEVATION — SAGE - N658 - A

SPANISH



REAR ELEVATION — SAGE - N658 - A

SPANISH

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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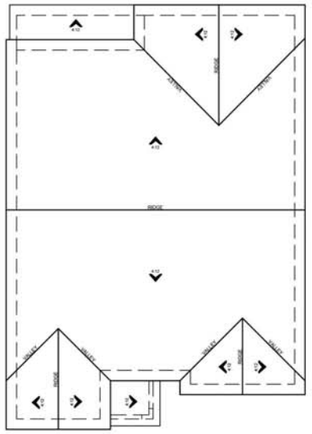
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-SAGE N658-
ELEVATION A
FRONT AND REAR

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ROOF PLAN SAGE - A

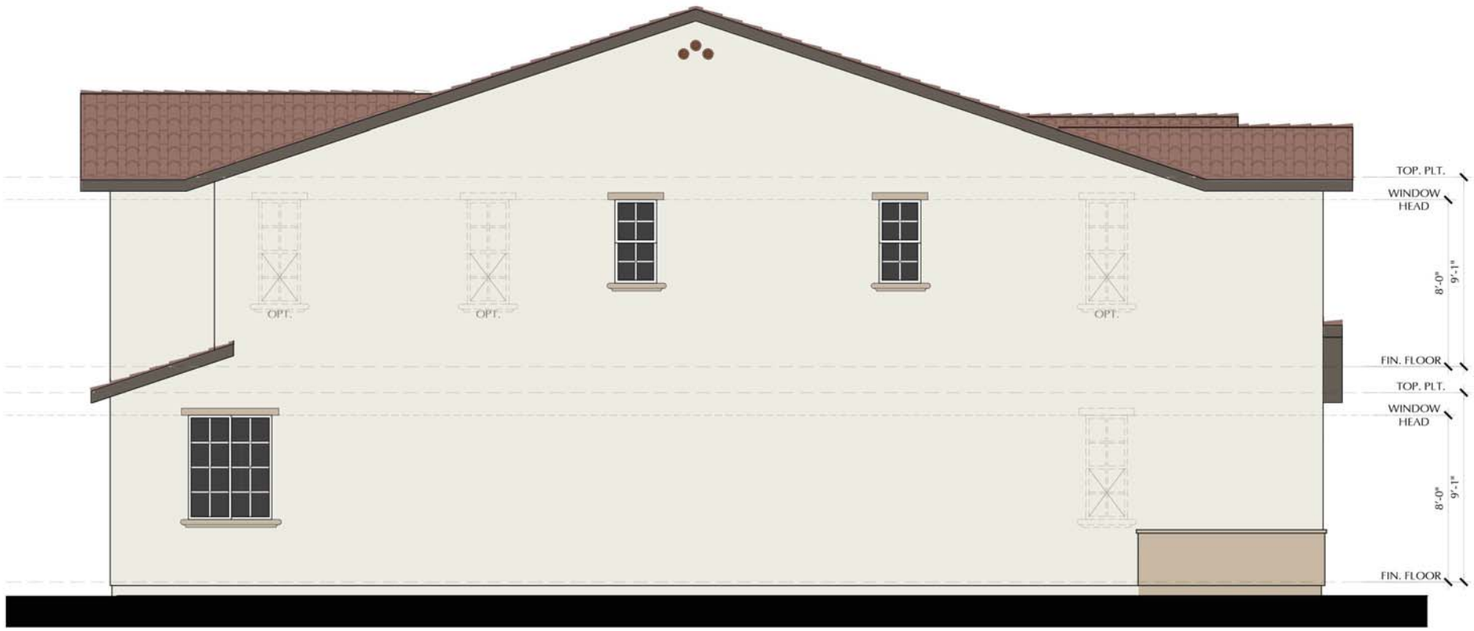
SPANISH

SCALE: 3/8" = 1'-0"



RIGHT ELEVATION SAGE - N658 - A

SPANISH



LEFT ELEVATION SAGE - N658 - A

SPANISH

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-SAGE N658-
ELEVATION A
SIDES AND ROOF

A41

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FRONT ELEVATION

PRAIRIE

SAGE - N658 - B

SCALE: 3/8"=1'-0"



REAR ELEVATION

PRAIRIE

SAGE - N658 - B

SCALE: 3/8"=1'-0"

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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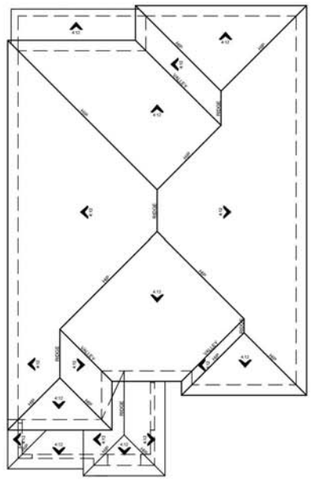
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-SAGE N658-
ELEVATION B
FRONT AND REAR

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ROOF PLAN SAGE - B

PRAIRIE



RIGHT ELEVATION SAGE - N658 - B

PRAIRIE



LEFT ELEVATION SAGE - N658 - B

PRAIRIE

SCALE: 3/16" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SAGE N658-
ELEVATION B
SIDES AND ROOF

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FRONT ELEVATION — SAGE - N658 - C

CRAFTSMAN



REAR ELEVATION — SAGE - N658 - C

CRAFTSMAN

SCALE: 3/8" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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-SAGE N658-
ELEVATION C
FRONT AND REAR

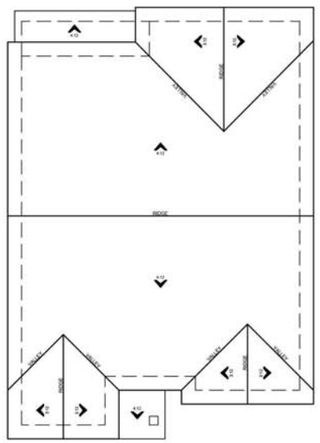
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RIGHT ELEVATION — SAGE - N658 - C

CRAFTSMAN



ROOF PLAN — SAGE - C

CRAFTSMAN



LEFT ELEVATION — SAGE - S913 - C

CRAFTSMAN

SCALE: 3/16" = 1'-0"

- TYP. TRIMS AND MATERIALS TO WRAP AND EXTEND TO FENCE LINE.

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ELEVATION C
SIDES AND ROOF

A45

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PROPOSED TREE PALETTE

STREET TREES	BOTANICAL NAME	COMMON NAME	CONT	WUCOLS IV	QTY
	ACER TRUNCATUM	SHANTUNG MAPLE	15 GAL	MOD	44
	GINKGO BILOBA `AUTUMN GOLD` TM	MAIDENHAIR TREE	15 GAL	MOD	47
	KOELREUTERIA BIPINNATA	CHINESE FLAME TREE	15 GAL	MOD	59
	PISTACIA CHINENSIS `RED PUSH`	RED PUSH CHINESE PISTACHE	15 GAL	LOW	16
	TILIA CORDATA `GREENSPIRE`	GREENSPIRE LITTLELEAF LINDEN	15 GAL	MOD	14
ACCENT TREES					
	LAGERSTROEMIA INDICA `MUSKOGEE`	MUSKOGEE CRAPE MYRTLE	15 GAL	LOW	100
	LAGERSTROEMIA INDICA `TUSCARORA`	TUSCARORA CRAPE MYRTLE	15 GAL	LOW	
	PRUNUS CERASIFERA	PURPLE LEAF PLUM	15 GAL	LOW	

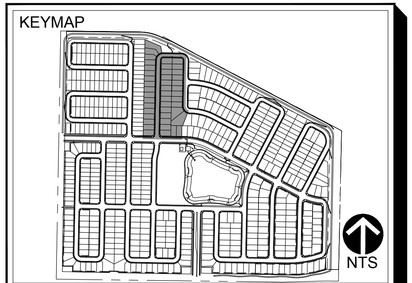
PLANTING NOTES

1. THE PLANTING DESIGN FOR THE SITE IS DROUGHT TOLERANT AND CONSISTS OF A BALANCE OF EVERGREEN AND DECIDUOUS PLANTING AS WELL AS NATIVE AND ORNAMENTAL PLANTING.
2. ALL SHRUBS AND GROUNDCOVER MATERIAL SELECTED HAS A WUCOLS WATER USE RATING OF LOW OR VERY LOW.
3. PROPOSED TREE CANOPIES ARE SHOWN AT 85% MATURE GROWTH DIAMETER IN ORDER TO ENSURE THERE IS SUFFICIENT ROOM FOR TREE GROWTH AND HEALTH.
4. ALL TREES SHALL BE PLANTED WITH ROOT DEFLECTION PANELS PER CITY'S STANDARD.
5. ALL TREES SHALL BE PLANTED AND STAKED PER CITY'S STANDARD.
6. ALL TREES SHALL AVOID CONFLICTS WITH STREET SIGNAGE, STREET LIGHTS AND OTHER UTILITIES.
   TREE SETBACKS SHALL BE A MINIMUM OF:
   6' FROM PAVED SURFACES;
   10' FROM WATER METERS & JOINT TRENCHES;
   10' FROM STREETLIGHTS;
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KEYMAP



RICHMOND AMERICAN HOMES
ONE HARBOR CENTER, SUITE 100
SUISUN CITY, CALIFORNIA 94585
(707)416-2800

MIDDLEFIELD AT DELANEY

Oakley, California

OVERALL LANDSCAPE PLAN

CONCEPTUAL LANDSCAPE PLAN
SEPTEMBER 09, 2019

vanderToolen Associates
855 Bordeaux Way
Suite 240
Napa, CA 94558

tel: 707.224.2299
www.vandertoolen.com

0' 15' 30' 60'
SCALE: 1" = 30'-0"
NORTH

L-1

Project No. 03719

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PROPOSED TREE PALETTE

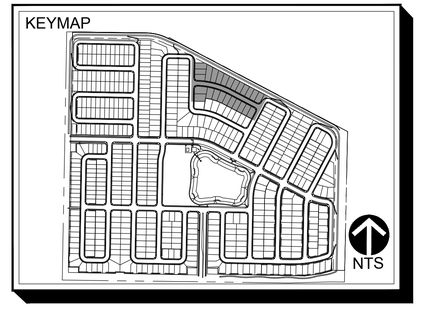
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L-2
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IRRIGATION NOTES

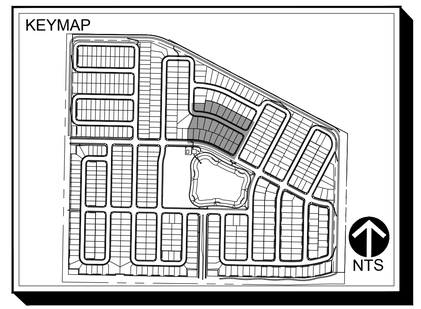
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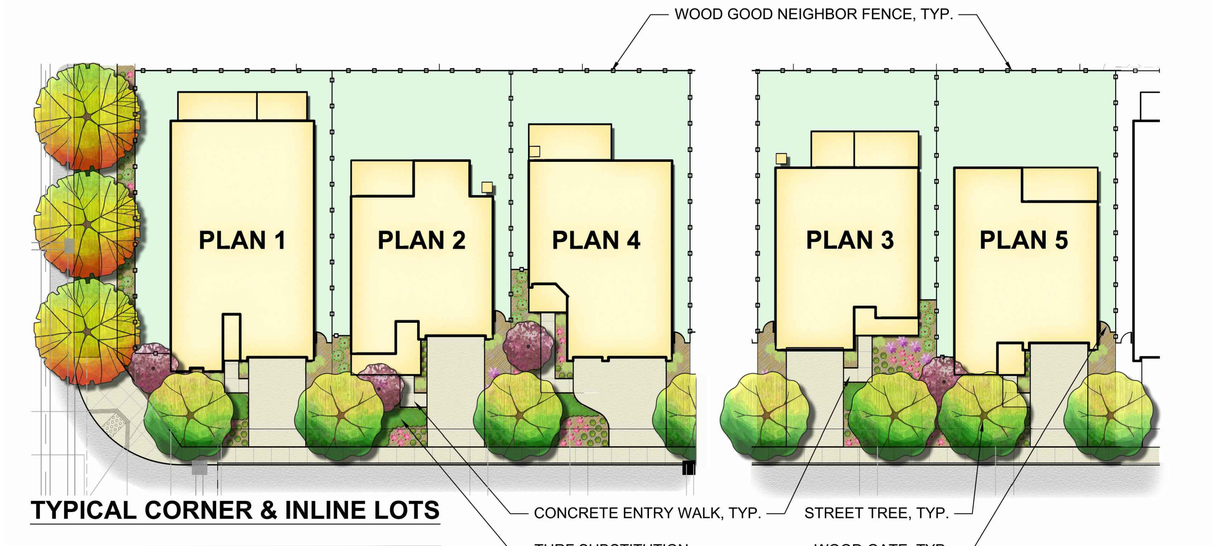
SCALE: 1" = 30'-0" (0' 15' 30' 60')

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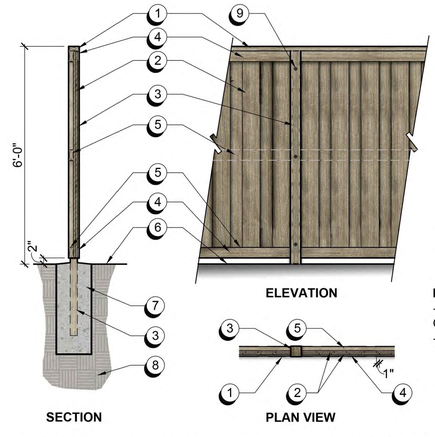
L-3

Project No. 03719

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TYPICAL CORNER & INLINE LOTS



1. 2 x 4 CAP RAIL
2. 1 x 6 BOARD ON BOARD COVER BOARD WITH 1" OVERLAP
3. 2-3/8" SCH 40 GALVANIZED STEEL POST @ 8' O.C. WITH 2 x 4 WOOD FACE MITERED OVER POST
4. 1 x 4 FASCIA BOARD (TOP & BOTTOM TRIM)
5. 2 x 4 FENCE RAIL (TOP, MIDDLE & BOTTOM)
6. FINISH GRADE
7. 8" X 24" DOMED CONCRETE FOOTING
8. COMPACTED SUBGRADE
9. 3/4" x 3" GALVANIZED SELF TAPPING METAL SCREWS

NOTE:
-ALL OTHER WOOD SHALL BE CONSTRUCTION GRADE REDWOOD OR CEDAR.
-ALL NAILS SHALL BE HOT DIPPED GALVANIZED.

POST ENLARGEMENT
N.T.S.

A GOOD NEIGHBOR WOOD FENCE
SCALE: 1/2" = 1'-0 "

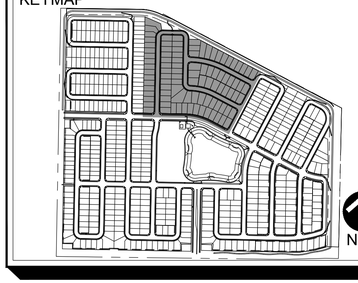
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KEYMAP



PROPOSED PLANT PALETTE

SYMBOL	BOTANICAL NAME	COMMON NAME	MIN. SIZE	WUCOLS*
	VINES / ESPALIERS			
	DISTICTUS BUCCINATORIA	BLOOD-RED TRUMPET VINE	5 GAL	M
	PARTHENOCISSUS TRICUSPIDATA	BOSTON IVY	5 GAL	M
	ROSA SPP.	ROSE	5 GAL	M
	GROUNDCOVERS			
	CAREX FLACCA	BLUE SEDGE	1 GAL	M
	COTONEASTER D. LOWFAST	BEARBERRY COTONEASTER	1 GAL	L
	ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY	1 GAL	L
	FRAGARIA CHILOENSIS	BEACH STRAWBERRY	1 GAL	M
	HELIANTHEMUM N. 'WISLEY PINK'	HELIANTHEMUM N. 'WISLEY PINK'	1 GAL	M
	MYOPORUM P. 'PROSTRATUM'	CREEPING MYOPORUM	1 GAL	L
	SCAEVOLA ' MAUVE CLUSTER'	FAIRY FAN FLOWER	1 GAL	L
	STACHYS BYZANTINA	LAMBS' EARS	1 GAL	L
	WESTRINGIA FRUTICOSA `MUNDI` TM	LOW COAST ROSEMARY	1 GAL	L
	SHRUBS			
	ARCTOSTAPHYLOS SP.	MANZANITA	5 GAL	L
	BERBERIS SP.	JAPANESE BARBERRY	1 GAL	L
	CEANOTHUS SP.	WILD LILAC	5 GAL	L
	CISTUS SPP.	ROCK ROSE	5 GAL	L
	COLEONEMA PULCHRUM	PINK BREATH OF HEAVEN	5 GAL	M
	DIETES SPP.	FORTNIGHT LILY	1 GAL	L
	GAURA LINDHEIMERI	GAURA	1 GAL	M
	HEMEROCALLIS HYBRIDS	EVERGREEN DAYLILLY	1 GAL	M
	MAHONIA A. 'COMPACTA'	DWARF OREGON GRAPE	1 GAL	M
	NANDINA D. 'HARBOR DWARF'	HARBOR DWARF NANDINA	5 GAL	L
	NANDINA D. 'GULF STREAM'	GULF STREAM NANDINA	5 GAL	L
	NEPETA 'SIX HILLS GIANT'	CAT MINT	1 GAL	L
	OSMANTHUS FRAGRANS	SWEET OLIVE	5 GAL	M
	PHORMIUM 'MAORI SUNRISE'	NEW ZEALAND FLAX	5 GAL	L
	PHOTINIA FRASERII	PHOTINIA	5 GAL	M
	PITTOSPORUM T. 'VARIEGATA'	VARIEGATED PITTOSPORUM	5 GAL	L
	PITTOSPORUM T. 'WHEELERS DWARF'	DWARF PITTOSPORUM	5 GAL	M
	PODOCARPUS M. MAKI	YEW PINE	5 GAL	M
	RHAPHIOLEPIS SPP.	INDIA HAWTHORN	5 GAL	L
	ROSA SPP.	LANDSCAPE ROSES	2 GAL	M
	SOLLYA HETEROPHYLLA	AUSTRALIAN BLUEBELL CREEPER	1 GAL	L
	TEUCRIUM SPP.	GERMANDER	5 GAL	L
	VIBURNUM T. 'SPRING BOUQUET'	LAURUSTINUS	5 GAL	M

* WATER NEEDS BASED ON THE WATER USE CLASSIFICATION OF LANDSCAPE SPECIES (WUCOLS) BY THE UNIVERSITY OF CALIFORNIA COOPERATIVE EXTENSION.

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'A' ELEVATIONS
SPANISH

SCHEME #1

BODY STUCCO

TRIM

SHUTTERS

ENTRY DOOR

GARAGE DOOR

FASCIAS, EAVES & CORBELS

FAUX CLAY PIPES

ROOFING



SCHEME #2

BODY STUCCO

TRIM

SHUTTERS

ENTRY DOOR

GARAGE DOOR

FASCIAS, EAVES & CORBELS

FAUX CLAY PIPES

ROOFING



SCHEME #3

BODY STUCCO

TRIM

SHUTTERS

ENTRY DOOR

GARAGE DOOR

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EXTERIOR COLOR
&
MATERIALS

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‘B’ ELEVATIONS
PRAIRIE

SCHEME #4

BODY STUCCO

TRIM

ENTRY DOOR

GARAGE DOOR

FASCIAS & EAVES

FAUX VENT

BRICK VENEER



ROOFING



SCHEME #5

BODY STUCCO

TRIM

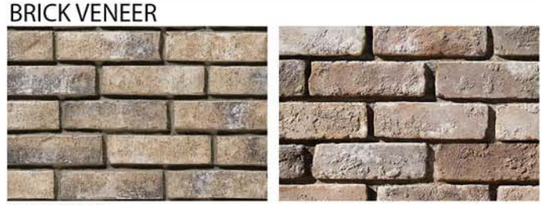
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GARAGE DOOR

FASCIAS & EAVES

FAUX VENT

BRICK VENEER



ROOFING



SCHEME #6

BODY STUCCO

TRIM

ENTRY DOOR

GARAGE DOOR

FASCIAS & EAVES

FAUX VENT

BRICK VENEER



ROOFING



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'C' ELEVATIONS
CRAFTSMAN

SCHEME #7

BODY STUCCO



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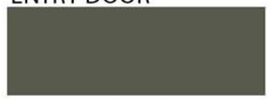
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SHUTTERS



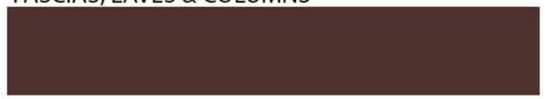
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FASCIAS, EAVES & COLUMNS

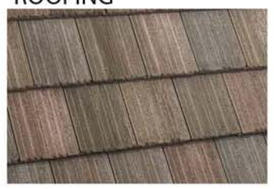


STONE VENEER





ROOFING





SCHEME #8

BODY STUCCO



TRIM



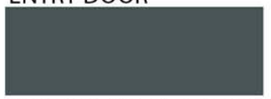
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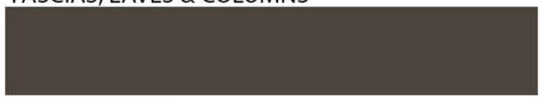
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SCHEME #9

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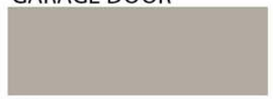
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OAKLEY, CALIFORNIA
JOB # 109-19119

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RESOLUTION NO. XX-19

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING THE PROJECT KNOWN AS "MIDDLEFIELD AT DELANEY PARK DESIGN REVIEW AND FINAL DEVELOPMENT PLAN AMENDMENT (DR 09-19, FDP 01-19)," LOCATED WITHIN THE GILBERT PROPERTY SUBDIVISION 9033

FINDINGS

WHEREAS, on September 16, 2018, Richmond American Homes ("Applicant") filed an application requesting Design Review approval for 96 single family homes in Neighborhood 1 ("Middlefield") of the Delaney Park Subdivision (DR 09-19). This request represents the final design review application for the 581 lot single-family residential development known as "Delaney Park." Proposed homes consist of one (1) single-story and four (4) two-story floor plans ranging from 2,161 sf. to 3,284 sf. of livable area. The applicant is also requesting a Final Development Plan Amendment to amend the rear setback for Neighborhood 1 from a minimum 15 feet to a minimum 14 feet only for Plan 1 (FDP 01-19). Middlefield neighborhood consists of minimum 5,000 sf. lot sizes with a typical width of 50 feet and depth of 100 feet. The application also includes a development plan for house plotting, and conceptual front yard landscaping and good neighbor fence plans. The project site is zoned P-1 (Planned Unit Development) District, is located at northeast corner of East Cypress Road and Sellers Avenue, and is part of Vesting Tentative Map 9033 ("Gilbert Property Subdivision"); and

WHEREAS, the Applicant's Plans include house floor plans and architectural elevations, color and material schemes, conceptual front yard landscaping, and a neighborhood development plan ("Plans"); and

WHEREAS, on October 16, 2019 the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project site is designated Single Family High (SH), Single Family Medium (SM), and Multi-Family Low (ML) on the Oakley 2020 General Plan Land Use Map, and zoned P-1 (Planned Unit Development) District; and

WHEREAS, this request for design review approval does not constitute changes to the physical impacts associated with the project and falls within the scope of the Gilbert Property Subdivision 9033 Environmental Impact Report ("EIR") (includes the Draft EIR, Final EIR and Addendum) (SCH# 2007012075); and

WHEREAS, on or before November 1, 2019, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the project's boundaries, interested agencies, and to parties requesting such notice; and

WHEREAS, on November 12, 2019, the City Council opened the public hearing and received a report from City Staff, oral and written testimony from the Applicant and public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

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

WHEREAS, these Findings are based on the City's General Plan, the City's Zoning and Subdivision Ordinances, Vesting Tentative Map 9033, the project's P-1 District and Final Development Plan, and the information submitted to the City Council at its November 12, 2019 meeting, both written and oral, including oral information provided by the Applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

A. Regarding the application requesting approval of a Final Development Plan Amendment for "Middlefield at Delaney Park Final Development Plan Amendment (FDP 01-19), the City Council finds that:

1. The requested amendment to reduce the required rear yard setback from 15 feet to 14 feet for applicable only to Plan 1 on lots within the Middlefield neighborhood will assist to provide an additional 30 single-story homes in the Delaney Park Subdivision, and the homes will still maintain the minimum 20 foot setback to garages and 15 foot front yard setbacks to living areas and porches.

B. Regarding the application requesting Design Review approval for "Middlefield at Delaney Park Design Review (DR 09-19)", the City Council finds that:

1. The proposed Design Review plans are substantially consistent with the applicable General Plan designations and approved Final Development Plan and Vesting Tentative Map 9033, as amended by City Council Resolution 123-17, and herein by this Resolution. The proposed use was anticipated in the General Plan and the overall plan for Vesting Tentative Map 9033 and Final Development Plan, as previously amended; and

2. The proposed Design Review plans comply with all applicable P-1 District zoning regulations (City Council Ordinance 20-07), Final Development Plan development regulations (Resolution No. 123-17), and the amendment

herein this Resolution, which are all incorporated in these conditions of approval; and

3. The proposed design and materials of the single-family homes and the conceptual front yard landscaping are compatible with the applicable adopted City of Oakley Residential Design Guidelines standards, subject to the approved Final Development Plan.

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

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves the Applicant's request for approval of the project titled, "Middlefield at Delaney Park Design Review and Final Development Plan Amendment (DR 09-19, FDP 01-19)," subject to the following condition:

A. Applicant shall comply with the requirements of the Oakley Municipal Code and applicable Conditions of Approval from City Council Resolution and Ordinance Nos. listed below. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the plans received by the Community Development Department and made a part of the City Council's meeting packet for November 12, 2019:

1. Resolution No. 116-07 (Gilbert Property Subdivision EIR Certification);
2. Ordinance No. 20-07 (Gilbert Property Subdivision 9033 P-1 District Rezone);
3. Resolution No. 117-07 (Gilbert Property Subdivision 9033 Tentative Map);
4. Resolution No. 92-13 (Gilbert Property Subdivision 9033 Final Development Plan Amendment);
5. Resolution No. 125-16 (Modification of Conditions of Approval from Resolution No. 117-07); and
6. Resolution No. 123-17 (Gilbert Property Subdivision 9033 Final Development Plan Amendment, Tentative Map Amendment, and Final Phasing Plan);

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Department Conditions

General:

1. This Design Review and Final Development Plan Amendment is approved, as shown on the plans, date stamped by the Community Development Department on October 29, 2019, and as conditioned herein.

2. This approval shall be effectuated within the period of validity of the Gilbert Property Subdivision Tentative Map 9033.

3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on November 12, 2019, and as conditioned herein.

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

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

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

7. All mitigation measures contained in the Gilbert Property Subdivision 9033 Environmental Impact Report Mitigation and Monitoring Plan (available at City Hall, 3231 Main Street, Oakley, CA 94561) shall be implemented as applicable.

8. The Applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

9. Any model home complex shall have a copy of the City of Oakley's General Plan Land Use Map posted within the sales office or included with the informational material provided to prospective home buyers.

Development Regulations/Final Development Plan Amendment:

10. All development regulations adopted and amended in conjunction with the Gilbert Property Subdivision 9033 Amended Vesting Tentative Map and Amended Final Development Plan shall be implemented, as applicable, except as modified below:

    a. Neighborhood 1 (Middlefield): The rear setback for Plan 1s, as approved in this resolution at a depth of 66 feet from the garage door to the rear of the

house, shall be allowed a 14 foot minimum rear yard setback. All other plans shall remain subject to the 15 foot rear yard minimum setback.

Architectural Details:

11. All plan/elevation combinations that show any materials other than stucco on a column or front facade, where the side elevation is not visible on the plans, shall have that material wrap all sides of the column or around the front facade to the next change in plane. Where wraps are completely visible on the plans, they should continue to either the change in plane, or to the fence line or point where the second story begins, as shown on the approved plans.

12. All trimming and shutters, etc. shall be painted on all three sides in the applicable color. Exceptions may be made for stucco over foam trim where a clean line may not be attainable where the trim meets the house, subject to the review and approval of the Community Development Director.

13. The Applicant shall submit spec sheets for all garage doors and exterior lighting for each specific architectural style in both neighborhoods, and each architectural style shall have a unique garage door and exterior lighting design.

14. Plot plans shall be submitted with a consistent as possible mix of architectural types for the duration of the build out. In the event any specific type is being proposed too often, or excluded from the mix, Staff may postpone issuing building permits until it can be shown that an even mix of all types, subject to the total numbers represented by each plan, will exist at build out without over concentration or exclusion in any specific area.

