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, April 14, 2020
6:30 PM
Oakley City Council Chambers, 3231 Main Street, Oakley, CA
BE ADVISED that this meeting will be live-streamed on the City's website at www.oakleyinfo.com, and you may participate via telephone by calling (925) 809-9201 and using Conference ID#: 205494. Due to the order of the County Health Officer, no one will be allowed to attend the meeting in person.

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

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

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

1.OPENING MATTERS

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

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

1.2 Pledge of Allegiance to the Flag (Mayor Romick)

1.3 Proclamation Declaring March 2020 as Women's History Month in Oakley (Carol Rios, Vanessa Perry, Diane Burgis, Claire Alaura, Sue Higgins)
Proclamation

1.4 Proclamation Recognizing May as American Red Cross Month 2020
Proclamation

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.

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 Minutes from the Regular Joint City Council/City Council Acting as the Successor Agency to the Redevelopment Agency/Public Financing Authority Meeting held March 10, 2020 (Libby Vreonis, City Clerk)
Minutes 031020

3.2 Approve Minutes from the Emergency City Council Meeting held March 17, 2020 (Libby Vreonis, City Clerk)
Minutes 03-17-20

3.3 Ratify Election: Adopt Ordinance No. 05-20 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 173 within the Oakley Special Police Tax Area for Police Protection Services for the Vines (Subdivision 9507) project located at 2371 Oakley Rd (APN 041-100-035) (Kevin Rohani, P.E., Public Works Director/City Engineer)
Staff Report
1. One (1) Signed Ballot
2. Ordinance No. 05-20
2A. - Exhibit A - Boundary Map for Police Tax Area Zone 173
2B. Exhibit B - Tax Rate Schedule for Fiscal Year 2019-20

3.4 Approval of Subdivision Improvement Agreement and Final Map for Subdivision 9516 Woodbury Subdivision (Northeast corner of East Cypress Road and Emerson Ranch Parkway) (Kevin Rohani, P.E., Public Works Director/City Engineer)
Staff Report
1. Resolution Approving the Subdivision Improvement Agreement
2. Resolution Approving the Final Map for Subdivision 9516
3. Subdivision Improvement Agreement with Exhibits
4. Reduction of Subdivision 9516 Woodbury Subdivision Final Map

3.5 Authorize the City Manager to execute an agreement for Landscape Architectural Services with Dutchover & Associates to provide contract landscape and irrigation plan review and inspection services for the City of Oakley on an on-call basis from July 1, 2020 through June 30, 2022
Staff Report
1. Proposal

2. Resolution

3.6 Annual Progress Report on Implementation of the 2015-2023 Housing Element with SB 341 Reporting Requirements (Joshua McMurray, Community Development Director)

Staff Report
1. Annual Progress Report w/ SB 341 Report
1.1 SB 341 Annual Report FY 18-19.docx
2. Draft City Council Resolution

3.7 Establishment of the Rate per Equivalent Runoff Unit for FY 2020/21 and Requesting the Contra Costa County Flood Control and Water District Adopt an Annual Parcel Assessment for Drainage Maintenance and the National Pollutant Discharge Elimination System Program (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Resolution for ERU Establishment
2. Draft FY 2020/21 Budget

3.8 Authorize the City Manager to execute an agreement with Capra Environmental Services Corporation to provide Goat Grazing Services for the City of Oakley on an on-call basis from July 1, 2020 through June 30, 2022 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Proposal
2. Resolution

3.9 Authorize the City Manager to execute an agreement with Pacific Display, Inc. to provide Downtown tree lighting maintenance services for the City of Oakley on an on-call basis from July 1, 2020 through June 30, 2022 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Proposal from Pacific Display Inc.
2. Resolution

3.10 Authorize the City Manager to execute an agreement for traffic engineering services with TJKM Transportation Consultants to provide contract traffic engineering services for the City of Oakley on an on-call basis from July 1, 2020 through June 30, 2022 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Proposal
2. Resolution

3.11 Authorize the City Manager to execute an agreement for video security system services with KB Security Kams, Inc. to provide video security system services for the City of Oakley on an on-call basis from July 1, 2020 through June 30, 2022 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report

1. Proposal from KB Security Kams Inc.
2. Resolution

3.12 Approval of Subdivision Improvement Agreement and Final Map for Alicante (Previously known as "The Village at Main") Subdivision 9503 (Located on Main Street approximately 1,000 feet east of Live Oak Avenue) (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report

1. Resolution Approving the Final Map titled Subdivision 9503 Alicante (Previously known as "The Village")
2. Resolution Approving the Subdivision Improvement Agreement
3. Subdivision Improvement Agreement (SIA) with Exhibits
4. Reduction of Subdivision 9503 Alicante Final Map

3.13 Award of Contract for Professional Services Agreement for On-Call Materials Testing Services with BSK Associates for FY 2020/21 and FY 2021/22 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report

1. BSK Associates Proposal
2. Resolution

3.14 Award of Contract with JW Backhoe & Construction, Inc. (JW) for On-Call Services for Maintenance and Repair of City Underground Infrastructure for Fiscal Year 2020/21 and Fiscal Year 2021/22 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report

1. JW Backhoe & Construction, Inc. Proposal
2. JW Backhoe & Construction, Inc. Resolution

3.15 Award of contract with Dillon Electric, Inc. for On-Call Electrical Maintenance Services and Repair for FY 2020/21 and FY 2021/22 (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report

1. Dillon Electric, Inc. Proposal
2. Dillon Electric, Inc. Resolution

3.16 Authorize the City Manager to Execute an Agreement with West Coast Arborists, Inc. to provide tree trimming services for the City of Oakley on an On-Call Basis from July 1, 2020 through June 30, 2022 (Kevin Rohani, P.E. Public Works Director/City Engineer)

Staff Report
1. Proposal from West Coast Arborists, Inc.
2. Resolution

3.17 Acceptance of Work Associated with Capital Improvement Project No. 234 - Fiscal Year 2019/20 Street Restriping Project (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Resolution
2. Notice of Completion

3.18 Resolution of Intention to Establish Community Facilities District No. 2020-1 (Oakley Logistics Center) (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Signed Petition
2. Resolution of Intention to Establish CFD No. 2020-1 with Exhibits
3. Proposed Boundary Map

3.19 Approval of two agreements with Francisco & Associates, Inc. to provide Professional Assessment Engineering Services to the City of Oakley for Street Lighting and Landscape District No. 1 for FY 2020/21 as well as to provide Professional Special Tax Services for Cypress Grove Community Facilities District No. 1, Emerson Ranch Community Facilities Distirct No. 2015-1, Parks, Street Lighting, Landscape & Stormwater Services CFD No. 2015-2, Fire Protection Services CFD No. 2018-1 and Police Services Special Tax for FY 2020/21 (Kevin Rohani, Public Works Director/City Engineer)

Staff Report
1. Francisco & Associates – CFD Proposal
2. Francisco & Associates - LLD Proposal
3. Resolution

3.20 Award of Construction Contract to McGuire and Hester, Inc. for the construction of Capital Improvement Project Number 214 - Vintage Parkway Repair and Resurfacing Project (Main Street to Big Break Road) (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report
1. Resolution
2. Bid Summary

3.21 Approval of Subdivision Improvement Agreement, Subdivision Assessment and Annexation Authorization Deferral Agreement, and Final Map for Oakley Logistics Center Subdivision 9513 (6000 Bridgehead Road) (Kevin Rohani, P.E., Public Works Director/City Engineer)

Staff Report

1. Resolution Approving the Subdivision Improvement Agreement (SIA)
2. Resolution Approving the Subdivision Annexation and Assessment Authorization Deferral Agreement (SAAADA)
3. Resolution Approving the Final Map for Subdivision 9513
4. Subdivision Improvement Agreement (SIA) with Exhibits
5. Subdivision Assessment and Annexation Authorization Deferral Agreement (SAAADA)
6. Reduced size copy of Sub 9513 Final Map

3.22 Authorize the City Manager to enter into an Agreement for the Purchase of Police Department Patrol Vehicles from National Auto Group and Emergency Equipment (Eric Christensen, Chief of Police)

Staff Report

1. National Auto Group Tahoe Quote
2. LEHR Quote

4.PUBLIC HEARINGS

4.1 Waive the First Reading and Introduce an Ordinance Adding Chapter 14 of Title 5 of the Oakley Municipal Code regarding the Permitting of Short-term Rentals within the City Limits (Joshua McMurray, Community Development Director)

Suggested Action: 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. Proposed Ordinance Adding Chapter 14 to Title 5 of the Oakley Municipal Code
2. September 24, 2019 Staff Report with Attachments

4.2 Review of Conditional Use Permit Application (7 Mares Grill, 200 W. Cypress Avenue) for Upgrade from Type 41 Beer and Wine License to Type 47 Liquor License (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, and 9) Adopt the Resolution.

Staff Report

1. Vicinity Map
2. Public Hearing Notice
3. Active On-Sale Licenses (Census Tract 3020.07)

4. Active Retail Licenses
5. Draft Resolution

4.3 Zoning Text Amendments to Oakley Municipal Code Section 9.1.1102 (Accessory Dwelling Units), Oakley Municipal Code Section 9.1.1110 (Fences and other structures), and Oakley Municipal Code Section 9.1.1122 (Yards)(RZ 02-02) (Ken Strelo, Principal Planner)

Suggested Action: 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 Discussion regarding adoption of a Resolution enacting a Temporary Moratorium on Evictions (Derek Cole, City Attorney)

Staff Report
1. California Governor, March 27, 2020, Executive Order No. N-37-20
2. California Governor, March 16, 2020, Executive Order No. N-28-20
3. Order of the Contra Costa Superior Court, April 1, 2020

6.REPORTS

6.1 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

6.2 CITY MANAGER
(a) City Manager

7.WORK SESSIONS

8.CLOSED SESSION

8.1 Conference with Legal Counsel-Anticipated Litigation-Significant Exposure to Litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One potential case (demand under California Voting Rights Act by Attorney Kevin Shenkman, dated March 13, 2020)
Demand from Kevin Shenkman-3-13-20

9.ADJOURN

OAKLEY
CALIFORNIA

P R O C L A M A T I O N

declaring March 2020 as
"Women's History Month in Oakley"

WHEREAS, women have made invaluable contributions to society throughout history and continue to do so and;

AND WHEREAS 2020 is the 100th anniversary of the 19th Amendment of the Constitution marking 100 years of women voting and early suffragists spent years, and in some cases entire lifespans, advocating for the right to vote and;

WHEREAS, International Women's Day was first celebrated in 1911 and Women's History Month was first acknowledged in 1980 by President Jimmy Carter who stated "From the first settlers who came to our shores… the achievements, leadership, courage, strength and love of the women who built America were as vital as that of the men whose names we know so well" and;

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our nation as whole and our local community specifically; and

WHEREAS, women play critical economic, cultural, and social role in every sphere of life by constituting a significant portion of the labor force working inside and outside of the home and;

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, which create a more fair and just society for all; and

WHEREAS, the City of Oakley, though the You, Me, We = Oakley initiative and by the fundamental basis of our City's principals seeks to enhance understanding, trust, and cooperation among all residents of Oakley in order to build a more vibrant and cohesive community; and

WHEREAS, since incorporation, the City of Oakley has had women in leadership positions and our first mayor, Pat Anderson was joined on that first city council by Tinker Vanek and Carol Rios. In the following years more women became involved in our government including Diane Burgis and Vanessa Perry in addition to Sue Higgins and Claire Alaura who currently sit on our Council;

NOW, THEREFORE, in recognition of the women past and present who have strengthened our community, I, Kevin Romick the Mayor of Oakley, join with the members of the Oakley City Council in proclaiming March 2020 as: *"Women's History Month in Oakley*."

March 24, 2020

Kevin Romick, Mayor

OAKLEY
CALIFORNIA

Proclamation

RED CROSS MONTH, 2020

WHEREAS; every year, the American Red Cross, the largest humanitarian organization in the world, responds to an average of more than 60,000 disasters across the country from small home fires to massive disasters; and

WHEREAS; March is American Red Cross Month, a time when we recognize the humanitarian organization that eases people's suffering during life's emergencies in Oakley, across the United States and around the world.

WHEREAS; The American Red Cross has a long history of helping our neighbors in their time of greatest need by delivering shelter, care and hope during disasters; making our community safer through its lifesaving Home Fire Campaign; providing lifesaving blood; teaching skills that save lives; and supporting military veterans and their families; and

WHEREAS; last year in Contra Costa County, American Red Cross volunteers helped 168 people affected by 110 home fires providing emotional support, addressing immediate needs and helping families recover with emergency financial assistance or community resources; collected 15,491 units of lifesaving blood; taught skills that save lives to 10,747 community members; provided international humanitarian aid; and supported 835 military members and their families; and

WHEREAS; the Red Cross continues to work with its partners to prevent fire tragedies through its national Home Fire Campaign, which installed its 2 millionth free smoke alarm last year and has saved almost 700 lives across the country since launching five years ago; and in Contra Costa County, the American Red Cross and local partners installed nearly 1,500 free smoke alarms and made 471 households safer from the threat of home fires; and

WHEREAS; during last years Red Flag Warnings, complicated by the Public Safety Power Shutoffs, American Red Cross worked tirelessly beside its Government and Community partners to coordinate preparedness efforts and develop response plans for the high fire danger by putting volunteers on standby to open evacuation centers, shelters and staff the Emergency Operations Center; and

WHEREAS; every day, people in our community depend on the American Red Cross, whose lifesaving mission is powered by the devotion of volunteers, generosity of donors and partnership of community organizations. We dedicate the month of March to all those who support its vital work to prevent and alleviate human suffering in the face of emergencies.

NOW, THEREFORE, BE IT RESOLVED THAT I, Kevin Romick, Mayor of the City of Oakley on behalf of the City Council, hereby proclaim, March 2020 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission

March 24, 2020

_____
Kevin Romick, Mayor

Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority held March 10, 2020

1) OPENING MATTERS

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

Mayor Kevin Romick 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 Romick, Vice Mayor Sue Higgins and Councilmembers Randy Pope, Michael Krieg and Claire Alaura were present.

Mayor Romick announced Contra Costa Health Services has issued social distancing recommendations and he provided some of the details of the recommendations. He mentioned schools are still in session, although will soon be on Spring Break, and City Council meetings will still take place as usual; the next meeting is scheduled for March 24.

1.2 Pledge of Allegiance to the Flag (Maxwell Hollis, Student at Almond Grove Elementary)

Fifth Grade Almond Grove Elementary School Student Maxwell Hollis led the Pledge of Allegiance.

The City Council thanked him.

1.3 Dutch Slough Tidal Wetland Restoration Project Update (Katie Bandy, Department of Water Resources, Project Manager)

Katie Bandy, Senior Environmental Scientist for the Department of Water Resources and Project Manager for the Dutch Slough Tidal Wetland Restoration Project, provided an update to the Oakley City Council. She explained the parcel was acquired for restoration and they have spent the last 2 years grading the site for Phase 1; to get proper elevations and carving channels, they have been moving a lot of dirt over the past 2 years. She shared that the grading wrapped up in January and they are now in a revegetation phase in which they are planting tules in the marsh plain. She mentioned the Marsh Creek channel will be rerouted. She also shared that they are bringing in container plants (grasses, trees and shrubs) which are being planted now in the higher upland areas. She mentioned next steps include the South Levee project in the summer of 2020 to replace flood capacity, planting will continue in the fall of 2020, levee breaching is planned for the fall of 2021, phase 2 of the project will continue through 2021 or 2022, and they will continue long-term management strategies and monitoring. She thanked the City for its continued coordination on project.

Mayor Romick inquired if this is the largest tidal marsh restoration in the Delta right now.

Ms. Bandy confirmed it is.

Mayor Romick commented there was some resistance in the beginning by the City in the early 2000s, but the City is glad to be part of it and is proud of it. He inquired how many other agencies are involved. He mentioned he believes it may be nine or ten.

Ms. Bandy responded permits were required from many agencies; it probably is (around nine or ten). She mentioned on the western most parcel, there is a public access trail along Big Break at Picasso Road and there are plans to continue that trail through Big Break to the City park and all the way to Mt. Diablo.

Mayor Romick explained he is on the board for Reclamation District 2137 which is managing the project for the Department of Water Resources. He mentioned the trail system will go along the top of the levee, around the Burrough area, and back to the City park. He thanked Ms. Bandy for her update.

2) PUBLIC COMMENTS

No public comment cards were submitted.

There was one online comment submitted by Richard Edenfield.

Mayor Romick called for Richard Edenfield to speak and there being no response, he mentioned the comment will be entered into the meeting record.

3) CONSENT CALENDAR

3.1 Approve Minutes from the Regular Joint City Council/City Council Acting as the Successor Agency to the Redevelopment Agency and Special Meeting of the Public Financing Authority Held February 25, 2020 (Libby Vreonis, City Clerk)

3.2 Waive the Second Reading and Adopt the Ordinance Repealing Oakley Municipal Code Section 9.1.1121 Related to Large Family Child Care Permits in Response to the Passage of SB 234 (Effective January 1, 2020) Requiring Large Family Daycare Homes to Be Treated as a Residential Use of Property for Purposes of All Local Ordinances (RZ 01-20) (Ken Strelo, Principal Planner)

3.3 Acceptance of work associated with Athletic Field at Nunn- Wilson Park Project – Capital Improvement Project Number 206 (Kevin Rohani, P.E., Public Works Director/City Engineer)

3.4 Award of Construction Contract to Ghilotti Bros. Inc. for the Main Street/O'Hara Avenue Intersection Improvement Project - Capital Improvement Project Number 218 (Kevin Rohani, P.E., Public Works Director/City Engineer)

3.5 Authorize the City Manager to execute Amendment 1 to the Consulting Services Agreement with BKF Engineers, Inc. for the Laurel Road Reconstruction (Mellowood Drive to Main Street) Project - Capital Improvement Project Number 208 (Kevin Rohani, P.E., Public Works Director/City Engineer)

3.6 Authorize the City Manager to Execute an Amendment to the Consulting Services Agreement with Pavement Engineering, Inc. to Provide Construction Support Services for Fiscal Year 2019/2020 Street Repair & Resurfacing Project - Capital Improvement Project Number 237
(Kevin Rohani, P.E., Public Works Director/City Engineer)

3.7 Reject All Bids and Authorize Staff to Re-bid the Fiscal Year 2019/2020 Street Repair and Resurfacing Project – Capital Improvement Project Number 237
(Kevin Rohani, P.E., Public Works Director/City Engineer)

No public comment cards or online comments were submitted for the Consent Calendar.

It was moved by Councilmember Krieg and seconded by Vice Mayor Higgins to approve the Consent Calendar. Motion was unanimous and so ordered. (5-0)

4) PUBLIC HEARINGS

None.

5) REGULAR CALENDAR

None.

6) REPORTS

6.1 CITY MANAGER
(a) City Manager
(b) Discussion regarding field scheduling for newly-constructed parks and sports fields (Lindsey Bruno, Recreation Manager)

City Manager Bryan Montgomery commented that staff is aware of the social distancing recommendations provided by Contra County Health Services and will continue to monitor updates regarding the COD-19 virus. He mentioned it is recommended that public gatherings of 50+ people be canceled and that may mean that some public events that are planned within the City may need to be evaluated whether or not they should be canceled. He explained that staff will be in contact with the City Council and the public regarding any cancellations. He mentioned the recommendations he and Mayor Romick have referred to are available online on the County's website.

Mr. Montgomery mentioned Recreation Manager Lindsey Bruno has a report to share with the City Council regarding field scheduling for newly-constructed parks and sports fields.

Ms. Bruno shared that staff will be bringing the newly-constructed Nunn-Wilson athletic field online for rental. She shared calendars for ball parks and fields that can be reserved now online (Laurel Ball Fields, Creekside Park and Magnolia Park) and explained how impacted they are currently with reservations. She mentioned some challenges staff encounters with field rentals are safety, heavy competition for field reservation and use, reserved fields not being used, keeping fields in useable condition, overcrowding, parking, having available restrooms, and

neighborhood impact and use. She shared that the City's Park Ranger is helping to police leagues, educate users of park rules, and better monitor activities in the parks and sports fields.

She mentioned the Nunn-Wilson Park has many amenities including a sports field, water feature, group picnic area, restroom, Koda Dog Park, two playgrounds, a basketball court, and some fitness equipment. She explained Creekside Park is most comparable and staff looked at issues experienced at Creekside (overcrowding and parking complaints with picnic rentals and sports fields occupied simultaneously) to try and best plan for field reservations at Nunn-Wilson Park. She shared that staff will schedule the Nunn-Wilson field only Monday-Friday now (no weekends) to evaluate how the various amenities impact the parking lot and neighborhood. She mentioned the pilot evaluation may be modified to include weekends later, if reasonable. She mentioned staff anticipates other parks will become available online soon and staff would also like to evaluate those in a similar manner.

Vice Mayor Higgins commented she thought more parking was going to be added.

City Manager Bryan Montgomery mentioned staff previously looked at expanded parking for Nunn-Wilson Park but it was very expensive without providing a lot of additional parking. He mentioned it is a possibility for the future. He estimated it was $400-$500k for an additional 14-20 spaces. He shared Oxford can host a lot of cars.

Vice Mayor Higgins commented that the Koda Dog Park parking lot is full 7 days a week.

Mr. Montgomery responded that is great news (it is being used).

Mayor Romick commented he likes the idea to start the Nunn-Wilson field reservations online and evaluate its impact with weekday reservations. He mentioned then staff can look at older parks and how to better manager those. He commented staff is heading in the right direction.

Councilmember Krieg expressed disapproval for reserving parks excessively and inquired if there is any penalty for people who engage in this activity. He suggested a reservation fee to discourage this behavior.

Ms. Bruno explained that the City has a rental rates of $7.00 per hour and a cancellation charge. She also explained that when staff evaluates field allotment, it considers previous reservation history including, but not limited to how many reservations were returned, how many reservations are needed for the next year and promptness of paying their bills. She shared that they try to give the leagues a couple of warnings before they cancel dates and issue fines. She mentioned some leagues are so big it is difficult for them to connect with all parents so they provide the warnings, and unfortunately, it is often coaches and parents' behavior that impacts use for kids. She also mentioned the City has a cost for damage remediation as some leagues have used their own equipment for field maintenance which has damaged fields.

Councilmember Alaura expressed she likes the idea of starting off slow and believes offering Monday-Friday reservations is a good idea. She mentioned she anticipates lots of people to visit the Dog Park as it is open again and parking may be of concern. She gave new Park Ranger Lauren Kober kudos and mentioned she sees her at parks and is glad she is a presence there; she is not afraid to approach people to indicate what is safe or not safe. She mentioned in relation to Koda Dog Park, the commemorative brick fundraiser is still happening and proceeds from brick purchases will be applied toward a shaded area for Koda Dog Park. She mentioned information is available on the City's website.

Ms. Bruno mentioned informational flyers will be also be available at Koda Dog Park for anyone interested in purchasing a brick.

Councilmember Pope commented “ditto”. He mentioned he loves the idea of the rollout and phasing in of the ballfield. He commented he is not sure anyone conceived how popular the dog park would be, but maybe if the City had another dog park it would alleviate pressure on this park. He inquired if grant funding may be available to consider another dog park. He commented the City is a victim of its own success which is a good problem as the City is building things that people use. He inquired of the timeline on the completion of the Holly Creek restroom.

City Manager Bryan Montgomery suggested within the next year.

Public Works Director/Public Engineer Kevin Rohani responded that an adjacent developer provided $150k toward the Holly Creek restroom project which will occur in the next Fiscal Year and he anticipates the restroom will be in operation by the spring of 2021.

Mr. Montgomery suggested in follow up to Councilmember Krieg’s comment regarding a penalty for excess reservations, staff could provide an application fee per field. He thanked Ms. Bruno and Recreation and Event Coordinator Cindy Coelho for their management of the fields. He mentioned Ms. Bruno referred to some issues with reserved fields, but mentioned staff also receives complaints from time to time from neighbors who want to use community parks for leisure but cannot due to prior reservations. He suggested a rest period could be provided to provide an opportunity for the residents to use the parks for leisure.

Ms. Bruno added that the loudest complaint that it is difficult to use the park for leisure comes from neighbors near Magnolia Park who have expressed concerns regarding parking and league usage. She mentioned Shady Oak Park is another, but it doesn’t have a restroom. She shared that when a port-a-potty was provided for summer camp at Shady Oak Park, staff received substantial complaints and it had to be moved daily. She also shared for parks without bathrooms, staff receives complaints regarding kids urinating on bushes. She mentioned the fields are incredibly impacted and if staff can figure out what works best at the field at Nunn-Wilson Park and implement a similar model in other areas, perhaps it will allow other uses to occur at parks.

Mr. Rohani mentioned maintenance keep parks beautiful and the flip side of that is park use. He added that Koda Dog Park is heavily used and very successful, but it is not practical to close it and re-sod it every year and when it is closed to re-sod, staff receives complaints because it is closed. He mentioned it is not uncommon to re-sod and there is no optimum time to do it; there is a fine balance between maintenance and use. He shared that staff is always trying to see needs of communities as well as the needs of the parks to ensure longevity of the City’s parks.

Ms. Bruno mentioned Park Ranger interpretive programs will be offered in the Spring Recreation Guide.

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 Krieg reported he attended the State Mosquito Control Association's Annual Legislative Day in Sacramento on behalf of the Contra Costa Mosquito & Vector Control District, along with Contra Costa Mosquito & Vector Control District General Manager XX. He shared that they visited the offices of each of the eight representatives for our area seeking additional funding to combat the invasive adees mosquito which he has mentioned in previous updates that is moving toward our area. . He also reported he attended a Contra Costa Mosquito & Vector Control District meeting last night to discuss the District's emergency generator needs to be replaced which is costly but necessary, and they received an update on mosquito control for 2019 including that the District placed about 70,000 mosquito fish which is the preferred method of control, and the use of other control materials is down which they attribute to their technicians getting better at using relatively non-toxic materials. He mentioned last year was a relatively light year for West Nile Virus; there was only one case in Contra Costa County and 243 cases in California with 6 fatalities. He added that the virus becomes worse during drought years because birds transmit the virus to mosquitoes which transmit the virus to humans and without water, birds and mosquitoes tend to live closer together; therefore, it could become worse this year since it has not been a wet season.

Vice Mayor Higgins introduced her family who were visiting in the audience from Iowa. She reported she went to Washington, D.C. last week to speak with legislators about funding for the National Multiple Sclerosis Society and to request reduction of surprise billings and reduction of the price of medications. She also reported she attended Network of Care fundraising events. She announced MCE Board meetings will be held remote rather than in person at this time.

Councilmember Pope reported he attended Friday Night Bites; the weather was cold but the event still had a respectable size crowd. He mentioned for anyone who has not attended the monthly event, there are usually 10-12 trucks offering a variety of food and as the weather becomes warmer, the event will also offer live music. He announced the next Habitat Conservancy meeting will be held March 23 in Brentwood at 9am; it is a meeting open to the public and everyone is invited to attend.