Landscaping:

15. A landscaping and irrigation plan for all front yard, right-of-way, parks, open space, and trail landscaping shall conform to the Oakley Water Efficient Landscape Ordinance ("WELO"), and the Guidelines for Implementation of the City of Oakley Water Efficient Landscape Ordinance and shall be installed prior to final occupancy. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with the City's Water Conservation Ordinance by including the following signed statement on the cover sheet or same sheet as the WELO calculations in a visible text box: "These plans are certified to conform to the Oakley Water Efficiency Landscape Ordinance."

16. California native drought tolerant plants shall be used as much as possible. All trees shall be a mix of 15-gallon and 24-inch box; all shrubs shall be a minimum five-gallon size, except as otherwise noted.

17. All landscaped areas not covered by shrubs or groundcover shall be covered with bark or acceptable alternative as reviewed and approved by the

Community Development Director. On slopes greater than 3 to 1, the Applicant shall use an alternative to bark per the review and approval of the Community Development Director. Areas covered with bark shall use a weed barrier.

18. The Applicant shall maintain all private landscaping until occupancy.

Subdivision Disclosures:

19. Where a lot/parcel is located within 300' of a high voltage electric transmission line, the Applicant shall record the following notice:

> "The subject property is located near a high voltage electric transmission line. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such a hypothesis is established. At this time no risk assessment has been made."

When a Final Subdivision Public Report issued by the California Department of Real Estate is required, the Applicant shall also request that the Department of Real Estate insert the above note in the report.

20. The following statements shall be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that they own property in an agricultural area:

> "This document shall serve as notification that you have purchased land in an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust or blowing sand; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment such as zon guns and aerial crop dusting and certain animals, including equestrian trails as well as flies may exist on surrounding properties. This statement is again, notification that this is part of the agricultural way of life in the open space areas of the City of Oakley and you should be fully aware of this at the time of purchase"

21. The Applicant shall draft a statement to be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that second driveways to access side yards opposite the garage shall not be permitted, and if installed, may be subject to code enforcement action by the City of Oakley. The specific language shall be submitted to the Planning Division for review and approval prior to recording with the County Recorder.

Energy Efficiency:

22. Air conditioning condenser units shall be located to take advantage of natural shade. Condensers should not be placed on the west or south elevation of a home, unless shade is provided. The location of the condenser shall be added to all plot plans for review and approval of the Community Development Director.

23. Design and site units so as to take advantage of natural heating and cooling, sun and wind exposure, and solar energy opportunities.

Waste Management Plan:

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

Building Division Conditions

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

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

Advisory Notes:

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

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

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

C. Applicant shall comply with the requirements of Ironhouse Sanitary District.

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

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

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

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

H. This project may be subject to the requirements of the Army Corps of Engineers. It is the Applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

I. The Applicant shall obtain an encroachment permit for construction within existing City rights of way.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the November 12, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

Agenda Date: _____

Agenda Item: _____

OAKLEY CALIFORNIA

STAFF REPORT

Date: November 12, 2019

To: Bryan Montgomery, City Manager *Approved and Forwarded to the City Council*

From: Kenneth W. Strelo, Principal Planner

SUBJECT: **Allowable Location of Accessory Structures on Large Lots – Zoning Text Amendment to Section 9.1.1802 (Accessory Structure Development Regulations) of Chapter 1 of Title 9 of the Oakley Municipal Code (RZ 02-19)**

Summary

This is a public hearing on a City-initiated request for a text amendment to Subsection 9.1.1802(c)1(a) of the Oakley Municipal Code (Accessory Structures Development Regulations) to address the allowable location of accessory structures on large lots (RZ 02-19) ("Project"). The proposed amendment will define a large lot as a lot of 40,000 sf. or larger, and allow accessory structures that match or compliment the design, materials, and colors of the main home to be located closer to the property frontage than the main home, so long as the accessory structure maintains a minimum 50 foot front yard setback. The current code only allows such accessory structures in front of the main home if the main home is completely in the rear portion of the lot. This amendment will allow such accessory structures in situations where a main home may not be located in the rear half of the lot, but the lot is so deep that a substantial setback is still feasible.

Staff recommends the City Council waive the first reading and introduce the ordinance approving a zoning ordinance text amendment to Section 9.1.1802 (Accessory Structures Development Regulations) of Chapter 1 of Title 9 of the Oakley Municipal Code (RZ 02-19).

Background and Project Description

The City of Oakley has several large lots (lots over 40,000 sf.) where the main home may not be located near the front setback, which is measured at 20 or 25 feet behind the front property line, depending on the applicable zoning district. The current code allows accessory structures, such as carports, garages, barns, etc., to be located in front of the main home only if that structure matches the design, materials, and colors of the main home, and the main home is located in the rear half of the lot. This section of code has been in place for over two years. Prior to that, no accessory structure was allowed in front of a main home, regardless of the main home's position on the lot. It is noted that small

accessory structures, such as trellises and small patio covers have different location allowances. This amendment focuses on larger and enclosed structures.

After over two years of implementing the current ordinance, Staff has discovered scenarios where homes may be wholly or partially located in the front half of the lot, but due to the lots depth and size, there is still ample space between the home and front property line. In those situations, under the current code, the area of the lot between the home and the front property line would be completely off limits for many types of accessory structures. The proposed amendment would now allow structures in that area, while still requiring them to be setback a minimum of 50 feet from the front property line, which is up to twice the main structure setback for the R-20, R-40, and AL Districts. The amendment would also relax the language slightly to allow accessory structures to "complement," rather than only "match," the design, materials, and colors of the main home.

Environmental

This project is exempt from further analysis under the California Environmental Quality Act ("CEQA") Guidelines Section 15061(b)(3) in that adoption of the ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Recommendation

Staff recommends the City Council waive the first reading and introduce the ordinance approving a zoning ordinance text amendment to Section 9.1.1802 (Accessory Structures Development Regulations) of Chapter 1 of Title 9 of the Oakley Municipal Code (RZ 02-19).

Attachments

1. Public Hearing Notice
2. Tracked Changes Version of Additions and Deletions
3. Proposed Ordinance

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **November 12, 2019** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an item for a **Zoning Text Amendment related to the allowable location of certain accessory structures on large lots.**

Project Name: Allowable Location of Accessory Structures on Large Lots - Amendment to Section 9.1.1802 (Accessory Structure Development Regulations) of Chapter 1 of Title 9 of the Oakley Municipal Code (RZ 02-19).

Project Location: Citywide in applicable zoning districts.

Applicant: City of Oakley, 3231 Main Street, Oakley, CA 94561. (925) 625-7000

Request: This is a public hearing on a request for a text amendment to Subsection 9.1.1802(c)1(a) of the Oakley Municipal Code (Accessory Structures Development Regulations) to address the allowable location of accessory structures on large lots. The proposed amendment will define a large lot as a lot of 40,000 sf. or larger, and allow accessory structures that match or compliment the design, materials, and colors of the main home to be located closer to the property frontage than the main home, so long as the accessory structure maintains a minimum 50 foot front yard setback. The current code only allows such accessory structures in front of the main home if the main home is completely in the rear portion of the lot. This amendment will allow such accessory structures in situations where a main home may not be located in the rear half of the lot, but the lot is so deep that a substantial setback is still feasible.

How to Review: The Staff Report and its attachments will be available for public review, on or before **November 8, 2019** at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **November 12, 2019** agenda and clicking the project title link. (Note: City Hall is closed on the 1st and 3rd Fridays of each month). Interested persons are invited to submit written comments prior to and may testify at the public hearing. **Written comments may be submitted to Kenneth W. Strelo, Principal Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to strelo@ci.oakley.ca.us.**

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

Proposed Text Amendment – Redline Version

OAKLEY MUNICIPAL CODE SECTION 9.1.1802
ACCESSORY STRUCTURES DEVELOPMENT REGULATIONS

Subsection 9.1.1802(c)1(a)

c. Minimum Setbacks.

1) All Residential Lots.

a) Accessory structures shall be located outside of the required front yard (front yard setback) and shall not have any portion closer than the main house to the front property line, except: (1) unenclosed, nonsolid roof gazebos, pergolas or similar structures may be located in front of the house, but not within the required front yard setback; (2) decorative landscape trellises and arbors covering no more than thirty-two (32) square feet and no more than eight feet tall may be located within the required front yard, but not within the public right-of-way; and (3) accessory structures that match or complement the design, materials, and colors of the main house on large lots (40,000 sf or larger) where the accessory structure is located a minimum of 50 feet behind the front property line ~~main house is located in the rear half of the lot may be located in front of the main house, but not within the required front yard setback~~, subject to the review and approval of the Planning Division;

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING A ZONING TEXT AMENDMENT TO OAKLEY MUNICIPAL CODE SECTION 9.1.1802 (ACCESSORY STRUCTURE DEVELOPMENT REGULATIONS) RELATED TO ALLOWABLE LOCATIONS OF ACCESSORY STRUCTURES ON LARGE LOTS (SUBSECTION 9.1.1802(c)1(a)) (RZ 02-19)

The City Council of the City of Oakley does ordain as follows:

SECTION 1. Subsection 9.1.1802(c)1(a) of the Oakley Municipal Code Section 9.1.1802 titled, Accessory Structure Development Regulations," is hereby amended as follows:

"c. Minimum Setbacks.

1) All Residential Lots.

a) Accessory structures shall be located outside of the required front yard (front yard setback) and shall not have any portion closer than the main house to the front property line, except: (1) unenclosed, nonsolid roof gazebos, pergolas or similar structures may be located in front of the house, but not within the required front yard setback; (2) decorative landscape trellises and arbors covering no more than thirty-two (32) square feet and no more than eight feet tall may be located within the required front yard, but not within the public right-of-way; and (3) accessory structures that match or complement the design, materials, and colors of the main house on large lots (40,000 sf or larger) where the accessory structure is located a minimum of 50 feet behind the front property line, subject to the review and approval of the Planning Division;"

SECTION 2. 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 3. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2019 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____

Claire Alaura, Mayor Date

ATTEST:

_____

Libby Vreonis, City Clerk Date

Agenda Date: _____

Agenda Item: _____

OAKLEY
CALIFORNIA

STAFF REPORT

Date: November 12, 2019

To: City Council

From: Bryan Montgomery, City Manager

Subject: **Consideration of an Option Agreement to with Juli DelBarba-Favalora to purchase approximately 1,500 square feet of City-owned property located at 3540 and 3570 Main Street (portions of APNs 037-160-024 and 037-160-025).**

Summary and Background

At a City Council work session held on July 9, 2019, this proposed project was discussed that would be built on remnants of City-owned parcels just east of the Oakley Bistro Punahele Tonnelier (property and building owned by Juli DelBarba and family). The project proposed by Ms. DelBarba to be located on these parcels is to be primarily a wine-tasting facility. The City Council encouraged Ms. DelBarba to proceed with her evaluation of the project and this specific agenda item provides a vehicle for the remnant parcels to be conveyed to her for the project.

As you can see from the conceptual map view, portions of the City parcels have been utilized for the widening of Main Street (southern portion of the parcels), and the planned access roadway parallel to the railroad right-of-way (the northern portion of the subject parcels). It is upon the remnant portions of the subject parcels that Ms. DelBarba would like to build the small, wine-tasting building and patio (refer to Attachments #2 and #3).

The parcel at 3540 Main St. was acquired by the County using Redevelopment Agency (RDA) funds and was included in the state-mandated Long Range Property Management Plan for the RDA. In that Plan, the parcel was deeded to the City designated for “Government Use” because of the right-of-way needed for the two roadways; and the Plan included a note that there would only be a small remnant that would be not very feasible for development. Staff believes this parcel can be conveyed by the City, but the sales proceeds would need to be distributed to all of the relevant taxing entities. The parcel at 3570 Main St. was acquired with City funds and the sales proceeds from a sale of its remnant would be remitted directly to the City.

The attached Option Agreement explains that the City will obtain a survey to determine the exact size of the property to be conveyed, but it is roughly estimated to be 1,500 square feet (the survey will determine exactly what is available). At the work session the City Council discussed a land value of $5 per square foot, which is approximately what

the City paid for the parcel at 3570 Main Street, which is the largest remnant proposed to be sold to Ms. DelBarba.

After dozens of conversations and numerous drafts of the Agreement, there remains a few issues of disagreement that Ms. DelBarba may want to discuss during the Councl Meeting:

Cost of the Survey: The survey is not needed except for this project and Staff believes the cost ($4,000 +/-) should be reimbursed to the City at closing – especially due to the very inexpensive purchase price that must be justified to all the taxing entities. Ms. DelBarba desires that the City pay for the survey and that she not be required to reimburse.

Phase 1 Environmental Study: not required for our projects, but needed for Ms. DelBarba's is a preliminary study of the property. Staff proceeded to obtain the Phase 1 environmental study ($4,500) as the negotiations hinged upon the City paying for the Phase 1 study and Ms. DelBarba paying for the survey, but there still remains a disagreement.

Escrow Fees: again, the price of the land is so low that the original proposal was that DelBarba pay all escrow fees (likely less than $1,000). The attached agreement has the City's participation capped at $300.

Building or "venue": you will note that in Recital C the verbiage includes the intent of the project is to build a commercial building, as we discussed in the work session; however, DelBarba did request to add the word "venue" which may mean that she ends up not building a building, but just some sort of patio area. Staff added the words "approved by the City Council" but we wanted to bring this to your attention now, because if the City Council's desire is that it be a building, that Recital should be changed to reflect the Council's wishes.

Attached are three concepts that Ms. DelBarba has shown Staff. The first one is what was presented to the Council earlier this year. The second is a smaller building, but still with a tower. The third is just a patio that is not recommended and really not compliant, unless it is a patio area for the nearby Bistro (in that event, the City could create that for the Bistro without a "middle man").

The Option Agreement has some deadlines to ensure that the project moves ahead in a timely fashion. A few of the key deadlines are:

- A complete Design Review application has to be submitted by April 1, 2020, or the Option Agreement would expire.

- Within 24 hours of receiving Design Review Approval, the Option window kicks in and Ms. DelBarba would have 6 months to buy the property. There is an opportunity for a mutually-agreed upon extension of up to 6 months.

- The construction of the project must be complete within 18 months after exercising the Option. Again, there is an opportunity for a mutually-agreed upon extension.

As was discussed during the work session, state law and Title 2, Chapter 8 of the *Oakley Municipal Code* allow for the direct negotiation of a sale of City-owned property to an adjacent property owner with the finding that "*the combining of the parcel to an adjacent parcel would provide better development from a planning perspective than development of the surplus property by itself*."

Fiscal Impact

Potential sales proceeds of $5 per square foot plus the economic activity from the wine-tasting facility. It is important to note that a majority of the sales proceeds will be shared with the other taxing entities, due to one of the parcels being a former Redevelopment Agency/Successor Agency parcel. The costs of the Phase 1 environmental and survey

Recommendation

Adopt a resolution authorizing the City Manager to sign an Option Agreement with Juli DelBarba-Favalora for the purchase of remnant City parcels, specifically portions of APNs 037-160-024 and 037-160-025.

Attachments

1. Conceptual map view
2. Proposed site plan and elevation, Option A
3. Proposed site plan and elevation, Option B
4. Proposed site plan and elevation, Option C
5. Resolution
6. Option Agreement

OAKLEY
CALIFORNIA

DOWNTOWN OAKLEY

OAKLEY GATEWAY PLAZA - PARCELS

BkF
ENGINEERS / SURVEYORS / PLANNERS

LEGEND:

- EXISTING RIGHT OF WAY
- PROPOSED AREA
- EXISTING PARCEL LINES

N

BNSF RAILROAD

NEW STATION PLACE

PROPOSED TRAIN PLATFORM

KISS-AND-RIDE

SEE DETAIL A

PROPOSED TRANSIT CENTER

47.5'±

47.5'±

40+00
41+00
42+00
43+00
44+00
45+00
46+00
46+50
10+00
11+00
11+87

6' SW
14' LANE
14' LANE
6' SWPA
8' SW
12' LANE
12' LANE
10' SHLD
6' BIKE
12' LANE
6' MED
12' LANE
12' BIKE
12' SW
12' SW

STOP
ONLY
TURN
LEFT

EXISTING STRUCTURE

OAKLEY BISTRO
EXISTING STRUCTURE

35.1'

3460
SCHEER DOUGLAS M AND LORI A
037-160-031

3478
PAINTER MICHAEL J
037-160-020

3486
CITY OF OAKLEY
037-160-021

3510
CITY OF OAKLEY
037-160-022

3540
CITY OF OAKLEY
037-160-024

3530
JULI DEL BARBA
FRED DEL BARBA
SHIRLY DEL BARBA
037-160-023

3570
CITY OF OAKLEY
037-160-025

CCC PUBLIC WORKS
037-160-026

1504 ± SQFT

GATEWAY PLAZA

MAIN STREET

O'HARA AVENUE

2ND STREET

3481
TOWER ENERGY GROUP
035-112-016

3516-3525
DOWNEY LIZ (TE) AND THOMAS D (TE)
035-121-007

3547
WATERS JOYCE/
OAKLEY BUILDING LLC
035-121-007

3563-3587
AKESON ADELIA
035-121-004

100-198
OWENSON RICHARD T & RENE
035-122-001

BW
BUILDING CORNER
1.7'

DETAIL A

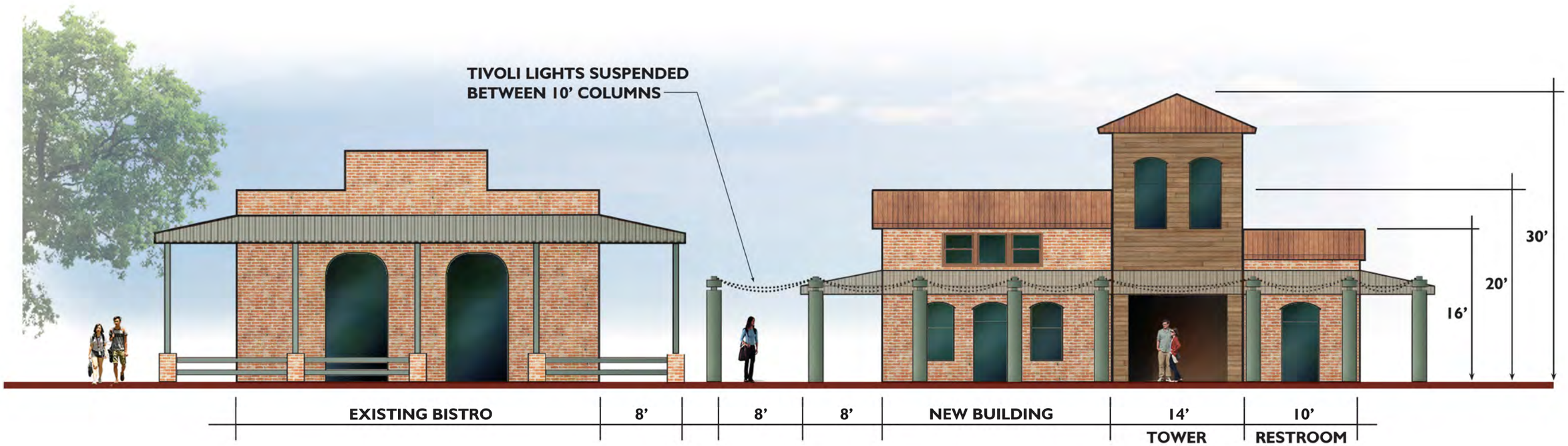
NOT FOR CONSTRUCTION

AUGUST 29, 2019

SCALE: 1" = 20'

K:\2018\181537_Oakley_Transit_Center_DWG\PDHBITW\008 - 3540 Main PARL\001 - Gateway Plaza-Parcels.dwg 29 Aug 2019 11:14:04am HERN

OPTION "A"



0 2.5 5 10 FT

GATES +ASSOCIATES

OAKLEY BISTRO OAKLEY, CALIFORNIA

ELEVATION FROM MAIN STREET

MAY 2019

OPTION "A"

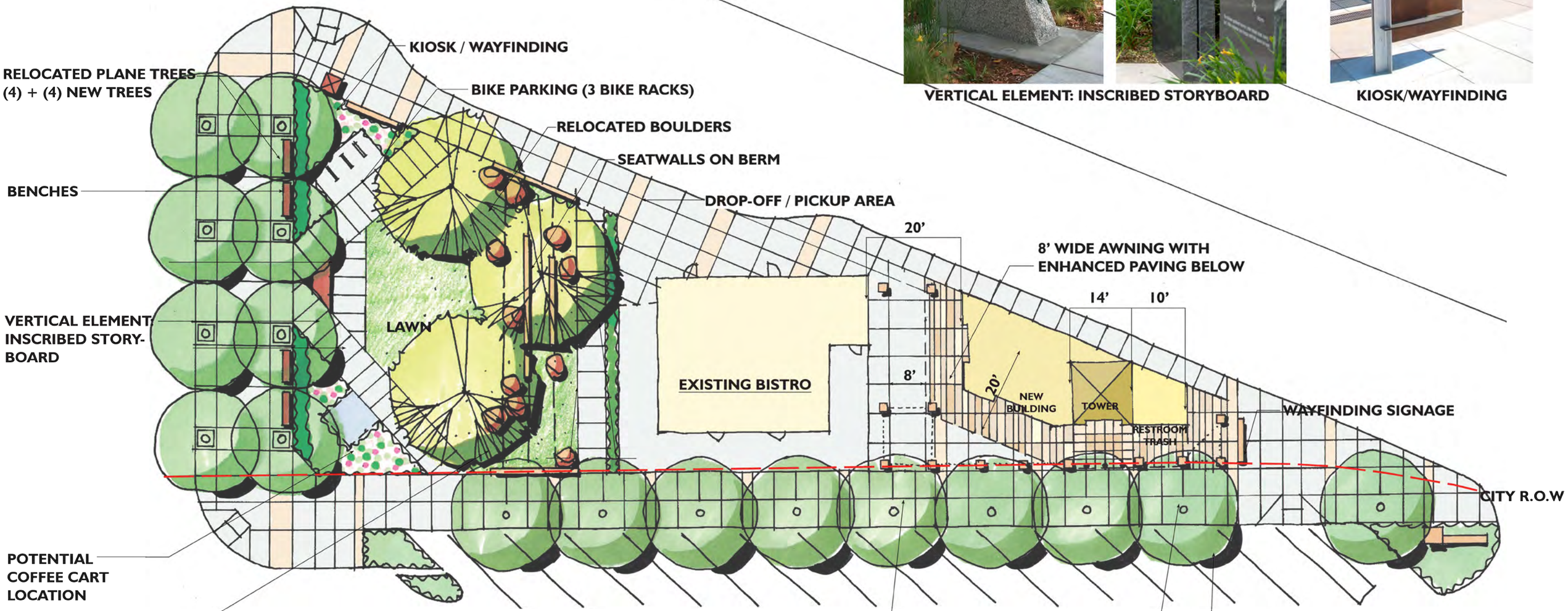




VERTICAL ELEMENT: INSCRIBED STORYBOARD



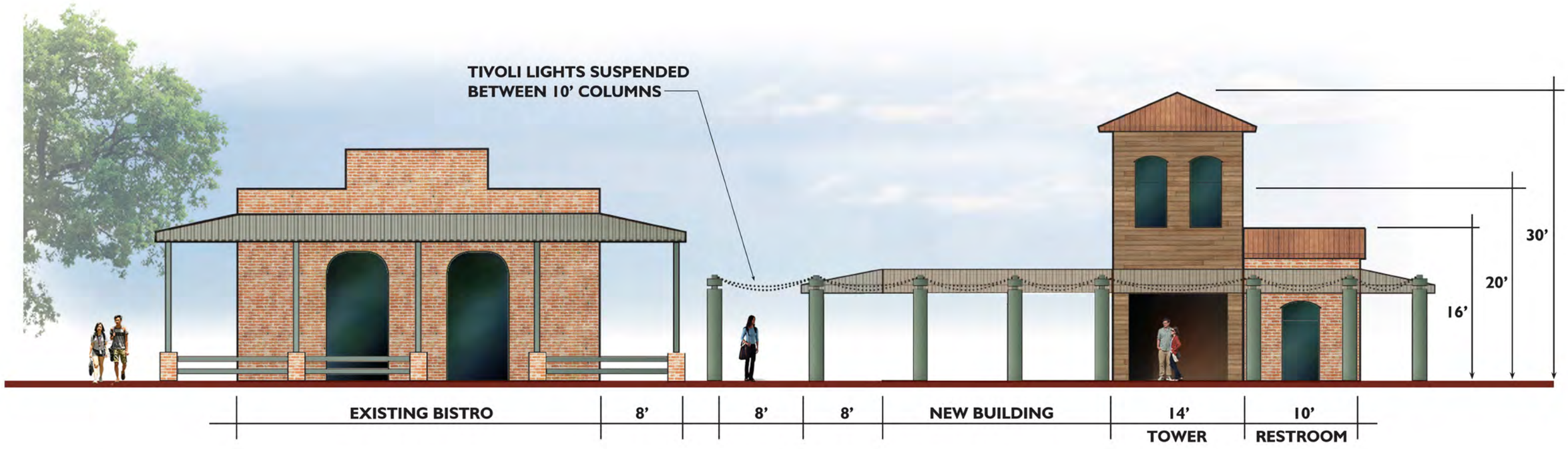
KIOSK/WAYFINDING



0 5 10 354 0 FT

OPTION "B"

studioKDA
510.841.3555 | studiokda.com

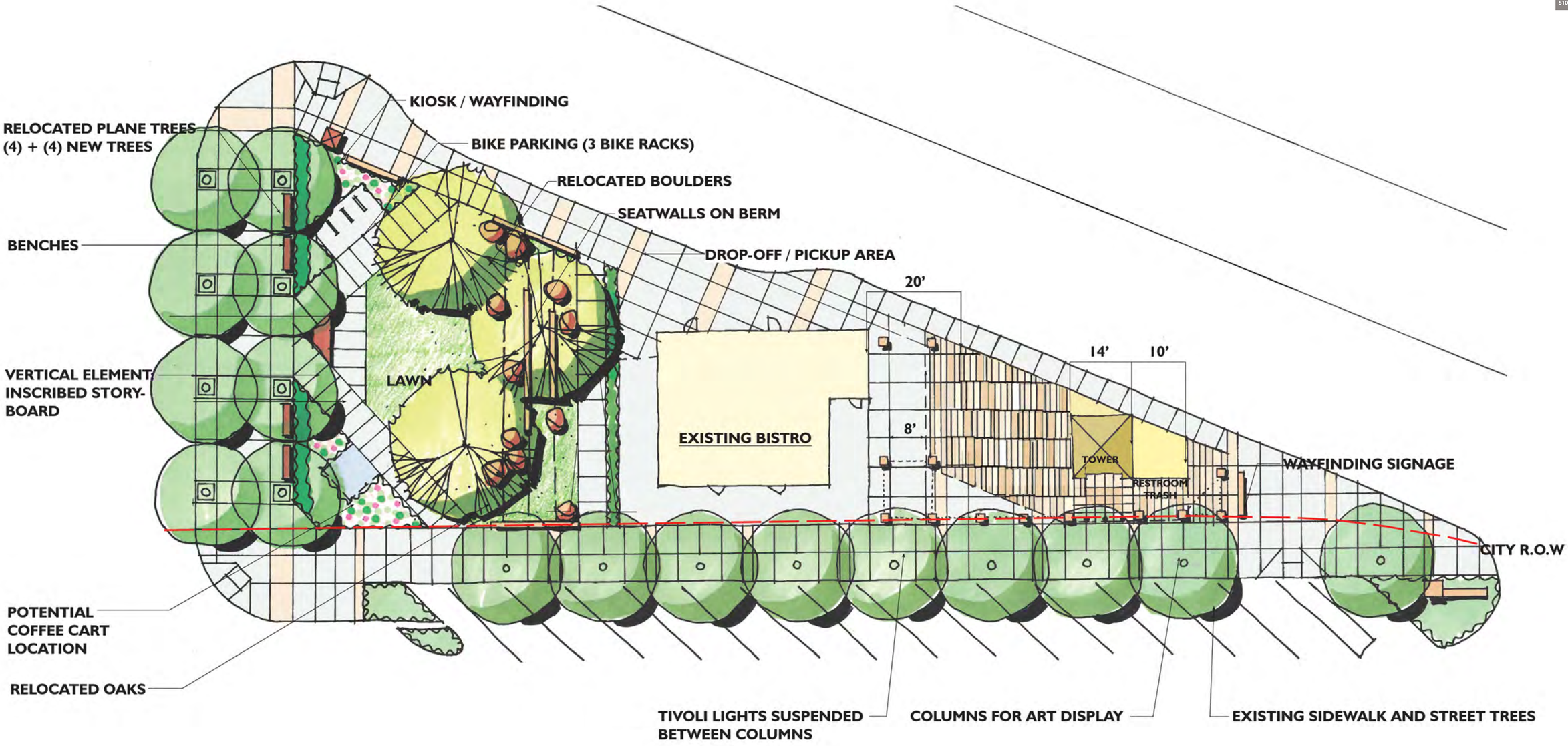


SCHEMATIC DESIGN v2

ELEVATION MAIN STREET

OPTION "B"

studioKDA
510.841.3555 | studiokda.com



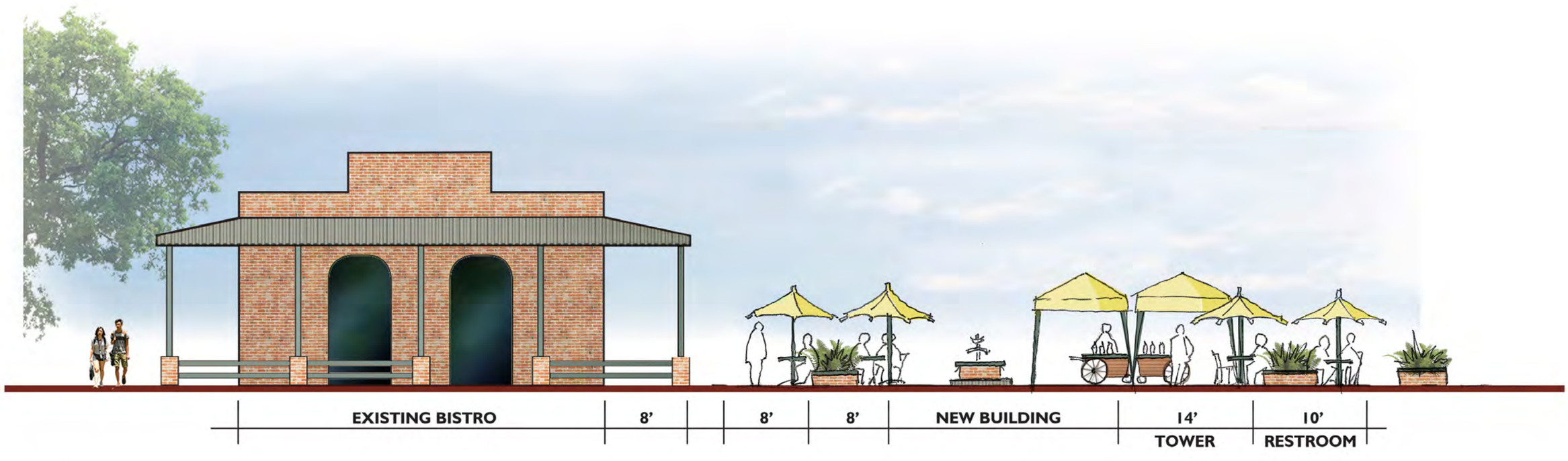
0 5 10 20 FT

PLAN

SCHEMATIC DESIGN v2

OPTION "C"

studioKDA
510.841.3555 | studiokda.com

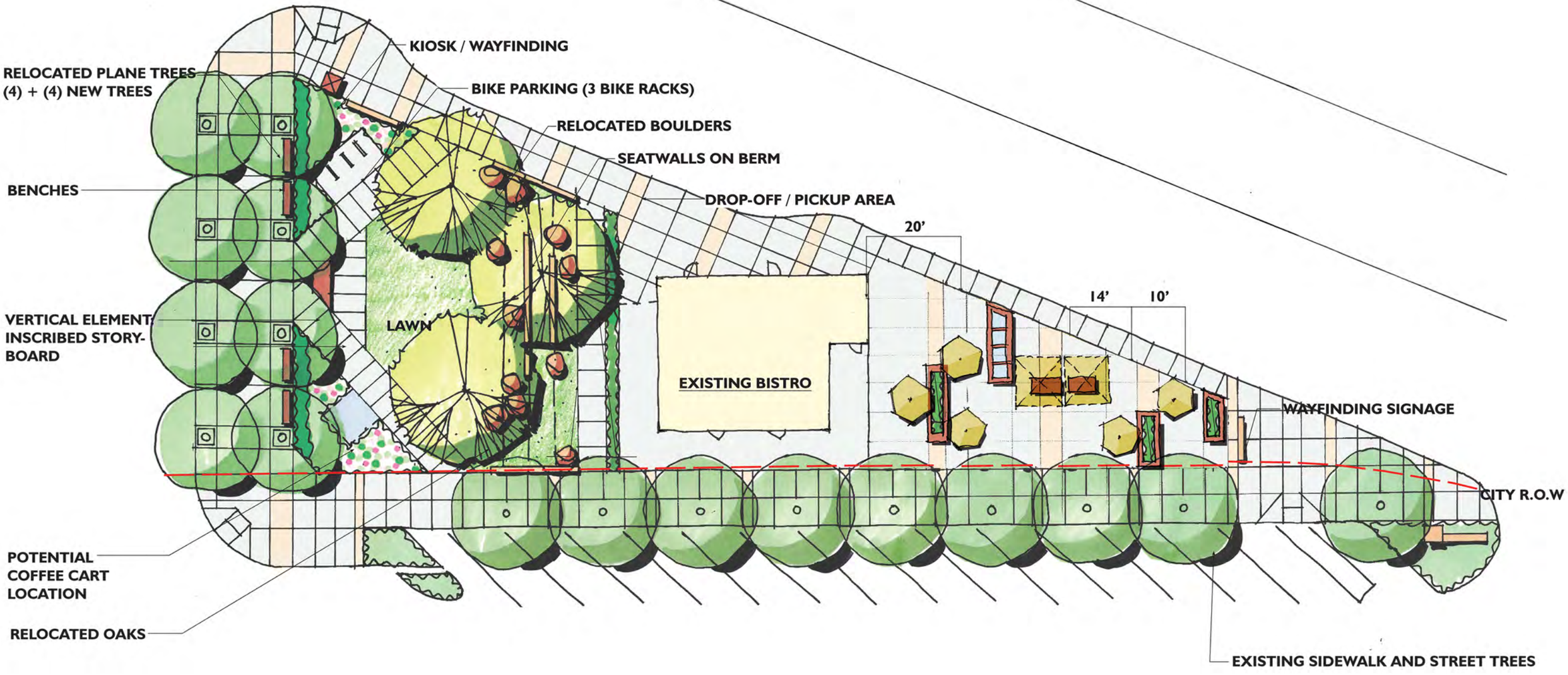


ELEVATION MAIN STREET

SCHEMATIC DESIGN v3

OPTION "C"

studioKDA
510.841.3555 | studiokda.com



SCHEMATIC DESIGN v3

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AUTHORIZING THE CITY MANAGER TO EXECUTE AN OPTION AGREEMENT WITH JULI DELBARBA-FAVALORA FOR THE PURCHASE OF APPROXIMATELY 1,500 SQUARE FEET OF CITY-OWNED PROPERTY LOCATED AT 3540 AND 3570 MAIN STREET (PORTIONS OF APNS 037-160-024 AND 037-160-025).

BE IT RESOLVED by the City Council of the City of Oakley that the City Manager is hereby authorized and directed to sign on behalf of the City a certain Option Agreement with Juli DelBarba-Favalora (attached as Exhibit A and made a part hereto) to purchase portions of the property at 3540 and 3570 Main Street in Oakley.

The foregoing resolution was introduced at a regular meeting of the Oakley City held on the 12th day of November 2019, by Councilmember _____, who moved its adoption, which motion being duly seconded by Councilmember _____, was upon voice vote carried and the resolution adopted by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

OPTION AGREEMENT FOR PURCHASE OF REAL PROPERTY

City of Oakley/Juli DelBarba Favalora

THIS AGREEMENT is entered into this _____ day of _____, 2019 by and between the City of Oakley, a public body ("CITY") and Juli DelBarba Favalora ("DELBARBA").

Recitals

A. CITY holds title to two parcels of located at 3540 and 3570 Main Street in the City of Oakley ("the CITY parcels"), also known as (APNs 037-160-024 and 037-160-025) , as depicted on the attached parcel map, Exhibit "A."

B. DELBARBA owns a parcel of real property ("the DELBARBA parcel") located immediately west and adjacent to the CITY parcels, bearing APN 037-160-033 and assigned an address of 3530 Main Street, Oakley, California. The DELBARBA parcel includes a developed commercial building and patio area.

C. Large portions of the CITY parcels will be used for road right-of-way; however, remnants of real property ("CITY remnant parcels") will exist that DELBARBA desires to purchase for the development of a commercial building or venue approved by the City Council in conjunction with the already-developed DELBARBA parcel.

D. The CITY remnant parcels, in and of themselves, are very small, have very limited development potential as separate parcels and are, therefore, eligible for merger into one parcel, as contemplated herein.

E. Title 2, Chapter 8 of the *Oakley Municipal Code* allows for the direct negotiation of a sale of City-owned property to an adjacent property owner with the finding by the City Council that "the combining of the parcel to an adjacent parcel would provide better development from a planning perspective than development of the surplus property by itself."

F. On behalf of the CITY, the City Council does make the finding, required by the *Oakley Municipal Code*, that the negotiated sale to DELBARBA will lead to the most beneficial development of the CITY remnant parcels.

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Grant of Option to Purchase.

CITY hereby grants to the DELBARBA an option to purchase the CITY remnant parcels on the terms and conditions set forth in this Agreement.

(a) The option to purchase commences twenty-four (24) hours following the approval by the City Council of the design review for DELBARBA's project to be built on the remnant parcels ("final City Council approval of the project") and shall continue in effect for six months (6) months from the City Council approval of the project, at which time this Option shall automatically expire. This period shall be known as "the Option Period".

(b) DELBARBA may exercise this Option by notifying the CITY in writing on or before the expiration date of her intent to exercise this Option. Within two (2) business days of sending the Notice of Intent DELBARBA will deposit a cashier's check for the full purchase price, minus the deposit into an escrow account.

(c) Upon DELBARBA exercising the Optioin by sending the Notice of Intent, City agrees to sell, as DELBARBA agrees to purchase, the City remnant parcels for the purchase price as determined in accordance with Paragraph 3(b) below.

(d) The parties may extend the Option Period for up to an additional six months (6) months only if both parties concur in writing to an extension. Either party requesting an extension shall so notify the other party in writing at least thirty (30) days prior to the expiration date, and the party receiving such request shall respond with concurrence or disapproval at least 15 days prior to the date on which the Option would have automatically terminated. The City Manager or his designee is authorized to grant such extension.

2. Deposit for Option.

(a) Within thirty (30) days of the date of this Agreement, DELBARBA shall pay and deposit into escrow the sum of One Thousand Dollars ($1,000) as a deposit for the purchase price of the CITY remnant parcels and also as compensation to the

CITY for this Option. Upon execution of this Agreement, escrow will be opened with Old Republic Title Company in Concord, California.

(b) In the event that a purchase price and sale is consummated among the parties pursuant to this Agreement, then this Deposit shall be credited to the purchase price and the compensation owing to the CITY for the purchase shall be reduced by the deposit amount. In the event that a purchase and sale is not consummated among the parties, for whatever reason, then the CITY shall retain the entire Deposit amount as its compensation for removing its parcel from the real estate market and for the granting of this Option, unless the purchase and sale is not consummated because of the conclusions reached in the Phase 1 report referenced in Section 4, in which case the $1,000 deposit shall be refunded to DELBARBA. In the event a complete application for Design Review approval has not been submitted by DELBARBA prior to April 1, 2020, the entire Deposit amount shall be forfeited and this Option shall expire.

3. Purchase Price for and Maintenance of the Property.

(a) The parties acknowledge that this Option is contingent upon the DELBARBA receiving all the appropriate approvals for her commercial development. The CITY agrees to undertake the merger of the City remnant parcels prior to final CITY Council approval of the project. The CITY shall obtain and pay upfront for the survey required to formally create the merged parcel and to determine the final purchase price. The survey shall also determine the location of any easements needed on the south side of the parcels. The cost of the survey will be reimbursed to the CITY at closing, and shall be added to the purchase price.

(b) The purchase price for the City remnant parcels shall be five dollars ($5) per square foot, with the square footage determined by the aforementioned survey. An easement area on the south side of the parcels that is deemed “reasonable” by the CITY will be granted at no cost to DELBARBA, other than reimbursing the cost of the survey as referenced in Section 3(a) above and executing an easement agreement that includes indemnification and hold harmless provisions in favor of the CITY.

(c) Escrow will close not later that 15 days after DELBARBA exercises the Option by sending the Notice of Intent. Not later than 2 days prior to the close of

escrow, CITY will sign and deliver the grant deed transferring the City remnant parcels to DELBARBA, the easements referenced herein in favor or DELBARBA and any other documents reasonably necessary to close escrow.

(d) The parties shall issue escrow instructions to the title company handling this transaction as to the calculated purchase price to be paid for the CITY remnant parcel and for recordation of the Grant Deed and easements referenced herein in favor of DELBARBA.

(e) After purchase, DELBARBA shall be solely responsible for the maintenance of the Property, including but not limited to weed abatement and removal of any trash and debris.

4. Review of the Property.

Commencing upon execution of this Agreement, DELBARBA shall have the opportunity to conduct investigations of the CITY parcel to determine if it is in any way inappropriate for development or for consideration to purchase. If DELBARBA exercise this Option, such action shall be prima facie evidence of DELBARBA's conclusion that there is no impediment, restriction or limitation pertaining to the CITY parcelremnant parcels. The CITY will pay for and a provide to DELBARBA a copy of a Phase 1 environmental report.

5. Title.

(a) In the event that this Option Agreement is exercised, CITY will deliver title to its the CITY remnant parcels free, good and marketable, subject only to any exceptions contained in the title report which are acceptable to DELBARBA.

(b) The parties shall pay all escrow, title and recording fees and any other closing costs associated with the acquisition of the CITY remnant parcels according to standard Contra Costa County practice; however, any costs to the CITY shall not exceed $300.

6. Requirements for Completion of the Project

(a) DELBARBA hereby commits to complete the project submitted and identified through the final City Council approval of the project within eighteen (18)

months after final City Council approval of the project. The "completion" of the project the project is obtaining a formal Certificate of Occupancy.

(b) Should DELBARBA fail to complete the approved project within eighteen (18) months after the final City Council approval of the project, DELBARBA shall be provided a notice to complete the project and, should DELBARBA fail to complete the project within 30 days after receipt of such notice, DELBARBA shall be considered in default and CITY, at that time, shall have the right to repurchase the CITY remnant parcels (or merged parcel) and any improvements thereon at the $5 per square foot purchase price, minus the deposit of $1,000. In the event of a repurchase by CITY, DELBARBA will be required to remove any and all improvements, equipment, materials that may be on the CITY remnant parcels and shall have 30 days to remove any such items following CITY giving notice to DELBARBA that CITY will repurchase the property. Failure by DELBARBA to remove the improvements, equipment or other materials will give CITY the right to remove and dispose of these and the cost to do so shall be deducted from the repurchase price. CITY shall have one-hundred and eighty (180) days to complete the repurchase and failure to do so will forfeit the CITY's ability to repurchase the property at $5 per square foot.

(c) Notices.

All notices under this Agreement shall be given in writing by one party to the other, deposited in the U.S. Mail or delivered personally to the following addresses:

To CITY:

City Manager
3231 Main Street
Oakley, CA 94561
Copy to:
City Attorney
3231 Main Street
Oalkey, CA 94561

To DELBARBA:

Juli DelBarba Favalora
300 Brownstone Road
Oakley, CA 94561
Copy to:
Amara Morrison, Esq.
1111 Broadway, 24th Floor
Wendel Rosen, LLP
Oakland, CA 94607

(d) Entire Agreement; Interpretation.

This Agreement represents the full and complete understanding of the parties with respect to the properties. DELBARBA represent that they have had full opportunity

to review this Agreement and to have it reviewed and negotiated by their counsel. Therefore, no interpretation shall be given to this Agreement which would favor or disfavor the drafter.

(e) Time of Essence.

Time is of the essence of this Agreement.

7. Assignment of this Agreement

This Agreement may be assigned by DELBARBA, if approved in writing by CITY and said approval shall not be unreasonably withheld, to a family member or entity (including a limited liability corporation) whose principal owner/officer is DELBARBA or a family member of DELBARBA.

For the purposes of this agreement, "family member" shall be considered a spouse, same-gender domestic partner, biological parent, parent-in-law, parent of same-gender domestic partner, aunt, uncle, biological brother or sister, biological child, legally-adopted child, stepchild, or biological grandchild of DELBARBA.

WHEREFORE, THE PARTIES CONCUR WITH THE TERMS OF THIS AGREEMENT and execute it as follows:

CITY OF OAKLEY:

By:_____
Bryan H. Montgomery , City Manager

DELBARBA:

By:_____
Juli DelBarba Favalora

ATTEST:

By: _____
Libby Vreonis, City Clerk

APPROVED AS TO FORM:

By:_____
Derek Cole, City Attorney

Agenda Date: _____

Agenda Item: _____

OAKLEY
CALIFORNIA

STAFF REPORT

Date: November 12, 2019

To: City Council

From: Bryan Montgomery, City Manager

Subject: **Resolution of Support for a Cooperative Plan with Contra Costa County to Explore the Development of a Library at the former Delta Station site located at 210 O'Hara Avenue.**

Summary

The need for a new, expanded and stand-alone library has been long discussed. Variuos sites have been discussed, including on the Civic Center site that was part of the concerted effort and ballot measure in 2016. A general consensus has been that a location in or new Downtown is a preference.

The Contra Costa Sheriff's Office has been using the County facility and property (known as "Delta Station and located at 210 O'Hara Avenue) for over twenty years, though the building did have previous uses including as a library. The Sheriff's Office has now relocated and the site is available for some sort of productive re-use. The building itself is very old, has a number of Code-related concerns and we believe a thorough analysis will clearly show it is better to rebuild than to try and rehabilitate the existing building. Also, the building is too small for use as the Library. A consideration is that any new building could replicate the historical façade that exists now.

Supervisor Diane Burgis recently met with Mayor Alaura and me about the concept of utilizing this site for an expanded and stand-alone Oakley Library. Supervisor Burgis will be present at the Council Meeting to answer any questions, but she expressed confidence that her fellow Supervisors would likely support conveying the property to the City if a viable proposal for a new library is developed. As outlined in the attached resolution, that cooperative plan could include further analysis of the site, the formation of an ad-hoc planning committee, a fiscal analysis of the proposed project, some preliminary engineering and architectural work, a review of financing proposals, and on-going coordination with the Contra Costa Library that would operate the facility.

Fiscal Impact

If approved to proceed, various elements of the plan will cost money and a rough estimate at this time is $25,000 to bring a more detailed project proposal back to the City Council for consideration. Staff time will also be required that could also approach $25,000.

Recommendation

Adopt the Resolution of support for a cooperative plan with Contra Costa County to explore the development of a Library at the former Delta Station site located at 210 O'Hara Avenue.

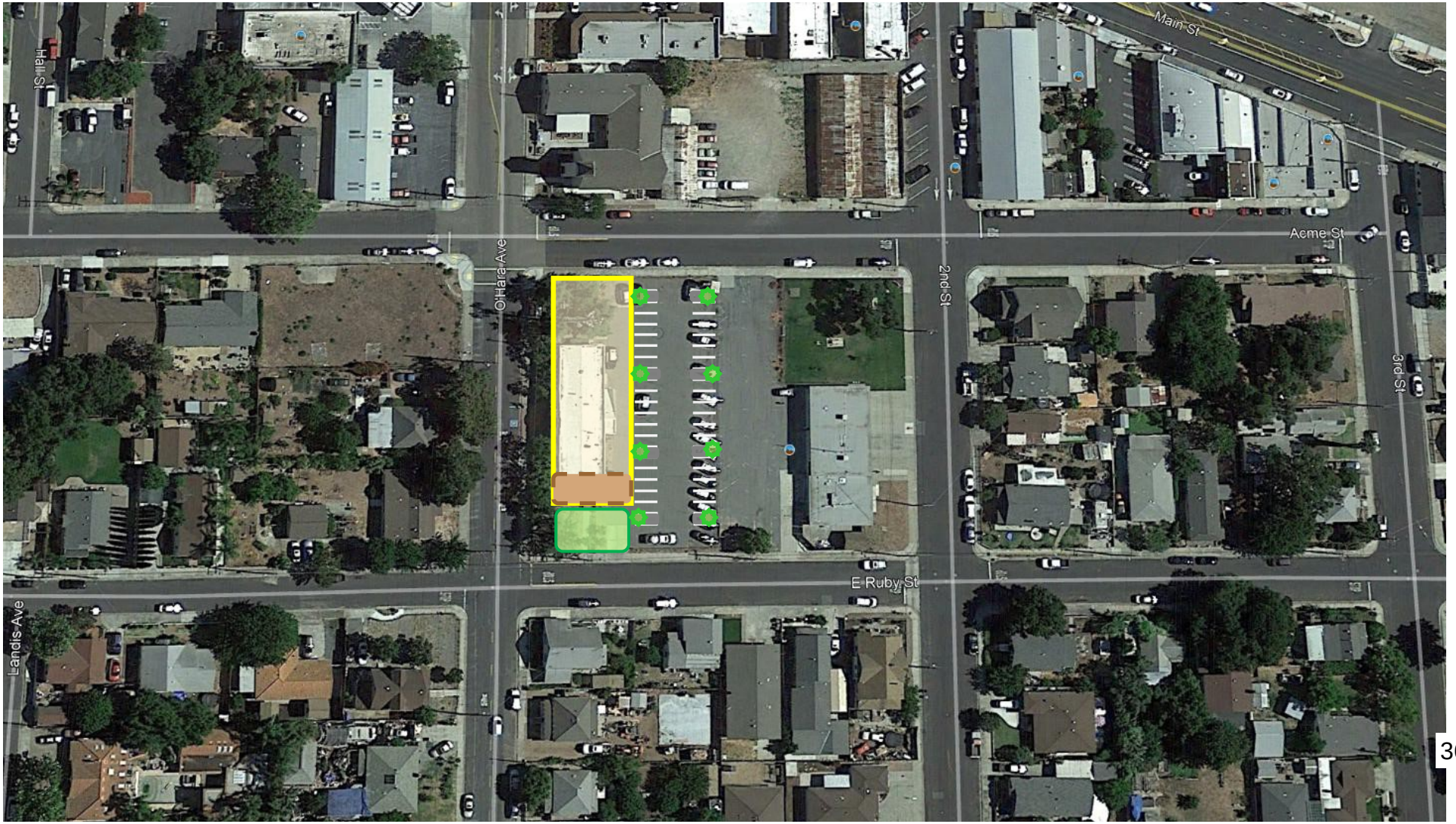
Attachments

1. Rough, conceptual site plan
2. Resolution

Discussion Concept for **OAKLEY LIBRARY** at 210 O'Hara Ave.

- ♦ County participation could include demo of building and conveyance to the City for the Library
- ♦ Replicate the façade of the existing building with a new Library facility
- ♦ Construct a Library building with possible patio and parking lot (as depicted below)

(Current Library at Freedom High School is 3,000 sq. ft. with occasional use of another 3,000 sq. ft.)



RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY SUPPORTING A COOPERATIVE PLAN WITH CONTRA COSTA COUNTY TO EXPLORE THE DEVELOPMENT OF A LIBRARY AT THE FORMER DELTA STATION SITE LOCATED AT 210 O'HARA AVENUE.

WHEREAS, the Oakley Library is operated by the Contra Costa Library in partnership with the City of Oakley; and

WHEREAS, the Oakley Library is currently co-located in a small space at Freedom High School and has outgrown that space; and

WHEREAS, constructing a new, stand-alone Library in Downtown Oakley has been discussed for many years; and

WHEREAS, Contra Costa County owns property located at 210 O'Hara Avenue that was formerly used by the Sheriff's Office as "Delta Station;" and

WHEREAS, County Supervisor Diane Burgis is in support of this potential project and desires that a formal proposal be prepared and presented to the Board of Supervisors for its consideration; and

WHEREAS, a cooperative plan that includes the County, City, the Contra Costa Library and interested City residents can help develop this proposal for a new library at the former Delta Station site; and

WHEREAS, this cooperative plan could include further analysis of the site, the formation of an ad-hoc planning committee, a fiscal analysis of the proposed project, some preliminary engineering and architectural work, a review of financing proposals, and on-going coordination with the Contra Costa Library that would operate the facility.

BE IT RESOLVED by the City Council of the City of Oakley hereby supports the cooperative plan to explore the development of a library at 210 O'Hara Avenue.

The foregoing resolution was introduced at a regular meeting of the Oakley City held on the 12th day of November 2019, by Councilmember _____, who moved its adoption, which motion being duly seconded by Councilmember _____, was upon voice vote carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSTENTION:
ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

Date:	November 12, 2019
To:	Bryan H. Montgomery, City Manager
From:	Libby Vreonis, City Clerk/Paralegal
Cc:	Derek P. Cole, City Attorney
Subject:	Interviews and Selection of One Person to Fill a Vacancy Seat on the Oakley City Council for the Remainder of the Term expiring November 2020

Approved and Forwarded to City Council:

Bryan Montgomery, City Manager

FOR CONSIDERATION AT THE CITY COUNCIL MEETING ON NOVEMBER 12, 2019

Summary and Recommendation

On September 25, 2019, the City Clerk's Office received written notice from Vice Mayor Hardcastle of his retirement/resignation effective November 12, 2019, after the City Council has selected a new Councilmember. In accordance with Oakley Municipal Code Section 2.1.007(a), a notice of vacancy was posted on September 25, 2019, and applications were received through the application deadline of November 7, 2019. Staff recommends the City Council review all applications received by the application deadline, conduct interviews with each applicant, and appoint one applicant to fill the vacancy and serve the remaining term, expiring November 2020.

Fiscal Impact

None.

Background Information

Oakley Municipal Code Section 2.1.007(a) provides that once the City Clerk receives a written resignation from a Councilmember, the City Clerk shall post a notice of vacancy and receive applications for at least thirty (30) days from the date of posting.

On September 25, 2019, upon receipt of written notice from Vice Mayor Hardcastle of his retirement/resignation, staff posted a Notice of Vacancy in three locations within the City and advertised for the vacancy seat on the City's website, through social media and publication in the *East County Times* and *Oakley Press*.

The Notice of Vacancy was placed on the Consent Calendar of the October 8, 2019, Joint Meeting of the Oakley City Council/Oakley City Council Acting as Successor Agency to the Oakley Redevelopment Agency at which time the City Council approved the appointment

process to fill the vacancy seat on the City Council for the remainder of the term ending November 2020.

The application deadline was November 7, 2019. Staff received nine (9) applications which are attached for the City Council's review and consideration. Staff recommends when it is time for interviews to commence, applicants wait in a designated conference room outside of the City Council Chambers and be called into the City Council Chambers individually for interviews during the public meeting. Suggested interview questions have been provided by staff to the City Council. Councilmembers may use the suggested questions or choose to ask their own questions. Staff recommends that all applicants are asked the same questions to ensure fairness. Blank ranking sheets have been provided to the City Council to assist Councilmembers in tracking the top applicant as interviews are conducted. After all interviews are conducted, the City Council may deliberate and select the top applicant.

Oakley Municipal Code Section 2.1.007(b) provides:

> "An appointment will be deemed to have been made upon a motion made and seconded and having received at least three affirmative votes. Upon an appointment having been made, the successful candidate shall, at that meeting or at a subsequent regular City Council meeting, take the oath of office and be seated with the City Council. No appointment shall be deemed to have been completed and become effective until the appointee takes the oath of office."

Staff recommends that the appointee take the oath of office and be seated with the City Council at the December 10, 2019 meeting to provide the appointee an opportunity to invite family and friends to be present when he or she takes the oath of office.

Conclusion

Staff recommends the City Council review all applications received by the application deadline, conduct interviews with each applicant, appoint one applicant to fill the vacancy and serve the remaining term, and direct the City Clerk to administer the oath of office to the appointee and for the appointee to be seated at the December 10, 2019 meeting.

Attachments

1. Applications
2. Resolution Approving an Appointee to the Oakley City Council to Complete the Remaining Term of One Vacancy Seat on the Oakley City Council

OAKLEY
CALIFORNIA

APPLICATION for APPOINTMENT to the OAKLEY CITY COUNCIL to fill one vacancy seat

RECEIVED
SEP 26 2019
CITY OF OAKLEY

Background Information

Staff anticipates the Oakley City Council may approve an appointment process on October 8, 2019 to allow the appointment of one person to fill a vacancy seat on the Oakley City Council during its regularly scheduled meeting to be held November 12, 2019, in the Oakley City Council Chambers located at 3231 Main Street in Oakley, beginning at 6:30pm. Staff is seeking applications from residents who would like to serve on the Oakley City Council. **All applicants must attend the November 12, 2019 meeting to be interviewed.** Applicants must be registered to vote and reside within the City of Oakley. The term to fill the vacancy expires in November 2020.