Mayor Romick reported he attended East County Little League's Opening Day on Saturday which he enjoyed addressing the crowd as he also played and coached Little League in another area. He mentioned the program has 800 kids. He also reported he attended a mass planting on the Gilbert property a couple of weekends ago in which there were about 100 people in attendance to plant native species, surprising not many from Oakley, but it was a good opportunity to show off what we have to others from various cities within the Bay Area. He added it is a great project and he is looking forward toward its opening.

(b) Requests for Future Agendas

None.

7) WORK SESSIONS

None.

8) CLOSED SESSION

None.

9) ADJOURN

There being no further business, the meeting was adjourned at 7:15 p.m.

Respectively Submitted,

Libby Vreonis
City Clerk

Minutes of the Emergency Oakley City Council Meeting held March 17, 2020

1.Call to Order and Roll Call

Mayor Kevin Romick called the emergency meeting to order at 5:00 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Vice Mayor Sue Higgins and Councilmembers Randy Pope, Michael Krieg and Claire Alaura attended the meeting via teleconference.

2.Pledge of Allegiance to the Flag

Due to the urgency of the matter to be discussed, the Pledge of Allegiance was not conducted.

3.Public Comments

No public comments were submitted.

Mayor Romick provided the following statement (in summary):

Governments do not go out of business; however, following the order yesterday from Contra Costa County and other counties to cease non-essential business, City Hall will be closed, but business will continue. The Oakley Police Department will continue to do its great work and Public Works projects and building inspections will also continue. Staff will respond to serious issues in streets and parks. If you encounter a serious or essential matter, call (925) 625-7000 or email info@ci.oakley.ca.us. The City building will be closed, but staff will take appropriate action. The resolution presented this evening is to declare the existence of an emergency affecting public health and safety, following the lead of federal, state and county action. The resolution will help align the actions of government agencies who have issued orders or directives. He encouraged social distancing. He recognized that there may be anxiety with the sudden changes regarding COVID-19. He urged everyone to remain calm and not to panic. He shared there is plenty of food in the supply chain and workers in the stores are doing a great job and their best to stock needed supplies. He also recognized that there may be people over the age of 65 or with underlying health conditions that may need support. He encouraged everyone to check in on those who may be isolated and provide them groceries, medicine or other supplies when needed as they should not feel abandoned. He mentioned in the current hours the fight is both against the virus and panic. He quoted Victor Hugo, “Even the darkest night will end and the sun will rise.”

4.Consent Calendar

4.1 A Resolution of the City Council of the City of Oakley Declaring the Existence of an Emergency Affecting the Public Health and Safety Due to the Novel Coronavirus (COVID-19) Pandemic (Bryan Montgomery, City Manager)

City Manager Bryan Montgomery presented the staff report.

No public comments were submitted.

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

5.ADJOURN

There being no further business, the meeting was adjourned at 5:09 p.m.

Respectively Submitted,

Libby Vreonis
City Clerk

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: Tuesday, April 14, 2020

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. 05-20 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 173 within the Oakley Special Police Tax Area for Police Protection Services for the Vines (Subdivision 9507) project located at 2371 Oakley Rd (APN 041-100-035)

Background and Analysis

On September 10, 2019, the City Council adopted a Resolution approving The Vines (Subdivision 9507) project's General Plan Amendment, Rezone, Tentative Map, and Design Review (DR 13-18) to construct a new residential subdivision with 63 single-family residential lots located at 2371 Oakley Road (currently APN 041-100-035). The Vines (Subdivision 9507) project will have an HOA for the maintenance of private streets, bio-retention areas, landscaping, street lighting, and CC&R enforcement.

The Conditions of Approval for The Vines (Subdivision 9507) project require the developer 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 developer for The Vines (Subdivision 9507) project has requested that the City assist with annexing APN 041-100-035 into the Oakley Special Police Tax Area to satisfy their conditions of approval.

On February 25, 2020, the City Council introduced Ordinance No. 05-20 which would authorize a special tax for police services within Zone 173 subject to property owner voter approval. On March 26, 2020, the City Clerk conducted the property owner election. There was one (1) ballot issued to the property owner representing APN 041-100-035. 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 173.

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 173 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 $70,352.10 (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. 05-20 authorizing the levy of a special tax on parcels of land within Tax Area Zone 173 within the Oakley Special Police Tax Area for Police Protection Services for the Vines (Subdivision 9507) project located at 2371 Oakley Road (APN 041-100-035).

Attachments

1) One (1) Signed Ballot
2) Ordinance No. 05-20
    a. Exhibit A – Boundary Map for Police Tax Area Zone 173
    b. Exhibit B – Tax Rate Schedule for Fiscal Year 2019-20

Kevin R.

23

SPECIAL POLICE TAX AREA BALLOT
CREATING ZONE 173 FOR THE VINES (SUBDIVISION 9507) PROJECT LOCATED 2371 OAKLEY ROAD

RECEIVED
MAR 16 2020
CITY OF OAKLEY

Assessor's Parcel Numbers: 041-100-035

Record Owner: Meritage Homes of California, Inc.

Address: 2371 Oakley Rd Oakley, CA, 94561

Shall Ordinance No. 05-20 of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 173 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. 05-20.

✓ Yes, Ordinance No. 05-20 shall be approved.

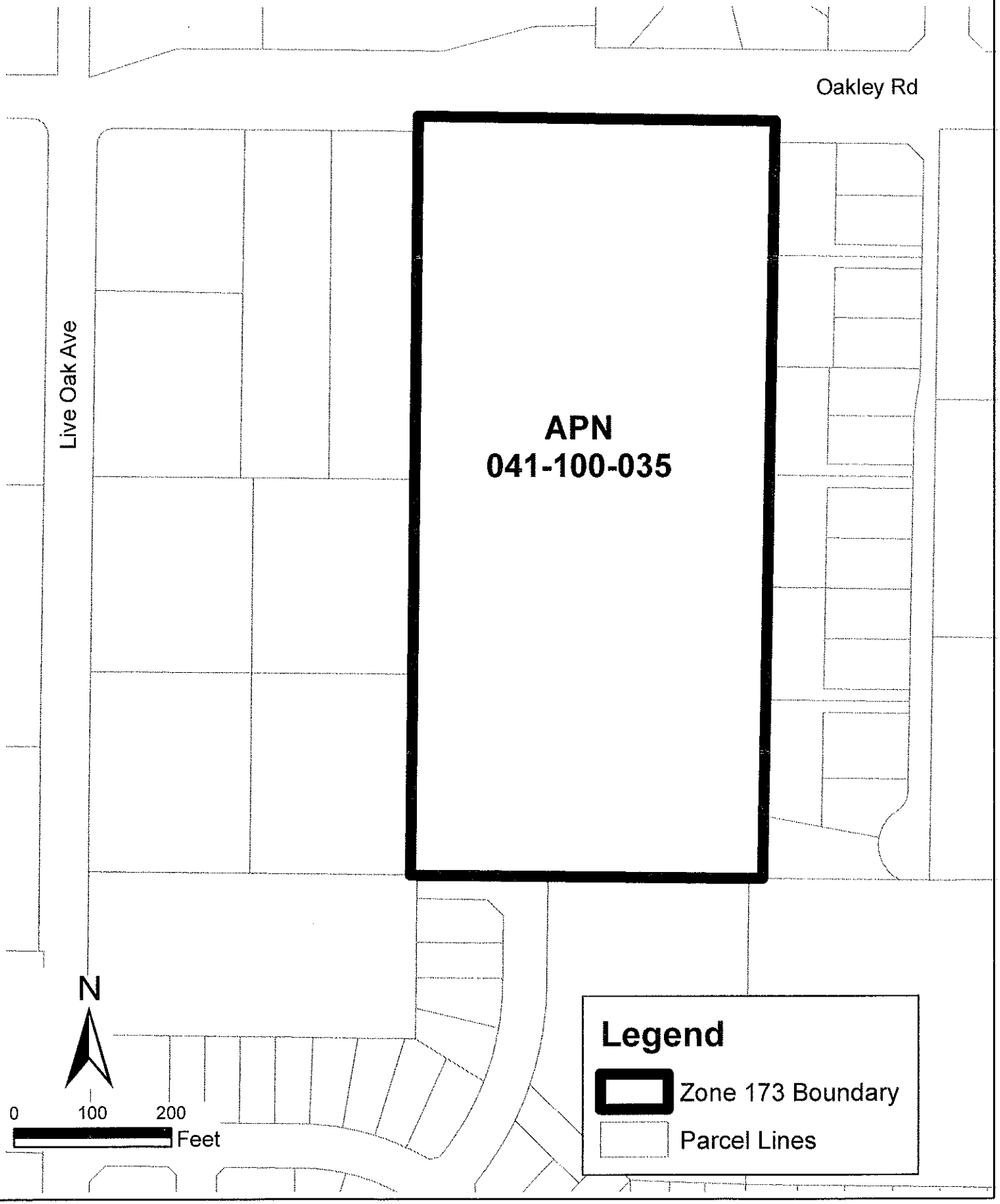
_____ No, Ordinance No. 05-20 shall not be approved.

Signature of Authorized Representative for Meritage Homes of California, Inc.

John D. Bayless
Printed Name

VP of Land
Title

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA ZONE 173
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA



CITY OF OAKLEY

ORDINANCE NO. 05-20

AN ORDINANCE OF THE CITY OF OAKLEY ESTABLISHING OAKLEY SPECIAL POLICE TAX AREA ZONE 173 WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL TAX FOR POLICE PROTECTION SERVICES FOR THE VINES PROJECT LOCATED AT 2371 OAKLEY RD (APN 041-100-035)

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 041-100-035 of real property on the secured property tax roll of Contra Costa County that is within Oakley Special Police Tax Area Zone 173 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 173.

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 173 (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 173, 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 March 26, 2020 so that taxes shall first be collected hereunder for the tax year beginning July 1, 2020. 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 April 14, 2020 by the following vote:

PASSED, APPROVED AND ADOPTED this 14th day of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

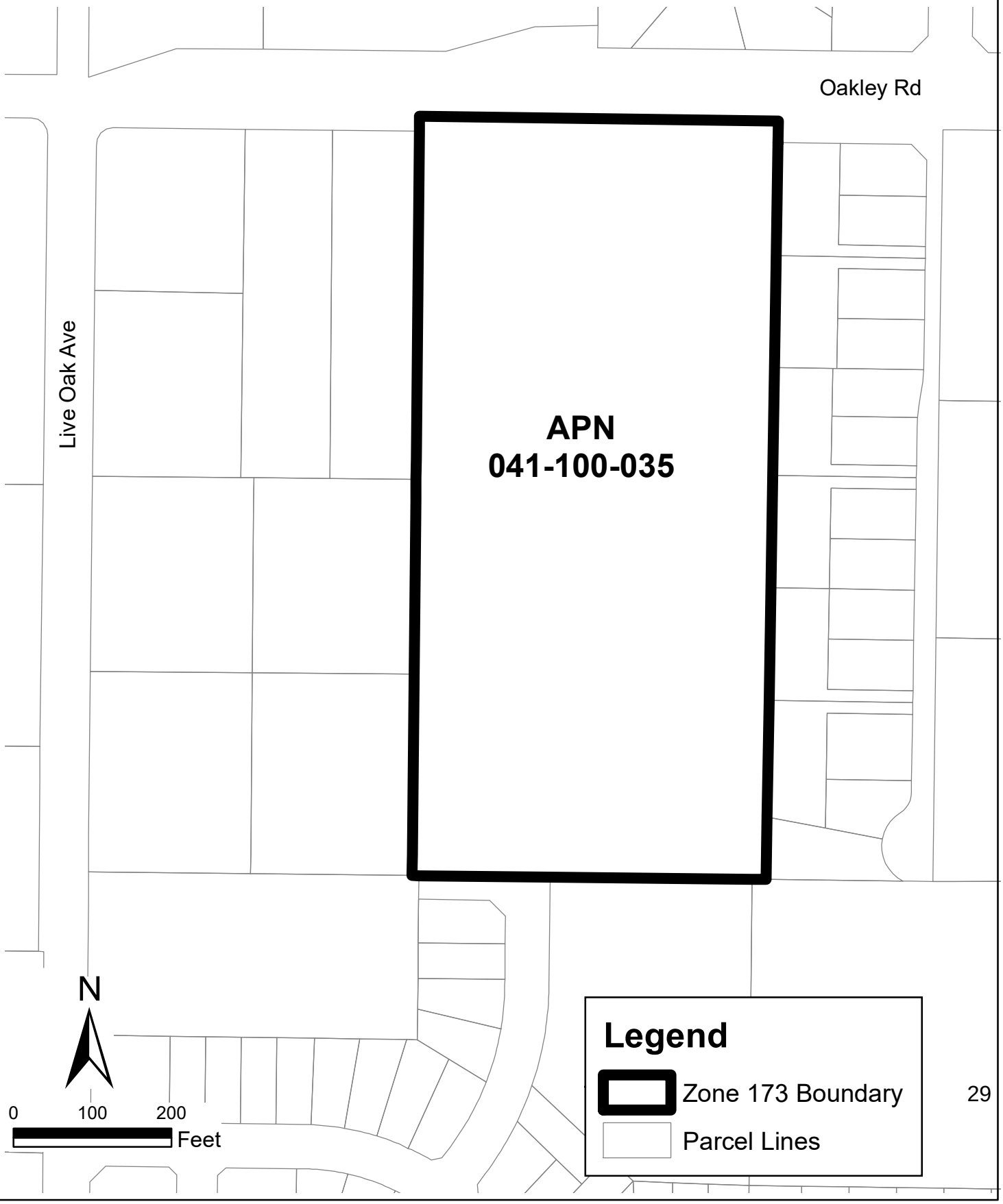
_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA ZONE 173
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: April 14, 2020

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 Subdivision Improvement Agreement and Final Map for Subdivision 9516 Woodbury Subdivision (Northeast corner of East Cypress Road and Emerson Ranch Way)

Background and Analysis

On June 14, 2016 the City Council adopted Resolution 86-16 conditionally approving the tentative map for Subdivision 9516, a 104-unit residential subdivision. The developer, DeNova Homes, Inc. has substantially completed the conditions of approval for this development and wishes to execute the Subdivision Improvement Agreement to secure the necessary improvements for the subdivision. The Woodbury subdivision is located on the Northeast corner of East Cypress Road and Emerson Ranch Way. This subdivision is also known as the sixth neighborhood of the Emerson Ranch development.

DeNova Homes, Inc., has now requested approval by the City Council for the final map for Subdivision 9516 Woodbury Subdivision for the 104 residential units in a privately maintained community by a Homeowner's Association.

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 and approve the Final Map for Subdivision 9516 Woodbury Subdivision.

Attachments

1) Resolution Approving the Subdivision Improvement Agreement
2) Resolution Approving the Final Map for Subdivision 9516
3) Subdivision Improvement Agreement
   Exhibit A – Vesting Tentative Map & City Council Resolution 86-16
   Exhibit B - Prevailing Wage
   Exhibit C - Insurance Requirements
   Exhibit D - Verification of Required Insurance
4) Reduction of Subdivision 9516 Woodbury Subdivision Final Map

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT WITH DENOVA HOMES, INC., FOR SUBDIVISION 9516 WOODBURY 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 DeNova Homes, Inc. (NUCP, LLC, A California Limited Liability Company) for the development of a residential subdivision known as Subdivision 9516 Woodbury; and

WHEREAS, this agreement will require the developer to complete approximately $2,659,000 for improvements and $358,105 for grading 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 DeNova Homes, Inc. is hereby approved and the City Manager is hereby authorized to execute the Subdivision Improvement Agreement for the development of Subdivision 9516 Woodbury 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 14th day of April 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE FINAL MAP OF SUBDIVISION 9516 WOODBURY

WHEREAS, DeNova Homes, Inc. (NUCP, LLC, A California Limited Liability Company) has satisfied the necessary conditions of approval for Subdivision 9516 Woodbury, as approved by the City Council on June 14, 2016 by Resolution Number 86-16; and

WHEREAS, the City Engineer has determined that the conditions of approval for the project have been satisfied; and

WHEREAS, the City Surveyor has determined that the final map is technically correct and attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley that the final map labeled "Subdivision 9516 Woodbury", as prepared by Carlson, Barbee, & Gibson be approved.

PASSED AND ADOPTED by the City Council of the City of Oakley, California, this 14th day of April 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

CITY OF OAKLEY
SUBDIVISION IMPROVEMENT AGREEMENT
SUBDIVISION 9516

This agreement is made and entered into this 14th day of April, 2020 by and between the City of Oakley, a municipal corporation, hereinafter referred to as "CITY", and DeNova Homes, Inc., 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 9516, 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 Resolution Number 87-16 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 "Subdivision 9516 Grading Plans and Improvement Plans" as prepared by Carlson, Barbee & Gibson, Inc. and "Woodbury at Emerson Ranch Landscape Plans" as prepared by Borrecco/Kilian & Associates, Inc. Landscape Architects 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 Resolution Number 87-16 have been satisfied, but nevertheless, DEVELOPER desires to file a final map. The satisfaction of all COA are the subject of this Agreement. 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 install the road improvements (both public and private), sewer and drainage improvements, signs, street lights, fire hydrants, landscaping, and such other improvements (including appurtenant equipment) as required as conditions of approval of Tentative Map 9398 as set forth in Exhibit A 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 identified in the COA's. In the event that any provision of this Agreement conflicts with the provisions of Exhibit A the provisions of Exhibit A shall prevail to the extent that the conflicting provision in Exhibit A requires 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 30 days following the date on which CITY executes this Agreement. DEVELOPER shall complete said work not later than 12 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 $2,659,000 for Improvements and $358,105 for Grading. 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. A minimum of one percent (1%) of the security shall be a cash deposit.

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. 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 with the provisions of Chapter 5 of the Subdivision Map Act. DEVELOPER may request that portions or all of the bonds may be substituted by other parties in the event that portions or all of the Subdivision is sold to other parties, and such substitution shall not be unreasonably withheld by CITY.

4. Prevailing Wage.

CITY has determined that construction of The Improvements falls within the definition of “public works” set forth in California Labor Code Section 1720. Subject to any amendments to Labor Code Section 1720 et seq., DEVELOPER shall comply with Labor Code Section 1720 et seq., shall comply with the provisions set forth in Exhibit B and shall ensure that any contractors and subcontractors comply with the provisions of Exhibit B. DEVELOPER shall waive, indemnify, hold harmless and defend CITY concerning any liability arising out of Labor Code Section 1720 et seq.

5. 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 C, 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 C, evidenced herein as Exhibit D, 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.

6. 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 ensure 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.

7. 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.

8. Agreement Assignment.

This Agreement shall not be assigned by DEVELOPER without the written consent of CITY.

9. 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:

DeNova Homes, Inc.
NUCP, LLC, A California Limited Liability Company
Attn: David B. Sanson
1500 Willow Pass Court
Concord, CA 94520

Notices required to be given surety of DEVELOPER shall be addressed as follows:

The Ohio Casualty Insurance Company
1340 Treat Boulevard, Suite 400
Walnut Creek, CA 94597

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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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

DEVELOPER

By: _____
David B. Sanson
Chief Executive Officer

APPROVED AS TO FORM:

_____
Derek P. Cole
City Attorney

ATTEST:

_____
Libby Vreonis, City Clerk

Exhibits: Exhibit A – Tentative Map, Tract 9398
City of Oakley, City Council, Resolution 87-16

Exhibit B – Prevailing Wage

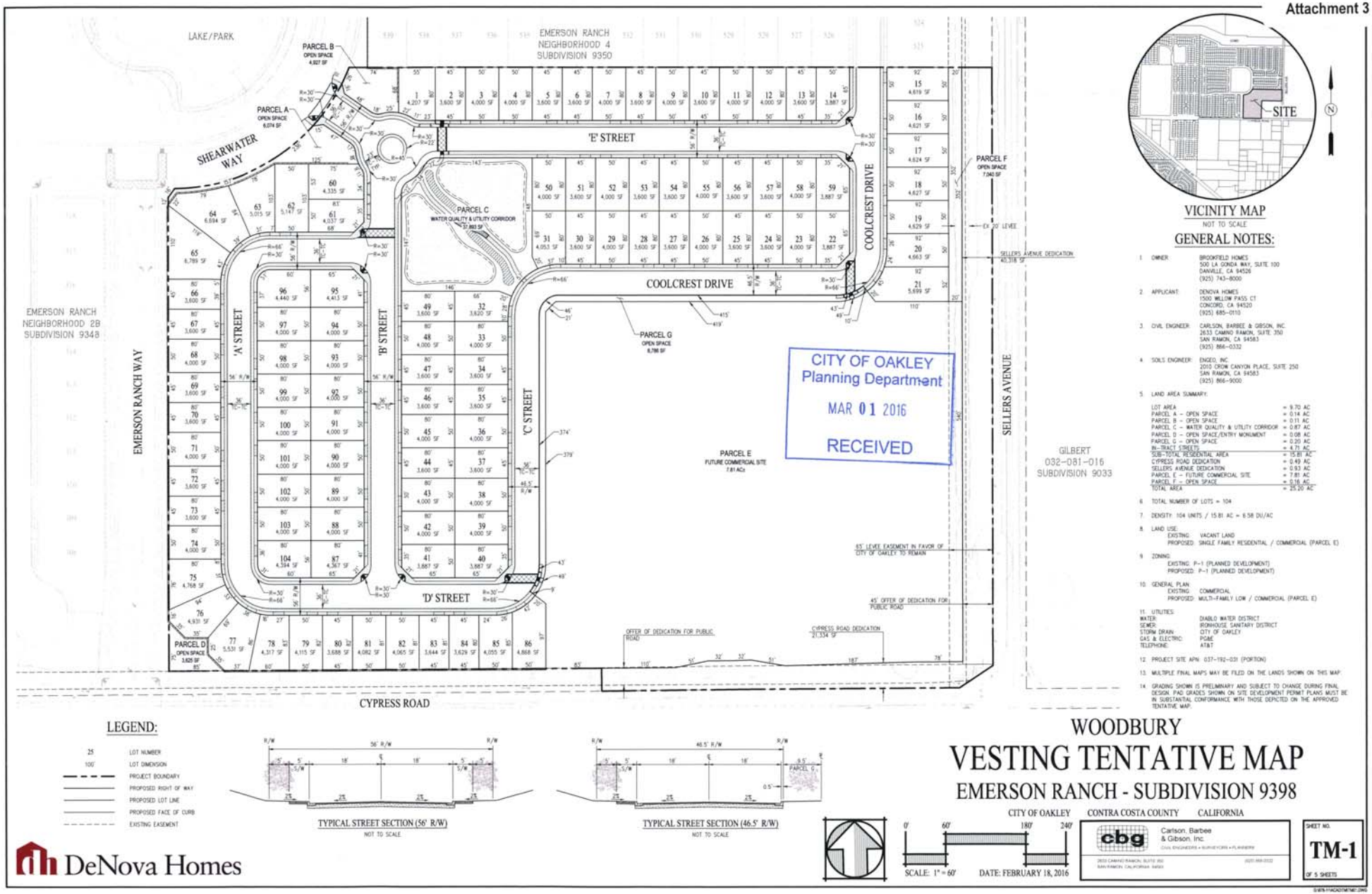
Exhibit C – Insurance Requirements

Exhibit D - Verification of Required Insurance

EXHIBIT A

(TENTATIVE MAP TRACT 9398 & RESOLUTION 87-16)

Attachment 3



VICINITY MAP

NOT TO SCALE

CITY OF OAKLEY
Planning Department
MAR 01 2016
RECEIVED

GENERAL NOTES:

1. OWNER: BROOKFIELD HOMES, 500 LA GONDA WAY, SUITE 100, DANVILLE, CA 94526, (925) 743-8000
2. APPLICANT: DENOVA HOMES, 1500 WILLOW PASS CT, CONCORD, CA 94520, (925) 685-0110
3. CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC, 2633 CAMINO RAMON, SUITE 350, SAN RAMON, CA 94583, (925) 866-0332
4. SOILS ENGINEER: ENGEO, INC, 2010 CROW CANYON PLACE, SUITE 250, SAN RAMON, CA 94583, (925) 866-9000
5. LAND AREA SUMMARY:

LOT AREA	= 9.70 AC
PARCEL A – OPEN SPACE	= 0.14 AC
PARCEL B – OPEN SPACE	= 0.11 AC
PARCEL C – WATER QUALITY & UTILITY CORRIDOR	= 0.87 AC
PARCEL D – OPEN SPACE/ENTRY MONUMENT	= 0.08 AC
PARCEL G – OPEN SPACE	= 0.20 AC
IN-TRACT STREETS	= 4.71 AC
SUB-TOTAL RESIDENTIAL AREA	= 15.81 AC
CYPRESS ROAD DEDICATION	= 0.49 AC
SELLERS AVENUE DEDICATION	= 0.93 AC
PARCEL E – FUTURE COMMERCIAL SITE	= 7.81 AC
PARCEL F – OPEN SPACE	= 0.16 AC
TOTAL AREA	= 25.20 AC

6. TOTAL NUMBER OF LOTS = 104
7. DENSITY: 104 UNITS / 15.81 AC = 6.58 DU/AC
8. LAND USE:
   EXISTING: VACANT LAND
   PROPOSED: SINGLE FAMILY RESIDENTIAL / COMMERCIAL (PARCEL E)
9. ZONING:
   EXISTING: P-1 (PLANNED DEVELOPMENT)
   PROPOSED: P-1 (PLANNED DEVELOPMENT)
10. GENERAL PLAN:
    EXISTING: COMMERCIAL
    PROPOSED: MULTI-FAMILY LOW / COMMERCIAL (PARCEL E)
11. UTILITIES:
    WATER: DIABLO WATER DISTRICT
    SEWER: IRONHOUSE SANITARY DISTRICT
    STORM DRAIN: CITY OF OAKLEY
    GAS & ELECTRIC: PG&E
    TELEPHONE: AT&T
12. PROJECT SITE APN: 037-192-031 (PORTION)
13. MULTIPLE FINAL MAPS MAY BE FILED ON THE LANDS SHOWN ON THIS MAP.
14. GRADING SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN. PAD GRADES SHOWN ON SITE DEVELOPMENT PERMIT PLANS MUST BE IN SUBSTANTIAL CONFORMANCE WITH THOSE DEPICTED ON THE APPROVED TENTATIVE MAP.