City Council meetings are currently held twice each month on the 2nd and 4th Tuesdays at 6:30 p.m., except in July, August, November and December when only one meeting is held on the 2nd Tuesday of the month at 6:30 p.m. Special and emergency meetings may also be held with minimal notice for more urgent items. In addition to preparing for and attending City Council meetings, Councilmembers also represent Oakley on a variety of county and regional boards/commissions/ committees that meet regularly. They also attend numerous community functions and sometimes trainings which can be held during days, evenings, and/or weekends.

Councilmembers receive a nominal monthly salary. They do not receive health, dental or retirement benefits.

Application Deadline

Please type or print clearly on this application and return it **no later than 5p.m. on Thursday, November 7, 2019, along with completed Fair Political Practices Commission Form 700 which is available at** www.fppc.ca.gov. **Early submittal of applications is preferred.**

Application

All information contained in this application is public data and will be made available for public inspection 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 Oakley City Council.

1. **Applicant Name:** Michael R. Dupray
2. **Home Address:** [redacted]
3. **Phone Number** [redacted]
4. **E-Mail Address:** [redacted]

5. **How long have you lived in the City of Oakley?** 8 years and 9 months

6. **In 300 words or less, please explain why you would like to represent Oakley and serve on the Oakley City Council.**

I believe in participating in government to help solve problems and make lives better. I believe that if you are not at the table, then you are on the menu. Being part of something bigger than myself, helping others, improving the quality of life for all has always been part of my life on the job and at home.

7. **In 300 words or less, describe your qualifications and educational, work and other experience which would make you a valuable addition to the Oakley City Council.**

My career was spent enabling nuclear power plant operators, workers, researchers and scientists at our National Laboratories meet the regulatory requirements of the Department of Energy and Nuclear Regulatory Commission while performing their work efficiently and safely. This meant communicating with labor force, management, Nobel Laureates, PHD's and students. I have spent many years developing relationships which span an eclectic and diverse set of interests of government officials, service organizations, labor groups, teachers, administrators, local citizens, veterans, seniors and more. Building on these relationships helps me to be better able to bring together these groups to help solve local problems. I am currently Vice Commander of the Veterans of Oakley, a member of the Oakley Seniors, and a member of the Oakley Kiwanis. I was the Oakley representative on the Citizens Advisory Committee for the Contra Costa Transportation Administration from 2013 to 2019.

8. **What do you feel are the most pressing matters for the Oakley City Council?**

1. Protecting our senior citizens and those on fixed incomes
2. Attracting living wage careers
3. Ensuring sustainable growth
4. Reducing traffic congestion and improving transportation infrastructure
5. Build a new library
6. Improve or expand neighborhood maintenance and improvements

9. **Please attach a current resume.**

Please mail or hand-deliver this completed application in a sealed envelope, along with Fair Political Practices Commission Form 700 to:

CITY OF OAKLEY
City Clerk's Office
3231 Main Street
Oakley, CA 94561

~ Applications *must* be received prior to 5 p.m. on Thursday, November 7, 2019 ~

Dupray, Michael R.
[redacted]

SUMMARY:

A self-motivated, quick learning, team oriented Environmental Health and Safety Engineer Associate/ Principal Radiation Control Technician with more than thirty-seven years of commercial nuclear power and R&D facility experience. Major strengths in quickly learning new skills, jobs, technologies and concepts, identifying and solving radiological problems, effectively directing and controlling workers in radiologically controlled areas. Additional skills in trouble shooting, repairing, building/modifying, calibrating Health Physics Instruments, procedure writing, Decontamination and Demolition Planning, conducting Emergency Plan drills and exercises, scenario development/writing, planning and staffing.

ACCOMPLISHMENTS:

Lawrence Berkeley National Laboratory: Identified all of the buildings onsite, which were suspected to or contained legacy radioactive materials. Developed a map of the site with all of the buildings with legacy and active radiological concerns. Developed and implemented a plan for performing a legacy radioactive materials survey sweep of the lab. Developed a searchable knowledge database for all of the legacy radioactive materials buildings. Designed and assisted in developing an ACCESS database survey documentation system and search engine to improve detail and the quality of documentation and provide quicker and more accurate service to our Facilities service groups.

General Atomics: Post decontamination and decommissioning surveys and final release surveys for previously radiological posted facilities. Identified a hot particle contamination problem in unrestricted areas. Recommended, purchased, and setup/calibrated the Personnel Contamination Monitors (PCM2's) to replace hand-held instruments. Recommended and assisted in implementing a Hot Particle program. Wrote and implemented scaler and hand-held instrument procedures as well as many other Health Physics procedures. Assisted in Hot Cell Decontamination & Demolition HP Dept. set up. Provided training for, Health Physics technicians for facility instruments, H3 instrumentation operation and performance testing as well as H3 contaminated area decontamination. Assisted in the planning and implementation of the H3 extraction process equipment decontamination and dismantlement. Reduced exposures during Hot Cell D&D by designing and implementing engineering controls and procedures.

Rancho Seco: Reduced overall exposure during decontamination of Decay Heat Pump Room and equipment by grid mapping the room to scale and pinpointing contamination to smaller more controllable areas thereby reducing the number of entries into the room for repetitive surveys and decontamination efforts. Suggested the installation and use of stainless steel drip pans for equipment in contaminated areas to eliminate the spread of contamination after decontamination. This would have reduced radioactive waste and personnel exposure over a long period as well as reduce the chances of personnel contamination. Prior to the closure of Rancho Seco a feasibility study was initiated for cost effectiveness but was canceled due to plant closure. Initiated a system for emergency planning scenario development and implementation using WordPerfect 5.0, Micro Soft Excel and Formbase programs that reduced paper work, person-hours and increased the efficiency of record keeping.

San Onofre: Wrote LCM-15B laundry monitor procedure to simplify operation, performance testing, calibration and repair. Improved (calibrated/repaired/made ready to issue) air sampling equipment availability from less than 30% to 100% in less than a year while upgrading work area and equipment. Rebuilt, reconditioned, modified old air sampling equipment to meet new standards and reduce the need to purchase costlier new equipment.

WPPSS 2: Designed a venting attachment for leak rate testing that routed vented contaminated air, gas and liquids through an HEPA filtered wet and dry vacuum thereby reducing personnel contaminations and radioactive waste.

EXPERIENCE:

7/2001 to 11/2017
Lawrence Berkeley National Laboratory, 1 Cyclotron Road Berkeley, Ca. Environmental Health and Safety Engineer Associate/Principal Radiological Control's Technician
Provides radiation safety support to the Radiological Work Permit (RWP) program. Applies health and safety knowledge to support and evaluate radiation uses and assist in correcting hazards, when appropriate. Performs inspections and audits of worksites, laboratories, equipment and personnel to ensure and determine compliance with radiation standards and policies. Is responsible for maintaining complete and accurate documentation of work performed, audits, surveys and follow-up inspections. Conducts incident investigations and prepares appropriate reports. Prepare new, extended or amended RWP documents. Prepares radiological work plans for Facilities remodeling and demolition work in identified legacy radioactive materials buildings and areas. Is responsible for communicating effectively with workers and EH&S professionals regarding findings and corrective actions identified during audits.

6/92 to 7/2000 General Atomic, 3550 General Atomic Court, San Diego, Ca. Senior Staff Health Physics Technician (Lead HPT) Work independently to conduct routine, special and emergency radiological surveys on all operations, equipment and laboratories, i.e., Hot Cell, Fuel Fabrication facilities, Linear Accelerator, TRIGA Reactors, tenant laboratories. Logs, analyzes data and maintains legal records on all radiological health activities in assigned areas. Issue reports on radiological safety. Determlines the need for remedial action during incidents involving unusual radiation levels, airborne radioactivity or other emergencies. Performs radiological safety audits and makes recommendations to operating management concerning radiological safety. Write Health Physics procedures. Performs repairs and calibrations of Health Physics instruments. Provide Health Physics coverage for Hot Cell Facility Decontamination and Decomnlissioning Project. Provide Health Physics coverage for decontamination and decommissioning of ESTES H3 extraction facility at the GA Hot Cell Facility. Assisted in writing the Decontamination and Demolition Plan for the Hot Cell Facility.

11/26/90 to 6/92 Bartlett Nuclear Inc. San Onofre Nuclear Generating Station, San Clemente, Ca. Senior Health Physics Technician Health Physics Instrument Technician Repair, calibrate, modify and performance test Health Physics instruments. Repair, calibrate and maintain NNC LCM-15B contaminated laundry monitor. Wrote procedure for operation, performance testing and calibration ofLCM-15B. Modify, repair and calibrate NOVALEC BETA AEROSOL BEACON. Operate Nuclear Data Multi Channel Analyzer. Was responsible for the repair, calibration, modification and storage of all Health Physics air sampling equipment. Trained Health Physics Personnel on operation and performance testing of air sampling equipment.

2/27/89 to 11/15/90 Sacramento Municipal Utility District. Rancho Seco Nuclear Generating Station, Herald, Ca. Radiation Protection Technician, Step 8, Shift Qualified. Coordinate with SMUD, State, County and local personnel to select participants, controllers and observers for Emergency Plan drills and exercises. Develop and implement Emergency Plan drill and exercise scenarios. Administer pre drill controller training and participant briefings for the drill participants. Participate in quarterly, annual and control room drills and exercises as a participant and controller for the Operational Support Center, Technical Support Center, Control Room, Emergency Operations Facility, Emergency News Center and Control Cell. Establish, maintain and direct control points for access to radiological controlled areas; assign stay times and monitor access; brief workers on entry and egress procedures; provide job coverage; Design and installation of temporary shielding and containment devices; install and evaluate effectiveness of HEPA units; participate in ALARA planning; Evaluate jobs in progress; perform post job

reviews; provide corrective actions and instructions to workers during work evolutions; audit work covered by RWP for adherence to procedures. Provide support for the Emergency Plan and Fire Brigade.

8/26/88 to 2/27/89 Health Physics Technical Services, Inc. Rancho Seco Nuclear Generating Station, Herald, Ca. Radiation Protection Technician Radiation Protection Support for decontamination of various rooms and equipment using the Kelly Decon Unit; repairs on the reactor coolant pumps and steam generator component piping during low power operation.

8/24/87 to 7/27/88 Power Systems Energy Services, Inc. San Onofre Nuclear Generating Station, San Clemente, Ca. Senior Health Physics Technician Health Physics support at all units for work on CRDM's, RCP seal rebuild, Pressurizer Spray and various other valve rebuild jobs; Radioactive waste Bldg; Hot Machine Shop, CRUD tank work and new fuel receipt.

7/16/87to 8/14/87 Bartlett Nuclear Inc. Perry Nuclear Power Plant, Perry, Ohio Senior Health Physics Technician Health Physics coverage for balance of the plant.

4/2/87 to 7/7/87 Bartlett Nuclear Inc. Diablo Canyon Nuclear Power Plant, Avila Beach, Ca. Senior Health Physics Technician Health Physics coverage for RHR pipe replacement in the Auxiliary Bldg, CRDM fan repair, Hot machine Shop, various valve rebuilds and repair work and Auxiliary Bldg Control Point Lead Technician.

3/2/87 to 3/18/87 Allied Nuclear Inc. Duane Arnold Energy Center, Palo, Iowa Senior Health Physics Technician Health Physics coverage for balance of the plant.

10/6/86 to 2/19/87 Bartlett Nuclear Inc. Pilgrim Nuclear Power Station, Plymouth, Ma. Senior Health Physics Technician Health Physics coverage for MSIV plug rebuilds, Drywell modifications and balance of the plant.

7/7/85 to 9/5/86 U.S. Ecology Inc., Hanford Reservation Richland, Washington Radiation Control and Safety Technician Performed Incoming Radioactive Waste shipment, out going, operational area and environmental surveys. Verified incoming shipment paper work for compliance with Washington State Radioactive Waste Materials and NRC Special Nuclear Material licenses for Low Level Radioactive Waste Disposal Site as well as DOT regulations for hazardous materials. Observed offloading operations and verified packaging for compliance with license criteria. Operated MCA and Tri-Carb liquid scintillation counter.

4/85 to 6/85 Allied Nuclear Inc. Washington Public Power Supply System Unit Two, Richland, WA. Senior Health Physics Technician Health Physics coverage for leak rate testing of RHR, Main Steam, RCIC, HPCI and LP Core Spray and Spent Fuel Pool systems.

5/84 to 4/85 Bartlett Nuclear Inc. Peach Bottom Atomic Power Station, Delta, P.A. Senior Health Physics Technician Health Physics coverage for RHR and Recirculation piping replacement in the Drywell.
3/84 to 5/84 Bartlett Nuclear Inc. Salem Nuclear Power Station, Salem, New Jersey Senior Health Physics Technician Health Physics coverage for packaging radioactive waste for shipment.

11183 to 3/23/84 Rad Services Inc. Pilgrim Nuclear Power Station, Plymouth, Ma. Senior Health Physics Technician Health Physics coverage for Control Rod Drive rebuilds.

5/9/83 to 9/16/83 Rad Services Inc. Beaver Valley Nuclear Power Station, Beaver Valley, P.A. Junior Health Physics Technician Health Physics coverage for Reactor Coolant Pump seal replacement and pipe support modifications.

2/4/83 to 4/24/83 Rad Services Inc. Duane Arnold Energy Center, Palo, Iowa Junior Health Physics Technician Health Physics coverage for Respiratory Protection equipment cleaning facility. TMI Torus modifications, Control Rod Drive rebuild and balance of the plant.

8/31/82 to 12/3/82 Allied Nuclear Inc. Quad Cities Nuclear Power Plant, Cordova, Ill. Junior Health Physics Technician Health Physics coverage for and operation of contaminated laundry machines.
7/28/82 to 8/26/82 Combustion Engineering Inc. San Onofre Nuclear Generating Station, San Clemente, Ca. Decontamination Technician General decontamination of Containment Building, tools and equipment.

3/15/82 to 6/30/82 Institute for Resource Management Inc. North Anna Nuclear Power Plant, Mineral, Va. Decontamination/Junior Health Physics Technician Decontamination of Reactor Cavity, Containment and Auxiliary Building contaminated areas. Health Physics coverage for control point.

12/1180 to 2/5/82 Allied Nuclear Inc. Bettis Atomic Research Laboratory, West Mifflin, P.A. Decontamination Technician Q clearance. Decontamination and dismantling of contaminated and potentially contaminated lab equipment, rooms, buildings and structures, packaging for shipment and disposal of contaminated soil, building materials and radioactive waste. Build and utilize small buildings and weather enclosures for containment purposes.

8/25/80 to 11/20/80 Allied Nuclear Inc. Millstone Nuclear Power Plant, Waterford, Ct. Junior Health Physics Tec1mician Supervised night shift personnel during contaminated laundry machine operation.

6/15/80 to 8/13/80 Allied Nuclear Inc. J.A. Fitzpatrick Nuclear Power Plant, Oswego, N.Y. Junior Health Physics Tec1mianlDecontamination Technician Trained and supervised plant personnel on the operation of the Electro Polisher Decon unit.

4/8/80 to 6/13/80 Allied Nuclear Inc. Trojan Nuclear Plant, Rainier, Oregon Junior Health Physics Technician Operated Helgeson Whole Body counter, Surveyed protective clothing for contamination. Performed routine survey and air sampling. Provided Health Physics coverage for balance of the plant.

EDUCATION: American River Community College Fresno City Community College Chabot College Professional Divers Instructors College

Major Subjects: Electronics/General Education
Two semesters Business Administration
Two semesters Radiation Protection
One semester SCUBA Instructor Trainer

MILITARY
United States Navy -Four years' active duty, Honorable Discharge, Viet Nam era Veteran.
Training: Basic Electricity and Electronics at NTC Great Lakes, Illinois. Advanced Underwater Weapons School Orlando, Florida. Torpedomans Mate Technician Mark 44 Mod 1 "C" School Orlando, Florida.

AWARDS
Award for reducing personnel exposure and project expense during high exposure waste packaging operation at the General Atomic Hot Cell D&D Project

Spot award for the safe and orderly closure of the National Tritium Labeling Facility at Lawrence Berkeley National Laboratory
Spot award for discovering, decontaminating, characterizing, dismantling and packaging for disposal a radioactive contaminated machine lathe at Lawrence Berkeley National Laboratory, RCT support of the Old Town Project LBNL.

ACTIVITIES
Martial Arts Youth of America Tang Soo Do, Arnis de Mano Batanga, Physical Fitness Weight Lifting, Cardio Workouts, Basketball, Wing Tsun, Kali, Kenpo Kung Fu, Church Lector Community, Ambassador for SHARE of Southern California, City of Oakley Citizens Advisory Committee Appointee to the Contra Costa Transportation Authority, Candidate for City of Oakley City Council three times, Oakley Leadership Academy, Delegate to the Central Labor Council, Communication Workers of America, Delegate to the California Labor Federation, University Professional and Technical Employees Union Retirees. Lobbying for UPTE/CWA-9119 at the State Capital. Attend county and statewide political activities.

Memberships

Vice Commander Veterans of Oakley
Oakley Kiwanis
Oakley Senior Citizens

COMPUTER SKILLS Visio, Quatro Pro, Word Perfect, Auto Sketch, Turbo Cad, Excel, MSWord, Adobe, Access, Power Point.

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A PUBLIC DOCUMENT

RECEIVED
Date Initial Filing Received
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SEP 26 2019
CITY OF OAKLEY

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Dupray	Michael	Ray

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
Oakley City Council

Division, Board, Department, District, if applicable

Your Position
Applicant

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☒ City of Oakley
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☐ County of Contra Costa
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

- ☐ Annual: The period covered is January 1, 2018, through December 31, 2018.
  -or-
  The period covered is ____/____/____ through December 31, 2018.
- ☒ Assuming Office: Date assumed 11 / 12 / 2019
- ☐ Leaving Office: Date Left ____/____/____ *(Check one circle.)*
  - ○ The period covered is January 1, 2018, through the date of leaving office.
  - -or-
  - ○ The period covered is ____/____/____ through the date of leaving office.
- ☐ Candidate: Date of Election _____ and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* _____

Schedules attached

- ☐ Schedule A-1 - *Investments* – schedule attached
- ☐ Schedule A-2 - *Investments* – schedule attached
- ☐ Schedule B - *Real Property* – schedule attached
- ☐ Schedule C - *Income, Loans, & Business Positions* – schedule attached
- ☐ Schedule D - *Income – Gifts* – schedule attached
- ☐ Schedule E - *Income – Gifts – Travel Payments* – schedule attached

-or- ☒ ***None*** *- No reportable interests on any schedule*

5. Verification

MAILING ADDRESS STREET (Business or Agency Address Recommended - Public Document)	CITY	STATE	ZIP CODE
[redacted]	Oakley	CA	94561

DAYTIME TELEPHONE NUMBER	EMAIL ADDRESS
([redacted]	[redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge [redacted] on contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that t[redacted]

Date Signed 09/26/2019
(month, day, year)

Signatu[redacted]

Clear Page | Print

OAKLEY
CALIFORNIA

APPLICATION for APPOINTMENT to the OAKLEY CITY COUNCIL to fill one vacancy seat

RECEIVED
OCT 03 2019
CITY OF OAKLEY

Applicant Name: Michael Krieg

Home Address: [redacted]

Phone Number: [redacted]

E-Mail Address: [redacted]

1. **How long have you lived in the City of Oakley?** 37 years

2. **In 300 words or less, please explain why you would like to represent Oakley and serve on the Oakley City Council.**

I want to serve on the Oakley City Council because:

- I desire to make a solid contribution to our community and help keep it moving in the positive direction that began when Oakley became a city in 1999. I proudly volunteered to distribute literature during the door-to-door campaign for cityhood and continued to volunteer for various community-based activities over the years. Serving on the Oakley City Council would give me an opportunity to continue to make a constructive contribution.
- I want to give back to the community that has been very good to my family. My children grew and thrived in Oakley and now we are enjoying introducing our grandchildren to the city we have called home since 1982.
- I can offer a professional, reasonable, impartial, non-political voice during the transition to the 2020 election. I am not political and make decisions based on fact.
- I have the time that is necessary to devote to effectively serve on the Oakley City Council.
- I have the proven skill to listen respectfully and weigh differing opinions.
- I am motivated to serve the public interests of the overall community.
- Serving on the Oakley City Council would be an honor. While the work required to prepare for each City Council meeting is demanding, I am

anxious to use my natural curiosity to thoroughly learn about each issue that is considered by the City Council.

- I want to be more involved in my community.
- I want to stay active in a positive, contributing way.
- I am committed to help make Oakley continue to be the best place in the San Francisco Bay Area to work, live, and play.

3. **In 300 words or less, describe your qualifications and educational, work and other experience which would make you a valuable addition to the Oakley City Council.**

Homeowner: I've been an Oakley resident and homeowner for 37 years. In that time I've become acquainted with public officials from both Oakley and nearby cities and believe I have a realistic view of both the powers and constraints on a city council member.

Volunteer: I've found satisfaction in a number of public service activities over the years, including Little League and Boy Scouts when my children were young. I volunteer at the Antioch Dunes National Wildlife Refuge and at Big Break Regional Shoreline where I help teach students from local schools about the Delta ecosystem. I'm a member of Oakley's CERT team and have occasionally helped out at the You Me We Oakley! citizenship drives. Currently I am the City of Oakley's appointee to the Board of the Contra Costa Mosquito & Vector Control District.

Interest: I have a long standing interest in public policy, particularly regarding local and environmental issues such as habitat preservation, endangered species, and Delta protection.

Education: I hold a Bachelor's degree in Anthropology from UC Santa Barbara.

Work Experience: I am a veteran of the U.S. Navy. After I was discharged, I worked primarily in sales, mostly in the computer industry. Over time, I transitioned to an IT manager role and retired as vice president of a software development company. From my private sector career I have considerable experience in project management, budgeting, marketing, and contract negotiation. As Oakley's representative to the Contra Costa Mosquito & Vector Control District - I'm currently the Board President - I've acquired a solid knowledge of public sector operations while serving on the Executive, Budget, Audit, and Long Term Planning Committees.

4. **What do you feel are the most pressing matters for the Oakley City Council?**

Safety: One of the most basic duties of government is assuring the safety of the citizens. As a CERT participant, I know firsthand how hard the city is working to prepare for a wide range of problems. The tragedies and disasters we learn about on the news could happen in Oakley and the city must continue the excellent progress that's already been made to the extent that can be accomplished within the reality of budget constraints.

Homelessness: The plague of homelessness that's growing throughout the country is impacting our city and I'm anxious to see the city expand efforts to deal with the problem. The issues that drive an individual to living on the streets are complex and certainly not easily solved, but I believe we have far more opportunity for success if we work hard while the problem remains somewhat manageable rather than wait until we are overwhelmed.

Quality of Life: Since becoming a city, Oakley has made amazing progress in improving the infrastructure and quality of life. It's critical that the City Council continue to ensure that future development is offset by mitigation measures that preserve what has been built in the last 20 years.

Citizen Engagement: Engaging Oakley's citizens more fully in the political process is a priority. Political rhetoric and ignorance on social media can create a viral firestorm among participants who don't understand the realities of how decisions are made. Oakley should develop an outreach mechanism to help people better understand how government actually works including the constraints on independent action at the local level.

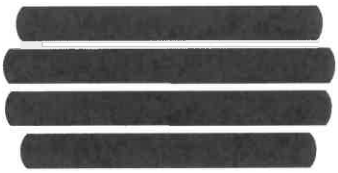
5. **Please attach a current resume.**

Please mail or hand-deliver this completed application in a sealed envelope, along with Fair Political Practices Commission Form 700 to:

CITY OF OAKLEY
City Clerk's Office
3231 Main Street
Oakley, CA 94561

~ Applications *must* be received prior to 5 p.m. on Thursday, November 7, 2019 ~

Michael M Krieg



Objective

To make a positive contribution to my community using the skills and knowledge gained in a lifetime of private sector employment.

Employment History

Volunteer Work
03/2013 - present retired Oakley, CA
Currently retired and engaged in several volunteer efforts:

- Docent and stewardship volunteer at Antioch Dunes National Wildlife refuge and other Bay Area refuges operated the U.S. Fish & Wildlife Service
- Docent with East Bay Regional Park District, primarily assisting with nature-oriented school science programs at Big Break Regional Shoreline
- Appointed by the City of Oakley as Trustee to the Board of the Contra Costa Mosquito & Vector Control District.
- Participant in the Oakley Community Emergency Response Team.
- Occasional volunteer with the You Me We Oakley! citizenship drive program

Vice President
01/2009 - 03/2013 Bayspire, Inc. Sunnyvale, CA
Managed most non-financial aspects of software development and hosting company, including custom software development and software hosting operations.

Vice President
10/1990 - 12/2008 Web Crossing, Inc. San Francisco, CA
Vice President with responsibility for many operational aspects of growing computer software and hosting business. Handled many aspects of sales, attended numerous trade shows, and appeared at conventions and conferences. When the company entered the hosting business in 2000, acquired responsibility for hosting operations including data center management and supervision of system administration staff.

Store Manager
11/1987 - 09/1990 Egghead Software Pleasant Hill, CA
Managed retail store for a well-known computer software chain. Hired and trained sales personnel, managed inventory.

Sales Manager
11/1981 - 10/1987 Medi-Spec, Inc. Pacheco, CA
Managed most aspects of fast-growing medical manufacturing company selling primarily through dealers. Organized trade shows, trained representatives, and developed marketing materials.

Customer Relations Manager
08/1974 - 11/1981 Fabco Division, Kelsey Hayes Company Oakland, CA
Managed inside sales operation for manufacturer of heavy truck components, supervising clerks and service-parts specialists. Prior to promotion, served as sales representative in multi-state territory.

Communications Technician, Interpretive
09/1970 - 08/1974 United States Navy Washington, DC
Performed classified duties using the Russian language, operated communications equipment, and used specialized military computer systems. Held Top Secret security clearance.

Education History
University of California, Santa Barbara B.A, Anthropology

041600128-NEH-0128

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
A PUBLIC DOCUMENT

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

RECEIVED
Date Initial Filing Received
Official Use Only
OCT 08 2019
CITY OF OAKLEY

1249748

Please type or print in ink.

NAME OF FILER	(LAST)	(FIRST)	(MIDDLE)
	Krieg,	Michael	

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

Contra Costa County

Division, Board, Department, District, if applicable	Your Position
District - CC Mosquito & Vector Control	Trustee

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☐ City of _____
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☒ County of Contra Costa
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

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  -or-
  The period covered is ____/____/____, through December 31, 2018
- ☐ **Assuming Office:** Date assumed ____/____/____
- ☐ **Leaving Office:** Date Left ____/____/____
  (Check one circle)
  - ○ The period covered is January 1, 2018, through the date of leaving office.
  - ○ The period covered is ____/____/____, through the date of leaving office.
- ☐ **Candidate:** Date of Election _____ and office sought, if different than Part 1: _____

4. Schedule Summary (must complete)

► **Total number of pages including this cover page:** 1

Schedules attached

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- ☐ **Schedule E** - *Income – Gifts – Travel Payments* – schedule attached

-or-

☒ **None** - *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS (Business or Agency Address Recommended - Public Document) STREET	CITY	STATE	ZIP CODE
155 Mason Circle	Concord	CA	94520

DAYTIME TELEPHONE NUMBER	E-MAIL ADDRESS
([redacted]	[redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 03/26/2019 *(month, day, year)*

Signature [redacted] *(File the originally signed paper statement with your filing official.)*

OAKLEY
CALIFORNIA

APPLICATION for APPOINTMENT to the OAKLEY CITY COUNCIL to fill one vacancy seat

RECEIVED

OCT 2 1 2019

CITY OF OAKLEY

Background Information

Staff anticipates the Oakley City Council may approve an appointment process on October 8, 2019, to allow the appointment of one person to fill a vacancy seat on the Oakley City Council during its regularly scheduled meeting to be held November 12, 2019, in the Oakley City Council Chambers located at 3231 Main Street in Oakley, beginning at 6:30pm. Staff is seeking applications from residents who would like to serve on the Oakley City Council. **All applicants must attend the November 12, 2019 meeting to be interviewed.** Applicants must be registered to vote and reside within the City of Oakley. The term to fill the vacancy expires in November 2020.

City Council meetings are currently held twice each month on the 2nd and 4th Tuesdays at 6:30 p.m., except in July, August, November and December when only one meeting is held on the 2nd Tuesday of the month at 6:30 p.m. Special and emergency meetings may also be held with minimal notice for more urgent items. In addition to preparing for and attending City Council meetings, Councilmembers also represent Oakley on a variety of county and regional boards/commissions/ committees that meet regularly. They also attend numerous community functions and sometimes trainings which can be held during days, evenings, and/or weekends.

Councilmembers receive a nominal monthly salary. They do not receive health, dental or retirement benefits.

Application Deadline

Please type or print clearly on this application and return it **no later than 5p.m. on Thursday, November 7, 2019, along with completed Fair Political Practices Commission Form 700 which is available at www.fppc.ca.gov. Early submittal of applications is preferred.**

Application

All information contained in this application is public data and will be made available for public inspection 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 Oakley City Council.

1. **Applicant Name:** Yared S. Olveros
2. **Home Address:** [redacted]
3. **Phone Number:** [redacted]
4. **E-Mail Address:** [redacted]

5. **How long have you lived in the City of Oakley?** Since Aug, 2016

6. **In 300 words or less, please explain why you would like to represent Oakley and serve on the Oakley City Council.**

7. **In 300 words or less, describe your qualifications and educational, work and other experience which would make you a valuable addition to the Oakley City Council.**

8. **What do you feel are the most pressing matters for the Oakley City Council?**

9. **Please attach a current resume.**

Please mail or hand-deliver this completed application in a sealed envelope, along with Fair Political Practices Commission Form 700 to:

CITY OF OAKLEY
City Clerk's Office
3231 Main Street
Oakley, CA 94561

~ Applications *must* be received prior to 5 p.m. on Thursday, November 7, 2019 ~

6. Why would I like to represent the City of Oakley and serve on the city council?

I have resided in Oakley since February of 2017 and immediately fell in love with the small town vibe of it all. Oakley has clearly changed in the past twenty years to a City that is growing not only in in home value, small businesses, but in diversity which makes it a more desirable place to live.

As a diverse and bilingual candidate, I would like to represent the City of Oakley because I have a strong passion to serve specially in this beautiful and thriving city. In the short time that I have lived here, I have been able to accomplish the following:

- Graduate of the Oakley Leadership Academy 2017
- Active 20th Anniversary Planning Committee Member for the City of Oakley
- Planner of NNO at Emerson Ranch increasing our engagement from 30 to 100 neighbors
- Created 5 neighborhood community events to promote safety, cleanliness, and engagement
- Marketing, home visit, and food pantry volunteer for St. Vincent de Paul at St. Anthony's Parish
- Recently joined the Oakley Chamber of Commerce

Recently, I partnered with the Economic Development department (Dwayne Dalman), in creating a Business & Career planning Networking event where our local community can learn about the tools and resources necessary to attain career leadership success and the inspiration needed to take a risk as they think of their own business success. It was an opportunity for residents to learn how to advance their career, tips on branding for their current or potential business and an opportunity for individuals to network with professionals from Tesla, Uber, Netflix, Coca-Cola, Capital Group and many others.

As you can see my passion to serve and be a positive influence for our young city is why I want to be part of the City Council.

7. Describe Your qualifications, educational, work and other experience which would make you a valuable addition to the Oakley City Council

I have been blessed to be able to attend college and receive a Bachelor's Degree in English with a focus in Communications from Mount St. Mary's University and a Master's Degree in Organizational Management from the University of Phoenix. I have gained a lot of my work and travel experience by working with companies such as Hilton, Starcite, Nestle USA, and Tesla. My background in Hospitality and Human Resources have allowed me to leverage my skillsets and experience to create forums, teams, and events where individuals can bring out their best selves and make a difference.

My passion for people and serving has been part of me since I can remember. Service is definitely not easy and I have learned that you cannot please everyone. My work and volunteer experience has taught me strong work ethic to focus on the goal, mission and objective at hand by informing, educating, and treating everyone with respect.

8. What do you feel are the most pressing matters for the Oakley City Council?

- Continue to be ranked among the safest cities in the State by increasing community engagement through online communications, forums, event and technology.
- Focus on the development of home businesses and surrounding businesses by leveraging the Economic Development Departments
- Increase networking forums through Chamber of Commerce, Entrepreneur Center, and other outlets to help with an increase in workforce
- Support of the aging/retirement community in Oakley by ensuring a safe, clean and affordable place to live
- Increase our average local school ratings of 5 to a higher rating

Yared S. Oliveros
[redacted] * (P) [redacted]

Value added team member:
Opportunity to have worked with one of the most innovative and fast paced companies that builds not only all-electric vehicles but also infinitely scalable clean energy generation and storage products. Served as a strong business partner, an onboarding point of contact to new hires, and a change agent champion with Latinos@Tesla, employee resource group. Previously, worked in the Food & Beverage industry in Human Resources and College Recruiting. My skill sets range from sourcing, recruiting, project management, training & talent development, coaching and managing key stakeholders in all levels of the organization. I am fluent in English and Spanish, which I continue to leverage throughout my career. Key leaders and my peers know me for my passion to drive change in teams by anticipating future needs and collaborating internally to successfully meet business objectives.

Relevant Work Experience

Senior University Recruiter ***Tesla*** ***Fremont, CA*** ***May 2018 – March 2019***

- Provided support to 25 stakeholders in order to fill 60 requisitions per recruiting cycle
- Filled 85%- 90% of all roles in a fast paced and changing environment
- Increased diverse talent pool by 10% by leveraging and engaging student organizations
- Created university satisfaction survey in order to measure success of recruiter strategies
- Created and provided interview feedback forms for hiring managers to leverage for consensus
- Initiated onboarding kick off calls for hiring managers to ensure successful intern onboarding
- Sourced and managed talent pipeline of 1,000+ applicants from applicant tracking system (Avature)
- Re-launched employee resource group, Latinos@Tesla, by putting together a strategic plan in place for 2019 which is currently being rolled out with a total of 20 active members

HR Business Partner, Nestle Retail Sales ***Nestlé USA*** ***Oakland, CA*** ***September 2015 – May 2018***

- Provided HR support to 212 salaried sales team members, Directors, Managers and Sales Reps, located in the East and West Coast regions, which include training, recruitment, talent development, employee relations, safety, compensation administration and legal compliance
- Coached and guided team members through the cycle of Talent & Performance management to ensure 100% compliance
- Managed 25-40 key talent employees within their first year of hire and ensure they are placed into their next role before their one year work anniversary
- Anticipated future business needs and provide recommendations to help close gaps which resulted in successfully implementing 4 key best practices which were rolled out across the Retail Sales organization
- Provided consistent performance and development trainings to our Management team, this resulted in being recognized by Divisional Vice President on the training & quality of performance plans and calibration effectiveness
- Grew talent and team by increasing cross functional talent discussions from 2 key HR business partners in one operating company to 25 within one year in order to maximize awareness of talent opportunities within the organization
- Planned, managed and executed new hire mentorship program for 11 -20 candidates yearly with key leaders of the organization

- Increased talent movement and achieved a total of 46 promotions in 2017 versus 20-25 in previous years
- Collaborated in Diversity and Inclusion efforts by assembling plans to engage team members across our retail sales organization

Campus Recruiter, Sales Division ***Nestlé USA*** ***Glendale, CA*** ***June 2011 – September 2015***

- Managed the Nestle Sales Development Campus Recruiting program for the entire country
- Managed 3 Sales REQ's which required a total hire of 35 candidates per recruiting season. Sourced through a high volume of talent with an average of 300 candidates per REQ in order to meet hiring goal
- Planned, managed, and tracked over 40 recruiting full cycle events such as info sessions, webinars and interviews all across the U.S. to ensure a strong ROI in talent pipeline
- Trained and collaborated with over 50 members across the country on recruiting strategies to ensure understanding of recruiting concept, goal, and deliverables took place
- Increased diversity 25% throughout the Sales organization by leveraging campus selection tool, digital and on-campus resources, and networking with various Professors and Deans of each college campus
- Implemented and managed a local Sales internship program as another opportunity to increase talent pipeline into the Sales Development program upon completion of the internship
- Identified and implemented key activities such as bilingual info sessions, and "just in time interviewing" courses, which resulted in an increase of applicants for our Sales Internship program from 12- 40 candidates
- Implemented a Campus Recruiting Selection Tool that provided a strategic approach during pre-recruiting planning to ensure we were targeting the right universities
- Active key planner in the planning of the Diversity Leadership Symposium which resulted in an increase of diverse talent pipeline across all business functions

Community Engagement

- Founder - **Because We Can (2016 – current)**
  - Create & develop yearly motivational workshops and networking opportunities with Leaders in various industries in order to foster future networking and mentorship opportunities
- Communications and Marketing Coordinator– **St. Vincent de Paul @ St. Anthony Parish (Oakley) (2017 – current)**
- Board President - **Circle of Change (2017-2018)**
  - Engaged our Executive Board Members to ensure sponsorship goals are met, ensured key objectives from the Founder were being achieved, and implemented bylaws for board members
- Graduate- **City of Oakley Leadership Academy (2017)**
  - Active participant in a civic education program, which provides an opportunity to develop civic leadership, understand how to build stronger communities, and the intricacies of City operations and processes

Education

- Mount St. Mary's University, Bachelor of Arts, English
- University of Phoenix, Masters in Organizational Management

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A PUBLIC DOCUMENT

Date Initial Filing Received
OCT 2 2019
Official Use Only

CITY OF OAKLEY

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Oliveros	Yared	Sofia

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
City of Oakley

Division, Board, Department, District, if applicable
Oakley City Council

Your Position
City Council Member

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☒ City of Oakley
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☐ County of Contra Costa
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

- ☐ **Annual:** The period covered is January 1, 2018, through December 31, 2018.
  -or- The period covered is ____/____/____, through December 31, 2018.
- ☐ **Assuming Office:** Date assumed ____/____/____
- ☐ **Leaving Office:** Date Left ____/____/____ *(Check one circle.)*
  - ○ The period covered is January 1, 2018, through the date of leaving office.
  - -or- ○ The period covered is ____/____/____, through the date of leaving office.
- ☒ **Candidate:** Date of Election 11/12/2019 and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* 1

Schedules attached

- ☐ **Schedule A-1** - *Investments* – schedule attached
- ☐ **Schedule A-2** - *Investments* – schedule attached
- ☐ **Schedule B** - *Real Property* – schedule attached
- ☐ **Schedule C** - *Income, Loans, & Business Positions* – schedule attached
- ☐ **Schedule D** - *Income – Gifts* – schedule attached
- ☐ **Schedule E** - *Income – Gifts – Travel Payments* – schedule attached

-or- ☐ ***None*** - *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS (Business or Agency Address Recommended - Public Document) STREET	CITY	STATE	ZIP CODE
[redacted]	Oakley	CA	94561

DAYTIME TELEPHONE NUMBER	EMAIL ADDRESS
[redacted]	[redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 10/8/2019 (month, day, year)

Signature [redacted] (File the originally signed paper statement with your filing official.)

OCT 2 9 2019
CITY OF OAKLEY

R
G

RHONDA (RONI) GEHLKE

CORPORATE PUBLIC RELATIONS SPECIALIST

RESUME

ABOUT ME

As an environmental outreach consultant, I believe the first step in keeping our environment safe is not through activism, but to first make sure you're doing your best not to contribute to the problem at hand. Identifying the issues is an important step toward establishing that goal. Once you've mastered that, then by all means, go out and ask others to follow your lead.

VOLUNTEER WORK

CONTRA COSTA COUNTY FISH AND WILDLIFE COMMITTEE | 2014 TO PRESENT
Advises the Board of Supervisors on fish and wildlife issues that may affect the county.

CALIFORNIA WATER ENVIRONMENT ASSOCIATION (CWEA) | 2014 TO PRESENT
Held position of Community Engagement and Outreach Committee-Vice Chair. CWEA is a nonprofit public benefit association of 10,000-plus water quality professionals who work for public agencies and collection systems. CWEA members are responsible for cleaning California's water and returning it safely to the environment.

VOLUNTEER ACTIVITIES:

Delta Protection Commission: Delta Leadership Program

Oakley Chamber of Commerce: Serves as president, vice president and chair of many committees

Oakley Almond Festival: Chair, public outreach

Oakley Incorporating Committee: Volunteer

EXPERIENCE

CEO/ Environmental Outreach and Public Education Consultant

R&G PROMOTIONS AND OUTREACH, OAKLEY, CA | 1990 TO PRESENT

Owner and operator of a public relations and outreach company for local organizations and businesses. For nearly three decades R&G Promotions has been working with community organizations, public agencies and businesses building strong public relations campaigns. Our company specializes in environmental public outreach, print publications and media relations.

Notable clients have included:

IRONHOUSE SANITARY DISTRICT, OAKLEY, CA | 2001 TO PRESENT

Worked as the District's Public Outreach and Education consultant and coordinator. This position includes administering all of the District's public outreach programs, as well as writing and coordinating the District's newsletters, school tour programs, developing presentations, website content and design, and more. Also responsible for the District's Recycled Water Fill Station program, including overseeing its day-to-day operations, staff and promotions.

DELTA SCIENCE CENTER, OAKLEY, CA | 2010 TO 2017

As executive director of the Delta Science Center, R&G Promotions provided everything from public relations, grant writing, speaking engagements, fundraising, event planning and developing Sacramento-San Joaquin Delta education material including the Sacramento-San Joaquin Delta Educational Resource Calendar and Teacher Resource Guide. The two Delta resources are delivered to 7,500 fifth grade students through the local Delta Region.

BAY AREA NEWS GROUP, ANTIOCH, CA | 1997 TO PRESENT

Local newspaper correspondent and columnist for four East Contra Costa County newspapers within the Bay Area News Group organization. The focus of the articles has included weekly columns on issues concerning Oakley and East County, as well as a local Business Spotlight and Neighbors Spotlight column. Works have included several feature and front page articles profiling local people, organizations and activities.

From 2016 to present – authored weekly column "Around East County" covering people, events and information on East Contra Costa County.

From 1997 to 2010 – wrote weekly column "Our Backyard" featuring stories on the Oakley community.

EDUCATION

BACHELOR OF ARTS

CALIFORNIA STATE UNIVERSITY EAST BAY (FORMERLY CSU HAYWARD)
HAYWARD, CA
1982-1988

Bachelor of Arts: Corporate Public Relations;
Minor: Business Administration
Field of study: Public Relations, Advertising, and Applied Communication

1. **Applicant Name:** Rhonda (Roni) Gehlke
2. **Home Address:** [redacted]
3. **Phone Number:** [redacted]
4. **E-mail Address:** [redacted]

5. **How long have you lived in the City of Oakley?** Since 1991

6. **In 300 words or less, please explain why you would like to represent Oakley and serve on the Oakley City Council.**

The number one reason I would like to represent Oakley as a city councilwoman is because I care deeply for our community and would like to do my part to make this city a better place for everyone to live and work. For the nearly 30 years I have been a part of Oakley, I have seen it evolve into the community we are today. I would like to be part of helping it to continue to grow and thrive.

With my professional background of working with the public as an outreach and media consultant, I know that I would be a good advocate for the council and the City of Oakley. I have the ability to listen respectfully and weigh differing opinions. I have the integrity to do what's best for our community and not just because it might benefit a specific friend, neighbor or organization. I think that is an important trait for any councilmember.

Over the years that I have lived here, I have developed strong relationships with many community members and often encourage people to make their views known and engage with the council. I believe that if there is a problem it is important to be part of the solution. I often hear people express their concern about problems they see in the community who would prefer to complain rather than help find answers. I am the type of person who would rather work on the solutions.

7. **In 300 words or less, describe your qualifications and educational, work and other experience which would make you a valuable addition to the Oakley City Council.**

I have been an active resident of Oakley for more than 28 years. During that time, I have volunteered for many of the local non-profit organizations, including the Oakley Chamber of Commerce, Oakley Almond Festival, Oakley Incorporating Committee, Oakley Union Elementary School District and the DuPont Community Advisory Committee.

I am the owner and operator of R&G Promotions and Outreach, located in Oakley. Through my company I have worked to promote many of the local

businesses and organizations. Among those has been the Delta Science Center, where I served for six years as the organization's executive director working with East Bay Regional Park District to help build Big Break Regional Shoreline Park and bring Delta educational programming to Oakley.

I currently advise the Contra Costa County Board of Supervisors as a volunteer member of the Contra Costa County Fish and Wildlife Committee, which oversees thousands of dollars of grant funding annually to organizations that help to keep our local environment clean and educate the public on environmental issues.

I am also the vice president of the California Water Environment Association's (CWEA) Community Engagement and Outreach Committee, as well as a volunteer for the Community Engagement and Outreach Committee with CWEA's San Francisco Bay Area Region chapter.

As a local columnist and correspondent for the Bay Area News Group, I have chronicled the events and issues that relate not only to Oakley, but to East County as a whole. From 1997 to 2010 I authored a feature column on Oakley, called *Our Backyard.* Since 2015, I have written a weekly column called *Around East County.*

8. What do you feel are the most pressing matters for the Oakley City Council?

Businesses in the area cannot produce enough jobs to meet the demand of the city's population: I understand the issues related to this problem, but the City Council needs to do its best to bring in business to supply jobs, so that residents don't need to make long commutes to work. This is also a problem for youth in our city. There are not enough jobs within walking distance for our teens ready to take on their first job. While Tri Delta Transit is available to take teens to work, a bus ride from Vintage Parkway to the nearest retail areas, such as Slatten Ranch and The Streets of Brentwood, where jobs might be available can take more than an hour. Many parents work during the day and aren't available to take their children to work.

Lack of affordable housing for seniors, young families and young adults: This is a statewide problem and while rental rates are cheaper here in East County, prices continue to outpace local wages. Seniors on fixed incomes can't afford the cost of senior housing or apartments in the area, let alone market-rate single family residences.

Many young people, who may not attend college yet still hold good jobs, cannot afford to move out on their own. Rental prices in the area are too high and consume too much of their paychecks, leaving little to pay for other necessities.

Young families need the income of both parents, but find it hard to pay for the cost of daycare and other expenses to make ends meet.

Homelessness: This is a region-wide epidemic from which Oakley is not immune, and our community has seen an increase in the homeless population over the past few years. Oakley organizations have done a good job to provide services to help the homeless and those on low incomes, but there needs to be more done to reach those in need. Oakley needs to unite in a coalition with other East County communities to tackle these issues and make a difference.

Traffic:
Oakley's traffic issues go back longer than it has been a city. While some of those same issues apply today, a lot of Oakley's traffic congestion problems also stem from people's perception that there is too much traffic congestion downtown, on Empire Avenue, and on Laurel and Cypress roads based on the number of cars that get caught in traffic every morning and afternoon.

The perception is that the city didn't plan the downtown improvements correctly, because there are too many cars on the road, or that traffic delays are caused because "all the other cars on the road are slowing me down." This viewpoint is pervasive on social media and about Oakley's traffic issues in general.

This is a problem, because it presumes a specific set of solutions that may not be correct for our city. Namely, if the problem simply boils down to too many cars and not enough capacity, either we widen roads and make room for more cars, or we somehow stop development and make all those people go live somewhere else.

All this being said, traffic issues are still something that the city engineers should be working on. However, as a council, there needs to be more working with the public to help them understand why certain road work has been done and will be done in the future. I believe there ought to be annual public planning meetings like recent planning sessions the city has held to help educate the public so people's viewpoints better align with what the council is doing.

Crime: While Oakley does not see the level of violent criminal activity present in many larger cities, lower priority crimes such as mail theft and car break-ins can

still have a devastating impact on residents' feelings of security for themselves and their family. While these are problems all communities face and which are best left to the city's police department to handle, the City Council needs to address this issue with the public and make sure that the Oakley Police Department can handle the situation.

9. **Please attach a current resume.**
   Resume attached.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A PUBLIC DOCUMENT

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Date Initial Filing Received
OCT 29 2019
CITY OF OAKLEY

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MI)
Gehlke	Rhonda	Lynn

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
City of Oakley

Division, Board, Department, District, if applicable

Council member
Your Position

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☒ City of Oakley
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☐ County of _____
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

☐ **Annual:** The period covered is January 1, 2018, through December 31, 2018.

-or-

The period covered is ____/____/____, through December 31, 2018.

☒ **Assuming Office:** Date assumed 11/13/2019

☐ **Leaving Office:** Date Left ____/____/____ *(Check one circle.)*

○ The period covered is January 1, 2018, through the date of leaving office.

-or-

○ The period covered is ____/____/____, through the date of leaving office.

☐ **Candidate:** Date of Election _____ and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* _____

Schedules attached

- ☐ **Schedule A-1** - *Investments* – schedule attached
- ☒ **Schedule A-2** - *Investments* – schedule attached
- ☐ **Schedule B** - *Real Property* – schedule attached
- ☐ **Schedule C** - *Income, Loans, & Business Positions* – schedule attached
- ☐ **Schedule D** - *Income – Gifts* – schedule attached
- ☐ **Schedule E** - *Income – Gifts – Travel Payments* – schedule attached

-or- ☐ ***None*** - *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS (Business or Agency Address Recommended - Public Document) STREET	CITY	STATE	ZIP CODE
[redacted]	Oakley	CA	94561

DAYTIME TELEPHONE NUMBER	EMAIL ADDRESS
[redacted]	[redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 10/29/19 *(month, day, year)*

Signature [redacted] *(File the originally signed paper statement with your filing official.)*

SCHEDULE A-2
Investments, Income, and Assets of Business Entities/Trusts
(Ownership Interest is 10% or Greater)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
Name
Rhonda Gehlke

▶ 1. BUSINESS ENTITY OR TRUST

R&G Promotions and Outreach
Name
[redacted]
Address *(Business Address Acceptable)*

Check one
☐ Trust, *go to 2* ☒ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF THIS BUSINESS
Public Relations

FAIR MARKET VALUE
☐ $0 - $1,999
☐ $2,000 - $10,000
☒ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED
__/__/18 DISPOSED

NATURE OF INVESTMENT
☐ Partnership ☒ Sole Proprietorship ☐ _____ Other

YOUR BUSINESS POSITION owner

▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

☐ $0 - $499
☐ $500 - $1,000
☐ $1,001 - $10,000
☒ $10,001 - $100,000
☐ OVER $100,000

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None or ☒ Names listed below
Ironhouse Sanitary District

▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:
☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity, if Investment, or
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or
City or Other Precise Location of Real Property

FAIR MARKET VALUE
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED
__/__/18 DISPOSED

NATURE OF INTEREST
☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership
☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

---

▶ 1. BUSINESS ENTITY OR TRUST

Name
Address *(Business Address Acceptable)*

Check one
☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $0 - $1,999
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED
__/__/18 DISPOSED

NATURE OF INVESTMENT
☐ Partnership ☐ Sole Proprietorship ☐ _____ Other

YOUR BUSINESS POSITION

▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

☐ $0 - $499
☐ $500 - $1,000
☐ $1,001 - $10,000
☐ $10,001 - $100,000
☐ OVER $100,000

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None or ☐ Names listed below

▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:
☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity, if Investment, or
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or
City or Other Precise Location of Real Property

FAIR MARKET VALUE
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☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED
__/__/18 DISPOSED

NATURE OF INTEREST
☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership
☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

Comments: _____

OAKLEY
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OCT 0 2019
CITY OF OAKLEY

APPLICATION for APPOINTMENT to the OAKLEY CITY COUNCIL to fill one vacancy seat

Background Information

Staff anticipates the Oakley City Council may approve an appointment process on October 8, 2019, to allow the appointment of one person to fill a vacancy seat on the Oakley City Council during its regularly scheduled meeting to be held November 12, 2019, in the Oakley City Council Chambers located at 3231 Main Street in Oakley, beginning at 6:30pm. Staff is seeking applications from residents who would like to serve on the Oakley City Council. **All applicants must attend the November 12, 2019 meeting to be interviewed.** Applicants must be registered to vote and reside within the City of Oakley. The term to fill the vacancy expires in November 2020.

City Council meetings are currently held twice each month on the 2nd and 4th Tuesdays at 6:30 p.m., except in July, August, November and December when only one meeting is held on the 2nd Tuesday of the month at 6:30 p.m. Special and emergency meetings may also be held with minimal notice for more urgent items. In addition to preparing for and attending City Council meetings, Councilmembers also represent Oakley on a variety of county and regional boards/commissions/ committees that meet regularly. They also attend numerous community functions and sometimes trainings which can be held during days, evenings, and/or weekends.

Councilmembers receive a nominal monthly salary. They do not receive health, dental or retirement benefits.

Application Deadline

Please type or print clearly on this application and return it **no later than 5p.m. on Thursday, November 7, 2019, along with completed Fair Political Practices Commission Form 700 which is available at** www.fppc.ca.gov. **Early submittal of applications is preferred.**

Application

All information contained in this application is public data and will be made available for public inspection 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 Oakley City Council.

1. **Applicant Name:** Nicholas Caputo
2. **Home Address:** [redacted]
3. **Phone Number:** [redacted]
4. **E-Mail Address:** [redacted]

5. **How long have you lived in the City of Oakley?** 34

6. **In 300 words or less, please explain why you would like to represent Oakley and serve on the Oakley City Council.**

I have lived in Oakley all of my life. MY grandparents and parents have spent over 30 years residing in Oakley. I have 5 children, 4 nephews, and 3 niece's that currently live in Oakley. I have seen Oakley come from a small town when there was just a Centromart for groceries to the nicely developed city that it is today. I am rooted with a small town past and heavily invested to a brighter future. With the abrupt opening of a city council seat, I feel like this is a great opportunity to continue in helping Oakley thrive.

By becoming a city council member, Oakley will be gaining an individual that understands where Oakley was and the great potential it has to become even better. My intentions and passion will be focused on doing what is right for the greater good of the city and uniting members new and old to the community.

I would like to represent the city of Oakley and become a City Council Member, because I feel I best represent the majority of what Oakley residents are. I feel like I understand the common issues and have the experience and passion to rally people in a positive direction. I believe in Oakley's mission statement to enhance the community and serve the public in a friendly, efficient, and responsive manner.

I understand what Oakley was, seen it grow to what it is, and now hope to be a part of what I feel it can be.

7. In 300 words or less, describe your qualifications and educational, work and other experience which would make you a valuable addition to the Oakley City Council.

At the age of 14 my parents opened a family business furniture store in Concord. From there I gained firsthand experience on what it takes to operate from the ground up. From opening costs, to payroll, and day to day supplies, I learned everything has a cost and there needs to be funds coming in to afford funds to go out. Just as a city would run, there needs to be effective capital coming in to afford the greater projects we want to come out of Oakley.

Throughout my professional career, I have operated small mom and pop business as well as $20 million corporate locations. In each of those endeavors, I have prided myself on understanding the systems to provide first class service to my clients, empower my staff to follow the company vision, and grow the company's bottom line. All which would be applied as a councilman. In my current job I am General Manager and ran 2 locations of furniture stores in the heart of SF. I spend countless hours working with the tech industry and see how they overcome obstacles. In return it has helped me gain experience on being part of the solutions instead of just addressing problems. It has also pushed me to the forefront of new technology and greater paths to connect with the youth and surpassing the status quo.

Lastly, for the past 3 years I have coached my 2 older sons CYO youth basketball teams for St. Anthony's. After my first year, I was taken back by how rewarding it was making a difference in the community. In turn it has also made me realize there is much more I can do and becoming a City Council Member will be the perfect platform to do so.

8. What do you feel are the most pressing matters for the Oakley City Council?

I feel that youth development should always be a pressing matter. From maintaining better youth sports to financial classes or workshops to aide our youth on how to save money and purchase their first homes in Oakley.

I would like to see more of Oakley's historic shops remain open while new industries move in, to create local jobs for the community. With Mr. Hardcastle's departure, there needs to be someone with a strong retail background to continue to push for more retail establishments.

The opportunity in being involved with the decision making of Oakley's future would be a great honor and look forward to moving in positive direction. Oakley is a great place to grow up and raise children, I want to help keep it that way.

---

9. Please attach a current resume.

Please mail or hand-deliver this completed application in a sealed envelope, along with Fair Political Practices Commission Form 700 to:

CITY OF OAKLEY
City Clerk's Office
3231 Main Street
Oakley, CA 94561

~ Applications *must* be received prior to 5 p.m. on Thursday, November 7, 2019 ~

[redacted]
Oakley CA 94561

Nicholas John Caputo

[redacted]
[redacted]

OBJECTIVE

Result-orientated design industry professional with background in furniture, merchandising, management, advertising and shipping/receiving. Leader looking to motivate and improve the standards of high-end home furnishing establishment. Result driven manager with proven tactics on customer satisfaction and clientele return strategies. Over-all hard worker looking to build customer/employee relationships with and establish self in a management position.

PROFESSIONAL EXPERIENCE

2015- Present HD Buttercup San Francisco, CA

GENERAL MANAGER / MULTI-STORE MANAGER

-Hired, trained, and oversaw each facets of both locations totaling 65,000 sqft.