LEGEND:

- 25 — LOT NUMBER
- 100' — LOT DIMENSION
- PROJECT BOUNDARY
- PROPOSED RIGHT OF WAY
- PROPOSED LOT LINE
- PROPOSED FACE OF CURB
- EXISTING EASEMENT

TYPICAL STREET SECTION (56' R/W)

NOT TO SCALE

TYPICAL STREET SECTION (46.5' R/W)

NOT TO SCALE

WOODBURY
VESTING TENTATIVE MAP
EMERSON RANCH - SUBDIVISION 9398

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

0' 60' 180' 240'

SCALE: 1" = 60' DATE: FEBRUARY 18, 2016

Carlson, Barbee & Gibson, Inc.
Civil Engineers • Surveyors • Planners
2633 Camino Ramon, Suite 350
San Ramon, California 94583
(925) 866-0322

SHEET NO. TM-1 OF 5 SHEETS

DeNova Homes

RESOLUTION NO. 87-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING A VESTING TENTATIVE MAP (TM 01-15), FINAL DEVELOPMENT PLAN (FDP 01-15), AND DESIGN REVIEW (DR 05-15) FOR THE PROJECT TITLED "EMERSON NEIGHBORHOOD 6 – WOODBURY" APN 037-192-031 (PORTION)

WHEREAS, on January 6, 2015, Michael Evans of DeNova Homes, Inc. ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment to designate approximately 16 acres of an existing 25 acre undeveloped commercial site from "Commercial" to "Multi-Family Residential, Low Density" (GPA 01-15); 2) a Rezone to amend a Planned Unit Development (P-1) District (RZ 01-15); 3) a Vesting Tentative Map to subdivide approximately 16 acres into 104 single family lots with associated improvements (TM 01-15); and 4) a Final Development Plan for the portion of the P-1 District modified by the tentative map (FDP 01-15); and

WHEREAS, on April 16, 2015, the Applicant submitted an application requesting Design Review approval of house plans and architecture, and a development plan (neighborhood plotting plan) (DR 05-15); and

WHEREAS, the applications (GPA 01-15, RZ 01-15, TM 01-15, FDP 01-15, and DR 05-15) make up the project known as "Emerson Neighborhood 6 – Woodbury" located within the existing Emerson Ranch Subdivision 9032 at the northwest corner of East Cypress Road and Sellers Avenue and east of Emerson Ranch Way. The TM, FDP, and DR constitute the "Project" approved by this resolution. The site is zoned P-1 (Planned Unit Development) District. APN 037-192-031 (portion); and

WHEREAS, on February 10, 2016, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project is designated as *Multi-Family Residential, Low Density* in the Oakley 2020 General Plan per City Council Resolution No. 86-16 and zoned P-1 (Planned Unit Development) District per Ordinance No. 13-16; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), it has been determined that all of the potential impacts associated with the proposed project have been adequately analyzed and mitigated in the Emerson Property Project Environmental Impact Report (SCH 2007052073) ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10. The mitigation measures included in that EIR will continue to mitigate the proposed project, and no further environmental analysis is required under CEQA; and

WHEREAS, on June 2, 2016, 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, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to parties requesting such notice, and to outside agencies. On June 3, 2016, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution; and

WHEREAS, on June 14, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, these Findings are based on the City's General Plan and the City's Zoning Ordinance, the project's applicable P-1 District, the City of Oakley Residential Design Guidelines, and the information submitted to the City Council at its June 14, 2016 meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above findings of fact and the entire Record, the City Council makes the following additional findings in support of the approvals:

A. In regards to approval of the Vesting Tentative Map application (TM 01-15):

1. The proposed tentative map represents a subdivision of land that is consistent with the applicable General Plan policies and guidelines in that it results in a density of approximately 6.6 du/ac after road dedication along East Cypress Road (and excluding the commercial parcel), which is below the midrange of the density range for the Multi-Family Residential, Low Density land use designation;

2. Proposed lot sizes and the gross density will mesh well with the existing residential development within the Emerson Ranch subdivision in that the current average lot sizes in Neighborhoods 1-5 range from 3,400 square feet to 6,480 square feet, and the proposed project's average lot size is 4,063 square feet. As a result of the subdivision, street and frontage improvements and a sound wall will be constructed along Emerson Ranch Way and adjacent to the commercial parcel, as well as at the main project entry along Shearwater Way; and

3. The main location will provide close pedestrian access to the Emerson Ranch Park and an attractive physical entry to the neighborhood as viewed from the park. The sound wall along the commercial property lines will also be heavily planted with trees, acting as both a visual softening of the wall and better mitigating any noise created by the future commercial uses, while allowing for at least two pedestrian accesses to discourage unnecessary vehicle trips from the project to the future adjacent commercial uses.

B. In regards to approval of the Final Development Plan application (FDP 01-15):

1. The applicant intends to start construction within two years from the date of project approval in that the intended start date is spring of 2017;

2. The project is consistent with the General Plan;

3. With the integration of a Homeowner's Association, similar lot size to the existing neighborhoods within Emerson Ranch, the addition of design features such as the roundabout at project entry, uniquely scored driveways, and stamped crosswalks throughout the neighborhood, the project constitutes an environment of sustained desirability and stability, and is harmonious with the character of the surrounding neighborhoods. The residential development proposed with the Final Development Plan constitutes an environment of sustained desirability and stability, and be in harmony with the character of the surrounding neighborhood; and

4. All of the above findings justify exceptions (such as development regulations) from the standard OMC zoning districts.

C. In regards to approval of the Design Review application (DR 05-15):

1. The project design implements many of the residential guidelines when plotting and designing the homes, and varying setbacks, resulting in a diverse and interesting streetscape;

2. The design of the homes, along with typical front yard landscaping and other common area and right of way area of landscaping is mostly consistent with the adopted Oakley Residential Design Guidelines. Implementation of the condition of approval requiring more 360 degree architecture with side and rear elevation enhancements brings the project into further compliance with the guidelines.

D. 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 of the Applicant's request for approval of a **Vesting**

Tentative Map (TM 01-15), Final Development Plan (FDP 01-15), and Design Review (DR 05-15), subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the applications received by the Planning Division dated **January 6, 2015 and April 16, 2015**, as well as additional information acquired since that time and made part of the project file.

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

Planning Division Conditions

General:

1. The **Vesting Tentative Map (TM 01-15), Final Development Plan (FDP 01-15), and Design Review (DR 05-15)** are approved, as shown on the plans, date stamped by the Planning Division on **August 17, 2015 (DR packet) and March 1, 2016 (TM and FDP packet)**, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.

2. This approval for the **Vesting Tentative Map (TM 01-15), Final Development Plan (FDP 01-15), and Design Review (DR 05-15)** shall be effectuated within a period of three (3) years from the effective date of this resolution by pulling a grading or building permit and if not effectuated shall expire. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code. Any automatic extensions applicable to the Vesting Tentative Map shall also apply to the Final Development Plan and Design Review. Requests for discretionary extensions shall explicitly request an extension for each entitlement.

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 **June 14, 2016**.

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. The applicant shall ensure all Contractors maintain a neat and orderly appearance to the work site at all times. Debris and trash developed during construction shall be disposed concurrently with its generation. Stockpiling of debris or construction materials shall not be allowed unless in secure closed containers. Streets adjacent to the construction area and its vicinity shall be swept and kept clean from all debris and trash. Should the Contractor fail to keep trash and debris from streets, the City representative, at the City representative's sole discretion, may elect to have the streets cleaned at the contractor expense. The City representative may take further steps of shutting down the contractor operations if further non-compliance with this task is evident by the Contractor.

7. Should archaeological materials be uncovered during grading, trenching or other on- site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary. If the remains are determined to be that of Native American origin, procedures will be guided by California PRC 5097 through California's Native American Heritage Commission.

8. All uses proposed on the site shall be in accordance with the uses allowed within the project's P-1 District.

9. The project shall implement all applicable mitigation measures addressed in the Emerson Property Project Environmental Impact Report (SCH 2007052073) ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10.

10. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

Homeowners Association:

11. The applicant shall formulate a Homeowner's Association as proposed and with the maintenance responsibilities shown on the Applicant's Plan sheet titled "Emerson Ranch Maintenance Responsibilities Neighborhood 6 – Woodbury"

submitted with the proposed Vesting Tentative Map and date stamped March 1, 2016.

Habitat Conservation Plan (HCP):

12. The project shall implement all applicable mitigation measures included in the approved Emerson Property Planning Survey Report for which the Emerson Subdivision project has received Certificates of Coverage.

Development Standards:

13. Development of Neighborhood 6 is subject to the standards adopted in Ordinance No. 13-16, amending the P-1 District.

Parks and Landscaping:

14. This project has a park requirement of 1.70-acres (neighborhood and community park acreage). The project does not include dedication or improvement of any parkland; therefore, the project shall pay in-lieu fees for the entire park requirement.

15. A mix of evergreen and deciduous trees as well as shrubs and ground cover shall be planted along the street frontages as specified in the Residential Design Guidelines per the review and approval of the Community Development Director.

16. 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 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.

17. 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.

18. 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.

19. Each residential lot shall have a minimum of two trees within the front yard, plus corner lots shall have an additional two trees within the corner side yard. At least one of the front yard trees and both of the corner side yard trees shall be within the

public right of way, adjacent to the sidewalk. The additional front yard tree may be placed anywhere within the required front yard.

20. The applicant shall maintain all private landscaping until occupancy.

21. 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 Director.

Fences and Walls:

22. Within the subdivision good neighbor fences shall be constructed of six-foot high redwood louvered fence with metal posts or acceptable alternative as reviewed and approved by the Community Development Director. Fences along corner side yards of corner lots and other fencing facing a street, such as fencing spanning the area between the house and side yard fence, shall consist of a combination of a five foot tall redwood louvered fence with one foot of open lattice on 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.

23. In order to comply with the adopted City of Oakley Commercial and Industrial Guidelines, the masonry wall proposed along the border with the adjacent commercial parcel created by this tentative map shall be at least eight (8) feet in height. The eight foot wall shall continue along the eastern property line of Lot 86 and the southern property line of Lot 21 until it reaches the rear property line wall/fence of each respective lot.

24. Sound walls shall attenuate, not just deflect sound. The use of sound absorbing material should be used for the construction of sound walls per the review and approval of the Community Development Director.

25. Anti-graffiti techniques shall be used on sound walls.

Subdivision Design:

26. Driveway openings shall be a maximum 18' in width or up to 25% of a lot's frontage, whichever is more.

27. The street names shall be approved by the Community Development Department and the East Contra Costa Fire District.

Subdivision Disclosures:

28. The 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.

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.

Design Review:

31. Final design of all applicable homes shall include wrapping any front veneer or siding either to the fence line (for wainscot) or just beyond the corner and finish with trim (for full wall veneer and siding).

32. The architectural elements (e.g. shutters, gable end treatment) proposed for side and rear elevations at "enhanced lots" shall be installed on all elevations on all lots.

33. The house floor plans and setbacks shall match those provided on the approved Development Plan included with the Vesting Tentative Map submittal.

Energy Efficiency:

34. 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.

Waste Management Plan:

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

Building Division Conditions

36. 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.

37. 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 Conditions

THE FOLLOWING PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE APPROVAL OF A FINAL MAP UNLESS OTHERWISE NOTED:

General:

38. 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.

39. 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.

40. 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.

41. 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.

42. 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.

43. Building permits for house construction shall not be issued until the subdivision streets serving the lots have been paved. When approved by the Fire District, temporary access roads and water supply systems may be installed to serve projects under construction until such time that the permanent access roads or water supply systems are in place.

Roadway Improvements:

44. 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.

45. 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.

46. Install traffic control devices such as stop signs and other signing and striping on the project streets to the satisfaction of the City Engineer.

47. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.

48. 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.

Road Dedications:

49. Convey to the City, by Offer of Dedication, the right of way for the project streets.

50. Relinquish abutter's rights of access along all non-primary frontages to the satisfaction of the City Engineer.

51. 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:

52. Install streetlights along all project streets. 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 with LEDs per City standards.

Grading:

53. 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.

54. 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.

55. 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.

56. 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.

57. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer.

58. 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.

59. 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.

60. 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.

61. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.

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

Utilities/Undergrounding:

63. Underground all new and existing utility distribution facilities. 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.

64. 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.

65. Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

Drainage Improvements:

66. 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.

67. 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.

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

69. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

70. 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:

71. Install all public right of way landscaping prior to the issuance of the building permit for the 25th unit. Public right of way landscaping along the project streets shall be installed prior to occupancy of homes adjacent to that street.

72. 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):

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

Fees/Assessments:

74. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00 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 or any future alternative regional fee adopted by the City (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);

    D. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);

    E. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);

    F. Fire Facilities Impact Fee, collected by the City (adopted by Resolution No. 09-01);

G. General Plan Fee (adopted by Resolution No. 53-03)

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

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.

75. The applicant shall be responsible for paying the County Recorder's fee for the Notice of Determination as well as the State Department of Fish and Game's filing fee.

Added by City Council:

76. **Prior to opening of the model homes, the applicant shall install a minimum of one (1) security camera near the main vehicular entrance of the subdivision. This security camera system must fully cover vehicles entering and exiting the subdivision. If one (1) security camera cannot achieve this goal, applicant shall install additional security cameras. The camera shall meet the same standards as those used for the neighborhood park, and shall be connected to and fully operational with the neighborhood park camera system. Final location, mounting height, and pole details shall be subject to the review and approval of the Public Works Director/City Engineer.**

77. **The applicant shall design the proposed creek bed within the stormwater treatment area so that it is tied into the Emerson Ranch Stormwater Pond and continuously circulates running water. Final details for the method of tie in to the pond, as well as of the circulating pump, shall be subject to the review and approval of the Public Works Director/City Engineer.**

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 14th day of June, 2016 by the following vote:

AYES: Hardcastle, Higgins, Perry, Romick
NOES: Pope
ABSTENTIONS:
ABSENT:

APPROVED:

Kevin Romick, Mayor

ATTEST:

for Libby Vreonis, City Clerk

6-25-16
Date

EXHIBIT B

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.

EXHIBIT C

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 D

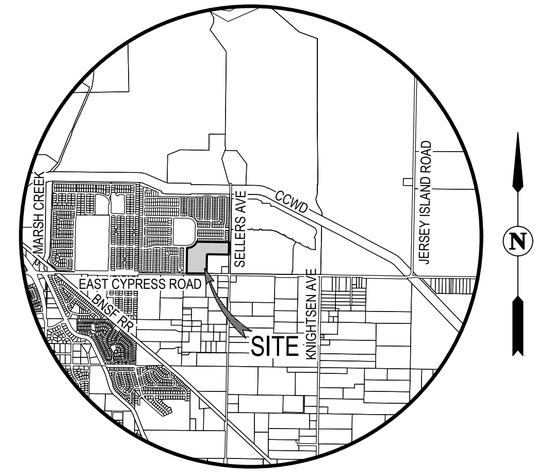
VERIFICATION OF INSURANCE

SUBDIVISION NO. 9516
WOODBURY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF DESIGNATED REMAINDER AS SHOWN ON MAP OF SUBDIVISION NO. 9398 WOODBURY PHASE 1, FILED FEBRUARY 14, 2019, IN BOOK 540 OF MAPS, AT PAGE 17, RECORDS OF CONTRA COSTA COUNTY.
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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SACRAMENTO ▪ (916) 375-1877
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DECEMBER 2019



VICINITY MAP
NOT TO SCALE

OWNER'S STATEMENT

I (WE) HEREBY STATE THAT I (WE) AM (ARE) THE OWNER(S) OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THE HEREIN MAP; THAT I (WE) AM (ARE) THE ONLY PERSON(S) WHOSE CONSENT IS (ARE) NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY; THAT I (WE) HEREBY CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

I (WE) HEREBY DEDICATE IN FEE FOR PUBLIC PURPOSES: THE AREA DESIGNATED AS COLD CREEK DRIVE, COOLCREST DRIVE, CINNABAR WAY, GEMSTONE WAY, GRANITE WAY, SLATE STREET & QUARTZ STREET.

I (WE) HEREBY DEDICATE IN FEE PARCELS D AND F AS SHOWN UPON THIS MAP TO THE CITY OF OAKLEY, CALIFORNIA FOR PUBLIC USE, AND NO ACTIVITY OR USE SHALL BE CONDUCTED THERE WHICH IS NOT COMPATIBLE WITH APPROVED AND AUTHORIZED BY THE CITY OF OAKLEY.

I (WE) HEREBY DEDICATE TO PUBLIC USE AND OFFER TO DEDICATE TO THE CITY OF OAKLEY EASEMENTS FOR ANY AND ALL PUBLIC SERVICE FACILITIES INCLUDING BUT NOT LIMITED TO POLES, WIRES, AND CONDUITS FOR ELECTRICAL, TELEPHONE, TELEVISION, GAS, STORM, SANITARY AND WATER SERVICES, AND APPURTENANCES THERETO UNDER, UPON, OR OVER THE LAND DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT).

I (WE) HEREBY DESIGNATE PARCELS A, B, C, AND E AS SHOWN UPON THIS MAP AS "COMMON OPEN SPACE". SAID "COMMON OPEN SPACE" IS NOT OFFERED FOR DEDICATION FOR USE BY THE GENERAL PUBLIC. THE "COMMON OPEN SPACE" IS INTENDED FOR THE EXCLUSIVE USE OF THE OWNER(S) OF PARCELS THROUGH, INCLUSIVE, AND THEIR LICENSEES, VISITORS, TENANTS, AND SERVANTS.

THIS MAP SHOWS ALL THE EASEMENTS ON THE PREMISES, OR OF RECORD WITHIN THE BOUNDARY LINES OF THE HEREIN EMBODIED MAP AS SHOWN ON THE PRELIMINARY TITLE REPORT TITLE NUMBER 0192–5478551, DATED DECEMBER 18, 2018 PREPARED BY FIRST AMERICAN TITLE COMPANY.

THE UNDERSIGNED FURTHER RELINQUISHES TO THE CITY OF OAKLEY ALL ABUTTER'S RIGHTS OF ACCESS ALONG THE PROPERTY LINES IN THOSE AREAS DEPICTED HEREON BY THE SYMBOL ⁄⁄⁄⁄⁄⁄⁄⁄ .

NUCP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____ DATE: _____

_____

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 CALIFORNIA} 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 NUCP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY IN MARCH OF 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 ON OR BEFORE DECEMBER 31, 2022; AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS SUBDIVISION MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED VESTING TENTATIVE MAP, IF ANY.

_____
DATE

LICENSED LAND SURVEYOR
MARK H. WEHBER
7960
STATE OF CALIFORNIA

_____
MARK H. WEHBER, P.L.S.
L.S. NO. 7960

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: _____

_____
COUNTY ADMINISTRATOR
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY: _____
DEPUTY CLERK

COUNTY RECORDER'S STATEMENT

FILED THE_____ DAY OF_____, 20__, IN BOOK_____ OF MAPS, AT PAGE _____, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

JOSEPH E. CANCIAMILLA
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER

SUBDIVISION NO. 9516
WOODBURY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF DESIGNATED REMAINDER AS SHOWN
ON MAP OF SUBDIVISION NO. 9398 WOODBURY PHASE 1,
FILED FEBRUARY 14, 2019, IN BOOK 540 OF MAPS, AT PAGE 17,
RECORDS OF CONTRA COSTA COUNTY.
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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SACRAMENTO ▪ (916) 375-1877
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DECEMBER 2019

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 "EMERSON RANCH – SUBDIVISION 9398" DATED FEBRUARY 18, 2016, 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

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. 9516, WOODBURY", 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 PURSUANT TO SECTION 66434(g) OF THE SUBDIVISION MAP ACT, THE FOLLOWING EASEMENTS WILL BE ABANDONED WITH THE FILING OF THIS MAP:

1. ALL THAT PORTION OF THE 5' PUBLIC UTILITY EASEMENT (PUE) CREATED BY SUBDIVISION 9398 (540 M 17) LYING WITHIN LOTS 64–76, INCLUSIVE, PARCEL D, AND F STREET AS SHOWN HEREON.

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. 9516, WOODBURY"; THAT SAID SUBDIVISION AS SHOWN IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP APPROVED BY THE CITY OF OAKLEY CITY COUNCIL ON JUNE 14, 2016, 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.

_____ DATE: _____
KOUROSH ROHANI
CITY ENGINEER, CITY OF OAKLEY,
CONTRA COSTA COUNTY, STATE OF CALIFORNIA
R.C.E. NO. 51138

REGISTERED PROFESSIONAL ENGINEER
KOUROSH ROHANI
No. 51138
CIVIL
STATE OF CALIFORNIA

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. 9516 WOODBURY" AND AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

_____ _____
FRANCIS JOSEPH KENNEDY DATE
CITY SURVEYOR, CITY OF OAKLEY,
CONTRA COSTA COUNTY, STATE OF CALIFORNIA
R.C.E. NO. 21771

REGISTERED PROFESSIONAL ENGINEER
FRANCIS J. KENNEDY
No. 21771
CIVIL
STATE OF CALIFORNIA

SOILS REPORT

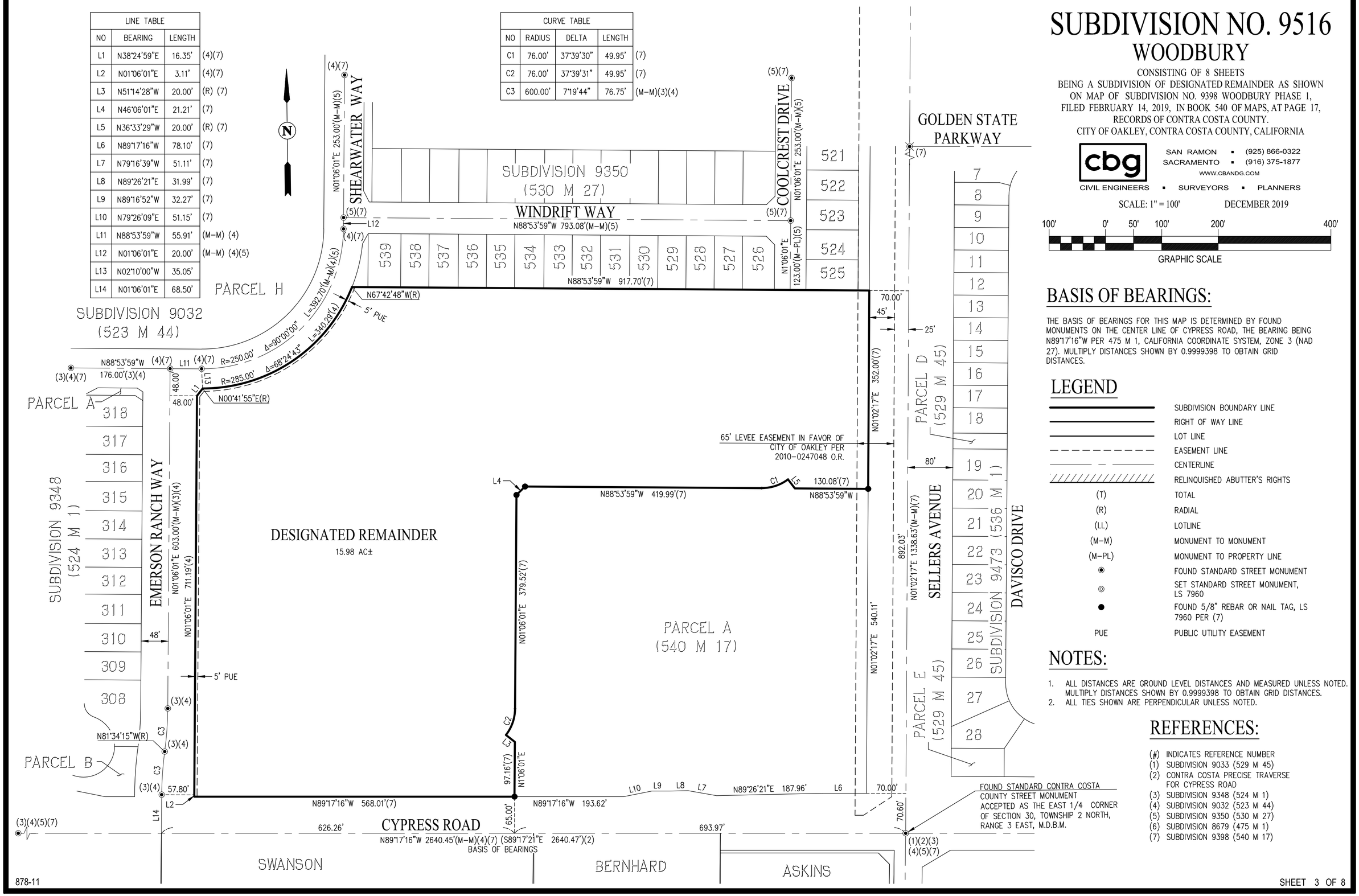
A SOILS REPORT HAS BEEN PREPARED BY STEVENS, FERRONE & BAILEY ENGINEERING COMPANY, INC., DATED APRIL 25, 2019, AND IS ON FILE IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

CERTIFICATE OF DEDICATION FOR SAME PUBLIC PURPOSE

NUCP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, HAS DEDICATED HEREON CERTAIN PUBLIC RIGHTS OF WAY FOR COLD CREEK DRIVE, COOLCREST DRIVE, CINNABAR WAY, GEMSTONE WAY, GRANITE WAY, SLATE STREET & QUARTZ STREET, AND EASEMENTS FOR PUBLIC UTILITIES, AND PARCELS D & F. THE CITY OF OAKLEY SHALL RECONVEY THE PROPERTY TO NUCP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY 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.

LINE TABLE			
NO	BEARING	LENGTH	
L1	N38°24'59"E	16.35'	(4)(7)
L2	N01°06'01"E	3.11'	(4)(7)
L3	N51°14'28"W	20.00'	(R) (7)
L4	N46°06'01"E	21.21'	(7)
L5	N36°33'29"W	20.00'	(R) (7)
L6	N89°17'16"W	78.10'	(7)
L7	N79°16'39"W	51.11'	(7)
L8	N89°26'21"E	31.99'	(7)
L9	N89°16'52"W	32.27'	(7)
L10	N79°26'09"E	51.15'	(7)
L11	N88°53'59"W	55.91'	(M–M) (4)
L12	N01°06'01"E	20.00'	(M–M) (4)(5)
L13	N02°10'00"W	35.05'	
L14	N01°06'01"E	68.50'	

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C1	76.00'	37°39'30"	49.95'	(7)
C2	76.00'	37°39'31"	49.95'	(7)
C3	600.00'	7°19'44"	76.75'	(M–M)(3)(4)



SUBDIVISION NO. 9516
WOODBURY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF DESIGNATED REMAINDER AS SHOWN ON MAP OF SUBDIVISION NO. 9398 WOODBURY PHASE 1, FILED FEBRUARY 14, 2019, IN BOOK 540 OF MAPS, AT PAGE 17, RECORDS OF CONTRA COSTA COUNTY.
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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SACRAMENTO ▪ (916) 375-1877
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SCALE: 1" = 100' DECEMBER 2019

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS ON THE CENTER LINE OF CYPRESS ROAD, THE BEARING BEING N89°17'16"W PER 475 M 1, CALIFORNIA COORDINATE SYSTEM, ZONE 3 (NAD 27). MULTIPLY DISTANCES SHOWN BY 0.9999398 TO OBTAIN GRID DISTANCES.