-Opened Outlet center from ground up, worked with city for permits and responsible for all areas of compliance to approve opening.

-Achieved annual sales results in 2016, 2017, and 2018 in Townsend location.

- Hosted several Trade, Residential, Hospitality, and Staging events, to build brand recognition as well as repeat business.

2011- 2015 Restoration Hardware Walnut Creek, San Francisco, and Corte Madera CA

ASSOCIATE LEADER

- Oversaw and supported 2 flagship Galleries and raised % to LY by 30%
- Conducted district wide training in Sales and Furniture Product Knowledge
- Lived and taught the Core Values to Leadership team and associates
- In charge of scheduling, training, and hiring in 3 Galleries

2010-2011 Restoration Hardware Walnut Creek, CA

ASSISTANT LEADER

- Hired and trained sales and stock associates
- Oversaw sales floor operations, key holder, and approved returns.
- Attended National Calls, in the Home Office
- Educated staff and clients on Furniture knowledge

2007-2010 Design & Interiors Walnut Creek, CA

DESIGN CONSULTANT

- Achieved highest sales during annual warehouse event with total exceeding $120k.
- Fostered and maintained strong communications and business relations with all vendors.
- Built up clientele portfolio to 35 returning customers.
- Exceeded $93k in first in house event with company within 6 months of hire.

- Published a four-page write up in November '08 Issue of Western Reporter.

2003-2007 Heritage House Galleries Concord, CA

STORE MANAGER

- Hired, trained and coached designers for increased revenue, follow up procedures and customer service.
- Kept detailed monthly and annual spread sheets of designer sales and company margins.
- Created mailers and special event advertisements to promote repeat customers
- Gave authorization on customer service issues with superb follow up.
- Promoted events to become involved in local community and the WHFA.

2000-2003 Heritage House Galleries Concord, CA

SALES/FLOOR MANAGER

- Achieved minimum sales goals of $31k while performing two job functions
- Developed leads from walk-in customers resulting into in home consultations and sales exceeding $135,000.
- Responsible for merchandise presentation and all visual aspects of store floor and displays.
- Average sales total per design-client $35k.

1999-2000 Drexel Heritage Concord, CA

WHAREHOUSE MANAGER

- Received, opened, prepped and touched up all freight.

- Price/tag all merchandise
- Scheduled all warehouse staff
- Scheduled deliveries and floor moves
- All responsibilities applied to two store/warehouse locations.

HIGHLIGHTS

- 20 years' experience in broad range of furniture industry
- Proven ability to develop exclusive client bases in high-end markets
- Combine a passion for design and travel with an accomplished sales savvy
- Highly motivated manager/mentor

EDUCATION

- General Education/Business 02-04 Los Medanos College Pittsburg CA

PERSONAL INTERESTS

Fantasy Football, Jeffery Gitomer Books, Oakland Raiders, Travel, WHFA member

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A PUBLIC DOCUMENT

RECEIVED
Date Initial Filing Received
Official Use Only
OCT 30 2019
BY:

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Caputo	Nicholas	John

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
Oakley

Division, Board, Department, District, if applicable

Your Position
Council Member

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☒ City of Oakley
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☐ County of _____
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

☐ **Annual:** The period covered is January 1, 2018, through December 31, 2018.

-or-

The period covered is ____/____/_____, through December 31, 2018.

☐ **Assuming Office:** Date assumed ____/____/_____

☐ **Leaving Office:** Date Left ____/____/_____ *(Check one circle.)*

○ The period covered is January 1, 2018, through the date of leaving office.

-or-

○ The period covered is ____/____/_____, through the date of leaving office.

☒ **Candidate:** Date of Election _____ and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* _____

Schedules attached

- ☐ **Schedule A-1** - *Investments* – schedule attached
- ☐ **Schedule A-2** - *Investments* – schedule attached
- ☐ **Schedule B** - *Real Property* – schedule attached
- ☐ **Schedule C** - *Income, Loans, & Business Positions* – schedule attached
- ☐ **Schedule D** - *Income – Gifts* – schedule attached
- ☐ **Schedule E** - *Income – Gifts – Travel Payments* – schedule attached

-or- ☒ ***None*** - *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS (Business or Agency Address Recommended - Public Document) STREET	CITY	STATE	ZIP CODE
[redacted]	Oakley	CA	94561

DAYTIME TELEPHONE NUMBER	EMAIL ADDRESS
[redacted]	[redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 10/30/2019 *(month, day, year)*

Signature [redacted] *(File the originally signed paper statement with your filing official.)*

OAKLEY
CALIFORNIA

APPLICATION for APPOINTMENT to the OAKLEY CITY COUNCIL to fill one vacancy seat

RECEIVED
NOV 06 2019
CITY OF OAKLEY

Background Information

Staff anticipates the Oakley City Council may approve an appointment process on October 8, 2019, to allow the appointment of one person to fill a vacancy seat on the Oakley City Council during its regularly scheduled meeting to be held November 12, 2019, in the Oakley City Council Chambers located at 3231 Main Street in Oakley, beginning at 6:30pm. Staff is seeking applications from residents who would like to serve on the Oakley City Council. **All applicants must attend the November 12, 2019 meeting to be interviewed.** Applicants must be registered to vote and reside within the City of Oakley. The term to fill the vacancy expires in November 2020.

City Council meetings are currently held twice each month on the 2nd and 4th Tuesdays at 6:30 p.m., except in July, August, November and December when only one meeting is held on the 2nd Tuesday of the month at 6:30 p.m. Special and emergency meetings may also be held with minimal notice for more urgent items. In addition to preparing for and attending City Council meetings, Councilmembers also represent Oakley on a variety of county and regional boards/commissions/ committees that meet regularly. They also attend numerous community functions and sometimes trainings which can be held during days, evenings, and/or weekends.

Councilmembers receive a nominal monthly salary. They do not receive health, dental or retirement benefits.

Application Deadline

Please type or print clearly on this application and return it **no later than 5p.m. on Thursday, November 7, 2019, along with completed Fair Political Practices Commission Form 700 which is available at www.fppc.ca.gov. Early submittal of applications is preferred.**

Application

All information contained in this application is public data and will be made available for public inspection 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 Oakley City Council.

1. **Applicant Name:** Samar Narang
2. **Home Address:** [redacted]
3. **Phone Number:** [redacted]
4. **E-Mail Address:** [redacted]

5. **How long have you lived in the City of Oakley?** 9 years, 11 months

6. **In 300 words or less, please explain why you would like to represent Oakley and serve on the Oakley City Council.**

I plan on living in this City with my family for a long time and I continue to want to play an active role in making sure that Oakley is a great place for the children of our community as they grow. I have a young family and a genuine passion for this community, its people, and its future success. As a parent of two children, I can appreciate the utmost importance of living in a community that is safe and affordable, while offering the amenities young families require.

Being on city council would be my way for me to give back to the community that has supported my family and me for almost 10 years. The current make-up of the council is strong, with ample wisdom and experience. I think the council is very effective in its work with the city staff and makes thoughtful decisions with care that has an impact on Oakley and its residents.

Additionally, I have shown a commitment to improve my skills so that I am better equipped to serve our community - example of this is my involvement with Oakley's Leadership Academy.

I think the time is right for me to offer my services for the city council. At Present, the term is only one year, and this will give enough opportunity to the current council members and the staff to experience if I am the right fit for the service.

7. **In 300 words or less, describe your qualifications and educational, work and other experience which would make you a valuable addition to the Oakley City Council.**

Currently, I am working as an employee for the state of California. My duties as a financial Auditor to the department of Health Care Services gave me an opportuntiy to work in the best interest of the state and its people who are using services of its Medi-Cal program.

Before this, I have worked 15 years as a contractor with Chevron at their Concord facility. My duties as a site supervisor for mailroom, copy center, shipping and receiving departments has developed my leadership skills. I also worked very closely with almost 1,000 plus occupants at the Chevron campus and helped navigate their complaints and concerns towards the right solution.

I also briefly worked as a teller at the Bank of the West Oakley branch located on the Main Street.

I graduate in 2010, from California State University, East Bay with a major in Accounting.

Beside my work, I am also contributing as a volunteer member to the parent teacher council of Orchard Park School located on Live Oak Ave., Oakley. In addition to the school council, I am also a member of LCAP committee for Antioch Unified School District (AUSD). In both these committees, I am responsible for making suggestions and reviewing the proposals that impact the growth of the school and the district.

8. **What do you feel are the most pressing matters for the Oakley City Council?**

Growth: The slow and steady growth of the city is changing this city from a small town and turning it in a small city. With the growing demand for land and increase in the prices of land, the land/ranch owners have more of a reason to get out of farming and sell the land for further development.

On one hand, the Increased development means more tax revenue, on the other hand, it means more burden on city's Capital Improvement Budget that will be spent to maintain the infrastructure to support the increasing population.

Many newer residents of Oakley are moving here for its small city feel. City's council will be challenged with keeping the small city feel alive while keeping up with the growth.

Increased demand for development will bring forth the demands for more city employees, more police officers, zoning and rezoning of land, etc.

Technology: Technological advancements has its effect on economy, and workings of a city. With growth of companies like Amazon, ebay, etc. the ever-changing question of tax collection comes to mind. Whereas, companies like Air BnB demands a review of city's home rental policy.

Homelessness: Future plans to tackle increasing homelessness in the city.

9. **Please attach a current resume.**

Please mail or hand-deliver this completed application in a sealed envelope, along with Fair Political Practices Commission Form 700 to:

CITY OF OAKLEY
City Clerk's Office
3231 Main Street
Oakley, CA 94561

~ Applications *must* be received prior to 5 p.m. on Thursday, November 7, 2019 ~

SAMAR NARANG

[redacted]
Oakley, CA 94561
[redacted]

Summary

Forward-thinking and Solution-oriented with 18 years of customer service experience. Offering excellent problem-solving, communication and multitasking ability. Strong organizational and leadership skills.

Skills

- Issue and conflict resolution
- Project management
- Goal-oriented
- Data analysis and reporting
- Regulatory filings
- Compliance standards
- Report generation
- Problem evaluation

Experience

Health Program Auditor, July 2017 – Current
Department of Health Care Services, State of California

- Writing reports, auditing papers and supporting documentation.
- Communicating audit findings by preparing and disseminating final reports to health care providers.
- Performing audits of financial and operational areas to check compliance with state regulations.

Owner/Manager, November 2016 – June 2017
Little Caesars Pizza – Concord, CA

- Fostered relationships with customers to expand customer base and enhanced loyalty and retention.
- Oversaw inventory purchase and sales contracts to keep records current and compliant.
- Maintained annual revenue of half a million dollars.

Site Manager, January 2015 – October 2016
Novitex Business Solutions – Emeryville, CA

- Led employee performance reviews and discussed improvement strategies with each team member.
- Trained and mentored new employees to maximize team performance and achieve daily performance objectives.
- Managed day-to-day operations, including supervision and assignment delegation for a six-member team.

Supervisor, June 2000 – December 2014
Pitney Bowes Management Services – Concord, CA

- Monitored employee performance and safety, conducting retraining to optimize productivity.
- Identified and corrected performance and personnel issues negatively impacting team and business operations.
- Implemented process improvements saving $100,000 annually.

Education

Graduated March 2010 from California State University – East Bay, Hayward, CA with a Bachelor of Science - Accounting.

Additional Information

- Volunteering as a member of Parent-Teacher school council for Orchard Park School
- Volunteering as a member of LCAP committee for Antioch Unified School District
- For past 20 years, volunteering at Church as a Social Welfare activities coordinator

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CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

Date Initial Filing Received
Official Use Only
NOV 06 2019

Please type or print in ink.

A PUBLIC DOCUMENT

CITY OF OAKLEY

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Narang	Samar	

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
City of Oakley

Division, Board, Department, District, if applicable
N/A

Your Position
City Council Member

▶ If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: N/A

Position: N/A

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
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- ☒ City of Oakley
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- ☐ Other _____

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-or-

○ The period covered is ____/____/____, through the date of leaving office.

☒ **Candidate:** Date of Election 11/12/19 and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ▶ *Total number of pages including this cover page:* 1

Schedules attached

- ☐ **Schedule A-1** - *Investments* – schedule attached
- ☐ **Schedule A-2** - *Investments* – schedule attached
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5. Verification

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[redacted]		Oakley	CA	94561

DAYTIME TELEPHONE NUMBER	EMAIL ADDRESS
[redacted]	[redacted]

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I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 11/5/2019 *(month, day, year)*

Signature [redacted] *(File the originally signed paper statement with your filing official.)*

OAKLEY
CALIFORNIA

APPLICATION for APPOINTMENT to the OAKLEY CITY COUNCIL to fill one vacancy seat

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NOV 06 2019
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Application

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1. **Applicant Name:** Mary Louise Zirkle
2. **Home Address:** [redacted]
3. **Phone Number:** [redacted]
4. **E-Mail Address:** [redacted]

5. **How long have you lived in the City of Oakley?** 62 Years

6. **In 300 words or less, please explain why you would like to represent Oakley and serve on the Oakley City Council.**

Over fifty five years ago my father built and owned a mechanic shop in Oakley. My family and I have lived in Oakley for the last six decades. Three generations of my family have attended Oakley Elementary School. The same school I have worked at, as a teacher, for thirty plus years. This amazing community has supported and encouraged my family and me for decades, and it would be an incredible honor to be part of the city council and be able to give back in a meaningful way.

As a teacher, my experience in educating our youth, providing information and guidance to parents, working with my colleagues, and serving on many school committees has provided me with skills, insights and strong public relationships. I believe these skills would be useful at the council table, in serving the public and help Oakley continue to thrive.

As a parent of two children, I can appreciate the utmost importance of living in a community that is safe and affordable, while offering the amenities families need. I support affordable housing, youth and senior services, cooperative city/school relationships. As well as traffic safety efforts, sound financial practices, emergency preparedness initiatives, public safety measures, energy reliability plans and environmental policies. I conduct myself with integrity and commitment. Every day, these values and my passion to better my community drive my actions, and I would be incredibly honored to work for the people of Oakley.

7. **In 300 words or less, describe your qualifications and educational, work and other experience which would make you a valuable addition to the Oakley City Council.**

Occupation:

Oakley Unified School District Teacher - Oakley Business Owner (Zirkle Engraving)

Education:

BA Hayward State University (Liberal Arts) - Teachers Credential St. Mary's College

75 Professional College Growth Units in Education

Professional Awards:

Teacher of the Year 2002-2003

Distinguished Educator in Who's Who Among Americas Teachers 2003-2004

Civic Community Activities:

GATO/Give Always to Others (10 yrs)

East County Focus (hosted local non profit TV news 10 yrs).

Relay For Life	Tiger Theatre
El Campanil Theatre	YMCA
Oakley Almond Festival	OUTA Rep.
ROP Instructor	Student Teacher Mentor
Oakley Elementary PTA	Saint Anthony CYO
Hoops Unlimited	East County Little League
Boy Scouts of America	You, Me, We Oakley
Oakley Chamber of Commerce	

8. **What do you feel are the most pressing matters for the Oakley City Council?**

Pressing Matters:

Continue to create a government framework that will ensure the city grows strategically and to the standards of the community.

Bring in Big Box retailers and commercial business, so that residents can live and work in their community and improve their quality of life.

9. **Please attach a current resume.**

Please mail or hand-deliver this completed application in a sealed envelope, along with Fair Political Practices Commission Form 700 to:

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City Clerk's Office
3231 Main Street
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CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A PUBLIC DOCUMENT

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NOV 06 2019
BY:

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Zirkle	Mary	Louise

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
City Of Oakley

Division, Board, Department, District, if applicable
Oakley City Council

Your Position
Councilmember

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☒ City of Oakley
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☐ County of _____
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

- ☐ **Annual:** The period covered is January 1, 2018, through December 31, 2018.
  -or-
  The period covered is ____/____/_____, through December 31, 2018.
- ☐ **Assuming Office:** Date assumed ____/____/_____
- ☐ **Leaving Office:** Date Left ____/____/_____ *(Check one circle.)*
  - ○ The period covered is January 1, 2018, through the date of leaving office.
  - -or-
  - ○ The period covered is ____/____/_____, through the date of leaving office.
- ☒ **Candidate:** Date of Election 11/12/2019 and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* _____

Schedules attached

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- ☐ Schedule B - *Real Property* – schedule attached
- ☐ Schedule C - *Income, Loans, & Business Positions* – schedule attached
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- ☐ Schedule E - *Income – Gifts – Travel Payments* – schedule attached

-or- ☐ ***None*** *- No reportable interests on any schedule*

5. Verification

MAILING ADDRESS (Business or Agency Address Recommended - Public Document) STREET	CITY	STATE	ZIP CODE
[redacted]	Oakley	CA	94561

DAYTIME TELEPHONE NUMBER	EMAIL ADDRESS
([redacted]	[redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 11/03/2019 *(month, day, year)*

Signature [redacted] *(sign in ink with your filing official)*

SCHEDULE A-2
Investments, Income, and Assets of Business Entities/Trusts
(Ownership Interest is 10% or Greater)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
Name

▶ 1. BUSINESS ENTITY OR TRUST

Zirkle Engraving
Name
[redacted]
Address *(Business Address Acceptable)*

Check one
☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF THIS BUSINESS
Trophy, Engraving

FAIR MARKET VALUE
☐ $0 - $1,999
☐ $2,000 - $10,000
☒ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED __/__/18 DISPOSED

NATURE OF INVESTMENT
☐ Partnership ☒ Sole Proprietorship ☐ _____ Other

YOUR BUSINESS POSITION Owner

▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

☐ $0 - $499
☐ $500 - $1,000
☐ $1,001 - $10,000
☒ $10,001 - $100,000
☐ OVER $100,000

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None or ☐ Names listed below

▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:
☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity, if Investment, or
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or
City or Other Precise Location of Real Property

FAIR MARKET VALUE
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED __/__/18 DISPOSED

NATURE OF INTEREST
☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership
☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

---

▶ 1. BUSINESS ENTITY OR TRUST

Name
Address *(Business Address Acceptable)*

Check one
☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $0 - $1,999
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED __/__/18 DISPOSED

NATURE OF INVESTMENT
☐ Partnership ☐ Sole Proprietorship ☐ _____ Other

YOUR BUSINESS POSITION

▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

☐ $0 - $499
☐ $500 - $1,000
☐ $1,001 - $10,000
☐ $10,001 - $100,000
☐ OVER $100,000

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None or ☐ Names listed below

▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:
☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity, if Investment, or
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or
City or Other Precise Location of Real Property

FAIR MARKET VALUE
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED __/__/18 DISPOSED

NATURE OF INTEREST
☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership
☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

Comments: _____

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name

SCHEDULE B
Interests in Real Property
(Including Rental Income)

► ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

[redacted]

CITY
Oakley

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☒ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED
__/__/18 DISPOSED

NATURE OF INTEREST
- ☒ Ownership/Deed of Trust
- ☐ Easement
- ☐ Leasehold 10 Yrs. remaining
- ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

SOURCES OF RENTAL INCOME: **If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.**
- ☐ None

► ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

[redacted]

CITY
Oakley

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☒ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/18 ACQUIRED
__/__/18 DISPOSED

NATURE OF INTEREST
- ☐ Ownership/Deed of Trust
- ☐ Easement
- ☐ Leasehold _____ Yrs. remaining
- ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
- ☐ $0 - $499
- ☐ $500 - $1,000
- ☒ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

SOURCES OF RENTAL INCOME: **If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.**
- ☐ None

*** You are not required to report loans from a commercial lending institution made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:**

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE _____% ☐ None

TERM (Months/Years)

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

☐ Guarantor, if applicable

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE _____% ☐ None

TERM (Months/Years)

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

☐ Guarantor, if applicable

Comments:

OAKLEY
CALIFORNIA

APPLICATION for APPOINTMENT to the OAKLEY CITY COUNCIL to fill one vacancy seat

RECEIVED
NOV 06 2019
CITY OF OAKLEY

Background Information

Staff anticipates the Oakley City Council may approve an appointment process on October 8, 2019, to allow the appointment of one person to fill a vacancy seat on the Oakley City Council at its regularly scheduled meeting to be held November 12, 2019, in the Oakley City Council Chambers located at 3231 Main Street in Oakley, beginning at 6:30pm. Staff is seeking applications from residents who would like to serve on the Oakley City Council. **All applicants must attend the November 12, 2019 meeting to be interviewed.** Applicants must be registered to vote and reside within the City of Oakley. The term to fill the vacancy expires in November 2020.

City Council meetings are currently held twice each month on the 2nd and 4th Tuesdays at 6:30 p.m., except in July, August, November and December when only one meeting is held on the 2nd Tuesday of the month at 6:30 p.m. Special and emergency meetings may also be held with minimal notice for more urgent items. In addition to preparing for and attending City Council meetings, Councilmembers also represent Oakley on a variety of county and regional boards/commissions/ committees that meet regularly. They also attend numerous community functions and sometimes trainings which can be held during days, evenings, and/or weekends.

Councilmembers receive a nominal monthly salary. They do not receive health, dental or **retirement** benefits.

Application Deadline

Please type or print clearly on this application and return it **no later than 5p.m. on Thursday, November 7, 2019, along with completed Fair Political Practices Commission Form 700 which is available at** www.fppc.ca.gov. **Early submittal of applications is preferred.**

Application

All information contained in this application is public data and will be made available for public inspection 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 Oakley City Council.

1. **Applicant Name:** Ramzey H Alam

2. **Home Address:** [redacted]

3. **Phone Number:** [redacted]

4. **E-Mail Address:** [redacted]

5. **How long have you lived in the City of Oakley?** 16 years

6. **In 300 words or less, please explain why you would like to represent Oakley and serve on the Oakley City Council.**

I would like to represent Oakley because this my home town. I would like to preserve our town history and assist in the growth of our beautiful city into the future. I believe in serving my community and giving back to a city that has made me who I am today. Being a council member would allow me to do so.

---

7. **In 300 words or less, describe your qualifications and educational, work and other experience which would make you a valuable addition to the Oakley City Council.**

I graduated from Diablo Valley College with an associate degree in Administration of Justice along with graduating from the Modular Police Academy in Martinez. I have worked for Kaiser Permanente for over 10 years in Administration and have served as a Reserve Deputy Sheriff for Sacramento County and presently as a Reserve Police Officer in Citrus Heights. My career with Kaiser Permanente has given me the experience analyzing and balancing patient data which has enabled me in making critical decisions that can be beneficial for our community. My years of public service as a reserve peace officer has allowed me to interact with the community and local merchants by hearing their concerns. In response, we created crime prevention/reduction plans and conducted extra patrols on areas of concern. My professional experience and home town roots to Oakley makes me an ideal candidate to represent our community with intelligence, integrity and passion.

---

8. **What do you feel are the most pressing matters for the Oakley City Council?**

I feel that the increased population in Oakley can cause traffic and delayed commute times which can raise concern amongst our citizens for city council. Another matter mat raise concern for our council is the use of city funds and if they are being used effectively to create jobs, activities and resources for our citizens.

9. **Please attach a current resume.**

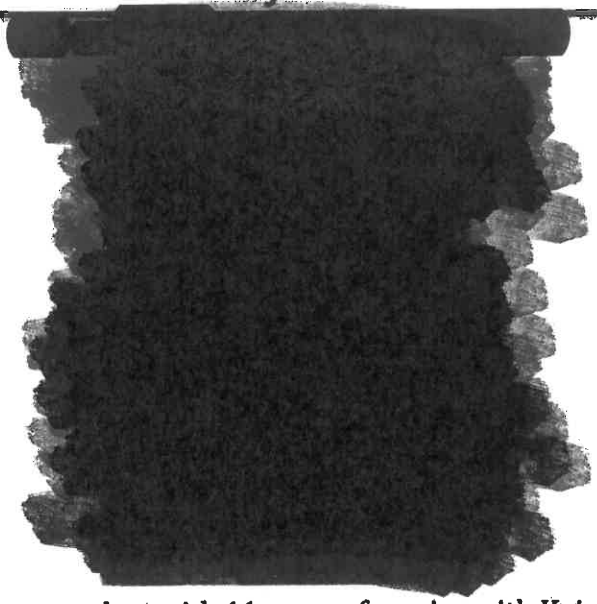
Please mail or hand-deliver this completed application in a sealed envelope, along with Fair Political Practices Commission Form 700 to:

CITY OF OAKLEY
City Clerk's Office

3231 Main Street
Oakley, CA 94561

~ Applications *must* be received prior to 5 p.m. on Thursday, November 7, 2019 ~

Ramzey H. Alam



A dedicated health care analyst with 11 years of service with Kaiser Permanente. A passionate reserve peace officer with over 4 years of service to the community.

Education

Associates of Science Degree in Administration of Justice

Diablo Valley College

Training and Awards

- Basic Peace Officer Academy: Modular II & III (*served as squad sergeant*)
- First Aid and CPR Certification for Rescue Responders
- Diablo Valley College Certificate of Accomplishment: Criminal Law Specialist
- Diablo Valley College Certificate of Achievement: Administration of Justice
- Citrus Heights Police Department Field Training Program
- Solano County Sheriff's Office Jail Training Program
- Finalist for the 2018 Kaiser Permanente David Lawrence Community Service Award
- Letter of Recommendation from Lieutenant Colonel Robert C. Connell (*U.S Army*)

Work Experience

Member Outreach Integration Specialist

12/2018-Present Kaiser Permanente, Member Outreach Integration, Martinez, CA

Maintain data base consisting of patient/member annual visits in accordance to their specific health plan. Correspond and develop resolutions to risk patients with physicians and managers.

Ramzey H. Alam

[redacted]

Health Plan Agent

02/2017-12/2018 Kaiser Permanente, Member Services Department, Martinez, CA

Analyze benefits and explain current/future costs for services, process grievances and second opinion requests with patients/clients. Create presentations and present to Kaiser Permanente management on decreasing member complaints and grievances.

Revenue Cycle Representative

05/2015-02/2017 Kaiser Permanente, Revenue Cycle Department, Walnut Creek, CA

Conduct admission interviews and obtain consent for hospital admission/surgery, generate and furnish service cost estimate to member before discharge. Offer medical financial resources and assistance to patients.

Police Officer *Reserve* II

01/08/2018-Present Citrus Heights Police Department, Citrus Heights, CA

Patrol assigned beat, respond to service calls, insure safety and protection of citizens residing in Citrus Heights, transport detained suspects to county jail and write police reports.

Deputy Sheriff *Reserve* II

07/2015-02/2018 Sacramento County Sheriff's Department, Sacramento, CA

Patrol assigned beat, provide security for county events, transport detained suspects to county jail for booking, write incident reports.

Communications Operator

05/2013-05/2015 Kaiser Permanente, Walnut Creek, CA.

Transfer incoming calls to requested destination within KP network. Generated tickets for urgent cases. Generate physician on-call schedules. Dispatch emergency personnel and reset fire alarms.

Security Officer

08/2008-01/2013 Securitas USA, Kaiser Permanente Security, Walnut Creek, CA

Supervise 3 security officers, conduct emergency drills and insure patient/member safety, manage and resolve scheduling conflicts at the mental health site. Maintained department budget.

RECEIVED
Date Initial Filing Received
Official Use Only
NOV 06 2019
CITY OF OAKLEY

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A PUBLIC DOCUMENT

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Alam	Ramzey	Hissam

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
City of Oakley, CA

Division, Board, Department, District, if applicable
City Council

Your Position
Councilman

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☒ City of Oakley
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☐ County of _____
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

☐ **Annual:** The period covered is January 1, 2018, through December 31, 2018.

-or-

The period covered is ____/____/____, through December 31, 2018.

☐ **Assuming Office:** Date assumed ____/____/____

☐ **Leaving Office:** Date Left ____/____/____ *(Check one circle.)*

○ The period covered is January 1, 2018, through the date of leaving office.

-or-

○ The period covered is ____/____/____, through the date of leaving office.

☒ **Candidate:** Date of Election 11/12/19 and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* 3

Schedules attached

- ☒ **Schedule A-1** - *Investments* – schedule attached
- ☐ **Schedule A-2** - *Investments* – schedule attached
- ☐ **Schedule B** - *Real Property* – schedule attached
- ☒ **Schedule C** - *Income, Loans, & Business Positions* – schedule attached
- ☐ **Schedule D** - *Income – Gifts* – schedule attached
- ☐ **Schedule E** - *Income – Gifts – Travel Payments* – schedule attached

-or- ☐ ***None*** - *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS (Business or Agency Address Recommended - Public Document)	STREET	CITY	STATE	ZIP CODE
[redacted]		Oakley	CA	94561

DAYTIME TELEPHONE NUMBER	EMAIL ADDRESS
[redacted]	[redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 11/06/2019 (month, day, year)

Signature [redacted] (sign the originally signed paper statement with your filing official.)

SCHEDULE A-1
Investments
Stocks, Bonds, and Other Interests
(Ownership Interest is Less Than 10%)

Investments must be itemized.
Do not attach brokerage or financial statements.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name
Ramzey Alam

► NAME OF BUSINESS ENTITY
Kaiser Permanente

GENERAL DESCRIPTION OF THIS BUSINESS
401K

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☒ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT 401K
☒ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
__/__/ 18 ACQUIRED __/__/ 18 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
__/__/ 18 ACQUIRED __/__/ 18 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
__/__/ 18 ACQUIRED __/__/ 18 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
__/__/ 18 ACQUIRED __/__/ 18 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
__/__/ 18 ACQUIRED __/__/ 18 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
__/__/ 18 ACQUIRED __/__/ 18 DISPOSED

Comments: _____

SCHEDULE C
Income, Loans, & Business Positions
(Other than Gifts and Travel Payments)

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name
Ramzey Alam

▶ 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME
Kaiser Permanente

ADDRESS *(Business Address Acceptable)*
200 Muir Road, Martinez, CA

BUSINESS ACTIVITY, IF ANY, OF SOURCE
Health care

YOUR BUSINESS POSITION
Employee-Outreach Specialist

GROSS INCOME RECEIVED
- ☐ No income - Business Position Only
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☒ $10,001 - $100,000
- ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
- ☒ Salary
- ☐ Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)
- ☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)
- ☐ Sale of _____ *(Real property, car, boat, etc.)*
- ☐ Loan repayment
- ☐ Commission or
- ☐ Rental Income, *list each source of $10,000 or more*

_____ *(Describe)*

- ☐ Other _____ *(Describe)*

▶ 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME
Citrus Heights Police Department

ADDRESS *(Business Address Acceptable)*
6315 Fountain Sq Dr, Citrus Heights, CA

BUSINESS ACTIVITY, IF ANY, OF SOURCE
Law Enforcment

YOUR BUSINESS POSITION
Employee-Reserve Police Officer

GROSS INCOME RECEIVED
- ☐ No income - Business Position Only
- ☐ $500 - $1,000
- ☒ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
- ☒ Salary
- ☐ Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)
- ☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)
- ☐ Sale of _____ *(Real property, car, boat, etc.)*
- ☐ Loan repayment
- ☐ Commission or
- ☐ Rental Income, *list each source of $10,000 or more*

_____ *(Describe)*

- ☐ Other _____ *(Describe)*

▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

INTEREST RATE
_____% ☐ None

TERM (Months/Years)
_____

SECURITY FOR LOAN
- ☐ None
- ☐ Personal residence
- ☐ Real Property _____ *Street address*

_____ *City*

- ☐ Guarantor _____
- ☐ Other _____ *(Describe)*

Comments: _____

OAKLEY
CALIFORNIA

APPLICATION for APPOINTMENT to the OAKLEY CITY COUNCIL to fill one vacancy seat

RECEIVED
NOV 07 2019
CITY OF OAKLEY

JAMES PG 1.

Background Information

Staff anticipates the Oakley City Council may approve an appointment process on October 8, 2019, to allow the appointment of one person to fill a vacancy seat on the Oakley City Council during its regularly scheduled meeting to be held November 12, 2019, in the Oakley City Council Chambers located at 3231 Main Street in Oakley, beginning at 6:30pm. Staff is seeking applications from residents who would like to serve on the Oakley City Council. **All applicants must attend the November 12, 2019 meeting to be interviewed.** Applicants must be registered to vote and reside within the City of Oakley. The term to fill the vacancy expires in November 2020.

City Council meetings are currently held twice each month on the 2nd and 4th Tuesdays at 6:30 p.m., except in July, August, November and December when only one meeting is held on the 2nd Tuesday of the month at 6:30 p.m. Special and emergency meetings may also be held with minimal notice for more urgent items. In addition to preparing for and attending City Council meetings, Councilmembers also represent Oakley on a variety of county and regional boards/commissions/ committees that meet regularly. They also attend numerous community functions and sometimes trainings which can be held during days, evenings, and/or weekends.

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Application

All information contained in this application is public data and will be made available for public inspection 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 Oakley City Council.

1. **Applicant Name:** JAMES, JORDAN
2. **Home Address:** [redacted]
3. **Phone Number:** [redacted]
4. **E-Mail Address:** [redacted]

5. HOW LONG HAVE YOU LIVED IN OAKLEY: 19 YEARS

6. WHY I WOULD LIKE TO REPRESENT OAKLEY AND SERVE ON THE OAKLEY CITY COUNSEL:

It's important that I represent Oakley by serving on the City Council because a seat on the City Council not just an advisory positon but as a Council member one can make a difference in the future direction and priorities that will improve the quality of life for the Citizens living in Oakley. Oakley's current council members have done and are doing wonderful things in furtherance of the city moto of A Place for Families in the Delta, with family oriented community events; movies in the park; Firework displays; children's book reading events; farmers markets; and City celebrations. Park development initiatives and neighborhood Code enforcement. Downtown improvements have made a difference in the perception of Oakley as a City. I am a Federal Emergency Management First responder through FEMA. As a City Council member I would be a valuable asset to City Emergency management initiatives. I WOULD LIKE TO BE A PART OF THE CONTINUED SUCCESS OF THE FUTURE PRIORITIES AS SET FORTH BY THE COMMUNITEE!

7. QUALIFICATIONS, EDUCATIONAL, WORK AND OTHER EXPERIENCE WHICH WOULD MAKE ME A VALUABLE ADDITON TO THE OAKLEY CITY COUNCIL:

A. I served on the Oakley Planning Commission during a critical time in Oakley's progression as a newly incorporated City. In my capacity as a Planning Commissioner I participated OAKLEY's first General Plan completed in 2002. The experience gained in that endeavor gives me a unique understanding of the City's street circulation patterns and traffic impact on main thoroughfares and collector stress and relevance of that to proposed residential and commercial development in the City of Oakley. As a Planning Commissioner in gained a great understanding of the importance of implementing Responsible – intelligent Zoning practices to create and maintain a buffer zone that differentiates residential; light commercial/industrial; and high density commercial and industrial development in order to maintain the quality of life in our neighborhoods.

B. I AM A PARALEGAL: I have been involved in multi-million-dollar real estate litigation involving complicated Zoning and building Code interpretation and application. I have prepared thousands of Motions in Federal Court on behalf of financial institutions that required legal Points and Authorities in support of the relief sought.

C. I AM A LICENSED (Non practicing) REAL ESTATE PRACTICIONER;

D. WHILE ATTENDING SAN JOSE STATE UNIVERSITY I minored in the study of Architecture. I have extensive experience in Construction practices. I have personally restored many Victorian homes from the foundation to the rafters doing most of the work myself. That required a high degree of interaction with City building official in obtaining permits and understanding of Historic Preservation.

E. FOR THE PAST 17 YEARS IN HAVE WORKED FOR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY. As a Supervisor I interface with as many as 5,000 members of the public on a daily basis. I have found that I am adept at balancing the needs of the public while enforcing Federal regulations. I am a First Responder for national emergencies under the authority of the Federal Emergency Management Agency (FEMA). Most recently I was required by the Federal Transportation Security

Operations Center in Washington D.C. to provide daily metrics on Oakley's (and other areas) Fire affected area and the nexus to DHS employee's affected by the evacuations related thereto. I am confident that my experience and training in conflict management would be valuable in balancing the competing interests that are regularly presented to the City Council.

8. THE MOST PRESSING MATTERS FOR THE CITY OF OAKLEY:

Continuing the inertia of the great work of the current City Counsel in accomplishing the goals of City planning to improve that quality of life in Oakley as follows:

A. ATTRACTING HIGH TECH – HIGH INDUSTRIAL LARGE EMPLOYERS TO OAKLEY SO PEOPLE CAN LIVE WHERE THEY WORK;
B. RESPONSIBLE DEVELOPMENT THAT ADDRESSES ENVIRONMENTAL; URBAN LIMIT CONSIDERATIONS; AND TRAFFIC MITIGATION.
C. DOWNTOWN AND MAIN STREET DEVELOPMENT AND IMPROVEMENT, TO INCLUDE SMALL BUSINESS DEVELOPMENT INCENTIVES TO PROVIDE EMPLOYMENT AND COMPETE WITH ON-LINE AND BIG BOX RETAIL.
D. PARK AND TRAIL DEVELOPMENT WITH IMPROVED BICYCLE SAFETY INIATIVES TO ALLOW FAMILIES TO SAFELY TRAVERSE OUR CITY.
E. COMMUNITEE POLICING INITIATIVES FOR OUR NEIGHBORHOOS. TO IMPLEMENT A "RESERVE POLICE PROGRAM" TO ENHANCE POLICE RESPONSE TO THE CITIZENS LIVING IN OAKLEY AND TO PROVIDE A READY LIST OF CANDIDATES FOR FUTURE OAKLEY LAW ENFORCEMENT.
F. CODE ENFORCEMENT AND PARKING ENFORCEMENT INITIATIVES TO IMPROVE THE QUALITY OF OUR NEIGHBORHOODS.

Name: JORDAN JAMES OAKLEY CITY COUNCIL

RESUME

1. EXPERIENCE AND ACCOUNTABILITY: I have been a Supervisor for the Department of Homeland Security for 17 years. I graduated at the top of my class at the Police Academy at San Jose, California. I have 20 years of experience as a Paralegal; Investigator and Law firm Manager; I have conducted and lead large group meeting regularly and I am adept at public speaking and leading large meetings. I am a Freemason and I can lead a meeting using recognized procedural methods.
2. SECURITY DIRECTIVES AND REGULATIONS: I have been assigned at the Homeland Security Operations Center at Oakland, California. In that capacity I routinely prepared Aviation Security Incident reports and entered relevant date into the PARIS database. I am familiar with 49 Code of Federal Regulations, Section 1500, which circumscribes the public and Airline industries requirements with respect to Federal regulatory matters related to Aircraft safety. I regularly implement Operations Directives. I am a Federal Emergency Management (FEMA) First Responder.
3. WRITTEN COMMUNICATION: As a Paralegal and as a Supervisor, I am trained in Interpretation and preparation of legal memoranda, incident reports and other relevant documents and understanding City building Codes and Local Court rules.
4. ORAL COMMUNICATION: As a Supervisor I must make oral presentations on a daily basis. As a Planning Commissioner for the City of Oakley, California I interfaced with the public and citizens of the community.
5. PROBLEM SOLVING: In my capacity of Supervisor, I must regularly identify process problems, strategize a resolution, implement the correction, and measure the result.
6. OPERATIONS MANAGEMENT: Both as a Supervisor preparing Aviation Security Incident Reports, and my 20 years of experience as a Paralegal, have invested in me a large knowledge of laws; the ability to perform legal research when necessary to understand law relevant to aviation security, and the ability to formulate Operations Directives to implement operational processes derived from such research.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A PUBLIC DOCUMENT

RECEIVED
Date Initial Filing Received
NOV 07 2019
BY:

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
JAMES	Jordan	

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
City of Oakley

Division, Board, Department, District, if applicable
City Counsel

Your Position
City Counsel

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☒ City of Oakley
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☒ County of Contra Costa
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

- ☐ **Annual:** The period covered is January 1, 2018, through December 31, 2018.
  -or-
  The period covered is ____/____/____, through December 31, 2018.
- ☒ **Assuming Office:** Date assumed ____/____/____
- ☐ **Leaving Office:** Date Left ____/____/____ *(Check one circle.)*
  - ○ The period covered is January 1, 2018, through the date of leaving office.
  - -or-
  - ○ The period covered is ____/____/____, through the date of leaving office.
- ☐ **Candidate:** Date of Election _____ and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* _____

Schedules attached

- ☐ **Schedule A-1** - *Investments* – schedule attached
- ☐ **Schedule A-2** - *Investments* – schedule attached
- ☐ **Schedule B** - *Real Property* – schedule attached
- ☐ **Schedule C** - *Income, Loans, & Business Positions* – schedule attached
- ☐ **Schedule D** - *Income – Gifts* – schedule attached
- ☐ **Schedule E** - *Income – Gifts – Travel Payments* – schedule attached

-or- ☒ ***None*** - *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS STREET *(Business or Agency Address Recommended - Public Document)*	CITY	STATE	ZIP CODE
[redacted]	Oakley	CA	94561

DAYTIME TELEPHONE NUMBER	EMAIL ADDRESS
[redacted]	[redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 11/07/2019 *(month, day, year)*

Signature [redacted] *(sign your name)*

RESOLUTION NO. _____-19

RESOLUTION OF THE OAKLEY CITY COUNCIL APPROVING AN APPOINTEE TO THE OAKLEY CITY COUNCIL TO SERVE THE REMAINING TERM OF ONE VACANCY SEAT ON THE OAKLEY CITY COUNCIL EXPIRING IN NOVEMBER 2020

BE IT RESOLVED by the City Council of the City of Oakley that _____ is hereby appointed to the Oakley City Council to serve the remaining term of one vacancy seat on the Oakley City Council whose term shall expire in November 2020.

The foregoing resolution was introduced at a regular meeting of the Oakley City Council held on the 12th day of November, 2019, by Councilmember _____, who moved its adoption, which motion being duly seconded by Councilmember _____, was upon voice vote carried and the resolution adopted by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

_____
Claire Alaura, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

OAKLEY

CALIFORNIA

Strategic Plan

2018-2020

November 2019 Progress Update



STRATEGIC PLAN CONCEPT

To ensure the continued success for the City of Oakley, this Strategic Plan serves as an action plan for our future by:

- Describing a ***Vision*** of what we want Oakley to become
- Establishing a ***Mission Statement*** that describes our purpose
- Committing to ***Values and Ethics*** that describe our character
- Outlining of ***Strategic Areas of Focus***
- Setting forth specific ***Goals and Action Items***

This Plan will provide the principal guidance for the preparation of the City budget, program objectives and performance measures. It also provides direction on how we, as a municipality, allocate resources, establish policy and progressively guide the affairs of the City organization. Practically, the Plan is a tool for the City Council and City Staff to effectively meet the needs of our growing and dynamic community. This Plan is created through the hard work and contributions of the City Council and City Staff and with input from the community. City Staff will provide regular progress updates as the Plan is implemented.

Vision

The City of Oakley will be recognized as a model of civic participation and a vibrant Delta community where families live, work, play, shop and visit.

Mission

The City of Oakley exists to build and enhance a quality community and to serve the public in a friendly, efficient, responsive manner

Ethics

City employees and officials are expected to demonstrate the highest standards of personal integrity, honesty and conduct in all activities in order to inspire public confidence. We must preserve and protect the public trust in all of our activities.

Core Values

⚜ Quality Customer Service ⚜ Teamwork ⚜ Professionalism ⚜

⚜ Community Input and a Proactive Approach to Solving Community Issues ⚜

⚜ Honesty and Integrity ⚜ A Positive and Encouraging Environment ⚜ Fiscal Responsibility ⚜

STRATEGIC AREAS OF FOCUS & GOALS

PUBLIC SAFETY

We will take all possible and prudent steps to provide for continued effective and efficient police service, emergency planning; and coordinate with others that provide fire and emergency medical services.

BUSINESS GROWTH & DOWNTOWN REVITALIZATION

We will aggressively work to attract and retain business by encouraging quality retail development and by facilitating the location of job/career producing industries to Oakley. We will facilitate the continued development and redevelopment of the Downtown; and beautify and preserve the Main Street commercial corridor.

PLANNED, QUALITY GROWTH

We will wisely plan and facilitate quality growth throughout the community, focusing on high-quality development and compliance with zoning, building and related codes – all while respecting our rural heritage and preserving our small town feel.

COMMUNITY INFRASTRUCTURE & TRAFFIC SAFETY

We will continue to focus on both the financial and operational aspects of the City's Capital Improvement Program, constructing and maintaining streets, traffic signals, drainage systems, and other related infrastructure to meet the needs of our growing community.

PARKS, STREETSCAPES & RECREATIONAL OPPORTUNITIES

We will enrich the lives of Oakley residents by continuing to plan, develop and maintain safe and attractive parks and facilities and offer high quality recreation programs of diverse interests to all age groups, that meet community needs. Staff will endeavor to capitalize on innovation and opportunities for partnerships.

COMMUNITY OUTREACH, COMMUNICATION & PARTICIPATION

We will nurture existing relationships and continue to foster collaboration with community partners. Strides will continue to communicate with and engage the community in all aspects of local government.

FINANCIAL SUSTAINABILITY & OPERATIONAL EXCELLENCE

We will ensure fiscally sound operations by continuously evaluating our processes to maintain cost-effective public services. Our City Council and lean Staff Team will foster confidence by demonstrating a POLITE, PROFESSIONAL and PROGRESSIVE demeanor in all interactions.

STRATEGIC PLAN ACTION ITEMS

Area of Focus #1: PUBLIC SAFETY

Goal: ***We will take all possible and prudent steps to provide for continued effective and efficient police service, emergency planning; and coordinate with others that provide fire and emergency medical services.***

Action items:

☐ **1.a.** Conduct annual training and table-top exercise for Emergency Operations Plan

Ongoing - We have done extensive training with members of the City Staff in the use and operation of the WEBEOC Coordination Program. The City Staff have participated in simulated exercises as a part of this training. All members of the City Staff have participated in ICS Training and Emergency Response Training. All members of the Police Department have completed ICS 100, 200, 700, and 800 Training this year. The City participated in a table-top exercise with County OES and a POD Exercise. The Police Department has done extensive Active Shooter Table-Top Exercises. Leaders of the Police Department have performed several table-top exercises involving community emergencies. The City Staff will participate in an EOC Exercise in November.

☐ **1.b.** Explore feasibility of implementing a CERT Program

Complete - We have completed two basic CERT Courses and currently have one CERT Team Training each month to maintain our membership. The members of the CERT program are active members of the Police Department's Volunteer Program. We received a $25k Grant from the State to expand our CERT Program and $5k to implement the Listos (Spanish Language Emergency Program) within the community. The members of the CERT Program have had more than 300 community contacts to improve the readiness of our residents ad have already donated hundreds of hours of service to the community. The CERT Program has published several pamphlets regarding the program and individual emergency preparedness. The CERT Team has compiled the equipment needed to conduct the full educational program.

☐ **1.c.** Complete re-write/update to Emergency Operations Plan

Ongoing - The second DRAFT of the Emergency Operations Plan has been completed to reflect an updated list of threats within the community. The plan was reviewed by County OES for compliance with current FEMA guidelines. The EOP is undergoing a final review before presentation to the City Council for review.

☐ **1.d.** Evaluate the placement of motion lights and more cameras at City parks

Ongoing - Although there has been a significant update of many of the cameras within the City Parks, the Police Department is currently working on a City-Wide Camera Management Program to coordinate the placement and management of cameras and the retention of camera data. The camera strategy will be developed in conjunction with the Chief's Advisory Board. Working with Public Works, the Department is evaluating the implementation of the next-generation of cameras - allowing officers to be contacted when motion is detected - so they can respond to various incursions.

☐ **1.e.** Encourage and educate community regarding Neighborhood Watch

Ongoing - The Police Department was involved in the National Night Out Program where a number of residents hosted parties at their homes. We are working to re-invigorate our Neighborhood Watch program by contacting residents and encouraging them to create opportunities for the Department to meet with members of the neighborhood. The Sergeants within the Department have all been assigned the duty of participating in a neighborhood watch meeting. The Police Department has staffed information booths at all community activities and have developed a series of updated pamphlets related to improving neighborhood security.

- ☐ **1.f.** Commence regular statistics-driven public education messages

Ongoing - The Chief meets with several leaders of the community on a monthly basis where the issues of crime and police activity are reviewed. The Police Department is now actively involved in analyzing the types and frequency of crime within the community. We have begun to distribute materials related to specific crime-incidents within the community to residents. We have also begun to use social media to inform residents about crime and prevention activities that can be done to make the City a safer place.

- ☐ **1.g.** Continue strategic enforcement of problem areas and provide regular reports

Ongoing - The Police Department has begun a program to review and track the frequency of crime within neighborhoods of the City. We have begun to connect crime with rental properties and are working with property managers to reduce crimes related to those properties. We have begun working with Code Enforcement to target problem homes in the community for enforcement actions. The Police Department will be working to improve communications with the Council about law enforcement issues within the community and the actions that are being taken to mitigate them.

- ☐ **1.h.** Increase community outreach/communication via social media, including relevant "Did You Know" topics (marijuana, fireworks, mail theft)

Ongoing - The Police Department is continuing to improve the level of information exchange with the community. The recent implementation of the Nixle System has allowed Supervisors the opportunity to publish information directly to members of the public. The Police Department will be increasing the amount of information shared with the public regarding active investigations.

- ☐ **1.i.** Fully Implement Volunteers In Policing (VIP) program

Ongoing - The Police Department has a formal policy regarding the recruitment and retention of Volunteers within the Police Department. From this policy, a number of volunteer programs have been developed and fielded within the Police Department. The VIPS Program is one program under this umbrella. We have not yet begun to expand the membership of the program, but plan to do so before the end of the FY. The addition of volunteers to the front-desk of the Police Department will significantly reduce the workload on our staff members.

- ☐ **1.j**. Expand the Police Chaplin Program

Ongoing - As a subcomponent of the Department's Volunteer Programs, the Chaplains Program has an official Policy and Procedure Section to regulate it. Over the first part of the year we have invested heavily in the training of our Chaplain, who attended Critical Incident Stress Management (CISM) Training. With this additional training the Chaplain will be able to perform CISM Sessions with our various officers and staff members. We are committed to expanding the Chaplain Program for FY 19/20.

☐ **1.k.** Continue Neighborhood Camera Registration Program

Ongoing - The Department continues to encourage residents to install security cameras on their homes and register them with the Police Department.

☐ **1.l.** Extend Citizen Leadership Academy to include additional Citizens Police Academy sessions

Ongoing - We have prepared the curriculum for a Community Police Academy Program. We will implement the program in the Spring of 2020. The program will take place over a six week time period and include: Criminal Justice Overview, Traffic Operations, Investigations, Use of Force Simulator, Coroner's/OES Tour and a visit to the jail. Graduates of the program will be encouraged to join one of our Volunteer Programs.

☐ **1.m.** Improve investigative capability through the use of technology/new software packages

Ongoing - The investigations unit has implemented a tracking system for crimes that allows them to better manage their cases. The investigations unit is becoming proficient in the review and use of video resources, which is improving our closure rate.

☐ **1. n.** Implement the Engineering Traffic Model for City of Oakley and monitor and keep it updated as new private development projects are designed and constructed

Completed - Staff in coordination with the City Traffic Consultant is keeping the new Traffic Model updated as new Private Development projects are submitted to the City for processing.

☐ **1.o.** Continue emphasis on "Slow Down Oakley"

Ongoing - Traffic Safety continues to be a focus. One Traffic Safety Officer (motor officer) has been assigned to work weekends.

☐ **1.p.** Prepare Annual Police Department Report

Ongoing - Annual Report will be prepared in the first quarter of 2019. Annual reports for 2017 and 2018 are both available online.

☐ **1.q.** Hold Coffee with the Cops at least two per year

Ongoing - Latest Coffee with the Cops was held in October.

☐ **1.r.** Conduct two outreach events in Spanish per year

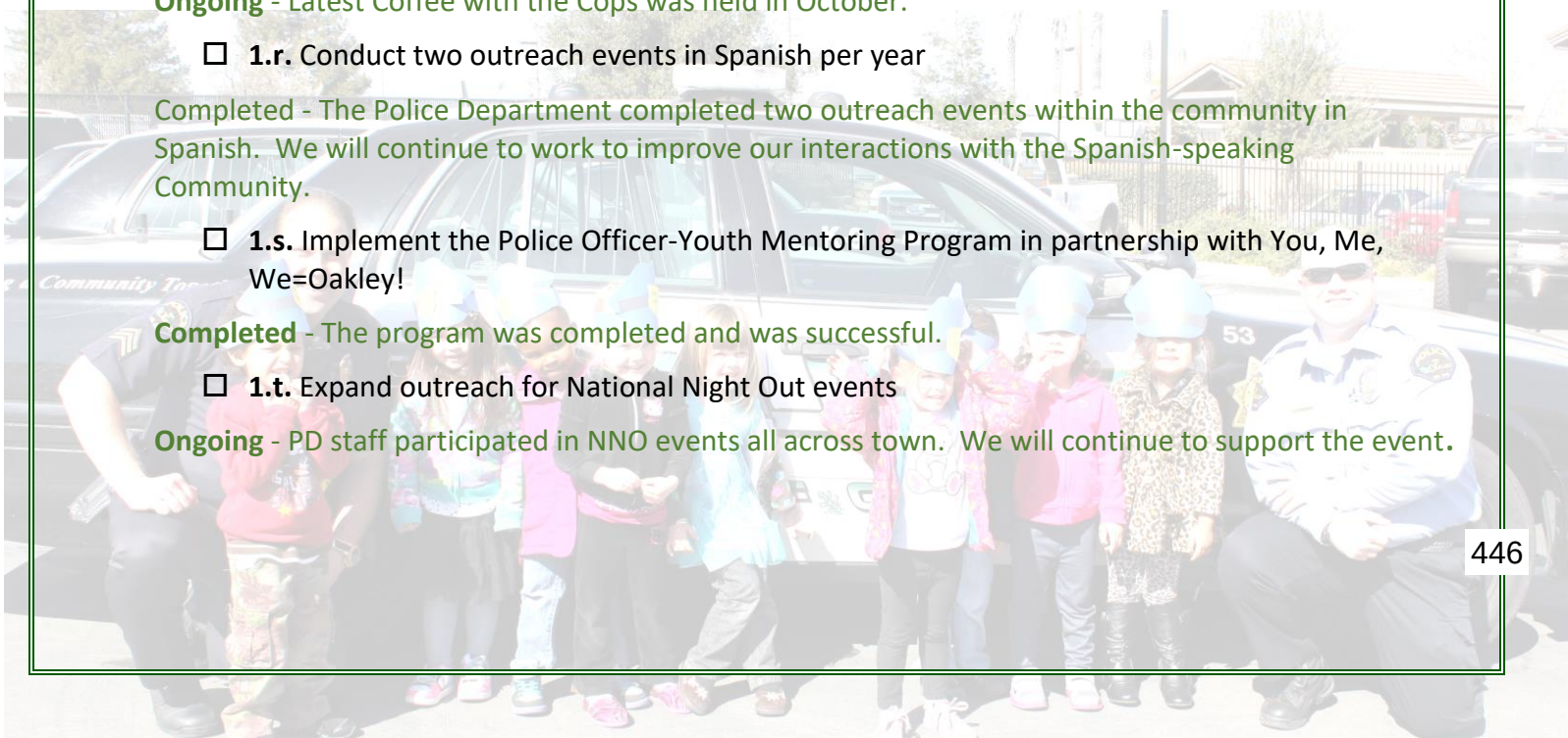
Completed - The Police Department completed two outreach events within the community in Spanish. We will continue to work to improve our interactions with the Spanish-speaking Community.

☐ **1.s.** Implement the Police Officer-Youth Mentoring Program in partnership with You, Me, We=Oakley!

Completed - The program was completed and was successful.

☐ **1.t.** Expand outreach for National Night Out events

Ongoing - PD staff participated in NNO events all across town. We will continue to support the event.



Area of Focus #2: BUSINESS GROWTH & DOWNTOWN REVITALIZATION

Goal: ***We will aggressively work to attract and retain business by encouraging quality retail development and by facilitating the location of job/career producing industries to Oakley. We will facilitate the continued development and redevelopment of the Downtown; and beautify and preserve the Main Street commercial corridor.***

Action items:

- ☐ **2.a.** Complete action items in the Economic Development Work plan

  Ongoing effort to implement these items and provide semi-annual updates to the Council.

- ☐ **2.b**. Continue to prepare the City of Oakley to be a competitive location for the attraction of new businesses and new investment:

  - Maintain relationships with property owners and/or broker representatives of commercial development sites that have the most development potential, based on:
    - Owner willingness & expectations
    - Property size and location

  Ongoing meetings and conversations with owners and brokers of high potential sites. Anticipate completing attraction outreach plan for each property by end of 2019.

  - Prepare and maintain an inventory of potential commercial development sites on OppSites website, Opportunity Oakley and the City of Oakley Economic Development web pages

  Completed inventory on all sites but make updates as changes occur per conversations with owners and brokers

  - Prepare and maintain an inventory of vacant commercial spaces on the City of Oakley Economic Development website

  Ongoing – We subscribe to service to provide listings but review monthly to ensure listings are up to date

- ☐ **2.c**. Outreach to the broker & development community regarding potential Oakley development sites and vacant commercial spaces through semi-annual luncheons

  Ongoing -Participated in regional broker breakfast in October, 2019 and will hold Oakley-specific luncheon in spring, 2020

  2.d. Continue regional economic development collaboration with neighboring cities of Antioch, Brentwood and Pittsburg

  Completed East County 4 You website collaboration.