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
– – – – –	EASEMENT LINE
——— – ———	CENTERLINE
//////////	RELINQUISHED ABUTTER'S RIGHTS
(T)	TOTAL
(R)	RADIAL
(LL)	LOTLINE
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT
◎	SET STANDARD STREET MONUMENT, LS 7960
●	FOUND 5/8" REBAR OR NAIL TAG, LS 7960 PER (7)
PUE	PUBLIC UTILITY EASEMENT

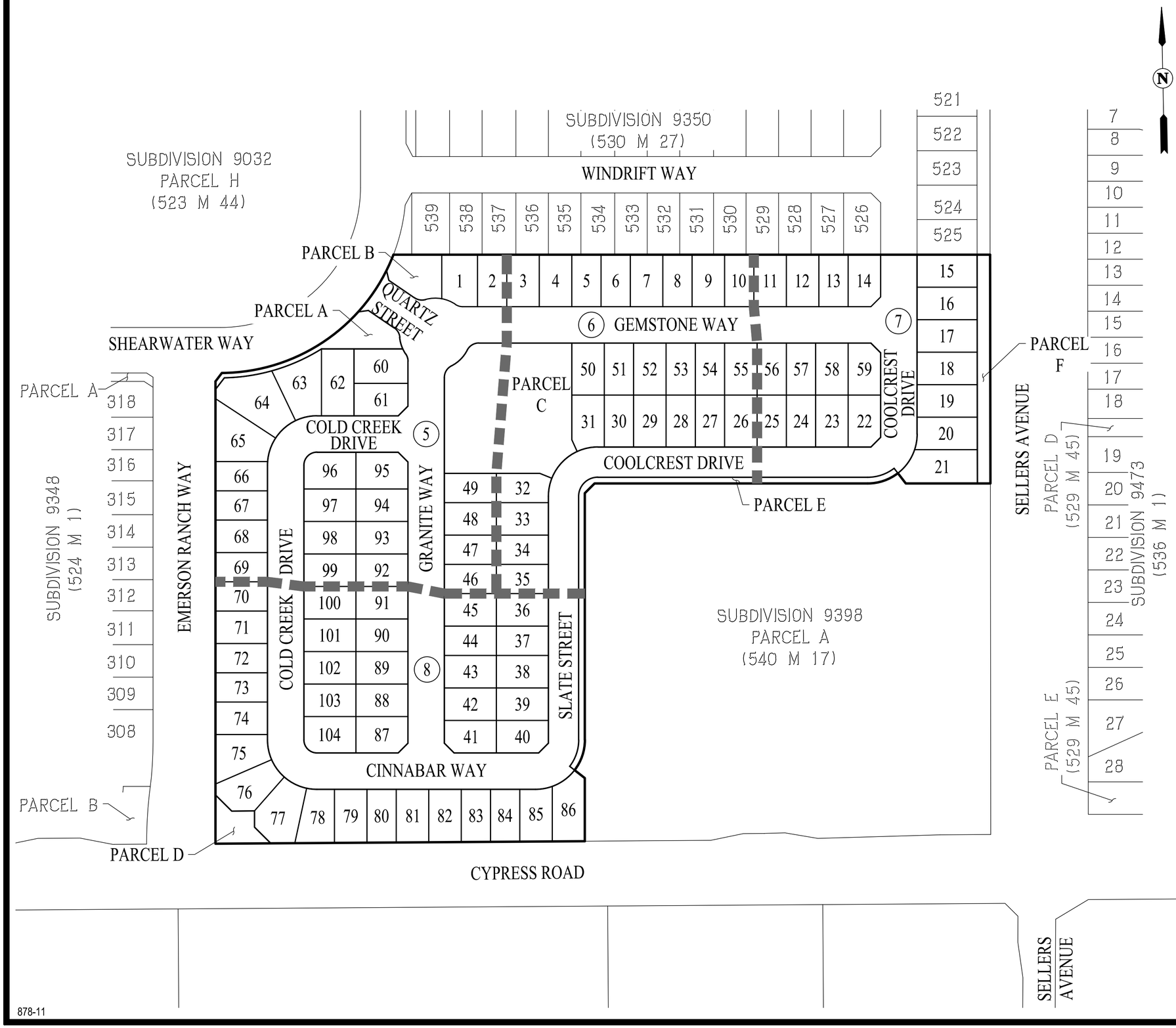
NOTES:

1. ALL DISTANCES ARE GROUND LEVEL DISTANCES AND MEASURED UNLESS NOTED. MULTIPLY DISTANCES SHOWN BY 0.9999398 TO OBTAIN GRID DISTANCES.
2. ALL TIES SHOWN ARE PERPENDICULAR UNLESS NOTED.

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) SUBDIVISION 9033 (529 M 45)
(2) CONTRA COSTA PRECISE TRAVERSE FOR CYPRESS ROAD
(3) SUBDIVISION 9348 (524 M 1)
(4) SUBDIVISION 9032 (523 M 44)
(5) SUBDIVISION 9350 (530 M 27)
(6) SUBDIVISION 8679 (475 M 1)
(7) SUBDIVISION 9398 (540 M 17)

878-11



SUBDIVISION NO. 9516
WOODBURY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF DESIGNATED REMAINDER AS SHOWN ON MAP OF SUBDIVISION NO. 9398 WOODBURY PHASE 1, FILED FEBRUARY 14, 2019, IN BOOK 540 OF MAPS, AT PAGE 17, RECORDS OF CONTRA COSTA COUNTY.
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SCALE: 1" = 100' DECEMBER 2019

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE

BASIS OF BEARINGS:

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LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
- - - - - -	EASEMENT LINE
——— – ———	CENTERLINE
//////////	RELINQUISHED ABUTTER'S RIGHTS
(T)	TOTAL
(R)	RADIAL
(LL)	LOTLINE
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT
◎	SET STANDARD STREET MONUMENT, LS 7960
●	FOUND 5/8" REBAR OR NAIL TAG, LS 7960 PER (7)
PUE	PUBLIC UTILITY EASEMENT
▬ ▬ ▬ ▬	SHEET LIMITS
(5)	SHEET NUMBER

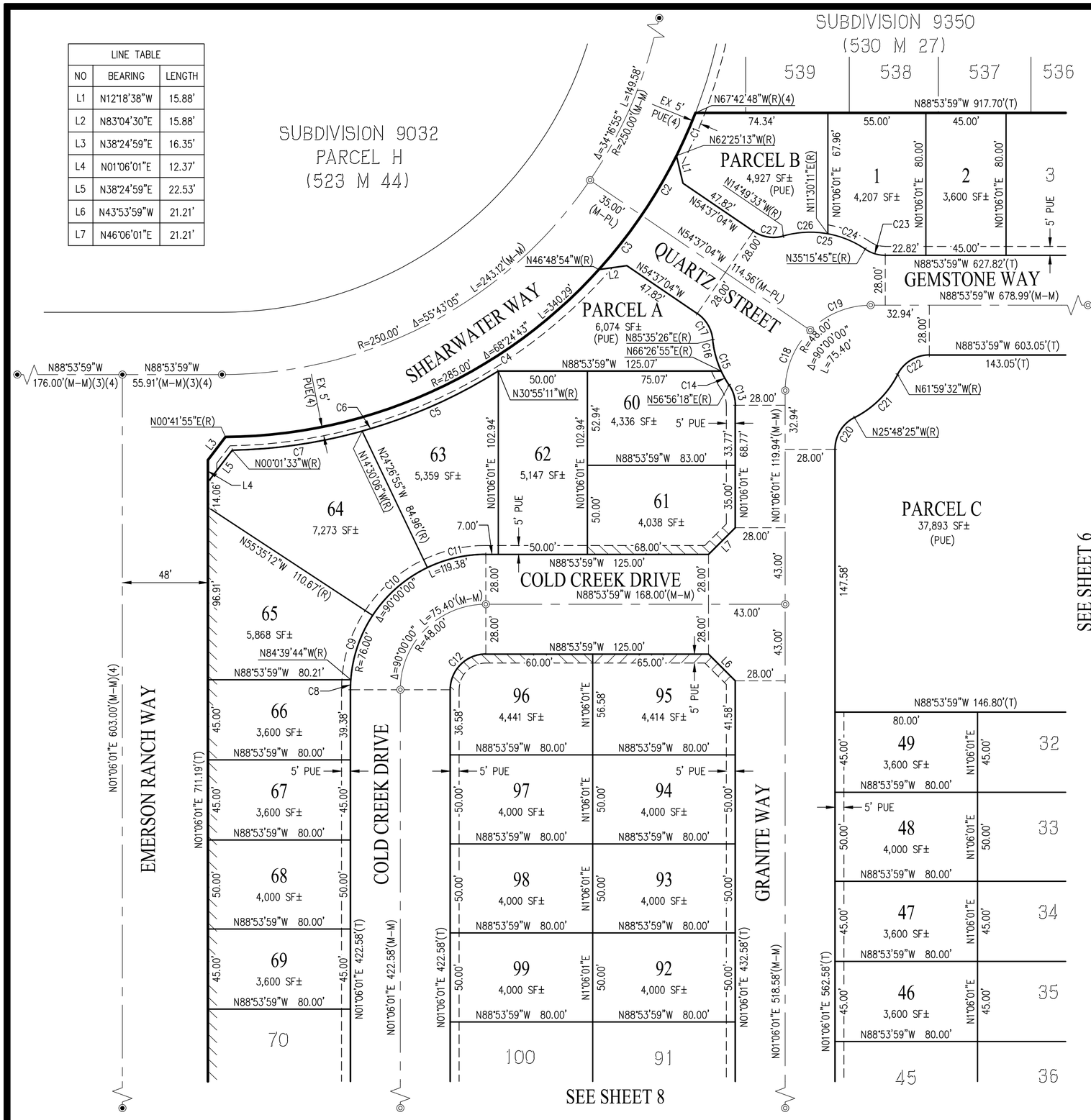
NOTES:

1. ALL DISTANCES ARE GROUND LEVEL DISTANCES AND MEASURED UNLESS NOTED. MULTIPLY DISTANCES SHOWN BY 0.9999398 TO OBTAIN GRID DISTANCES.
2. ALL TIES SHOWN ARE PERPENDICULAR UNLESS NOTED.

REFERENCES:

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(5) SUBDIVISION 9350 (530 M 27)
(6) SUBDIVISION 8679 (475 M 1)
(7) SUBDIVISION 9398 (540 M 17)

LINE TABLE		
NO	BEARING	LENGTH
L1	N12°18'38"W	15.88'
L2	N83°04'30"E	15.88'
L3	N38°24'59"E	16.35'
L4	N01°06'01"E	12.37'
L5	N38°24'59"E	22.53'
L6	N43°53'59"W	21.21'
L7	N46°06'01"E	21.21'



CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	285.00'	5°17'35"	26.33'
C2	285.00'	7°48'09"	38.81'
C3	285.00'	7°48'10"	38.81'
C4	285.00'	47°30'49"	236.34'
C5	292.50'	16°25'05"	83.82'
C6	292.50'	30°53'38"	157.72'
C7	292.50'	14°28'33"	73.90'
C8	76.00'	4°14'15"	5.62'
C9	76.00'	29°04'32"	38.57'
C10	76.00'	31°08'17"	41.30'
C11	76.00'	25°32'56"	33.89'
C12	20.00'	90°00'00"	31.42'
C13	20.00'	34°09'43"	11.92'
C14	55.00'	9°30'37"	9.13'
C15	55.00'	28°39'08"	27.50'
C16	55.00'	19°08'31"	18.37'
C17	20.00'	50°12'30"	17.53'
C18	48.00'	45°00'00"	37.70'
C19	48.00'	45°00'00"	37.70'
C20	20.00'	63°05'33"	22.02'
C21	55.00'	36°11'07"	34.74'
C22	20.00'	63°05'34"	22.02'
C23	20.00'	34°09'44"	11.92'
C24	55.00'	23°45'34"	22.81'
C25	55.00'	50°05'18"	48.08'
C26	55.00'	26°19'44"	25.27'
C27	20.00'	50°12'30"	17.53'

SUBDIVISION NO. 9516
WOODBURY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF DESIGNATED REMAINDER AS SHOWN ON MAP OF SUBDIVISION NO. 9398 WOODBURY PHASE 1, FILED FEBRUARY 14, 2019, IN BOOK 540 OF MAPS, AT PAGE 17, RECORDS OF CONTRA COSTA COUNTY.
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SCALE: 1" = 40' DECEMBER 2019

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS ON THE CENTER LINE OF CYPRESS ROAD, THE BEARING BEING N89°17'16"W PER 475 M 1, CALIFORNIA COORDINATE SYSTEM, ZONE 3 (NAD 27). MULTIPLY DISTANCES SHOWN BY 0.9999398 TO OBTAIN GRID DISTANCES.

LEGEND

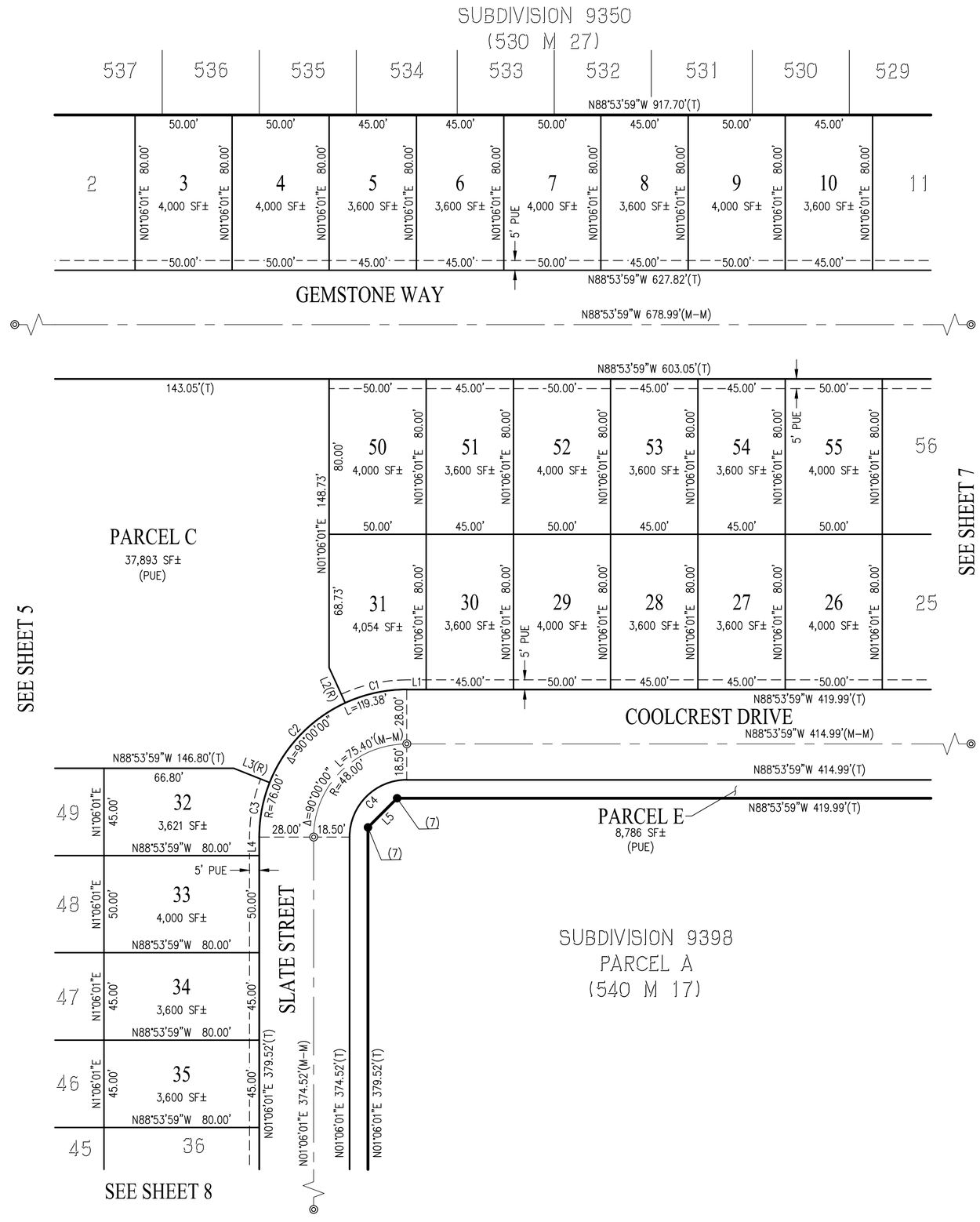
———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
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(M–M)	MONUMENT TO MONUMENT
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PUE	PUBLIC UTILITY EASEMENT

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(4) SUBDIVISION 9032 (523 M 44)
(5) SUBDIVISION 9350 (530 M 27)
(6) SUBDIVISION 8679 (475 M 1)
(7) SUBDIVISION 9398 (540 M 17)



LINE TABLE			
NO	BEARING	LENGTH	
L1	N88°53'59"W	9.99'	
L2	N23°31'50"W	20.00'	(R)
L3	N67°12'43"W	20.00'	(R)
L4	N01°06'01"E	9.52'	
L5	N46°06'01"E	21.21'	

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	76.00'	24°37'51"	32.67'
C2	76.00'	43°40'53"	57.94'
C3	76.00'	21°41'16"	28.77'
C4	29.50'	90°00'00"	46.34'

SUBDIVISION NO. 9516
WOODBURY

CONSISTING OF 8 SHEETS
BEING A SUBDIVISION OF DESIGNATED REMAINDER AS SHOWN ON MAP OF SUBDIVISION NO. 9398 WOODBURY PHASE 1, FILED FEBRUARY 14, 2019, IN BOOK 540 OF MAPS, AT PAGE 17, RECORDS OF CONTRA COSTA COUNTY.
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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SACRAMENTO ▪ (916) 375-1877
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SCALE: 1" = 40' DECEMBER 2019

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS DETERMINED BY FOUND MONUMENTS ON THE CENTER LINE OF CYPRESS ROAD, THE BEARING BEING N89°17'16"W PER 475 M 1, CALIFORNIA COORDINATE SYSTEM, ZONE 3 (NAD 27). MULTIPLY DISTANCES SHOWN BY 0.9999398 TO OBTAIN GRID DISTANCES.

LEGEND

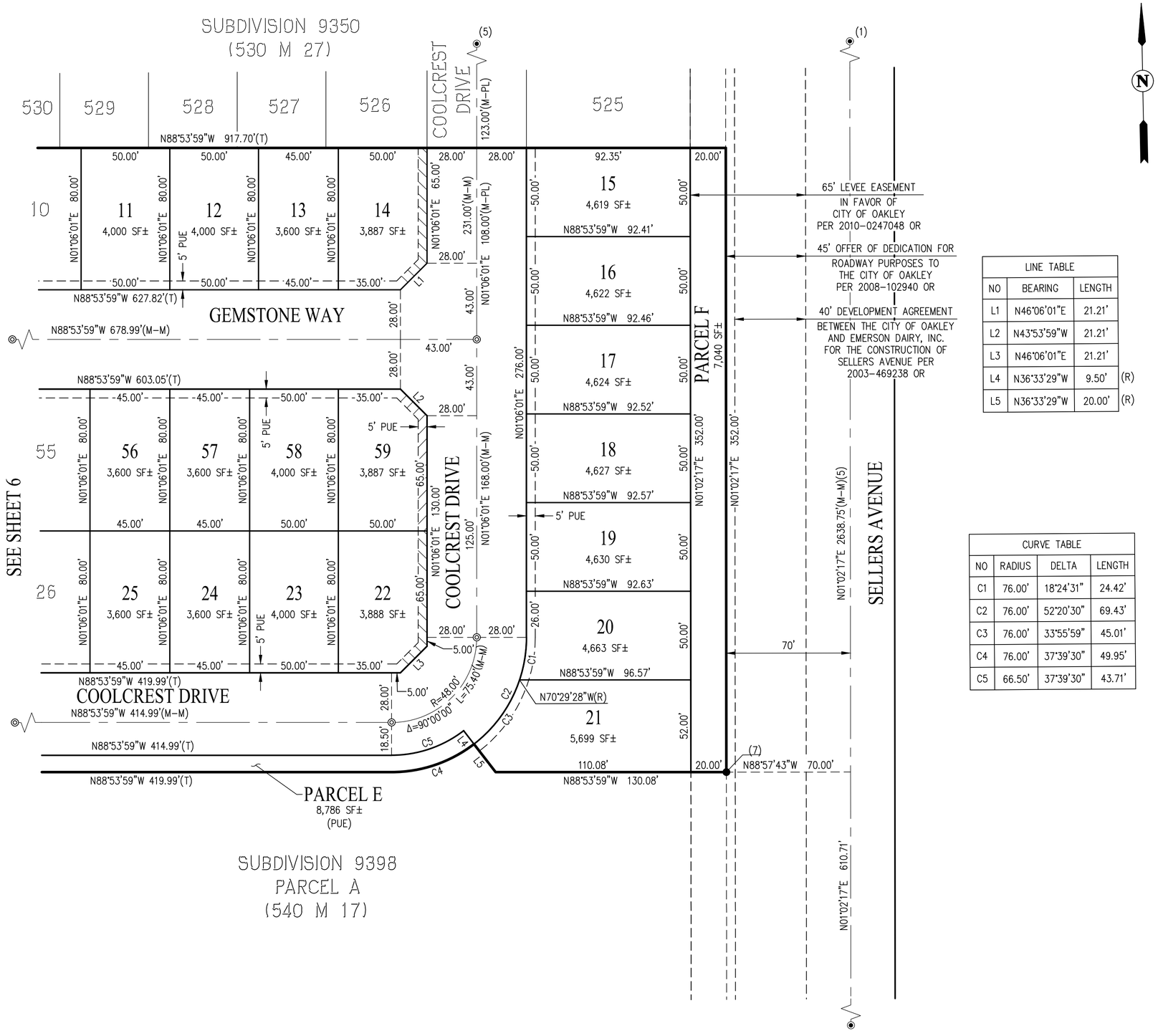
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LINE TABLE		
NO	BEARING	LENGTH
L1	N46°06'01"E	21.21'
L2	N43°53'59"W	21.21'
L3	N46°06'01"E	21.21'
L4	N36°33'29"W	9.50' (R)
L5	N36°33'29"W	20.00' (R)

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	76.00'	18°24'31"	24.42'
C2	76.00'	52°20'30"	69.43'
C3	76.00'	33°55'59"	45.01'
C4	76.00'	37°39'30"	49.95'
C5	66.50'	37°39'30"	43.71'

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SCALE: 1" = 40' DECEMBER 2019

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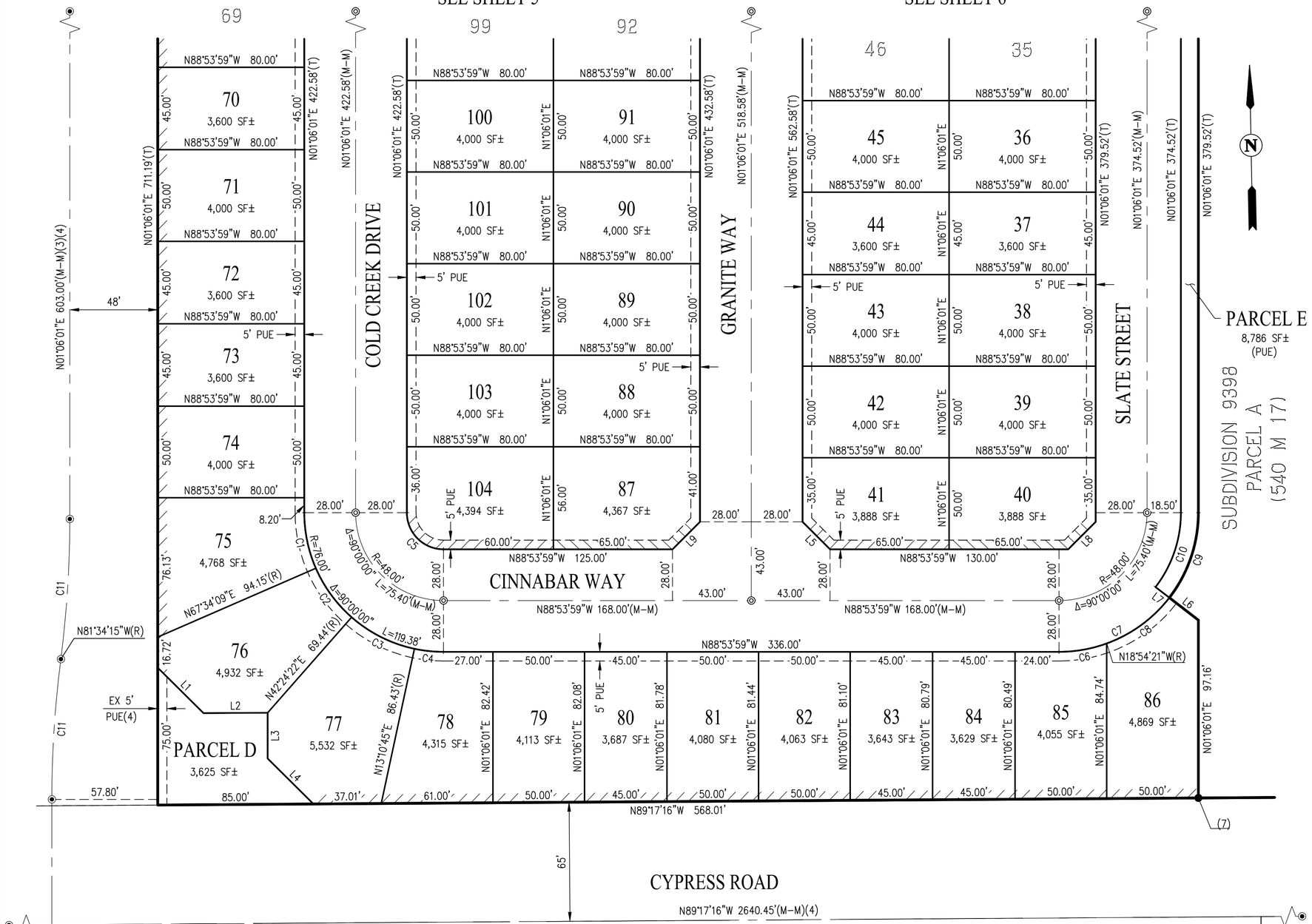
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LINE TABLE		
NO	BEARING	LENGTH
L1	N44°05'37"W	35.24'
L2	N89°17'16"W	35.00'
L3	N01°06'01"E	25.00'
L4	N44°05'37"W	35.24'
L5	N43°53'59"W	21.21'

LINE TABLE			
NO	BEARING	LENGTH	
L6	N51°14'28"W	20.00'	(R)
L7	N51°14'28"W	9.50'	(R)
L8	N46°06'01"E	21.21'	
L9	N46°06'01"E	21.21'	

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	76.00'	23°31'52"	31.21'
C2	76.00'	25°09'47"	33.38'
C3	76.00'	29°13'37"	38.77'
C4	76.00'	12°04'44"	16.02'
C5	20.00'	90°00'00"	31.42'
C6	76.00'	20°00'22"	26.54'

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C7	76.00'	52°20'29"	69.43'	
C8	76.00'	32°20'07"	42.89'	
C9	76.00'	37°39'31"	49.95'	
C10	66.50'	37°39'31"	43.71'	
C11	600.00'	7°19'44"	76.75'	(M–M)(4)

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Authorize the City Manager to execute an agreement for Landscape Architectural Services with Dutchover & Associates to provide contract landscape and irrigation plan review and inspection services for the City of Oakley related to private development projects on an on-call basis from July 1, 2020 through June 30, 2022

Background and Analysis

As the community continues to grow with the construction of new private development projects, the demand to City services has increased to process the projects for developers. One of the elements of the private development project process has been the demand to provide detailed landscape and irrigation plan check services to ensure the landscape and irrigation improvements constructed meet standards and specifications. This review is fundamental to ensure projects are constructed at a high quality and the landscaping and irrigation will last for many years.