  Underway – working with other three cities to fund and initiate a joint branding/marketing program

  2.e. Continue to work with Chemours (formerly DuPont), within the constraints of their developer confidentiality agreement process, to market the property in order to help identify potential development partners in order to facilitate the return of the property as an asset to the community**)**

Public Review Draft of the EIR released week of October 14th and City Council meeting scheduled for December 17th.

Underway – Will work with developer and broker to outreach to possible tenants upon completion of final City approvals.

☐ **2.f.** Continue to identify possible users and facilitate development of City-owned property on Neroly/Empire

Underway – Sent out Invitation to Bid for purchase proposals for downtown Main Street property. Ongoing efforts to identify possible users for Neroly/Empire land

2.g. Keep City marketing materials and Economic Development webpage updated with current information, pictures and graphics

Completed - Completed City 20th anniversary marketing piece as a consolidation of previous marketing pieces

2.h. Continue to work to understand the needs of the business community through an annual business survey, through Peak Democracy and through the VIB (Very Important Business) Business Visitation Program, averaging 2 business visit per month

Will begin – new annual survey to be sent out to all Oakley businesses in January, 2020

Will begin **–** Reinstating program visits of 2 per month starting January, 2020

2.i. Emphasize "Shop Oakley" year round, through joint advertising and promotional activities, including City sponsored community events and an increase in participation by at least 10% in the "Shop Oakley" business coupon book

Completed- The Recreation Division distributed the 2018 Shop Oakley Coupon Book in the spring of this year. The 2018 Coupon Book saw an increase in participating business by 18% from the previous year. Staff also have coupon books at all community events, and redistribute the books to businesses periodically. Ongoing effort to co-promote local businesses during City-sponsored events. Also promoting Oakley Plaza through *Shop Local* advertising campaign in Oakley Press

☐ **2.j**. Partner with the Oakley Chamber of Commerce to promote and strengthen the Oakley business community

Underway – Chamber partnership limited due to amount of Chamber activities and manpower, however new Chamber Board members expressed willingness to explore new partnership ideas, including a Oakley Maker Faire and Small Business Expo

☐ **2.k.** Continue to work to strengthen the small-business entrepreneur community through:

- Annual Oakley Entrepreneur Training Program
- Establishment of an East County Entrepreneur Network with the neighboring cities of Antioch, Brentwood & Pittsburg

Completed series of four small business workshops offered at Oakley Entrepreneur Center in partnership with Los Medanos College, to take the place of annual entrepreneur training class.
Underway – working with other East County cities to collaborate on joint Entrepreneur training classes and workshops.

2.l. Complete the Oakley Entrepreneur Center space to assist Oakley small business and entrepreneurs

Completed all interior and exterior construction work (as of 11/12) of Center. Located 3 tenants in the space and reviewing applications for two additional tenants.

2.m. Continue conducting regular cold calls and provide monthly reports

Underway – Ongoing effort of attraction cold calls with monthly activity reports. Efforts will increase as new retail spaces come on line in anticipated new retail centers.

☐ **2.n.** Improve and enhance landscaping along Main Street

Completed - The new Main Street improvements installed new and enhanced landscaping on Main Street from Norcross Lane to 5th Street. A project to replace the existing landscaping and irrigation on Main Street from Empire Avenue to Big Break Road has been designed and once funding in available this project will be moving forward into construction phase.

☐ **2.o.** Continue to use Downtown Specific Plan (DSP) to guide high quality development while preserving Oakley's small town feel

Ongoing – Staff uses the Downtown Specific Plan as needed for project specific review and analysis.

☐ **2.p.** Encourage development of Downtown parking as adopted in Downtown Specific Plan

Ongoing – The development of an in-lieu fee program will place an added cost on development in the downtown which may not be supported by the types of development currently being proposed. Staff is currently working on the design of 2 parking lots in downtown, one at corner of Main/Norcross and one for the new Train Platform Station. The construction of these parking lots is anticipated to start by Spring 2021.

☐ **2.q.** Continue to improve pedestrian safety in the Downtown

Completed - The Downtown improvements that was completed in winter 2017, installed 2 new lighted pedestrian crosswalk systems on Main Street at intersections of 2nd and 4th Streets.

☐ **2.r.** Expand the Heart of Oakley event

Completed- Staff worked to expand the 2018 Heart of Oakley by including more vendor spaces, a children's art exhibit and additional wines.

Continued to expand the event in 2019 with additional vendor spaces, and the continued art exhibit, and historical photos for the 20th Anniversary. Also promoting the 20th Anniversary at the event with a giveaway booth and raffle.

☐ **2.s.** Evaluate possible next steps to bring a Library & Community Learning Center in the Downtown

A renewed effort has yet to commence, due in part to the ongoing issue of the need of voter support for Fire District funding that essentially precludes an ask for a library at this time. We do monitor grants and are hopeful that the Legislature approves a library funding that could assist us.

- ☐ **2.t.** Identify and outreach to possible entities that could create more community events in the Downtown

  Underway- Staff have coordinated with new Farmers and Foodie Crew to implement a weekly Farmer's Market and Friday Night Bites program. Partnered with the Foodie Crew to implement a monthly summer concert with their events from May-October (excluding July).

- ☐ **2.u.** With recapitalized funds, continue to promote the Downtown Revitalization Loan Program to facilitate building renovations

  Completed – Completed last loan to restaurant/tavern project at 4th and Main, but will continue to talk to downtown property owners to identify potential uses of the loan program

- ☐ **2.v.** Partner with Planning Division to identify and capitalize on opportunities realized from the transit station to be located in the Downtown

  Will begin to identify opportunities as date becomes clearer on the start of construction of the transit station

- ☐ **2.w.** Continue support for the Oakley Farmers' Market

  Completed-The Recreation Division supported the All Bay Farmer's Market through inclusion in the Taste of Oakley, and integration into the Main Street Car Show and Concert.

  Continuing to support the new Farmers Market with advertisements on the Civic Center and Laurel reader boards.

Area of Focus #3: PLANNED, QUALITY GROWTH

Goal: ***We will wisely plan and facilitate quality growth throughout the community, focusing on high-quality development and compliance with zoning, building and related codes – all while respecting our rural heritage and preserving our small town feel.***

Action items:

- ☐ **3.a.** Continue a proactive and progressive Code Enforcement program with performance measures and bi-weekly reports

  Underway – However, "proactive" has been better defined to enforcement to the left and right of each property we inspect. Proactive inspections are time intensive and have to be equitable.

- ☐ **3.b.** Proactively implement weed abatement program

  Completed this year and will re-introduce in the spring of 2020.

- ☐ **3.c.** Continue to work with the San Joaquin Joint Powers Authority to develop a Train Platform in the Downtown

  Ongoing – The San Joaquin Joint Powers Authority/San Joaquin Rail Commission is in the process for the design work of the train platform. The City is currently working with them to coordinate the City improvements needed around the platform and the parking to support the platform.

- ☐ **3.d.** Implement provisions for RV, boat parking and driveways

Completed.

- ☐ **3. e**. Facilitate the development of the Priority Development Areas though public/private partnerships, grant funding and public engagement.
  Ongoing – We are in the process of changing the Employment Area PDA into a Priority Production Area (PPA) that will remove residential requirements as the area does not have any land designated for residential uses.
- ☐ **3.f.** Monitor and report semi-annually on the progress of the Dutch Slough Restoration Project
  Ongoing – The project is currently well underway and the City coordination with DWR is ongoing.
- ☐ **3.g.** Participate in Iron House Sanitary District discussions for the reuse of Jersey Island
  Ongoing- As Ironhouse updates the City on the reuse plan, the City will comment as necessary.
- ☐ **3.h.** Continue to refine and enhance the City's AB 939 (Recycling) Programs and comply with State laws that relate to waste reduction
  Ongoing – The City's 2018 Electronic Annual Report (EAR) was just approved by the State.
- ☐ **3.i.** Reduce the number of Inoperable Vehicles in public view on private property
  Ongoing – The City is currently provided reimbursement through the County's Abandoned Vehicle Abatement Program (AVAP). Staff has developed a procedure for abatement.
- ☐ **3. j.** Increase the City's Automobile Vehicle Abatement Recovery Program (AVAP) rate 10% annually.
  Ongoing – The City is currently provided reimbursement through the County's Abandoned Vehicle Abatement Program (AVAP). Staff has developed a procedure for abatement.
- ☐ **(pursuing grant funding for project) (pursuing grant funding for project)3.k.** Increase community outreach by providing targeted neighborhoods educational material explaining Property Maintenance standards
  Ongoing – Staff has developed a "Common Concerns" handout that was mailed to each resident through their garbage bill.
- ☐ **3.l.** Initiate the General Plan Amendment and Zoning Code Update Project
  Underway – General Plan Update is underway. We have held 2 community workshops and 3 City Council work sessions to date and plan to bring the draft update to the City Council to approve sometime spring 2020.

Area of Focus #4: COMMUNITY INFRASTRUCTURE AND TRAFFIC SAFETY

Goal: ***We will continue to focus on both the financial and operational aspects of the City's Capital Improvement Program, constructing and maintaining streets, traffic signals, drainage systems, and other related infrastructure to meet the needs of our growing community.***

Action items:

☐ **4.a.** Conduct proactive community engagement regarding sensitive traffic concerns and facilitate discussion with Police Department on traffic related issues

On-going, Public Works staff continues to be engaged with the community residents on a wide range of traffic calming issues and works collaboratively with Police Department towards implementation of traffic calming measures to address resident inquiries.

☐ **4. b.** Implement the Capital Improvements Plan projects:

- ❑ Oakley Community Park Project (clean-up and site demolition completed)
- ❑ Bethel Island Rd. Culvert Project (completed)

W. Cypress and Canal Bridge Reconstruction (pursuing grant funding for project)

- ❑ Main St. and Canal Bridge Reconstruction (pursuing grant funding for project)
- ❑ Piper Lane Drainage Channel Trash Capture Device (pursuing grant funding for project)
- ❑ Laurel Rd./Rose Ave. Intersection Improvement (completed)
- ❑ Laurel Road (Rose to Mellowood) Widening and Improvement Project (completed)
- ❑ Oakley Recreation Center Project (completed)
- ❑ Oakley Entrepreneur Center Tenant Improvements (completed)
- ❑ Police Department Expansion/City Hall Renovations (construction underway)
- ❑ Downtown Train Platform Station and Parking Lot Phase I (design underway)
- ❑ Athletic Field at Nunn-Wilson Park (completed)
- ❑ E. Cypress Rd. Widening (from Machado to Sellers Ave.) (completed)
- ❑ Vintage Parkway Repair and Rehabilitation Project (design is underway)
- ❑ Downtown Parking Lot Project (design is underway)
- ❑ Fire Station #55 Construction (completed)
- ❑ Main St. and O'Hara Ave. Intersection Improvement (design is underway)
- ❑ Summer Lake Park Tennis Court Rehabilitation (completed)
- ❑ Civic Center Emergency Generator Project (installation set for January 2020)
- ❑ ADA Transition Plan Implementation Phase I (completed)

Underway – The design and construction work on the above referenced projects are currently underway. With the completion of Laurel Road widening and improvements (Rose to Mellowood) in 2019, the focus will be to finish the design and to construct Laurel Road improvements (Mellowood to Main) in 2020. In addition, a feature capital project in downtown will be the design and construction of the new Railroad Transit Center and its associated roadway and parking lots during 2020 and 2021.

☐ **4.c.** Evaluate the placement of more solar-powered radar speed limit notification signs and evaluate the potential installation of new electronic pedestrian crosswalk systems near school sites

Completed – New electronic pedestrian crosswalk system has been installed on O'Hara Avenue at Covered Wagon Drive to better accommodate the pedestrian traffic at O'Hara Park Middle School. A new traffic signal has been installed at Intersection of O'Hara Avenue and Chianti Way which is a major help for both the vehicular and pedestrian traffic near O'Hara Park School. A new traffic signal system has also been installed on Empire Avenue at Gateway Drive intersection which will be major enhancement towards pedestrian crossing Empire

Avenue. Additional Solar-powered speed radar signs are planned for Carpenter Road east of O'Hara Avenue once the construction of Carpenter Road is completed.

- ☐ **4.d.** Maintain street inventory with annual Pavement Condition Index for all City streets

  Underway – The City has secured grant from Metropolitan Transportation Commission for the update of the City's street Pavement Condition Index (PCI) to take place in 2020.

- ☐ **4.e.** Complete ADA Transition Plan and commence Implementation

  Completed – The City has completed the preparation of the ADA Transition Plan. The implementation of this plan will span over several years as funding become available.

- ☐ **4.f.** Finalize recommendation for eastern access in and out of the Vintage Parkway Subdivision in conjunction with the Main Street/Rose Avenue Intersection Improvement and Signalization project

  Completed - Staff has performed some preliminary design on the project for starting the discussion with ISD. This project has been on hold since ISD has not been focused on the project which requires ISD approval as the access from east side of Vintage Parkway Subdivision to Main Street would have to cross ISD property. This project will not only benefit the City and residents of Vintage Parkway Subdivision but also ISD will benefit by having a formal access to Main Street for a 100 acre parcel of land on north side of their campus they own and is considered for private development.

- ☐ **4.g.** Explore other areas for speed feedback signs

  Underway – Solar-powered speed radar signs are planned for Carpenter Road east of O'Hara Avenue once the construction of Carpenter Road is completed as part of a development project in 2020.

- ☐ **4.h.** Increase public information regarding the street sweeping schedules

  Completed – Street sweeping maps had been prepared and sent to all homes in Oakley by regular mail. In addition these maps are also posted in the City's website and Social Media and notices to the residents is sent via the FYI's that is sent electronically to all individuals who have signed up.

Area of Focus #5: PARKS, STREETSCAPE AND RECREATION OPPORTUNITIES

Goal: ***We will enrich the lives of Oakley residents by continuing to plan, develop and maintain safe and attractive parks and facilities and offer high quality recreation programs of diverse interests to all age groups that meet community needs. Staff will endeavor to capitalize on innovation and opportunities for partnerships***

Action items:

- ☐ **5.a.** Produce and distribute the Community Recreation Guide three times per year

Completed/Underway- Staff continue to distribute the Recreation Guide three times a year Summer, Fall and Winter/Spring.

☐ **5.b.** Track and increase Recreation program participation by 10% each year

Underway- While overall program participation continues to increase, with the construction of the Recreation Center, there are no indoor facility rentals taking place at this time which shows as a decrease in participation.

We continue to track participation and with the completion of the Recreation Center we are now able to take rentals, and expand our classes and in turn expand participation.

☐ **5.c.** Prepare financing plan for the Oakley Regional Community Park

Underway – Staff is working with the new Grant writing consultant on applying for State grants to provide millions of dollars that is needed for the construction of this park. This project will require approximately $60M to construct the Oakley Reginal Community Park and it is anticipated to take a number of years to secure all the funding that is needed for the project.

☐ **5.d.** Coordinate the 20th Anniversary Celebration with the 20th Anniversary Ad-Hoc Committee

Underway- Staff meets monthly with the 20th Anniversary Committee and presented to the Oakley City Council in September to get approval to move forward with the schedule of events to include a time capsule, family art tile installation, street banner program, pins and other activities. Events will begin in January 2019.

We have continued monthly meetings and projects completed include the logo, pins, stickers, 20th Anniversary Gala, two tile painting nights, street banners, giveaways at Heart of Oakley, historical photo exhibit, online time line and sales of bricks for Koda Dog Park. The activities will continue and wrap up at the end of the year with a recognition at the City Council Meeting.

☐ **5.e.** Explore alternative financing opportunities to ensure quality long-term maintenance for City parks, streetscapes and trails

Completed – The primary source of funding for maintenance of the City's parks and landscaping is the Lighting and Landscape Assessment Districts (LLAD) and Community Facility District (CFD). In Oakley the older neighborhoods pay little towards the maintenance of their respective area parks and landscape maintenance while newer neighborhoods pays substantially more towards this task. This is reflected in the quality and quantity of the maintenance work that is performed. Long term there has to be an overall Citywide CFD that cover the entire City for parks and landscaping maintenance which will be more equitable for all residents.

☐ **5.f.** Implement new facility regulations coordinated with the completion of the Oakley Recreation Center.

Underway- Recreation Staff are working on Policy changes to include clear expectations and responsibilities for renters. Staff plan on having the Policy presented to the City Council by the end of 2020.

Completed- Staff presented policies and fees for the new Recreation Center and they were approved prior to the opening of the Recreation Center. Staff have been compiling lists of suggested changes and will reevaluate after 1 year to see how we can better implement the policies.

☐ **5.g.** Continue to implement the Urban Forestry Program

Underway, due to staff time and resources needed for this task and other more urgent priorities, this task will be deferred until 2020.

☐ **5.h.** Implement new Recreation Management Software (registration, payments, reservations)

Underway- Staff are working with CivicPlus to integrate Civic Plus with our systems to go live in 2019.

CivicRec software was implemented and staff have been able to utilize it for in person and online registration. We continue to use it for facility reservations and payments. Staff are currently working to integrate it with the Parks Division for the newly hired Parks Ranger to better allow real time access to facility/field calendars.

☐ **5.i.** Increase the use of video and social media advertising for recreation programs, classes and events.
Underway- Staff have integrated video advertising into Taste of Oakley, Cityhood Celebration, Movies in the Plaza and the Heart of Oakley Festival. We continue to utilize social media for advertising, implementing more Instagram and Snap Chat filters and advertisements in 2019 staff also worked to have Spotify advertisements as well.

☐ **5.j.** Add a student art exhibit to the Heart of Oakley Festival
Completed- the 2018 Heart of Oakley Festival saw a student art exhibit featuring work for students including preschoolers all the way to high school students, this continued with a high school art exhibit in 2019.

☐ **5.k.** Develop Parks and Landscaping standards for City of Oakley to be used by the development community on the wide range of private development projects in Oakley
Completed – the new standard details for parks and landscaping which include planting and irrigation work was prepared and incorporated in the City of Oakley Engineering Standard Details which is sued for public and privet projects.

☐ **5.l.** Invest in providing free Wi-Fi service in City Parks where we have Comcast service available

Completed – staff is working on adding Wi-Fi services to all parks that have Comcast services in the vicinity. Currently, Wi-Fi service exists at Civic Center Park, Nunn Wilson Park, and Creekside Park, Emerson Ranch Park and Gilbert Ranch Park. The challenge with providing Wi-Fi services at older parks in the community is lack of Comcast services in the vicinity of these parks and staff is exploring practical options to provide the Wi-Fi service at the older parks in the community.

☐ **5.m.** Develop a plan to complete trail linkages throughout the City

Will resume analysis in 2021 due to staff time resources needed for this task and other more urgent priorities, this task will be deferred until 2021.

☐ **5.n.** Continue working with leagues for the development and participation in the development of more playing fields/ increasing playable hours at fields through the evaluation of lighting options.

Completed- the construction of Athletic Field at Nunn Wilson Park brings an additional asset to the City's recreation fields.

☐ **5.o.** Integrate Recreation Internship availability for college students

Underway- Staff have researched with CSUEB to attempt to outreach for Internships and have heard that many students find it too far to come for an internship.

☐ **5.p.** Price out the cost associated with pursuing lighting of ball fields

Completed – staff investigated the cost for installation of ball fields light and the estimate received for such installation for Laurel Ballfields was over $200,000.

☐ **5.q.** Explore potential uses for the eight-acres located at the end of Jersey Island Road

Underway – staff is working with a developer whom is planning to acquire this property from City for housing development.

☐ **5. r.** Explore offering a walking/running/biking event on the trails

Completed- The City does not control much of the trail system, however, staff continues to coordinate with Contra Costa 511 to publicize the Summer Bike Challenge and hope to include the new Recreation Center as a stop. The 20th Anniversary Committee also looked into offering a run on the East Bay Regional Park trail and were unable to coordinate it.

Staff continue to coordinate with the Summer Bike Program and make stops available in Oakley for this event.

☐ **5.s.** Continue to closely monitor the playground areas maintained by the Oakley Union Elementary School District

Underway – staff is working on the process to modify the current agreement between the City and OUESD which has not been working to the benefit of the City. The OUESD will be held accountable for the maintenance of the fields and playgrounds on OUESD property which is open to the public for use.

Area of Focus #6: COMMUNITY OUTREACH, COMMUNICATION AND EDUCATION

Goal:* *We will improve our relationships with other community organizations, our public information and customer service efforts, and we will work to increase public input and participation.

Action items:

☐ **6.a.** Return all phone calls and emails same day or within 24 hours (or next business day)

This is a frequent item of discussion and a commitment is received from each new member of the Team to comply with this 3P's expectation.

☐ **6.b.** Keep updated the City's website and continuously monitor content

Weekly, or more frequent updates are conducted. Additional staff have been trained to update pages more frequently. We have also added features like video and interactive booklets.

☐ **6.c.** Partner with the Chamber of Commerce, School Districts, the Community College District and other community organizations to participate in a Community Calendar that lists events and activities; publish to the City's website. Regular reminders are provided and progress is being made to better coordinate activities among community organizations.

☐ **6.d.** Coordinate regular updates from partner agencies

Underway-These are coordinated and regular updates are provided at City Council Meetings.

☐ **6.e.** Continue building cooperative relationships with representatives of service clubs and other community groups and extend offers to have Staff and/or Councilmembers attend their meetings

More effort is needed on this item, though there is regular attendance by City officials to clubs, events and other community organizations.

☐ **6. f.** Conduct the 2018 and 2020 Municipal elections.

Completed for 2018; Will begin again in May 2020- Staff attended a Contra Costa County Elections Division meeting in May 2018 and obtained the Candidate Guide and forms to issue to candidates during the nomination period for the 2018 General Municipal Election in Oakley in which two at-large, 4-year term City Council seats were available. Thereafter, staff prepared a resolution calling the election and the City Council approved it. Staff published a Notice of Election as required by law and press releases regarding the election were provided through social media and the City's website. The nomination period for candidates to pull and file election papers was held July 16 through August 10. Four candidates, Mike Dupray, Sue Higgins, Dezi Pina and Randy Pope, qualified to run for City Council. Staff published a Notice of Nominees as required by law. The election was held November 6, 2018. Certified election results were issued by the Contra Costa County Elections Division in early December and approved by the City Council at its meeting in December at which time elected officers Sue Higgins and Randy Pope were seated.

☐ **6.g.** Conduct Resident Satisfaction Survey the spring of 2020

This survey will be conducted and compared to the six previous surveys.

☐ **6.h.** Prepare and send out weekly press releases

Press releases are sent out weekly.

☐ **6. i.** Provide regular updates via social media that inform the public regarding City Council meetings, upcoming events, special projects etc.

At least two Social media posts each week and the weekly Oakley Outreach email blast provide this information.

☐ **6.j.** Promote City Hall tours

These tours occur periodically and we will continue to make the schools, Scout troops and daycare operations aware of the opportunity.

☐ **6.k.** Continue to facilitate Memorial Day, Veterans Day and other like events that retain Oakley's small town identity

This events continue to be held with success.

☐ **6.l.** Continue Citizen Leadership Academy

The fifth Academy is in see and continues to be well-received.

☐ **6.m.** Continue You, Me, We = Oakley program

The Program continues its good work and has involved a number of youth volunteers with many of those becoming formal Ambassadors of the Program. Grant funding for this fiscal year has reached $80,000.

☐ **6.n.** Advertise and prepare related vacancy and term documentation for City Council appointed positions

Underway- The City Council recently approved an appointment in June to the Contra Costa Library Commission and approved an appointment in October to the Contra Costa County Advisory Council on Aging.

The City Council shall consider an appointment to the Oakley City Council at its meeting to be held November 12, 2019.

The current term for the Contra Costa Transportation Authority Citizen's Advisory Committee expires August 2021. The current term for the Contra Costa Mosquito & Vector Control District Board expires May 2022. Advertisement will occur for the positions prior to the terms expiring and applications will be presented to the City Council for consideration.

Area of Focus #7: FINANCIAL STABILITY AND OPERATIONAL EXCELLENCE

Goal: ***We will ensure fiscally sound operations by continuously evaluating our processes to maintain cost-effective public services. Our City Council and lean Staff Team will foster confidence by demonstrating a POLITE, PROFESSIONAL and PROGRESSIVE demeanor in all interactions.***

Action items:

☐ **7.a.** Continue utilizing the 10-year plan forecasting and comply with City budget administration polices Updated the 10 year plan and will update again for the mid-year budget review which is in compliance with the budget administration policies

☐ **7.b.** Develop a strategy to resolve funding and capital reserve concerns with various Lighting and Landscaping districts

Both Public Works and Finance departments are working to develop a strategy to address capital reserve concerns.

☐ **7.c.** Continue coordination with contracted grant writer to explore and apply for grants

Underway -Finalized contract with grant writing firm. They are currently working on grants for Public Works and City Manager's Office.

☐ **7.d.** Prepare report outlining potential funding options for the 55-acre Oakley Community Park Only a preliminary analysis has commenced.

☐ **7.e.** Continue full implementation of budget policies included in each annual budget

Underway - Currently, reviewing reserve policies for the equipment and facilities fund, and review budget policies each fiscal year as part of the budget process

☐ **7.f.** Continue compliance with Government Finance Officers Association criteria for the Certificate of Achievement for Excellence in Financial Reporting

Underway - City was awarded the Certificate of Achievement for the CAFR . The team is working on the CAFR for this year and is in compliance with the GFOA criteria

☐ **7.g.** Facilitate biennial Community-Council-Staff Strategic Planning Sessions

These are held as part of the development of each two-year Strategic Plan to help inform the development of the new Strategic Plan. Also, a Council-Staff session is held each spring as part of the upcoming fiscal year budget preparation.

☐ **7.h.** Continue emphasis of the 3P's of Public Service: Polite, Professional, Progressive

This is a frequent item of discussion and a commitment is received from each new member of the Team to comply with the 3P's expectation. Awards are given at the end of the year based on fellow Team member nominations.

☐ **7.i.** Invest in technology to assist staff and operational efficiency.

This is an ongoing action item. The Finance Team and IT Team continue to work with other departments have the equipment and technology to operate efficiently.

☐ **7.j.** Maintain Records Management and Scanning Program

Underway - City Clerk staff tracks City agreements on a monthly basis to ensure full execution and recording when applicable. The Records Management Clerk scans documents for departments on a daily basis and maintains such documents for public record. An ongoing project for internal, non-public records is to scan 120 City Attorney file boxes over a five year period. The project began in 2015 and is approximately 70% complete. The City Clerk's Office also continues to work with other departments to minimize the amount of paper and electronic files stored

☐ **7.k.** Implement Granicus live-streaming of City Council Meetings

Complete - The City implemented live-streaming of City Council meetings in November 2018 and added closed captioning of meetings in September 2019.

☐ **7.l.** Hold annual employee recognition event

A smaller summer event was held, with the main event held at year-end with a holiday lunch and the presentation of the 3P's awards.

☐ **7.m.** Implement a GIS software program

Underway - Working with the Public Works Department the Recreation Division completed the trail project identifying group picnic areas, sports fields, and other park amenities, that can be utilized if and when a program is implemented.

☐ **7.n.** Develop a multi-faceted advocacy plan with State Legislators

Progress on this item is best determined by the City Council.

- ☐ **7.o.** Ensure City Council meetings are professional, business-like, civil and maintain good decorum Progress on this item is best determined by the City Council.
- ☐ **7.p.** Develop relationships of trust and influence with county, regional agency, state and federal government officials Progress on this item is best determined by the City Council.
- ☐ **7.q.** Address with City Manager issues or areas of concern with City departments and/or employees for review and possible action Progress on this item is best determined by the City Council.
- ☐ **7.r.** View the long-term impact not just the short-term, of all decisions and planning efforts Progress on this item is best determined by the City Council.
- ☐ **7.s.** Attend and support community organizations and events Progress on this item is best determined by the City Council.
- ☐ **7.t.** Each Councilmember meet with County Supervisor, State Assembly member and Senator at least once per year Progress on this item is best determined by the City Council.

CONCLUSION

This document is a concise, coherent, focused plan that will serve to guide us in our efforts to improve the community. Oakley will continue to experience population growth and has a very bright future. The challenge we face is establishing projects and programs the residents' want that improve their quality of life, while "keeping pace" in maintaining and improving the critical municipal services that we already provide – all with a budget that is much smaller than most communities of our size. Our efforts will make Oakley an even better place to live, work and enjoy a great quality of life.

Simply put, to achieve the goals and objectives of this Plan and the overall vision of even a better Oakley, we will need the tireless efforts and professional expertise of City staff, the support and participation of the community, and the political courage and leadership of the City Council.