Dutchover & Associates is a reputable landscape architectural firm with over 20 years of experience working with various local public agencies, such as the City of Dublin, City of San Ramon, Town of Moraga, and Contra Costa County. They provide a systematic approach on landscape and irrigation plan check and are well versed on current codes and regulation compliance requirements. Dutchover & Associates has been providing landscaping and irrigation plan check services to the City of Oakley related to private development project landscape and irrigation plans since 2016, successfully and professionally.

This service has provided a clear and streamlined review process for private development landscape and irrigation improvement plan approvals and will help keep maintenance and operations of newly built landscape improvements sustainable for the future of the City.

The on-call agreement approach gives the City the flexibility to bring in resources as needed for projects in a cost effective and efficient way. Dutchover & Associates is very familiar with City of Oakley and our landscaping operations and standards, as is reflected in their statement of qualifications. Staff recommends that Dutchover & Associates continue to provide landscape and irrigation plan check and inspection services for the City of Oakley.

Fiscal Impact

There is no fiscal impact to the City's General Fund as a result of this on-call service, since the costs associated with the agreement will be supported by private developer deposits for time and materials expended for the project.

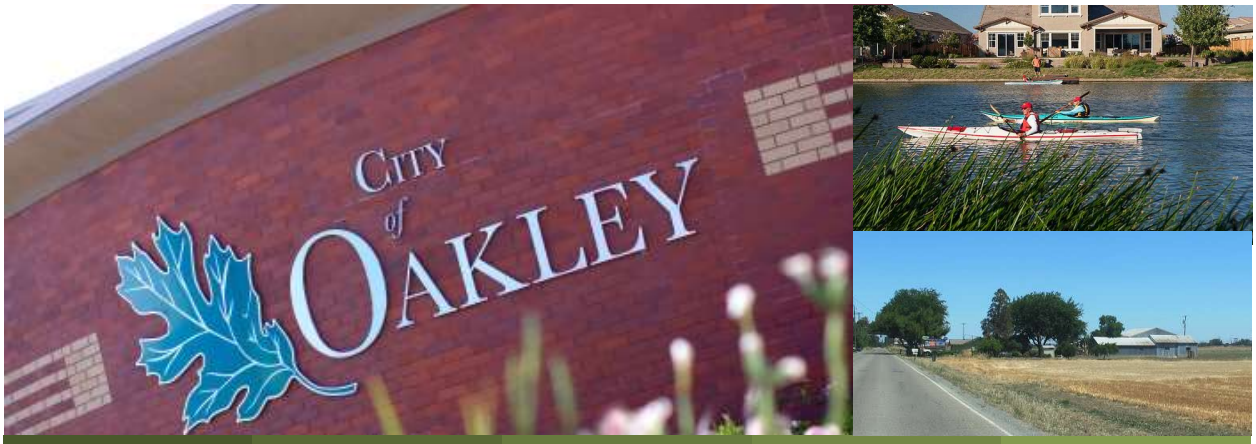
Staff Recommendation

Staff recommends that the City Council adopt the resolution authorizing the City Manager to execute an agreement for a not-to-exceed amount of $150,000 for each Fiscal Year 2020/21 and 2021/22 for landscape and irrigation plan review and inspection services with Dutchover & Associates.

Attachments

1. Proposal
2. Resolution

PROPOSAL/STATEMENT OF QUALIFICATIONS
On-Call Landscape Architect



Design | Plan Check | Management | Inspection | Evaluation

City of Oakley
Public Works and Engineering Department

March 11, 2020

DUTCHOVER & ASSOCIATES
Landscape Architecture | Consulting
1233 Quarry Lane | Suite 115
Pleasanton, CA 94566

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2. Statement of Qualifications ..... Page 3

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ATTACHMENTS

5. Scope of Services ..... Page 19

6. Fee Schedule ..... Page 21

7. Certificates of Insurance ..... Page 22

COVER LETTER

March 11, 2020

Mr. Kevin Rohani, P.E.
Public Works Director/City Engineer
City of Oakley
3231 Main Street
Oakley, CA 94561

Re: Statement of Qualifications – On-Call Landscape Architect Services

Dear Mr. Rohani:

Introduction

Thank you for the opportunity for Dutchover & Associates to continue providing on-call landscape architect services to the City of Oakley. Dutchover & Associates is committed to providing the necessary personnel and resources to provide the City of Oakley with the services expected. The following Statement of Qualifications includes our firm's and personnel qualifications, experience, references, and proof of the required insurance coverage.

Dutchover & Associates is a landscape architectural design and consulting firm with ReScape California (formerly Bay-Friendly) qualified professionals and Raters, certified water managers, C.3 update certified staff, a certified arborist, and AutoCAD certified staff. Our philosophy is to provide professional landscape architectural services with integrity and to fully utilize our knowledge, expertise and resources to achieve an innovative approach to sustainable solutions that are efficient and cost-effective.

Over the last thirty years Dutchover & Associates has a proven track record of providing on-call landscape architectural services for various public agencies and private development. We have the ability to efficiently acquire an in-depth knowledge of applicable jurisdictional requirements, and are highly knowledgeable and proficient in ornamental horticulture, arboriculture, sustainable practices and principals, water efficiency and management, recycled water use, stormwater management, and acceptable landscape installation and maintenance practices.

Relevant Work

Landscape architectural consulting services like those sought by City of Oakley are currently provided for the City of Dublin, City of Hayward, City of Oakley, City of San Ramon, Contra Costa County, and Town of Moraga which include landscape design, plan check and field inspection for the construction and maintenance of landscape improvements. These services have also been provided for various other public agencies and private development. On-call services have been provided to Dublin San Ramon Services District for plan check of landscape irrigation plans for

compliance with the District standards for recycled water use and Pleasanton Unified School District for landscape design, plan check, construction management, field inspection, grounds and facilities evaluation, and development of landscape installation and maintenance specifications.

Firm's Information

Mr. Brian Dutchover, will be our key contact for landscape architecture consulting serviced for the City of Oakley and his contact information is:

Contact:	Brian Dutchover, Principal and Senior Designer
Firm:	A.S. Dutchover & Associates dba Dutchover & Associates
Address:	1233 Quarry Lane, Suite 115, Pleasanton, CA 94566
Office:	925.462.3576
Cell:	925.872.4004
Email:	dutchover@dutchover.com

Summary

Since 2016 we have enjoyed working with the Public Works staff and assisting them in achieving their goals and objectives on landscape projects. Looking forward, Dutchover & Associates would like to continue providing professional services to the City of Oakley and its staff for their landscape design, plan check, field inspection, arborist, and landscape management needs to assist in achieving their goals and objectives. Dutchover & Associates has unique qualifications and experience to provide on-call landscape architect services for the City of Oakley. Thank you for considering Dutchover & Associates again for your landscape architecture consulting needs. Please feel free to contact us at 925-462—3576.

Very Truly Yours,



Albert S. Dutchover | CRLA 1607
Principal | Landscape Architect
925.462.3576 office

DUTCHOVER & ASSOCIATES
Landscape Architecture | Consulting
1233 Quarry Lane, Suite 115 | Pleasanton, CA 94566
www.dutchover.com

STATEMENT OF QUALIFICATIONS

Dutchover & Associates (Dutchover) has created quality of standards, documentation, and assessment tools for managing projects to ensure objectives are met in an efficient and cost-effective manner. Dutchover's service approach includes a commitment to high standards, meeting schedules and controlling costs.

Currently, Dutchover is providing similar services for City of Dublin, City of Hayward, City of Oakley, City of Orinda, City of San Ramon, Contra Costa County, and Town of Moraga. These services include landscape plan review, field inspection, landscape design, and landscape management services. Dutchover has also provided these same services for Dublin San Ramon Services District and Pleasanton Unified School District.

Firm's Background

Dutchover is a full-service landscape architectural firm with over 40 years of experience in the public and private sector. The landscape architectural services provided include landscape design, plan review, construction management, field inspection, grounds and facilities evaluation, water management, landscape management, and development of landscape installation and maintenance specifications. These services are provided for a diverse group of clients including cities, counties, public and private schools, private developments, and homeowner's associations. Extensive knowledge of landscape principals and experience in landscape architectural services qualifies Dutchover to provide the best possible service and solutions for the City of San Ramon's distinctive needs.

Founded in 1978, Dutchover has established and maintains a reputation for meeting high quality of standards in the field of landscape architectural services. The firm's philosophy is to provide services with integrity and to fully utilize our knowledge, expertise and resources to achieve an innovative approach to solutions that are efficient and cost-effective. The firm reinforces these standards and philosophy with a strong commitment to providing excellent service.

The founding principal, Albert S. Dutchover was a Park and Landscape Designer for the City of Pleasanton for 15 years. His responsibilities included all phases of park design and maintenance. He has also served as a part-time instructor at Ohlone College in Fremont, California, teaching courses on landscape design, landscape construction, landscape maintenance, irrigation design, and park and landscape management. In 1979 Albert's son Brian D. Dutchover joined the firm and has worked from draftsman to principal.

Firm's Overall Capabilities

Passion for landscape design and management is not just a stated goal for Dutchover it is integral to our service. Dutchover is a landscape architectural firm with ReScape qualified professionals and Raters, certified water managers, C.3 certified staff, certified arborist, tree risk assessor, and AutoCAD certified staff. These credentials and continuing education demonstrate a passion and expertise that does not end at the design stage. The firm has the ability to efficiently acquire an in-

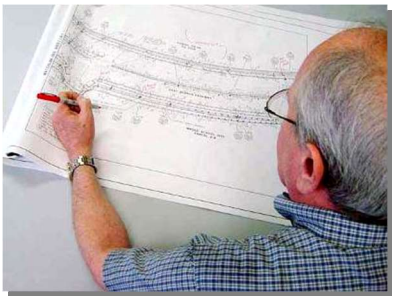
depth interdisciplinary knowledge of applicable jurisdictional requirements, and is highly knowledgeable and proficient in ornamental horticulture, arboriculture, sustainable practices and principals, water efficiency and management, recycled water use, stormwater management, and acceptable landscape installation and maintenance practices. Dutchover's extensive interdisciplinary experience coupled with a passion for quality service is a key benefit to its clients and makes Dutchover highly desired for landscape design and management.

Dutchover has been successful and effective in completing services within the project budget. Workload is assigned to the appropriate staff to provide the highest quality service at the most effective cost rate. The Project Manager assigns staffing, facilitates communication between staff and the client, and oversees the project schedule. Fees are monitored biweekly to control overall costs and ensure milestones are not exceeded. If cost overruns are beyond the control of Dutchover for hourly fees, the client is informed well in advance to determine if services are to be adjusted accordingly. For set-fee services Dutchover will not exceed the set-fee and will provide the service as agreed.

Dutchover is committed to provide the necessary personnel and resources to provide the City of Oakley with the services expected. Dutchover's current contracted annual workload is 1,800 hours. We maintain an office staff and facilities that are right-sized for our workload to provide a high level of service standards. A current staff of three (3) allows for an annual workload of 4,050 hours. Our annual workload can be increased to 10,800 hours by utilizing additional staff which can be accommodated within our current facility and workstations.

Landscape Plan Peer-Review

Plan check services involve the ability to understand a project's unique parameters, design, governing standards and requirements to meet the needs of the end user. Plan review services are a peer-review of master plans; landscape improvement plans; bond/cost estimates; and technical specifications. These reviews ensure compliance with local agencies codes/ordinances, conditions of approval, Water Efficient Landscape Ordinance (WELO), Clean Water Program (C.3), and Americans with Disabilities Act (ADA) requirements.


Peer-Review of Plans

Prior to the adoption of the State of California Model Water Efficient Landscape Ordinance (MWELO), Dutchover was instrumental in helping to achieve compliance with AB 325 for Contra Costa County, City of Dublin and City of San Ramon WELO. The 2015 MWELO update brought a more restrictive use of overhead spray irrigation systems and promotes water application at the base of the plant. Dutchover assisted the City of Dublin in the development of Dublin Municipal Code Water Efficient Landscape Regulations based update and the City's distinct needs. Through plan check for the City of Dublin, City of Hayward, City of Oakley, City of San Ramon, Contra Costa County, and Town of Moraga, Dutchover ensures the requirements of WELO and C.3 are implemented. Currently, Dutchover has been working with these agencies to interpret and implement the 2015 MWELO update.

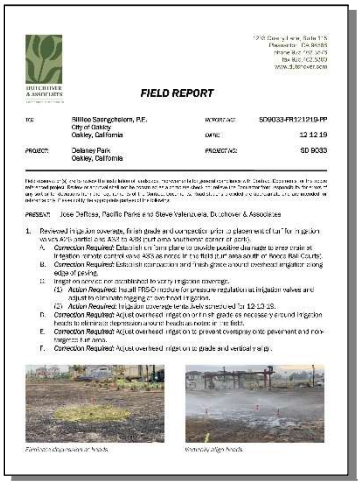
Our firm has extensive experience with the requirements and implementation of Americans with Disabilities Act (ADA). Through plan reviews for the City of Dublin, City of Oakley, City of San Ramon, Contra Costa County, and the Town of Moraga, Dutchover ensures ADA compliance.

Plan Review includes: Review of landscape improvement plans, bond estimates, and technical specifications for conformance with the City Landscape Standards, WELO and C.3. Written comments and redlines of corrections for compliance with established standards and codes. Review and verify projects As-Built Plans.

Field Inspection

Dutchover assists in construction management by providing expert knowledge of technological, economic and environmental aspects of construction projects. Skills include project planning, cost management, time management, quality management, and contract administration.

Field inspections require a vast knowledge of design principles, and installation standard methods and techniques. It also requires the ability to interpret drawings and standards with a systematic approach and strong communication skills. Coordination with all jurisdictional agencies is essential to effectively complete field inspection services.



FIELD REPORT

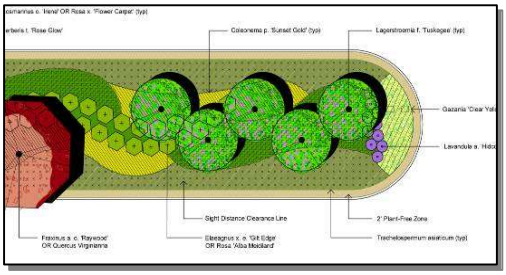
Written Daily Report

Inspection services ensure compliance with local agencies codes and ordinances, conditions of approval, WELO, recycled water use guidelines, and ADA requirements.

Construction Field Inspection includes: inspection of improvements for new and existing frontage, median and park landscape improvements. Written reports are provided to document deficiencies and necessary corrections for compliance with approved plans and specifications.

Landscape Design

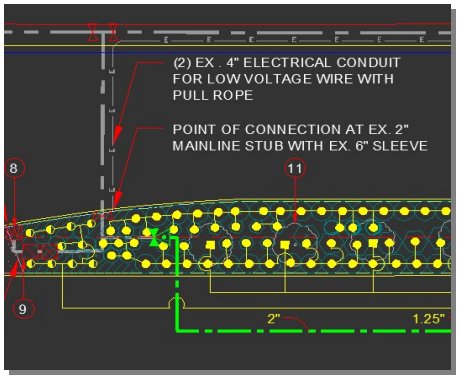
Design services protect and preserve the aesthetic uniqueness of each community while adding streetscapes, public places, parks and recreation facilities, open space, creek corridors, and commercial and private developments. Design services incorporate analysis, planning, management, and conservation, combined with art and science. Utilizing current technology and sustainable practices, Dutchover works to shape environments to meet the needs of diverse clients through creative, manageable and sustainable design solutions.



Bollinger Canyon Road

Dutchover has extensive hands-on experience working with private developments and public agencies – utilizing a vast knowledge of design, installation methods and maintenance practices that translate seamlessly from paper to implementation. Developing standards and guidelines requires the ability to evaluate current practices, understand the needs of users and decision makers, and develop a product that can be used by anyone and applied to any project.

Dutchover is one of only a few landscape architectural firms with in-house irrigation design services. Irrigation design has been a part of Dutchover's service since 1978. Few irrigation consultants have more experience in the field or with system design. Dutchover is proficient in the requirements of the WELO and knowledgeable about recycled water use. Dutchover has developed standards and inspected installation of central controller systems. This experience gives Dutchover the unique ability to evaluate new and existing irrigation systems and recommend cost effective remedies once design or maintenance deficiencies are identified.



AutoCAD view of Irrigation Design

Landscape Design includes: prepare conceptual plan, master plan, collection of site information, define project scope, facilitate community outreach, prepare design scenarios and illustrative plans for presentation, prepare preliminary cost estimates, and conduct formal plan presentations. Prepare construction documents based on approved design, written technical specifications, detailed cost estimates, bid and construction schedules, and coordination with sub-consultants as needed to complete contract documents.

Computer Visualizations

An integral part of landscape architecture and on-call services are visualization tools to communicate visions and goals. Dutchover uses several tools to provide visualization of the project and amenities.



Computer Visualization Examples

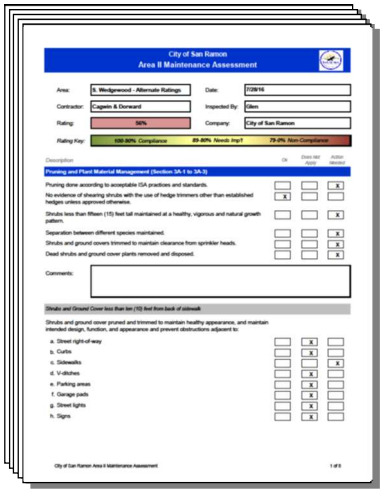
Landscape Management

Biodiversity, environmental, and economic conflicts increase as landscape improvements mature requiring landscape management to balance the needs and solution. Dutchover has extensive hands-on experience in developing and managing such solutions through interdisciplinary knowledge, research and diagnosis, and systematic analysis to develop methodical and creative solutions for implementation.



Site Assessment

Many projects require additional services for implementation of solutions for maintenance plans or general improvements for City-maintained facilities and landscaped areas. Tree assessment and preservation, irrigation system mapping, irrigation management, and soil management are an integral role of landscape management. Coordination with special interest groups and jurisdictional agencies can be necessary to effectively meet the needs and expectations of stakeholders. Dutchover's strong communication skills and creative solutions are invaluable while facilitating improvements to meet schedule and budgetary goals.


City of San Ramon
Area II Maintenance Assessment

Maintenance Assessment Tool

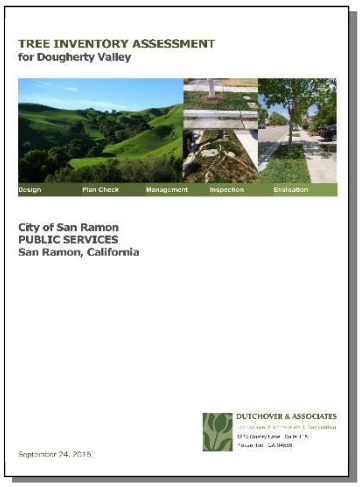
Landscape Management includes: research and diagnosis, analysis, development of solutions, preparation of findings and recommendations, design services; cost analysis and budgeting; implementation, phasing; contract administration; and construction management.

Certified Arborist Services

Dutchover promotes the ISA's best management practices through its work in the landscape industry. This includes selecting the right tree for the right place, tree quality selection, installation and establishment, root management, tree training, and tree risk management. Dutchover has extensive experience in applying the ISA best management practices in tree quality selection, and the installation and establishment of trees. The quality and installation of over 25,000 trees have been inspected for the City of Dublin, City of Oakley, City of San Ramon, and Contra Costa County. Tree assessments have been provided for the City of San Ramon, Contra Costa County and various developments.



Relocation of Palm Trees in Union Square, San Francisco



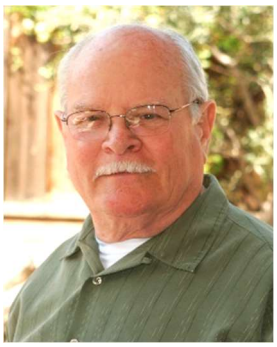
Tree Assessment Report

The City of San Ramon found that at least half of the trees planted in narrow parkway strips throughout new developments would cause infrastructure damage over the next 20 years. Dutchover developed an assessment methodology and evaluated over 4,300 City-owned trees to determine potential infrastructure damage. Data collected was used to rate potential tree damage and input into the City's GIS system to enable staff to access and monitor the trees. Dutchover identified a priority rating for infrastructure damage mitigation.

Arboriculture Services include: tree selection, tree preservation, tree inventory, tree risk assessment, installation, establishment, and directing structure and root pruning.

PERSONNEL QUALIFICATIONS

Key Personnel At-A-Glance



Albert S. Dutchover
Principal | Landscape Architect

Al has over 45 years' experience as Principal Landscape Architect and general partner with Dutchover & Associates shaping environments to meet the needs of diverse clients, from both the public and private sectors, through creative design solutions. Al currently directs landscape architectural services and fiscal oversight for Contra Costa County (20 years), City of Dublin (14 years), City of Oakley (6 years), City of Orinda (4 years), City of San Ramon (10 years), and Town of Moraga (6 years).



Brian D. Dutchover
Principal | Senior Designer

Brian has over 40 years' experience as Designer and then general partner with Dutchover & Associates developing an acute ability to understand the distinct needs of our clients, from both the public and private sector, and implementing water efficient and sustainable landscape principles and practices. Brian currently manages landscape architectural services for Contra Costa County (20 years), City of Dublin (14 years), City of Hayward (2 year), City of Oakley (6 years), City of Orinda (4 years), City of San Ramon (10 years), and Town of Moraga (6 years).



Steve T. Valenzuela
Project Manager | Designer

Steve has over 25 years' experience as a Designer with Dutchover & Associates involving all aspects of landscape design, including residential, commercial, recreational and educational facilities. Steve's background in irrigation design provides Dutchover & Associates the opportunity to provide in-house design using water efficient technologies and water management practices. Steve currently manages design, plan check and field inspection services for Contra Costa County (14 years), City of Dublin (10 years), City of Oakley (6 years), City of Orinda (4 years), City of San Ramon (10 years), and Town of Moraga (6 years).

Professional Resumes
See the following pages

Albert S. Dutchover
Principal | Landscape Architect

RESUME

Skills and Knowledge:

Al has over 45 years' experience as Principal Landscape Architect and general partner with Dutchover & Associates shaping environments to meet the needs of diverse clients, from both the public and private sectors, through creative design solutions. Al currently directs landscape architectural services and fiscal oversight of projects.

Additionally, he has 15 years with the City of Pleasanton as a Park and Landscape Designer. He has also served as a part-time instructor at Ohlone College in Fremont, California, teaching courses on landscape design, landscape construction, landscape maintenance, irrigation design, and park/landscape management.

- Possesses a vast knowledge and extensive skills in landscape architectural design.
- Expertise in planting, irrigation, site improvements, grading, drainage, and lighting.
- Adept at researching, planning, evaluating alternatives, and making sound recommendations.
- Ability to interpret, apply and explain complex codes, regulations and ordinances.
- Proficient in balancing design quality, cost control and project management.
- Manages contracts including scope of work, budgets, and accounting.
- Directs projects through all phases of development, mentoring staff, and ensuring client satisfaction.
- Provides technical advice to other agencies, professionals, contractors, and the public.

Project History:

- Contra Costa County – design, plan review and field inspection
- City of Dublin Community – plan review and field inspection
- City of Dublin – plan review and field inspection
- City of Oakley – plan review and development of standards
- City of San Ramon – design, plan review and landscape standards update
- Dublin San Ramon Services District – plan review
- Pleasanton Unified School District – landscape design, development of maintenance specifications, maintenance monitoring, plan review, construction management, and field inspection
- Bettencourt Ranch Homeowners Association – landscape design, development of maintenance specifications, maintenance monitoring, plan review, construction management, and field inspection

Experience

1978–Present	Principal | Landscape Architect Dutchover & Associates, Pleasanton, CA
1964–1978	Park and Landscape Designer City of Pleasanton, Pleasanton, CA
1974–1976	Instructor of Landscape Construction, Landscape Management and Irrigation Design Ohlone College, Fremont, CA

Credentials:

Registered Landscape Architect No. 1607, State of California	*Expires August 31, 2021 (renewable every 2 years)*
Certified Water Manager (provisional)	*Expires December 31, 2020 (renewable annually)*

	Community College Teaching Credential No. 139567	*Inactive*
Education:	University of California Extension Courses, Landscape Architecture, 1977 Oakland City College, Associate of Arts in Civil Engineering, 1963	
Affiliations:	ReScape California California Landscape Contractors Association (CLCA)	

Brian D. Dutchover
Principal | Senior Designer

RESUME

Skills and Knowledge:	Brian has over 40 years' experience as Designer and then general partner with Dutchover & Associates developing an acute ability to understand the distinct needs of our clients, from both the public and private sector, and implementing water efficient and sustainable landscape principles and practices. Brian currently manages landscape architectural services.

- Thorough knowledge of principals, current practices, and procedures in landscape architecture.
- Deep knowledge of arboriculture including tree biology, management, installation and establishment, pruning, diagnosis and treatment, protection and risk management.
- Manages all aspects of landscape design to include planting, irrigation, site improvements, grading and drainage, and lighting.
- Remarkable ability to develop comprehensive plans.
- Adept at researching, planning, evaluating alternatives, and making sound recommendations.
- Ability to interpret, apply and explain complex codes, regulations and ordinances.
- Lead for field inspection and construction management.
- Proficient in AutoCAD, graphics, renderings, and serves as firm's information technician.
- Ability to prepare comprehensive documentation and reports.
- Accomplished at design presentations and conceptual layouts.
- Facilitates meetings with dynamic oral communication.

Project History

- Contra Costa County – design, plan review, field inspection, tree assessment
- City of Dublin – plan review and field inspection
- City of Hayward - plan review and field inspection
- City of Oakley – plan review and development of standards
- City of San Ramon – design, plan review, field inspection, maintenance evaluation, tree assessment, and landscape standards update
- Dublin San Ramon Services District – plan review
- Pleasanton Unified School District – landscape design, development of specifications, plan review, construction management, and field inspection
- Town of Moraga – plan review
- Golden Eagle Luxury Homeowners Association – landscape design, tree risk assessment, tree preservation plan

Experience:	1987–Present	Principal | Senior Designer Dutchover & Associates, Pleasanton, CA
	1979-1987	Draftsperson and Irrigation Designer Dutchover & Associates, Pleasanton, CA
Credentials:	ReScape Qualified Professional	*Expires December 31, 2022 (renewable every 2 years)*
	ReScape Rater	*Expires December 31, 2022 (renewable every 2 years)*
	ISA Certified Arborist No. WE-8649A	*Expires December 31, 2023 (renewable every 3 years)*

	Certified Water Manager *Expires December 31, 2021 (renewable annually)* (provisional)
Education:	Las Positas College, Livermore, CA
Training:	Bay-Friendly Training & Qualification Program Bay-Friendly Rater Training Program Institute of Horticultural Studies, Arborist Certification Clean Water Program, Update on New C.3 Requirements, New Development & Redevelopment Workshop 2011
Affiliations:	ReScape California International Society of Arboriculture (ISA) Western Chapter International Society of Arboriculture (WCISA) California Landscape Contractors Association (CLCA), Landscape Standard Committee - 2014-2016 California Landscape Contractors Association (CLCA), East Bay Chapter Board of Directors – 2013-2015

Steve T. Valenzuela
Project Manager | Designer

RESUME

Skills and Knowledge:

Steve has over 25 years' experience as a Designer with Dutchover & Associates involving all aspects of landscape design, including residential, commercial, recreational and educational facilities. Steve's background in irrigation design provides Dutchover & Associates the opportunity to provide in-house design using water efficient technologies and water management practices. Steve currently manages design, plan check and field inspection services

- Practiced and developed skills in water efficient technologies thorough knowledge of principals, current practices, and procedures in landscape architecture and landscape management.
- Deep knowledge of the application and installation of water efficient technologies including water use documentation, water budgeting and irrigation scheduling.
- Develops all aspects of landscape design to include planting, irrigation, site improvements, grading and drainage, and lighting.
- Remarkable ability to develop comprehensive plans, documents and reports.
- Ability to interpret, apply and explain complex codes, regulations and ordinances.
- Proficient in AutoCAD, graphics, and renderings.
- Develops material take-offs and cost estimating including review of bond estimates.
- Detail-oriented and capable of managing multiple tasks with a proven ability to meet deadlines.
- Contributes to effective team output through cooperation and flexibility with a commitment to shared vision and goals.
- Ability to achieve results through strong observation, critical analysis and problem solving.
- Adept at learning and developing new technical skills and competencies.
- Practical experience in Lean Process Improvement Management and Preventative Maintenance Practices with a focus on preserving value with less cost.

Project History

- Contra Costa County – design, plan review and field inspection
- City of Dublin – plan review and field inspection
- City of Oakley – plan review and development of standards
- City of San Ramon - plan review, tree assessment and landscape standards update
- Dublin San Ramon Services District – plan review
- Pleasanton Unified School District – irrigation design, development of specifications, plan review, construction management, and field inspection
- Town of Moraga – plan review
- Bettencourt Ranch Homeowners Association – landscape design, development of specifications, plan review, construction management, and field inspection

Credentials:

ReScape Qualified Professional	*Expires December 31, 2022 (renewable every 2 years)*
ReScape Rater	*Expires December 31, 2022 (renewable every 2 years)*
AutoCAD	*Certified*

Experience:	2011–Present	Project Manager and Designer Dutchover & Associates, Pleasanton, CA
	1988–2006	Draftsperson and Irrigation Designer Dutchover & Associates, Pleasanton, CA
Education:	Diablo Valley College, Pleasant Hill, CA University of California, Berkeley, CA	
Training:	Bay-Friendly Training & Qualification Program Bay-Friendly Rater Training Program Clean Water Program, Update on New C.3 Requirements, New Development & Redevelopment Workshop 2011	
Affiliations:	ReScape California California Landscape Contractors Association (CLCA)	

PROJECT EXPERIENCE
and Client References

Contra Costa County

Mr. Dante Morabe, Supervising Construction Inspector — 925.313.2006
Public Works Department — *dante.morabe@pw.cccounty.us*
255 Glacier Drive, Martinez, CA 94553

Ms. Jocelyn A. Bolibol LaRocque, PE, CFM, Senior Civil Engineer — 925.313.2315
Public Works Department — *jocelyn.larocque@pw.cccounty.us*
255 Glacier Drive, Martinez, CA 94553

On-Call Landscape Architectural Services — **2000 to Present**

Services provided: Plan review and field inspection of landscape improvements for compliance with County Standards, City of San Ramon Landscape Standards, Dublin San Ramon Services District Standards, community design handbook, tentative map, ADA accessibility guidelines, Water Efficient Landscape Ordinance (WELO), and other regulations for over 190 projects in the Alamo Creek and Dougherty Valley developments including subdivisions, streetscapes, parks, open space, stormwater treatment facilities, creek restoration, and pedestrian trail for irrigation with recycled water.

City of Dublin

Mr. Jeff Baker, Director — 925.833.6610
Community Development Department — *jeff.baker@dublin.ca.gov*
100 Civic Plaza, Dublin, CA 94568

Ms. Laurie Sucgang, Senior Civil Engineer — 925.833.6630
Public Works Department — *laurie.sucgang@dublin.ca.gov*
100 Civic Plaza, Dublin, CA 94568

On-Call Landscape Architectural Services — **2006 to Present**

Services provided: Plan review and field inspection of landscape improvements for compliance with City of Dublin Standards and Codes, Dublin San Ramon Services District Standards, tentative map, conditions of approval, ADA accessibility guidelines, Water Efficient Landscape Ordinance (WELO), and other regulations for over 120 commercial developments, subdivisions, streetscapes, and stormwater treatment facilities.

City of Hayward

Ms. Michelle Koo, City Landscape Architect — 510.583.4208
Planning Department — *michelle.koo@hayward-ca.gov*
777 B Street, Hayward, CA 94541

On-Call Landscape Architectural Services **2017 to Present**

Services provided: Plan review and field inspection of landscape improvements for compliance with City of Hayward Standards and Codes, tentative map, conditions of approval, Water Efficient Landscape Ordinance (WELO), Tree Preservation Ordinance, and other regulations.

City of Oakley

Ms. Billilee H. Saengchalern, PE, TE, Principal Engineer **925.625.7154**
Public Works Department *saengchalern@ci.oakley.ca.us*
3231 Main Street, Oakley, CA 94561

On-Call Landscape Architectural Services **2016 to Present**

Services provided: Plan review and field inspection of landscape improvements for compliance with City of Oakley Standards, tentative map, conditions of approval, ADA accessibility guidelines, Water Efficient Landscape Ordinance (WELO), and other regulations. Developed standards for irrigation equipment list, street tree list, landscape standards, and plan submittal requirements.

City of Orinda

Larry Theis, PE, Director of Public Works & Engineering **925.253.4260**
Department of Public Works and Engineering Services *ltheis@cityoforinda.org*
22 Orinda Way, Orinda, CA 94563

On-Call Landscape Architectural Services **2016 to Present**

Services provided: Arborist services, landscape design, field inspection, and plan review. Landscape design and field inspection provided for improvement projects including planting and irrigation.

City of San Ramon

Mr. Christopher Low, Associate Engineer **925.973.2682**
Public Works-Engineering Services Division *clow@sanramon.ca.gov*
2401 Crow Canyon Road, San Ramon, CA 94583

Mr. Scott Rennicks, Division Manager **925.973.2802**
Public Services Department *srennicks@sanramon.ca.gov*
5000 Crow Canyon Road, San Ramon, CA 94582

On-Call Landscape Architectural Services **2010 to Present**

Services provided: Landscape design, field inspection, tree assessment, and evaluation of contracted landscape maintenance. Landscape design and field inspection provided for capital improvement projects including planting, irrigation and playgrounds. Evaluation of contracted landscape maintenance included monthly review and reporting for maintenance of City owned landscapes. Recently updated the City's Landscape Standards and conducted a tree assessment of over 4,300 trees.

Additional Client References:

Dublin San Ramon Services District

Ms. Rhodora N. Biagtan, P.E., Principal Engineer 925.875.2255
Engineering Department *biagtan@dsrsd.com*
7051 Dublin Boulevard, Dublin, CA, 94568

On-Call Landscape Architectural Services 2004 to 2009

Services provided: Plan review of landscape irrigation plans for compliance with the District standards for recycled water use for over 50 commercial developments, subdivisions, streetscapes, schools, parks, open space, creek restoration, and pedestrian trails.

Town of Moraga

Mr. Brian Horn, Associate Planner 925.888.7044
Planning Department *bhorn@moraga.ca.us*
329 Rheem Boulevard, Moraga, CA 94556

On-Call Landscape Architectural Services 2014 to 2020

Services provided: Plan review of landscape improvements for compliance with Town of Moraga Design Guidelines, Contra Costa County Standards, tentative map, conditions of approval, ADA accessibility guidelines, Water Efficient Landscape Ordinance (WELO), and other regulations.

Pleasanton Unified School District

Ms. Lynn Novak 925.426.4404
Maintenance, Operations and Facilities Department *lnovak@pleasantonusd.net*
4750 First Street, Pleasanton, CA 94566

On-Call Landscape Architectural Services 1988 to 2008

Services provided: Master planning, landscape design, plan check, construction management, field inspection, grounds and facilities evaluation, and development of landscape installation and maintenance specifications for District owned facilities for 70 new, expansion and renovation of facilities, and the development of playground and athletic fields. Services provided landscape, irrigation, site improvements, ADA accessibility compliance, drainage and site lighting.

SCOPE OF SERVICES

Dutchover & Associates (Consultant) shall provide Landscape Architecture Services in conjunction with the On-Call Consulting Services Agreement with the City of Oakley (City), but not limited to, the following:

I. LANDSCAPE PLAN PEER-REVIEW

A. Conduct a peer-review of the Plans, technical specifications and bond estimate (PS&E):

   1. Review of Plans including, but not limited to: Planting; irrigation; hardscape and site amenities associated with landscaping; and other related elements for compliance with Conditions of Approval, City of Oakley Standards, WELO, C.3, and acceptable industry practices.

B. Prepare written comments and redline of PS&E for necessary corrections to comply with established standards and codes.

C. Meet with the City to review written comments and redline PS&E as necessary.

D. Provide clarifications on redline PS&E and written comments to the City and/or Applicant at the City's request.

E. Schedule:

   1. Return 1st plan review redline PS&E and written comments – 3 weeks from receipt by Dutchover.

   2. Return subsequent plan review redline PS&E and written comments – 2 weeks from receipt by Dutchover.

II. FIELD INSPECTIONS

A. Review material submittals and maintain a submittal log to document submittal contents, date submitted and date approved.

B. Facilitate pre-construction conference and site meetings as necessary.

C. Inspect work to be completed by others for the demolition, site preparation, installation of irrigation system, planting and site amenities.

   1. Visits to the site shall be at intervals appropriate to the stage of construction, or as otherwise requested by the City, in order to observe the progress and quality of the work completed by the Contractor.

   2. Consultant shall conduct these visits or inspections for general compliance with the design intent and approved PS&E.

   3. Visits to the site and inspections are not intended to be an exhaustive check or a detailed inspection of the Contractor's work but rather are to allow Consultant, as an experienced professional, to become generally familiar with the work in progress and to determine, in general, if the work is proceeding in accordance with the approved PS&E.

   4. Consultant shall keep the City informed of work progress by issuing written field reports outlining the action taken during site visits and inspections.

D. Consultant shall not supervise, direct or have control over the Contractor's work nor have any responsibility for the construction means, methods, techniques, sequences or procedures selected by the Contractor nor the Contractor's safety precautions or programs in connection with the work. These rights and responsibilities are solely those of the Contractor in accordance with the approved PS&E.

E. Consultant shall not be responsible for any acts or omissions of the Contractor, subcontractor, any entity performing any portions of the work, or any agents or employees of any of them. Consultant does not guarantee the performance of the Contractor and shall not be responsible for the Contractor's failure to perform the work in accordance with the approved PS&E or any applicable laws, codes, rules or regulations.

F. Schedule:

1. Field inspections shall be provided within two (2) business days of written request.

III. ADDITIONAL SERVICES

A. Provide additional services including, but not limited to: Site evaluations of existing landscape; tree assessment; landscape design; development of landscape guidelines; construction management; inspection; irrigation management; landscape maintenance management; and other services that may be requested by the City.

IV. COMMUNICATION AND COORDINATION WITH CITY

A. The City shall appoint a person or persons to provide direction to the Consultant.

B. Coordinate with City on an as-needed basis.

V. ASSISTANCE FROM THE CITY

A. The City shall provide all existing information necessary for the completion of Scope of Services as follows:

1. Electronic copies of the PS&E per submittal.
2. City comments, Conditions of Approval, tentative map, civil plans, etc.
3. One hardcopy and one electronic copy of the approved PS&E.

B. The City shall provide review, inspection and comment on the civil, building and electrical improvements.

C. The City shall provide all direct communications with the Applicant and Contractor.

1. Consultant will communicate with the Applicant and Contractor as requested by the City.

FEE SCHEDULE

The following is list of Dutchover & Associates (Consultant) current hourly rates and fees which is proposed to be used as the Fee Schedule in conjunction with the On-Call Consulting Services Agreement with the City of Oakley (City):

HOURLY RATE:

Hourly rates include direct salary costs, salary additives, indirect costs, overhead and fixed-fee or profit associated with performing services.

Classification	Personnel	Hourly Rate
Principal - Landscape Architect	Al Dutchover	$ 190.00
Principal - Senior Designer	Brian Dutchover	$ 150.00
Designer	Steve Valenzuela	$ 115.00
Administrative Assistant	Vacant position	$ 85.00

1. Hourly rates shall apply to travel time to and from the Consultant's office in Pleasanton, Calfornia.

2. Rates also include telephones, internet access, cellular phones, personal safety gear, and mileage.

3. The hourly rates do not include sub-consultants, printing and reprographic services, postage, courier service, testing equipment rental, and laboratory testing, and other reimbursable expenses that may be requested by the City of Oakley.

REIMBURSABLE EXPENSES:

Reimbursable expenses are additional costs to the above hourly rates:

Classification	Rate
Printing and reprographics	cost plus 10%
Postage and courier service	cost plus 10%
Testing equipment rental	cost plus 10%
Laboratory testing	cost plus 10%

CERTIFICATES OF INSURANCE

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 07/05/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Cora Lim	
SelectSolutions Insurance Services 1107 Investment Blvd Suite 100 El Dorado Hills CA 95762	PHONE (A/C, No, Ext): (866) 500-6359	FAX (A/C, No): (925) 951-0077
	E-MAIL ADDRESS: coral@selectsolutionsins.com	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : The Hanover Insurance Company	22292
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
A.S. Dutchover & Associates, DBA: Dutchover & Associates
1233 Quarry Lane
Suite 115
Pleasanton CA 94566

COVERAGES **CERTIFICATE NUMBER:** CL1862931529 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC OTHER:						EACH OCCURRENCE	$
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
							PRODUCTS - COMP/OP AGG	$
								$
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N / A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	PROFESSIONAL LIABILITY			LHF961455706	07/13/2018	07/13/2020	PER CLAIM	$1,000,000
							AGGREGATE	$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: As Per Contract or Agreement on File with the Insured.

CERTIFICATE HOLDER

City of Oakley
Attn: Ms. Christine Keller
Administrative Specialist
3231 Main Street
Oakley CA 94561

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Leticia Ruvino

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ACORD 25 (2016/03) The ACORD name and logo are registered marks of ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 01/17/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: RENEE HUBER LIC#0G86164 AGENT FOR STATE FARM INSURANCE 312 ST MARYS STREET SUITE A PLEASANTON, CA 94566 PHONE 925-484-2222	CONTACT NAME: ROBYN GADE PHONE (A/C, No, Ext): 924-484-1716 FAX (A/C, No): 925-484-1716 E-MAIL ADDRESS: ROBYN@RENEEHUBERINSURANCE.COM
INSURED: DUTCHOVER & ASSOCIATES 1233 Quarry Lane Suite 115 PLEASANTON, CA 94566	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : State Farm Fire and Casualty Company — 25143 INSURER B : State Farm Mutual Automobile Insurance Company — 25178 INSURER C : State Farm General Insurance Company — 25151 INSURER D : INSURER E : INSURER F :

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	Y	Y	97-CF-D710-6 BUSINESS	07/28/2019	07/28/2020	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 3,000,000 $ 300,000 $ 5,000 $ $ 6,000,000 $
B	AUTOMOBILE LIABILITY X ANY AUTO X ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS	Y	Y	2014 FORD FUSION 2991677-F26-05 2020 GMC TERRAIN 452-9763-D24-05	01/26/2019	01/26/2021	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) UNINSURED	$ $ 1,000,000 $ 1,000,000 $ 1,000,000 $ 250,000
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE AGGREGATE UN/UNDER INSURED	$ $ $
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICE/MEMBER EXCLUDED? (Mandatory in NH) Y/N: N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	Y	97-CQ-Y799-1 WORKERS COMP	05/01/2019	05/01/2020	X WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000
B	EMPLOYEES ARE COVERED UNDER AUTO POLICY WHEN PERFORMING BUSINESS FOR DUTCHOVER & ASSOCIATES	Y	Y	2014 FORD FUSION 2020 GMC TERRAIN	01/26/2019	01/26/2021	1,000,000 1,000,000 1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

ADDITIONAL INSURED:
City Of Oakley, Its officers, officials, employees, and volunteers
3231 Main St
Oakley, CA 94561

CERTIFICATE HOLDER	CANCELLATION
City of Oakley Ms Christine Keller, Administrative Specialist 3231 Main St Oakley, CA 94561	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: Renee Huber

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DUTCHOVER & ASSOCIATES

Landscape Architecture

1233 Quarry Lane | Suite 115

Pleasanton | CA 94566

925.462.3579 | *dutchover@dutchover.com*

www.dutchover.com

RESOLUTION NO. ___-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DUTCHOVER & ASSOCIATES FOR ON-CALL LANDSCAPE AND IRRIGATION PLAN REVIEW AND INSPECTION SERVICES

WHEREAS, the City of Oakley's Public Works and Planning Departments commonly uses consultants to conduct in depth reviews of private development improvement plans; and

WHEREAS, the need for this type of service has increased over the past several years due to the development of a number of residential and commercial projects with streetscape and park improvements; and

WHEREAS, Dutchover & Associates has twenty years of experience working with various public agencies by providing on-call landscape architectural services and has a vast knowledge of local municipal requirements pertaining to landscaping and irrigation and has been providing review of private development projects landscaping and irrigation plans for the City of Oakley since 2016; and

WHEREAS, the costs associated with the agreement will be supported by the deposits provided by developers, and Dutchover & Associates will be compensated based on the actual time and materials expended; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the City Manager is authorized to execute an agreement for a not-to-exceed amount of $150,000 each for Fiscal Year 2020/21 and 2021/22 with Dutchover & Associates for on-call landscape and irrigation plan review and inspection services from July 1, 2020 to June 30, 2022.

BE IT FURTHER RESOLVED AND ORDERED, if at the end of the term the services have been performed satisfactorily the City Manager has the discretion to approve an extension of the agreement to June 30, 2024 under the same terms as the original agreement.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Oakley at a meeting held on this 14th day of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

ATTEST: _____
Kevin Romick, Mayor

_____ _____
Libby Vreonis, City Clerk Date

STAFF REPORT

DATE: April 14, 2020

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

FROM: Joshua McMurray, Community Development Director

SUBJECT: **Annual Progress Report on Implementation of the 2015-2023 Housing Element with SB 341 Reporting Requirements**

Background and Analysis

Every year the City Council is required to adopt an Annual Progress Report on the implementation of the Housing Element of the General Plan. The Annual Report is then forwarded on to the State Office of Planning and Research and the Department of Housing and Community Development. The 2019 Annual Report is included as Attachment 1. The report demonstrates the City has made substantial progress in completing the 27 Action Programs through the five years of this eight year Housing Element Cycle. Compliance with Senate Bill 341 in relation to reporting requirements for Housing Successor to Redevelopment Agencies is also included as an attachment to the Housing Element Annual Progress Report.

Fiscal Impact

In years past, a consultant had prepared the annual report at a cost of approximately $3,000. City staff prepared the report in-house to minimize consultant expenses. There is no other fiscal impact associated with this project.

Conclusion and Recommendation

Staff requests that the City Council adopt the Resolution of the City Council of the City of Oakley Making Findings and Approving the Annual Progress Report on Implementation of the Housing Element for the City of Oakley.

Attachments

1. Annual Progress Report w/ SB 341 Report
2. Draft City Council Resolution

Please Start Here

General Information	
Jurisidiction Name	Oakley
Reporting Calendar Year	2019
Contact Information	
First Name	Joshua
Last Name	McMurray
Title	Community Development Director
Email	mcmurray@ci.oakley.ca.us
Phone	9256257004
Mailing Address	
Street Address	3231 Main Street
City	Oakley
Zipcode	94561

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated.

v 12_23_19

Jurisdiction	Oakley	
Reporting Year	2019	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes								Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Notes
1					2	3	4	5							6	7	8	9	10
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project (Auto-calculated Can Be Overwritten)	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Notes+
Summary Row: Start Data Entry Below								0	0	115	0	14	109	84	322	300	0	0	
041-100-035	041-100-035	2371 Oakley Road	The Vines at Oakley	GPA 05-18, RZ 09-18, TM 06-18, DR 13-18	SFD	O	4/8/2019							62	62	62	0	No	Deamed complete on 04/08/2019 and Approved on 9/10/2019
035-011-030	035-011-030	2605 Main Street	Twin Oaks Senior Mixed Use Project	CUP 02-19, DR 07-19 and DBA 01-19	MH	R	5/24/2019			115		14	1		130	130	0	No	Approved on 10/8/2019
037-100-043	037-100-043	2480 Oakly Road	2480 Oakley Road Residential Development	GPA 01-19, RZ 01-19, TM 01-19, DR 04-19	SFD	O	3/21/2019							22	22	0	0	No	Submitted, not approved
033-030-001 and 027	033-030-001 and 027	5360 Main Street	Acacia	GPA 03-18, RZ 07-18, TM 04-18 and DR 11-18	SFD	O	8/9/2019						108		108	108	0	No	Deamed complete on 08/09/2019 and Approved on 10/22/2019
															0		0		
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Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement								
1					2	3	4							5	6
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements
Summary Row: Start Data Entry Below							0	0	0	0	0	0	0		0
037-100-041	037-100-041	49 CAROL LN	39 UNITS-FAMILY APARTMENT BUILDING AND SOLAR	BLD-2016-1766	MH	R									0
037-100-041	037-100-041	51 CAROL LN	36 UNITS-FAMILY APARTMENT BUILDING AND SOLAR	BLD-2017-0201	MH	R									0
	041-340-017	4907 BELDIN LN		BLD-2018-1149	SFD	O									0
	037-590-049	235 LITTLETON ST		BLD-2018-1395	SFD	O									0
	037-590-050	239 LITTLETON ST		BLD-2018-1396	SFD	O									0
	037-590-051	243 LITTLETON ST		BLD-2018-1397	SFD	O									0
	037-590-056	242 WYNN ST		BLD-2018-1398	SFD	O									0
	037-590-057	238 WYNN ST		BLD-2018-1399	SFD	O									0
	037-590-058	234 WYNN ST		BLD-2018-1400	SFD	O									0
	037-590-030	244 LITTLETON ST		BLD-2018-1401	SFD	O									0
	037-590-031	240 LITTLETON ST		BLD-2018-1402	SFD	O									0
	037-590-032	236 LITTLETON ST		BLD-2018-1403	SFD	O									0
	032-520-093	155 DAVISCO DR		BLD-2018-1597	SFD	O									0
	032-520-094	159 DAVISCO DR		BLD-2018-1598	SFD	O									0
	032-520-095	163 DAVISCO DR		BLD-2018-1600	SFD	O									0
	032-520-096	167 DAVISCO DR		BLD-2018-1601	SFD	O									0
	032-520-097	164 DAVISCO DR		BLD-2018-1602	SFD	O									0
	032-520-098	160 DAVISCO DR		BLD-2018-1603	SFD	O									0
	032-520-099	156 DAVISCO DR		BLD-2018-1604	SFD	O									0
	034-070-068	3610 BROWN RD		BLD-2018-1683	SFD	O									0
	032-520-084	120 DAVISCO DR		BLD-2018-1781	SFD	O									0
	032-520-085	123 DAVISCO DR		BLD-2018-1782	SFD	O									0
	032-520-086	127 DAVISCO DR		BLD-2018-1783	SFD	O									0
	032-520-087	131 DAVISCO DR		BLD-2018-1784	SFD	O									0
	032-520-088	135 DAVISCO DR		BLD-2018-1785	SFD	O									0
	032-520-089	139 DAVISCO DR		BLD-2018-1786	SFD	O									0
	032-520-090	143 DAVISCO DR		BLD-2018-1787	SFD	O									0
	032-520-091	147 DAVISCO DR		BLD-2018-1788	SFD	O									0
	032-520-092	151 DAVISCO DR		BLD-2018-1789	SFD	O									0
	032-520-100	152 DAVISCO DR		BLD-2018-1790	SFD	O									0
	032-520-101	148 DAVISCO DR		BLD-2018-1791	SFD	O									0
	032-520-102	144 DAVISCO DR		BLD-2018-1792	SFD	O									0
	032-520-103	140 DAVISCO DR		BLD-2018-1793	SFD	O									0
	032-520-104	136 DAVISCO DR		BLD-2018-1794	SFD	O									0
	032-520-105	132 DAVISCO DR		BLD-2018-1795	SFD	O									0
	032-520-106	128 DAVISCO DR		BLD-2018-1796	SFD	O									0
	034-640-027	425 DIAMOND PEAK LN		BLD-2019-0175	SFD	O									0
	034-640-028	429 DIAMOND PEAK LN		BLD-2019-0176	SFD	O									0
	034-640-029	433 DIAMOND PEAK LN		BLD-2019-0177	SFD	O									0
	034-640-030	437 DIAMOND PEAK LN		BLD-2019-0178	SFD	O									0
	034-640-039	432 DIAMOND PEAK LN		BLD-2019-0179	SFD	O									0
	034-640-040	428 DIAMOND PEAK LN		BLD-2019-0180	SFD	O									0
	034-640-041	424 DIAMOND PEAK LN		BLD-2019-0181	SFD	O									0
	033-080-024	3391 DOYLE RD		BLD-2019-0367	SFD	O									0
	032-520-079	100 DAVISCO DR		BLD-2019-0375	SFD	O									0
	032-520-080	104 DAVISCO DR		BLD-2019-0376	SFD	O									0
	032-520-081	108 DAVISCO DR		BLD-2019-0377	SFD	O									0
	032-520-082	112 DAVISCO DR		BLD-2019-0378	SFD	O									0
	032-520-083	116 DAVISCO DR		BLD-2019-0379	SFD	O									0
	032-520-107	307 MCCLELLAND WAY		BLD-2019-0380	SFD	O									0

	032-520-108	303 MCCLELLAND WAY		BLD-2019-0384	SFD	O									0
	032-520-124	298 MCCLELLAND WAY		BLD-2019-0385	SFD	O									0
	032-520-125	302 MCCLELLAND WAY		BLD-2019-0387	SFD	O									0
	032-520-126	306 MCCLELLAND WAY		BLD-2019-0388	SFD	O									0
	032-520-127	310 MCCLELLAND WAY		BLD-2019-0389	SFD	O									0
	032-520-128	314 MCCLELLAND WAY		BLD-2019-0390	SFD	O									0
	032-520-129	318 MCCLELLAND WAY		BLD-2019-0391	SFD	O									0
	034-640-023	409 DIAMOND PEAK LN		BLD-2019-0449	SFD	O									0
	034-640-024	413 DIAMOND PEAK LN		BLD-2019-0450	SFD	O									0
	034-640-025	417 DIAMOND PEAK LN		BLD-2019-0451	SFD	O									0
	034-640-026	421 DIAMOND PEAK LN		BLD-2019-0452	SFD	O									0
	034-640-042	420 DIAMOND PEAK LN		BLD-2019-0453	SFD	O									0
	034-640-043	416 DIAMOND PEAK LN		BLD-2019-0454	SFD	O									0
	034-640-044	412 DIAMOND PEAK LN		BLD-2019-0455	SFD	O									0
	034-640-045	408 DIAMOND PEAK LN		BLD-2019-0456	SFD	O									0
	037-121-040	1961 HAMBURG ST		BLD-2019-0722	SFD	O									0
	034-260-036	525 STONE MOUNTAIN DR		BLD-2019-0749	SFD	O									0
	034-260-037	529 STONE MOUNTAIN DR		BLD-2019-0750	SFD	O									0
	034-260-038	533 STONE MOUNTAIN DR		BLD-2019-0751	SFD	O									0
	034-260-039	532 STONE MOUNTAIN DR		BLD-2019-0752	SFD	O									0
	034-260-040	528 STONE MOUNTAIN DR		BLD-2019-0753	SFD	O									0
	034-260-041	524 STONE MOUNTAIN DR		BLD-2019-0754	SFD	O									0
	032-530-180	629 LONGMONT DR		BLD-2019-0768	SFD	O									0
	032-530-181	633 LONGMONT DR		BLD-2019-0769	SFD	O									0
	032-530-182	637 LONGMONT DR		BLD-2019-0770	SFD	O									0
	032-540-048	806 STICKNEY WAY		BLD-2019-0886	SFD	O									0
	032-540-049	802 STICKNEY WAY		BLD-2019-0887	SFD	O									0
	032-540-050	798 STICKNEY WAY		BLD-2019-0888	SFD	O									0
	032-540-052	790 STICKNEY WAY		BLD-2019-0889	SFD	O									0
	032-540-053	786 STICKNEY WAY		BLD-2019-0890	SFD	O									0
	032-540-054	782 STICKNEY WAY		BLD-2019-0891	SFD	O									0
	032-540-072	738 SHULLSBURG WAY		BLD-2019-0892	SFD	O									0
	032-540-073	734 SHULLSBURG WAY		BLD-2019-0893	SFD	O									0
	032-540-074	730 SHULLSBURG WAY		BLD-2019-0894	SFD	O									0
	032-540-079	741 SHULLSBURG WAY		BLD-2019-0895	SFD	O									0
	032-540-080	737 SHULLSBURG WAY		BLD-2019-0896	SFD	O									0
	032-540-081	733 SHULLSBURG WAY		BLD-2019-0897	SFD	O									0
	032-540-082	729 SHULLSBURG WAY		BLD-2019-0898	SFD	O									0
	032-540-069	750 SHULLSBURG WAY		BLD-2019-0912	SFD	O									0
	032-540-070	746 SHULLSBURG WAY		BLD-2019-0913	SFD	O									0
	032-540-075	757 SHULLSBURG WAY		BLD-2019-0914	SFD	O									0
	032-540-076	753 SHULLSBURG WAY		BLD-2019-0915	SFD	O									0
	032-540-077	749 SHULLSBURG WAY		BLD-2019-0916	SFD	O									0
	032-540-078	745 SHULLSBURG WAY		BLD-2019-0917	SFD	O									0
	034-260-033	513 STONE MOUNTAIN DR		BLD-2019-0952	SFD	O									0
	034-260-034	517 STONE MOUNTAIN DR		BLD-2019-0955	SFD	O									0
	034-260-035	521 STONE MOUNTAIN DR		BLD-2019-0956	SFD	O									0
	034-260-042	520 STONE MOUNTAIN DR		BLD-2019-0957	SFD	O									0
	034-260-043	516 STONE MOUNTAIN DR		BLD-2019-0958	SFD	O									0
	034-260-044	512 STONE MOUNTAIN DR		BLD-2019-0959	SFD	O									0
	032-530-106	171 DAVISCO DR		BLD-2019-0963	SFD	O									0
	032-530-107	175 DAVISCO DR		BLD-2019-0964	SFD	O									0
	032-530-108	179 DAVISCO DR		BLD-2019-0965	SFD	O									0
	032-530-109	183 DAVISCO DR		BLD-2019-0966	SFD	O									0
	032-530-110	187 DAVISCO DR		BLD-2019-0967	SFD	O									0
	032-540-071	742 SHULLSBURG WAY		BLD-2019-1031	SFD	O									0
	034-260-057	581 SAPPHIRE PKWY		BLD-2019-1077	SFD	O									0
	034-260-058	577 SAPPHIRE PKWY		BLD-2019-1078	SFD	O									0
	034-260-059	644 COPPER RIDGE WAY		BLD-2019-1079	SFD	O									0
	034-260-060	640 COPPER RIDGE WAY		BLD-2019-1080	SFD	O									0
	034-260-061	636 COPPER RIDGE WAY		BLD-2019-1081	SFD	O									0
	034-260-054	625 COPPER RIDGE WAY		BLD-2019-1119	SFD	O									0
	034-260-055	629 COPPER RIDGE WAY		BLD-2019-1120	SFD	O									0
	034-260-056	633 COPPER RIDGE WAY		BLD-2019-1121	SFD	O									0
	034-260-062	632 COPPER RIDGE WAY		BLD-2019-1122	SFD	O									0
	034-260-063	628 COPPER RIDGE WAY		BLD-2019-1123	SFD	O									0
	034-260-064	624 COPPER RIDGE WAY		BLD-2019-1124	SFD	O									0
	032-520-109	299 MCCELLAND WAY		BLD-2019-1268	SFD	O									0
	032-520-110	295 MCCELLAND WAY		BLD-2019-1269	SFD	O									0
	032-520-111	291 MCCELLAND WAY		BLD-2019-1270	SFD	O									0
	032-520-122	290 MCCELLAND WAY		BLD-2019-1271	SFD	O									0
	032-520-123	294 MCCELLAND WAY		BLD-2019-1272	SFD	O									0
	032-560-029	866 DARIGOLD WAY		BLD-2019-1347	SFD	O									0
	032-560-030	862 DARIGOLD WAY		BLD-2019-1348	SFD	O									0
	032-560-031	858 DARIGOLD WAY		BLD-2019-1349	SFD	O									0
	032-560-032	854 DARIGOLD WAY		BLD-2019-1350	SFD	O									0
	032-560-038	861 DARIGOLD WAY		BLD-2019-1351	SFD	O									0

	032-560-039	865 DARIGOLD WAY		BLD-2019-1352	SFD	O										0
	032-560-040	869 DARIGOLD WAY		BLD-2019-1353	SFD	O										0
	032-560-007	272 GOLDEN STATE PKWY		BLD-2019-1354	SFD	O										0
	032-560-008	276 GOLDEN STATE PKWY		BLD-2019-1355	SFD	O										0
	032-560-009	280 GOLDEN STATE PKWY		BLD-2019-1356	SFD	O										0
	032-560-033	850 DARIGOLD WAY		BLD-2019-1357	SFD	O										0
	032-560-034	846 DARIGOLD WAY		BLD-2019-1358	SFD	O										0
	032-560-035	849 DARIGOLD WAY		BLD-2019-1359	SFD	O										0
	032-560-036	853 DARIGOLD WAY		BLD-2019-1360	SFD	O										0
	032-560-037	268 GOLDEN STATE PKWY		BLD-2019-1361	SFD	O										0
	034-260-051	613 COPPER RIDGE WAY		BLD-2019-1467	SFD	O										0
	034-260-052	617 COPPER RIDGE WAY		BLD-2019-1468	SFD	O										0
	034-260-053	621 COPPER RIDGE WAY		BLD-2019-1469	SFD	O										0
	034-260-065	620 COPPER RIDGE WAY		BLD-2019-1470	SFD	O										0
	034-260-066	616 COPPER RIDGE WAY		BLD-2019-1471	SFD	O										0
	034-260-067	612 COPPER RIDGE WAY		BLD-2019-1472	SFD	O										0
	032-530-142	188 DAVISCO DR		BLD-2019-1474	SFD	O										0
	032-530-143	184 DAVISCO DR		BLD-2019-1475	SFD	O										0
	032-530-144	180 DAVISCO DR		BLD-2019-1476	SFD	O										0
	032-530-145	176 DAVISCO DR		BLD-2019-1477	SFD	O										0
	032-530-146	172 DAVISCO DR		BLD-2019-1478	SFD	O										0
	034-260-048	601 COPPER RIDGE WAY		BLD-2019-1480	SFD	O										0
	034-260-049	605 COPPER RIDGE WAY		BLD-2019-1481	SFD	O										0
	034-260-050	609 COPPER RIDGE WAY		BLD-2019-1482	SFD	O										0
	034-260-068	608 COPPER RIDGE WAY		BLD-2019-1483	SFD	O										0
	034-260-069	604 COPPER RIDGE WAY		BLD-2019-1484	SFD	O										0
	034-260-070	600 COPPER RIDGE WAY		BLD-2019-1485	SFD	O										0
	032-560-020	317 HOLSTEIN DR		BLD-2019-1621	SFD	O										0
	032-560-021	321 HOLSTEIN DR		BLD-2019-1622	SFD	O										0
	032-560-022	325 HOLSTEIN DR		BLD-2019-1623	SFD	O										0
	032-560-023	329 HOLSTEIN DR		BLD-2019-1624	SFD	O										0
	032-560-025	337 HOLSTEIN DR		BLD-2019-1625	SFD	O										0
	032-540-056	774 STICKNEY WAY		BLD-2019-1626	SFD	O										0
	032-540-057	770 STICKNEY WAY		BLD-2019-1632	SFD	O										0
	032-540-058	766 STICKNEY WAY		BLD-2019-1633	SFD	O										0
	032-540-059	762 STICKNEY WAY		BLD-2019-1634	SFD	O										0
	032-540-060	761 STICKNEY WAY		BLD-2019-1635	SFD	O										0
	032-540-061	765 STICKNEY WAY		BLD-2019-1636	SFD	O										0
	032-540-062	769 STICKNEY WAY		BLD-2019-1637	SFD	O										0
	032-540-063	773 STICKNEY WAY		BLD-2019-1638	SFD	O										0
	032-540-083	725 SHULLSBUURG WAY		BLD-2019-1639	SFD	O										0
	032-540-084	813 FOREMOST DR		BLD-2019-1640	SFD	O										0
	032-540-085	817 FOREMOST DR		BLD-2019-1641	SFD	O										0
	032-540-086	821 FOREMOST DR		BLD-2019-1642	SFD	O										0
	032-540-087	825 FOREMOST DR		BLD-2019-1643	SFD	O										0
	032-540-088	829 FOREMOST DR		BLD-2019-1644	SFD	O										0
	032-540-089	833 FOREMOST DR		BLD-2019-1645	SFD	O										0
	032-540-090	837 FOREMOST DR		BLD-2019-1646	SFD	O										0
	032-560-027	874 DARIGOLD WAY		BLD-2019-1648	SFD	O										0
	032-560-028	870 DARIGOLD WAY		BLD-2019-1649	SFD	O										0
	032-560-041	873 DARIGOLD WAY		BLD-2019-1650	SFD	O										0
	032-560-042	877 DARIGOLD WAY		BLD-2019-1651	SFD	O										0
	032-560-043	881 DARIGOLD WAY		BLD-2019-1652	SFD	O										0
	032-560-044	885 DARIGOLD WAY		BLD-2019-1653	SFD	O										0
	032-560-045	889 DARIGOLD WAY		BLD-2019-1654	SFD	O										0
	032-560-046	893 DARIGOLD WAY		BLD-2019-1655	SFD	O										0
	032-520-112	287 MCCLELLAND WAY		BLD-2019-1691	SFD	O										0
	032-520-113	283 MCCLELLAND WAY		BLD-2019-1692	SFD	O										0
	032-520-114	279 MCCLELLAND WAY		BLD-2019-1693	SFD	O										0
	032-520-115	275 MCCLELLAND WAY		BLD-2019-1694	SFD	O										0
	032-520-116	271 MCCLELLAND WAY		BLD-2019-1695	SFD	O										0
	032-520-117	270 MCCLELLAND WAY		BLD-2019-1696	SFD	O										0
	032-520-118	274 MCCLELLAND WAY		BLD-2019-1697	SFD	O										0
	032-520-119	278 MCCLELLAND WAY		BLD-2019-1698	SFD	O										0
	032-520-120	282 MCCLELLAND WAY		BLD-2019-1699	SFD	O										0
	032-520-121	286 MCCLELLAND WAY		BLD-2019-1700	SFD	O										0
	032-530-111	191 DAVISCO DR		BLD-2019-1796	SFD	O										0
	032-530-112	195 DAVISCO DR		BLD-2019-1797	SFD	O										0
	032-530-113	199 DAVISCO DR		BLD-2019-1798	SFD	O										0
	032-530-114	203 DAVISCO DR		BLD-2019-1799	SFD	O										0
	032-530-115	207 DAVISCO DR		BLD-2019-1800	SFD	O										0
	032-530-137	241 MCCELLAND WAY		BLD-2019-1801	SFD	O										0
	032-530-138	237 MCCELLAND WAY		BLD-2019-1802	SFD	O										0
	032-530-139	200 DAVISCO DR		BLD-2019-1803	SFD	O										0
	032-530-140	196 DAVISCO DR		BLD-2019-1804	SFD	O										0
	032-530-141	192 DAVISCO DR		BLD-2019-1805	SFD	O										0
	032-520-130	489 AVANTI WAY		BLD-2019-1807	SFD	O										0
	032-520-131	485 AVANTI WAY		BLD-2019-1808	SFD	O										0
	032-520-132	481 AVANTI WAY		BLD-2019-1809	SFD	O										0

	032-520-133	477 AVANTI WAY		BLD-2019-1810	SFD	O									0
	032-520-134	473 AVANTI WAY		BLD-2019-1811	SFD	O									0
	032-520-151	470 AVANTI WAY		BLD-2019-1812	SFD	O									0
	032-520-152	474 AVANTI WAY		BLD-2019-1813	SFD	O									0
	032-520-153	478 AVANTI WAY		BLD-2019-1814	SFD	O									0
	032-520-154	482 AVANTI WAY		BLD-2019-1815	SFD	O									0
	032-520-155	486 AVANTI WAY		BLD-2019-1816	SFD	O									0
	034-260-071	763 RUBY HILL LN		BLD-2019-1817	SFD	O									0
	034-260-072	759 RUBY HILL LN		BLD-2019-1830	SFD	O									0
	034-260-073	755 RUBY HILL LN		BLD-2019-1831	SFD	O									0
	034-260-074	751 RUBY HILL LN		BLD-2019-1832	SFD	O									0
	034-260-075	747 RUBY HILL LN		BLD-2019-1833	SFD	O									0
	034-260-030	501 STONE MOUNTAIN DR		BLD-2019-1862	SFD	O									0
	034-260-031	505 STONE MOUNTAIN DR		BLD-2019-1863	SFD	O									0
	034-260-032	509 STONE MOUNTAIN DR		BLD-2019-1864	SFD	O									0
	034-260-045	508 STONE MOUNTAIN DR		BLD-2019-1865	SFD	O									0
	034-260-046	504 STONE MOUNTAIN DR		BLD-2019-1866	SFD	O									0
	034-260-047	500 STONE MOUNTAIN DR		BLD-2019-1867	SFD	O									0
	032-550-013	889 FOREMOST DR		BLD-2019-1869	SFD	O									0
	032-550-015	897 FOREMOST DR		BLD-2019-1870	SFD	O									0
	032-550-017	905 FOREMOST DR		BLD-2019-1871	SFD	O									0
	032-550-019	913 FOREMOST DR		BLD-2019-1872	SFD	O									0
	032-550-020	950 HOLSTEIN DR		BLD-2019-1873	SFD	O									0
	032-550-022	942 HOLSTEIN DR		BLD-2019-1874	SFD	O									0
	032-550-024	934 HOLSTEIN DR		BLD-2019-1875	SFD	O									0
	032-550-026	926 HOLSTEIN DR		BLD-2019-1876	SFD	O									0
	032-560-001	244 GOLDEN STATE PKWY		BLD-2019-1877	SFD	O									0
	032-560-002	248 GOLDEN STATE PKWY		BLD-2019-1878	SFD	O									0
	032-560-003	252 GOLDEN STATE PKWY		BLD-2019-1879	SFD	O									0
	032-560-004	256 GOLDEN STATE PKWY		BLD-2019-1880	SFD	O									0
	032-560-005	260 GOLDEN STATE PKWY		BLD-2019-1881	SFD	O									0
	032-560-006	264 GOLDEN STATE PKWY		BLD-2019-1882	SFD	O									0
	032-560-024	333 HOLSTEIN DR		BLD-2019-1883	SFD	O									0
	032-560-026	341 HOLSTEIN DR		BLD-2019-1884	SFD	O									0
	041-143-003	105 LARIAT CT		BLD-2019-1885	SFD	O									0
	034-640-019	305 BARN DANCE WAY		BLD-2019-1899	SFD	O									0
	034-640-020	301 BARN DANCE WAY		BLD-2019-1900	SFD	O									0
	034-640-021	401 DIAMOND PEAK LN		BLD-2019-1901	SFD	O									0
	034-640-022	405 DIAMOND PEAK LN		BLD-2019-1902	SFD	O									0
	034-640-046	404 DIAMOND PEAK LN		BLD-2019-1903	SFD	O									0
	034-640-047	400 DIAMOND PEAK LN		BLD-2019-1904	SFD	O									0
	034-640-048	715 RUBY HILL LN		BLD-2019-1906	SFD	O									0
	034-640-049	719 RUBY HILL LN		BLD-2019-1907	SFD	O									0
	034-640-050	723 RUBY HILL LN		BLD-2019-1908	SFD	O									0
	034-640-054	739 RUBY HILL LN		BLD-2019-1909	SFD	O									0
	034-650-002	524 VANEK DR		BLD-2019-1955	SFD	O									0
	034-650-003	528 VANEK DR		BLD-2019-1956	SFD	O									0
	032-520-135	469 AVANTI WAY		BLD-2019-2025	SFD	O									0
	032-520-136	465 AVANTI WAY		BLD-2019-2026	SFD	O									0
	032-520-137	461 AVANTI WAY		BLD-2019-2027	SFD	O									0
	032-520-138	457 AVANTI WAY		BLD-2019-2028	SFD	O									0
	032-520-139	453 AVANTI WAY		BLD-2019-2029	SFD	O									0
	032-520-140	449 AVANTI WAY		BLD-2019-2030	SFD	O									0
	032-520-141	445 AVANTI WAY		BLD-2019-2031	SFD	O									0
	032-520-142	441 AVANTI WAY		BLD-2019-2032	SFD	O									0
	032-520-148	458 AVANTI WAY		BLD-2019-2033	SFD	O									0
	032-520-149	462 AVANTI WAY		BLD-2019-2034	SFD	O									0
	032-520-150	466 AVANTI WAY		BLD-2019-2035	SFD	O									0
	034-360-098	424 ACACIA DR		BLD-2017-1795	SFD	O									0
	034-290-119	3834 PATO LN		BLD-2017-1903	SFD	O									0
	037-600-012	388 COOLCREST DR		BLD-2018-0399	SFD	O									0
	037-600-011	392 COOLCREST DR		BLD-2018-0403	SFD	O									0
	034-640-031	441 DIAMOND PEAK LN		BLD-2018-0407	SFD	O									0
	034-640-034	453 DIAMOND PEAK LN		BLD-2018-0410	SFD	O									0
	037-600-012	227 LITTLETON ST		BLD-2018-0468	SFD	O									0
	037-600-012	231 LITTLETON ST		BLD-2018-0469	SFD	O									0
	037-600-042	849 RIVERROCK DR		BLD-2018-0389	SFD	O									0
	034-640-033	449 DIAMOND PEAK LN		BLD-2018-0409	SFD	O									0
	037-600-012	219 LITTLETON ST		BLD-2018-0466	SFD	O									0
	037-600-012	223 LITTLETON ST		BLD-2018-0467	SFD	O									0
	034-640-006	3712 MOSSWOOD DR		BLD-2018-0360	SFD	O									0
	034-290-112	3835 PATO LN		BLD-2017-1896	SFD	O									0
	037-600-012	212 LITTLETON ST		BLD-2018-0475	SFD	O									0
	037-550-093	949 PENDLETON CT		BLD-2017-0495	SFD	O									0
	034-360-109	417 PINENUT ST		BLD-2018-0190	SFD	O									0
	034-640-038	597 SAPPHIRE PKWY		BLD-2018-0414	SFD	O									0
	034-360-105	410 PINENUT ST		BLD-2018-0183	SFD	O									0
	037-560-044	186 WILLOWRUN WAY		BLD-2016-1602	SFD	O									0
	037-560-008	133 WILLOWRUN WAY		BLD-2017-0220	SFD	O									0

	037-560-009	137 WILLOWRUN WAY		BLD-2017-0226	SFD	O									0
	037-560-010	141 WILLOWRUN WAY		BLD-2017-0227	SFD	O									0
	034-360-106	411 PINENUT ST		BLD-2018-0184	SFD	O									0
	034-640-035	585 SAPPHIRE PKWY		BLD-2018-0411	SFD	O									0
	034-360-107	413 PINENUT ST		BLD-2018-0185	SFD	O									0
	034-640-007	353 BARN DANCE WAY		BLD-2018-0783	SFD	O									0
	037-600-012	215 LITTLETON ST		BLD-2018-0474	SFD	O									0
	034-640-012	333 BARN DANCE WAY		BLD-2018-0788	SFD	O									0
	034-640-010	341 BARN DANCE WAY		BLD-2018-0786	SFD	O									0
	034-290-121	3842 PATO LN		BLD-2018-0301	SFD	O									0
	034-640-036	589 SAPPHIRE PKWY		BLD-2018-0412	SFD	O									0
	037-600-001	832 RIVERROCK DR		BLD-2018-0540	SFD	O									0
	034-290-110	3843 PATO LN		BLD-2018-0300	SFD	O									0
	034-640-004	3720 MOSSWOOD DR		BLD-2018-0358	SFD	O									0
	034-640-011	337 BARN DANCE WAY		BLD-2018-0787	SFD	O									0
	034-290-120	3838 PATO LN		BLD-2017-1904	SFD	O									0
	037-600-045	837 RIVERROCK DR		BLD-2018-0543	SFD	O									0
	037-600-044	841 RIVERROCK DR		BLD-2018-0538	SFD	O									0
	037-600-008	380 COOLCREST DR		BLD-2018-0387	SFD	O									0
	037-600-046	833 RIVERROCK DR		BLD-2018-0539	SFD	O									0
	034-290-109	3847 PATO LN		BLD-2018-0297	SFD	O									0
	034-290-108	3851 PATO LN		BLD-2018-0296	SFD	O									0
	034-640-016	317 BARN DANCE WAY		BLD-2018-1056	SFD	O									0
	037-600-005	848 RIVERROCK DR		BLD-2018-0384	SFD	O									0
	034-640-017	313 BARN DANCE WAY		BLD-2018-1057	SFD	O									0
	037-590-028	338 PARKFIELD WAY		BLD-2018-0778	SFD	O									0
	037-590-029	334 PARKFIELD WAY		BLD-2018-0780	SFD	O									0
	034-640-018	309 BARN DANCE WAY		BLD-2018-1058	SFD	O									0
	037-600-041	853 RIVERROCK DR		BLD-2018-0388	SFD	O									0
	037-600-012	384 COOLCREST DR		BLD-2018-0402	SFD	O									0
	037-590-026	346 PARKFIELD WAY		BLD-2018-0776	SFD	O									0
	037-590-027	342 PARKFIELD WAY		BLD-2018-0777	SFD	O									0
	034-640-008	349 BARN DANCE WAY		BLD-2018-0784	SFD	O									0
	032-520-094	159 DAVISCO DR		BLD-2018-1598	SFD	O									0
	032-520-099	156 DAVISCO DR		BLD-2018-1604	SFD	O									0
	032-520-091	147 DAVISCO DR		BLD-2018-1788	SFD	O									0
	032-520-100	152 DAVISCO DR		BLD-2018-1790	SFD	O									0
	037-580-045	292 COOLCREST DR		BLD-2016-1302	SFD	O									0
	037-550-081	774 WESTMOOR CIR		BLD-2016-1701	SFD	O									0
	037-550-083	782 WESTMOOR CIR		BLD-2016-1749	SFD	O									0
	034-290-114	3827 PATO LN		BLD-2017-1898	SFD	O									0
	032-520-096	167 DAVISCO DR		BLD-2018-1601	SFD	O									0
	032-520-093	155 DAVISCO DR		BLD-2018-1597	SFD	O									0
	032-520-097	164 DAVISCO DR		BLD-2018-1602	SFD	O									0
	032-520-098	160 DAVISCO DR		BLD-2018-1603	SFD	O									0
	032-520-092	151 DAVISCO DR		BLD-2018-1789	SFD	O									0
	034-000-000	813 SHEARWATER WAY		BLD-2015-0394	SFD	O									0
	037-590-013	381 PARKFIELD WAY		BLD-2017-0933	SFD	O									0
	037-590-060	226 WYNN ST		BLD-2017-1842	SFD	O									0
	034-290-117	3826 PATO LN		BLD-2017-1901	SFD	O									0
	037-590-063	214 WYNN ST		BLD-2018-0253	SFD	O									0
	037-590-065	206 WYNN ST		BLD-2018-0255	SFD	O									0
	037-590-067	201 WYNN ST		BLD-2018-0257	SFD	O									0
	037-590-023	362 PARKFIELD WAY		BLD-2018-0265	SFD	O									0
	037-590-024	358 PARKFIELD WAY		BLD-2018-0266	SFD	O									0
	037-590-004	345 PARKFIELD WAY		BLD-2018-0774	SFD	O									0
	037-600-006	852 RIVERROCK DR		BLD-2018-0385	SFD	O									0
	034-290-105	34 PATO CT		BLD-2018-0293	SFD	O									0
	032-520-103	140 DAVISCO DR		BLD-2018-1793	SFD	O									0
	032-520-104	136 DAVISCO DR		BLD-2018-1794	SFD	O									0
	034-290-123	39 PATO CT		BLD-2018-0303	SFD	O									0
	034-640-028	429 DIAMOND PEAK LN		BLD-2019-0176	SFD	O									0
	034-640-039	432 DIAMOND PEAK LN		BLD-2019-0179	SFD	O									0
	037-600-048	825 RIVERROCK DR		BLD-2018-0736	SFD	O									0
	034-640-027	425 DIAMOND PEAK LN		BLD-2019-0175	SFD	O									0
	034-640-030	437 DIAMOND PEAK LN		BLD-2019-0178	SFD	O									0
	033-460-006	31 MINARET RD		BLD-2015-0543	SFD	O									0
	037-550-066	793 WESTMOOR CIR		BLD-2017-0481	SFD	O									0
	037-590-005	349 PARKFIELD WAY		BLD-2018-0775	SFD	O									0
	032-520-089	139 DAVISCO DR		BLD-2018-1786	SFD	O									0
	032-520-090	143 DAVISCO DR		BLD-2018-1787	SFD	O									0
	037-600-043	845 RIVERROCK DR		BLD-2018-0542	SFD	O									0
	037-590-003	341 PARKFIELD WAY		BLD-2018-0773	SFD	O									0
	037-590-001	333 PARKFIELD WAY		BLD-2018-0770	SFD	O									0
	034-640-040	428 DIAMOND PEAK LN		BLD-2019-0180	SFD	O									0
	032-520-105	132 DAVISCO DR		BLD-2018-1795	SFD	O									0
	037-600-052	809 RIVERROCK DR		BLD-2018-0740	SFD	O									0
	037-590-084	232 SHEARWATER WAY		BLD-2018-1110	SFD	O									0
	037-600-054	801 RIVERROCK DR		BLD-2018-0743	SFD	O									0

	037-600-053	805 RIVERRROCK DR		BLD-2018-0742	SFD	O									0
	037-590-082	240 SHEARWATER WAY		BLD-2018-1108	SFD	O									0
	032-520-106	128 DAVISCO DR		BLD-2018-1796	SFD	O									0
	037-560-085	816 RIVERROCK DR		BLD-2018-0733	SFD	O									0
	037-590-078	363 HANSFORD WAY		BLD-2018-1104	SFD	O									0
	037-600-051	813 RIVERROCK DR		BLD-2018-0739	SFD	O									0
	037-590-077	241 WYNN ST		BLD-2018-1103	SFD	O									0
	034-640-043	416 DIAMOND PEAK LN		BLD-2019-0454	SFD	O									0
	034-640-045	408 DIAMOND PEAK LN		BLD-2019-0456	SFD	O									0
	037-590-079	367 HANSFORD WAY		BLD-2018-1105	SFD	O									0
	037-590-080	371 HANSFORD WAY		BLD-2018-1106	SFD	O									0
	037-590-081	375 HANSFORD WAY		BLD-2018-1107	SFD	O									0
	037-600-049	821 RIVERROCK DR		BLD-2018-0737	SFD	O									0
	037-590-002	337 PARKFIELD WAY		BLD-2018-0771	SFD	O									0
	037-590-076	237 WYNN ST		BLD-2018-1102	SFD	O									0
	037-600-003	840 RIVERROCK DR		BLD-2018-0541	SFD	O									0
	034-640-023	409 DIAMOND PEAK LN		BLD-2019-0449	SFD	O									0
	037-600-004	844 RIVERROCK DR		BLD-2018-0537	SFD	O									0
	034-260-038	533 STONE MOUNTAIN DR		BLD-2019-0751	SFD	O									0
	037-590-057	238 WYNN ST		BLD-2018-1399	SFD	O									0
	037-600-047	829 RIVERROCK DR		BLD-2018-0735	SFD	O									0
	037-590-083	236 SHEARWATER WAY		BLD-2018-1109	SFD	O									0
	032-520-082	112 DAVISCO DR		BLD-2019-0378	SFD	O									0
	037-590-053	351 HANSFORD WAY		BLD-2017-0468	SFD	O									0
	034-290-104	38 PATO CT		BLD-2018-0292	SFD	O									0
	034-290-106	30 PATO CT		BLD-2018-0294	SFD	O									0
	034-640-014	325 BARN DANCE WAY		BLD-2018-1054	SFD	O									0
	037-590-058	234 WYNN ST		BLD-2018-1400	SFD	O									0
	032-520-084	120 DAVISCO DR		BLD-2018-1781	SFD	O									0
	032-520-085	123 DAVISCO DR		BLD-2018-1782	SFD	O									0
	034-640-044	412 DIAMOND PEAK LN		BLD-2019-0455	SFD	O									0
	037-560-081	800 RIVERROCK DR		BLD-2017-1812	SFD	O									0
	037-560-082	804 RIVERROCK DR		BLD-2017-1813	SFD	O									0
	037-590-050	239 LITTLETON ST		BLD-2018-1396	SFD	O									0
	037-590-030	244 LITTLETON ST		BLD-2018-1401	SFD	O									0
	032-520-081	108 DAVISCO DR		BLD-2019-0377	SFD	O									0
	037-590-032	236 LITTLETON ST		BLD-2018-1403	SFD	O									0
	037-590-049	235 LITTLETON ST		BLD-2018-1395	SFD	O									0
	037-590-031	240 LITTLETON ST		BLD-2018-1402	SFD	O									0
	034-260-040	528 STONE MOUNTAIN DR		BLD-2019-0753	SFD	O									0
	032-520-083	116 DAVISCO DR		BLD-2019-0379	SFD	O									0
	037-590-075	233 WYNN ST		BLD-2018-1099	SFD	O									0
	034-260-033	513 STONE MOUNTAIN DR		BLD-2019-0952	SFD	O									0

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier			Affordability by Household Incomes - Building Permits								
			7							8	9
Current APN	Street Address	Project Name+	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits
			0	0	0	0	0	0	262		262
037-100-041	49 CAROL LN	39 UNITS-FAMILY APARTMENT BUILDING AND SOLAR									0
037-100-041	51 CAROL LN	36 UNITS-FAMILY APARTMENT BUILDING AND SOLAR									0
041-340-017	4907 BELDIN LN								1	1/11/2019	1
037-590-049	235 LITTLETON ST								1	2/6/2019	1
037-590-050	239 LITTLETON ST								1	2/6/2019	1
037-590-051	243 LITTLETON ST								1	2/6/2019	1
037-590-056	242 WYNN ST								1	2/6/2019	1
037-590-057	238 WYNN ST								1	2/6/2019	1
037-590-058	234 WYNN ST								1	2/13/2019	1
037-590-030	244 LITTLETON ST								1	2/6/2019	1
037-590-031	240 LITTLETON ST								1	2/6/2019	1
037-590-032	236 LITTLETON ST								1	2/6/2019	1
032-520-093	155 DAVISCO DR								1	1/7/2019	1
032-520-094	159 DAVISCO DR								1	1/7/2019	1
032-520-095	163 DAVISCO DR								1	1/7/2019	1
032-520-096	167 DAVISCO DR								1	1/7/2019	1
032-520-097	164 DAVISCO DR								1	1/7/2019	1
032-520-098	160 DAVISCO DR								1	1/7/2019	1
032-520-099	156 DAVISCO DR								1	1/7/2019	1
034-070-068	3610 BROWN RD								1	12/13/2019	1
032-520-084	120 DAVISCO DR								1	3/13/2019	1
032-520-085	123 DAVISCO DR								1	3/13/2019	1
032-520-086	127 DAVISCO DR								1	3/13/2019	1
032-520-087	131 DAVISCO DR								1	3/13/2019	1
032-520-088	135 DAVISCO DR								1	3/13/2019	1
032-520-089	139 DAVISCO DR								1	3/13/2019	1
032-520-090	143 DAVISCO DR								1	3/13/2019	1
032-520-091	147 DAVISCO DR								1	3/13/2019	1
032-520-092	151 DAVISCO DR								1	3/13/2019	1
032-520-100	152 DAVISCO DR								1	2/20/2019	1
032-520-101	148 DAVISCO DR								1	3/13/2019	1
032-520-102	144 DAVISCO DR								1	3/13/2019	1
032-520-103	140 DAVISCO DR								1	3/13/2019	1
032-520-104	136 DAVISCO DR								1	3/13/2019	1
032-520-105	132 DAVISCO DR								1	3/13/2019	1
032-520-106	128 DAVISCO DR								1	3/13/2019	1

034-640-027	425 DIAMOND PEAK LN								1	2/13/2019	1
034-640-028	429 DIAMOND PEAK LN								1	2/13/2019	1
034-640-029	433 DIAMOND PEAK LN								1	2/13/2019	1
034-640-030	437 DIAMOND PEAK LN								1	2/13/2019	1
034-640-039	432 DIAMOND PEAK LN								1	2/13/2019	1
034-640-040	428 DIAMOND PEAK LN								1	2/13/2019	1
034-640-041	424 DIAMOND PEAK LN								1	2/13/2019	1
033-080-024	3391 DOYLE RD								1	5/15/2019	1
032-520-079	100 DAVISCO DR								1	6/14/2019	1
032-520-080	104 DAVISCO DR								1	6/14/2019	1
032-520-081	108 DAVISCO DR								1	6/14/2019	1
032-520-082	112 DAVISCO DR								1	6/14/2019	1
032-520-083	116 DAVISCO DR								1	6/14/2019	1
032-520-107	307 MCCLELLAND WAY								1	6/14/2019	1
032-520-108	303 MCCLELLAND WAY								1	6/14/2019	1
032-520-124	298 MCCLELLAND WAY								1	6/14/2019	1
032-520-125	302 MCCLELLAND WAY								1	6/14/2019	1
032-520-126	306 MCCLELLAND WAY								1	6/14/2019	1
032-520-127	310 MCCLELLAND WAY								1	6/14/2019	1
032-520-128	314 MCCLELLAND WAY								1	6/14/2019	1
032-520-129	318 MCCLELLAND WAY								1	6/14/2019	1
034-640-023	409 DIAMOND PEAK LN								1	4/16/2019	1
034-640-024	413 DIAMOND PEAK LN								1	4/16/2019	1
034-640-025	417 DIAMOND PEAK LN								1	4/16/2019	1
034-640-026	421 DIAMOND PEAK LN								1	4/16/2019	1
034-640-042	420 DIAMOND PEAK LN								1	4/16/2019	1
034-640-043	416 DIAMOND PEAK LN								1	4/16/2019	1
034-640-044	412 DIAMOND PEAK LN								1	4/16/2019	1
034-640-045	408 DIAMOND PEAK LN								1	4/16/2019	1
037-121-040	1961 HAMBURG ST								1	12/18/2019	1
034-260-036	525 STONE MOUNTAIN DR								1	6/12/2019	1
034-260-037	529 STONE MOUNTAIN DR								1	6/12/2019	1
034-260-038	533 STONE MOUNTAIN DR								1	6/12/2019	1
034-260-039	532 STONE MOUNTAIN DR								1	6/12/2019	1
034-260-040	528 STONE MOUNTAIN DR								1	6/12/2019	1
034-260-041	524 STONE MOUNTAIN DR								1	6/12/2019	1
032-530-180	629 LONGMONT DR								1	6/19/2019	1
032-530-181	633 LONGMONT DR								1	6/19/2019	1
032-530-182	637 LONGMONT DR								1	6/19/2019	1
032-540-048	806 STICKNEY WAY								1	6/28/2019	1
032-540-049	802 STICKNEY WAY								1	6/28/2019	1
032-540-050	798 STICKNEY WAY								1	6/28/2019	1
032-540-052	790 STICKNEY WAY								1	6/28/2019	1
032-540-053	786 STICKNEY WAY								1	6/28/2019	1
032-540-054	782 STICKNEY WAY								1	6/28/2019	1
032-540-072	738 SHULLSBURG WAY								1	7/22/2019	1
032-540-073	734 SHULLSBURG WAY								1	7/22/2019	1
032-540-074	730 SHULLSBURG WAY								1	7/22/2019	1
032-540-079	741 SHULLSBURG WAY								1	7/22/2019	1
032-540-080	737 SHULLSBURG WAY								1	7/22/2019	1
032-540-081	733 SHULLSBURG WAY								1	7/22/2019	1
032-540-082	729 SHULLSBURG WAY								1	7/22/2019	1
032-540-069	750 SHULLSBURG WAY								1	7/22/2019	1
032-540-070	746 SHULLSBURG WAY								1	7/22/2019	1
032-540-075	757 SHULLSBURG WAY								1	7/22/2019	1
032-540-076	753 SHULLSBURG WAY								1	7/22/2019	1
032-540-077	749 SHULLSBURG WAY								1	7/22/2019	1
032-540-078	745 SHULLSBURG WAY								1	7/22/2019	1
034-260-033	513 STONE MOUNTAIN DR								1	7/12/2019	1

034-260-034	517 STONE MOUNTAIN DR								1	7/12/2019	1
034-260-035	521 STONE MOUNTAIN DR								1	7/12/2019	1
034-260-042	520 STONE MOUNTAIN DR								1	7/12/2019	1
034-260-043	516 STONE MOUNTAIN DR								1	7/12/2019	1
034-260-044	512 STONE MOUNTAIN DR								1	7/12/2019	1
032-530-106	171 DAVISCO DR								1	8/9/2019	1
032-530-107	175 DAVISCO DR								1	8/9/2019	1
032-530-108	179 DAVISCO DR								1	8/9/2019	1
032-530-109	183 DAVISCO DR								1	8/9/2019	1
032-530-110	187 DAVISCO DR								1	8/9/2019	1
032-540-071	742 SHULLSBURG WAY								1	7/22/2019	1
034-260-057	581 SAPPHIRE PKWY								1	8/1/2019	1
034-260-058	577 SAPPHIRE PKWY								1	8/1/2019	1
034-260-059	644 COPPER RIDGE WAY								1	8/1/2019	1
034-260-060	640 COPPER RIDGE WAY								1	8/1/2019	1
034-260-061	636 COPPER RIDGE WAY								1	8/1/2019	1
034-260-054	625 COPPER RIDGE WAY								1	8/15/2019	1
034-260-055	629 COPPER RIDGE WAY								1	8/15/2019	1
034-260-056	633 COPPER RIDGE WAY								1	8/15/2019	1
034-260-062	632 COPPER RIDGE WAY								1	8/15/2019	1
034-260-063	628 COPPER RIDGE WAY								1	8/15/2019	1
034-260-064	624 COPPER RIDGE WAY								1	8/15/2019	1
032-520-109	299 MCCELLAND WAY								1	10/8/2019	1
032-520-110	295 MCCELLAND WAY								1	10/8/2019	1
032-520-111	291 MCCELLAND WAY								1	10/8/2019	1
032-520-122	290 MCCELLAND WAY								1	10/8/2019	1
032-520-123	294 MCCELLAND WAY								1	10/8/2019	1
032-560-029	866 DARIGOLD WAY								1	9/13/2019	1
032-560-030	862 DARIGOLD WAY								1	9/13/2019	1
032-560-031	858 DARIGOLD WAY								1	9/13/2019	1
032-560-032	854 DARIGOLD WAY								1	9/13/2019	1
032-560-038	861 DARIGOLD WAY								1	9/13/2019	1
032-560-039	865 DARIGOLD WAY								1	9/13/2019	1
032-560-040	869 DARIGOLD WAY								1	9/13/2019	1
032-560-007	272 GOLDEN STATE PKWY								1	9/13/2019	1
032-560-008	276 GOLDEN STATE PKWY								1	9/13/2019	1
032-560-009	280 GOLDEN STATE PKWY								1	9/13/2019	1
032-560-033	850 DARIGOLD WAY								1	9/13/2019	1
032-560-034	846 DARIGOLD WAY								1	9/13/2019	1
032-560-035	849 DARIGOLD WAY								1	9/13/2019	1
032-560-036	853 DARIGOLD WAY								1	9/13/2019	1
032-560-037	268 GOLDEN STATE PKWY								1	9/13/2019	1
034-260-051	613 COPPER RIDGE WAY								1	11/25/2019	1
034-260-052	617 COPPER RIDGE WAY								1	11/25/2019	1
034-260-053	621 COPPER RIDGE WAY								1	11/25/2019	1
034-260-065	620 COPPER RIDGE WAY								1	11/25/2019	1
034-260-066	616 COPPER RIDGE WAY								1	11/25/2019	1
034-260-067	612 COPPER RIDGE WAY								1	11/25/2019	1
032-530-142	188 DAVISCO DR								1	10/29/2019	1
032-530-143	184 DAVISCO DR								1	10/29/2019	1
032-530-144	180 DAVISCO DR								1	10/29/2019	1
032-530-145	176 DAVISCO DR								1	10/29/2019	1
032-530-146	172 DAVISCO DR								1	10/29/2019	1
034-260-048	601 COPPER RIDGE WAY								1	12/11/2019	1
034-260-049	605 COPPER RIDGE WAY								1	12/11/2019	1
034-260-050	609 COPPER RIDGE WAY								1	12/11/2019	1
034-260-068	608 COPPER RIDGE WAY								1	12/11/2019	1
034-260-069	604 COPPER RIDGE WAY								1	12/11/2019	1
034-260-070	600 COPPER RIDGE WAY								1	12/11/2019	1
032-560-020	317 HOLSTEIN DR								1	10/29/2019	1

032-560-021	321 HOLSTEIN DR								1	10/29/2019	1
032-560-022	325 HOLSTEIN DR								1	10/29/2019	1
032-560-023	329 HOLSTEIN DR								1	10/29/2019	1
032-560-025	337 HOLSTEIN DR								1	10/29/2019	1
032-540-056	774 STICKNEY WAY								1	10/29/2019	1
032-540-057	770 STICKNEY WAY								1	10/29/2019	1
032-540-058	766 STICKNEY WAY								1	10/29/2019	1
032-540-059	762 STICKNEY WAY								1	10/29/2019	1
032-540-060	761 STICKNEY WAY								1	10/29/2019	1
032-540-061	765 STICKNEY WAY								1	10/29/2019	1
032-540-062	769 STICKNEY WAY								1	10/29/2019	1
032-540-063	773 STICKNEY WAY								1	10/29/2019	1
032-540-083	725 SHULLSBUURG WAY								1	10/29/2019	1
032-540-084	813 FOREMOST DR								1	10/29/2019	1
032-540-085	817 FOREMOST DR								1	10/29/2019	1
032-540-086	821 FOREMOST DR								1	10/29/2019	1
032-540-087	825 FOREMOST DR								1	10/29/2019	1
032-540-088	829 FOREMOST DR								1	10/29/2019	1
032-540-089	833 FOREMOST DR								1	10/29/2019	1
032-540-090	837 FOREMOST DR								1	10/29/2019	1
032-560-027	874 DARIGOLD WAY								1	10/29/2019	1
032-560-028	870 DARIGOLD WAY								1	10/29/2019	1
032-560-041	873 DARIGOLD WAY								1	10/29/2019	1
032-560-042	877 DARIGOLD WAY								1	10/29/2019	1
032-560-043	881 DARIGOLD WAY								1	10/29/2019	1
032-560-044	885 DARIGOLD WAY								1	10/29/2019	1
032-560-045	889 DARIGOLD WAY								1	10/29/2019	1
032-560-046	893 DARIGOLD WAY								1	10/29/2019	1
032-520-112	287 MCCLELLAND WAY								1	11/4/2019	1
032-520-113	283 MCCLELLAND WAY								1	11/4/2019	1
032-520-114	279 MCCLELLAND WAY								1	11/4/2019	1
032-520-115	275 MCCLELLAND WAY								1	11/4/2019	1
032-520-116	271 MCCLELLAND WAY								1	11/4/2019	1
032-520-117	270 MCCLELLAND WAY								1	11/4/2019	1
032-520-118	274 MCCLELLAND WAY								1	11/4/2019	1
032-520-119	278 MCCLELLAND WAY								1	11/4/2019	1
032-520-120	282 MCCLELLAND WAY								1	11/4/2019	1
032-520-121	286 MCCLELLAND WAY								1	11/4/2019	1
032-530-111	191 DAVISCO DR								1	11/25/2019	1
032-530-112	195 DAVISCO DR								1	11/25/2019	1
032-530-113	199 DAVISCO DR								1	11/25/2019	1
032-530-114	203 DAVISCO DR								1	11/25/2019	1
032-530-115	207 DAVISCO DR								1	11/25/2019	1
032-530-137	241 MCCELLAND WAY								1	11/25/2019	1
032-530-138	237 MCCELLAND WAY								1	11/25/2019	1
032-530-139	200 DAVISCO DR								1	11/25/2019	1
032-530-140	196 DAVISCO DR								1	11/25/2019	1
032-530-141	192 DAVISCO DR								1	11/25/2019	1
032-520-130	489 AVANTI WAY								1	11/21/2019	1
032-520-131	485 AVANTI WAY								1	11/21/2019	1
032-520-132	481 AVANTI WAY								1	11/21/2019	1
032-520-133	477 AVANTI WAY								1	11/21/2019	1
032-520-134	473 AVANTI WAY								1	11/21/2019	1
032-520-151	470 AVANTI WAY								1	11/21/2019	1
032-520-152	474 AVANTI WAY								1	11/21/2019	1
032-520-153	478 AVANTI WAY								1	11/21/2019	1
032-520-154	482 AVANTI WAY								1	11/21/2019	1
032-520-155	486 AVANTI WAY								1	11/21/2019	1
034-260-071	763 RUBY HILL LN								1	12/11/2019	1

034-260-072	759 RUBY HILL LN								1	12/11/2019	1
034-260-073	755 RUBY HILL LN								1	12/11/2019	1
034-260-074	751 RUBY HILL LN								1	12/11/2019	1
034-260-075	747 RUBY HILL LN								1	12/11/2019	1
034-260-030	501 STONE MOUNTAIN DR								1	12/11/2019	1
034-260-031	505 STONE MOUNTAIN DR								1	12/11/2019	1
034-260-032	509 STONE MOUNTAIN DR								1	12/11/2019	1
034-260-045	508 STONE MOUNTAIN DR								1	12/11/2019	1
034-260-046	504 STONE MOUNTAIN DR								1	12/11/2019	1
034-260-047	500 STONE MOUNTAIN DR								1	12/11/2019	1
032-550-013	889 FOREMOST DR								1	12/18/2019	1
032-550-015	897 FOREMOST DR								1	12/18/2019	1
032-550-017	905 FOREMOST DR								1	12/18/2019	1
032-550-019	913 FOREMOST DR								1	12/18/2019	1
032-550-020	950 HOLSTEIN DR								1	12/18/2019	1
032-550-022	942 HOLSTEIN DR								1	12/18/2019	1
032-550-024	934 HOLSTEIN DR								1	12/18/2019	1
032-550-026	926 HOLSTEIN DR								1	12/18/2019	1
032-560-001	244 GOLDEN STATE PKWY								1	12/18/2019	1
032-560-002	248 GOLDEN STATE PKWY								1	12/18/2019	1
032-560-003	252 GOLDEN STATE PKWY								1	12/18/2019	1
032-560-004	256 GOLDEN STATE PKWY								1	12/18/2019	1
032-560-005	260 GOLDEN STATE PKWY								1	12/18/2019	1
032-560-006	264 GOLDEN STATE PKWY								1	12/18/2019	1
032-560-024	333 HOLSTEIN DR								1	12/18/2019	1
032-560-026	341 HOLSTEIN DR								1	12/18/2019	1
041-143-003	105 LARIAT CT								1	12/12/2019	1
034-640-019	305 BARN DANCE WAY								1	12/11/2019	1
034-640-020	301 BARN DANCE WAY								1	12/11/2019	1
034-640-021	401 DIAMOND PEAK LN								1	12/11/2019	1
034-640-022	405 DIAMOND PEAK LN								1	12/11/2019	1
034-640-046	404 DIAMOND PEAK LN								1	12/11/2019	1
034-640-047	400 DIAMOND PEAK LN								1	12/11/2019	1
034-640-048	715 RUBY HILL LN								1	12/11/2019	1
034-640-049	719 RUBY HILL LN								1	12/11/2019	1
034-640-050	723 RUBY HILL LN								1	12/11/2019	1
034-640-054	739 RUBY HILL LN								1	12/11/2019	1
034-650-002	524 VANEK DR								1	12/16/2019	1
034-650-003	528 VANEK DR								1	12/16/2019	1
032-520-135	469 AVANTI WAY								1	12/19/2019	1
032-520-136	465 AVANTI WAY								1	12/19/2019	1
032-520-137	461 AVANTI WAY								1	12/19/2019	1
032-520-138	457 AVANTI WAY								1	12/19/2019	1
032-520-139	453 AVANTI WAY								1	12/19/2019	1
032-520-140	449 AVANTI WAY								1	12/19/2019	1
032-520-141	445 AVANTI WAY								1	12/19/2019	1
032-520-142	441 AVANTI WAY								1	12/19/2019	1
032-520-148	458 AVANTI WAY								1	12/19/2019	1
032-520-149	462 AVANTI WAY								1	12/19/2019	1
032-520-150	466 AVANTI WAY								1	12/19/2019	1
034-360-098	424 ACACIA DR										0
034-290-119	3834 PATO LN										0
037-600-012	388 COOLCREST DR										0
037-600-011	392 COOLCREST DR										0
034-640-031	441 DIAMOND PEAK LN										0
034-640-034	453 DIAMOND PEAK LN										0
037-600-012	227 LITTLETON ST										0
037-600-012	231 LITTLETON ST										0
037-600-042	849 RIVERROCK DR										0

034-640-033	449 DIAMOND PEAK LN										0
037-600-012	219 LITTLETON ST										0
037-600-012	223 LITTLETON ST										0
034-640-006	3712 MOSSWOOD DR										0
034-290-112	3835 PATO LN										0
037-600-012	212 LITTLETON ST										0
037-550-093	949 PENDLETON CT										0
034-360-109	417 PINENUT ST										0
034-640-038	597 SAPPHIRE PKWY										0
034-360-105	410 PINENUT ST										0
037-560-044	186 WILLOWRUN WAY										0
037-560-008	133 WILLOWRUN WAY										0
037-560-009	137 WILLOWRUN WAY										0
037-560-010	141 WILLOWRUN WAY										0
034-360-106	411 PINENUT ST										0
034-640-035	585 SAPPHIRE PKWY										0
034-360-107	413 PINENUT ST										0
034-640-007	353 BARN DANCE WAY										0
037-600-012	215 LITTLETON ST										0
034-640-012	333 BARN DANCE WAY										0
034-640-010	341 BARN DANCE WAY										0
034-290-121	3842 PATO LN										0
034-640-036	589 SAPPHIRE PKWY										0
037-600-001	832 RIVERROCK DR										0
034-290-110	3843 PATO LN										0
034-640-004	3720 MOSSWOOD DR										0
034-640-011	337 BARN DANCE WAY										0
034-290-120	3838 PATO LN										0
037-600-045	837 RIVERROCK DR										0
037-600-044	841 RIVERROCK DR										0
037-600-008	380 COOLCREST DR										0
037-600-046	833 RIVERROCK DR										0
034-290-109	3847 PATO LN										0
034-290-108	3851 PATO LN										0
034-640-016	317 BARN DANCE WAY										0
037-600-005	848 RIVERROCK DR										0
034-640-017	313 BARN DANCE WAY										0
037-590-028	338 PARKFIELD WAY										0
037-590-029	334 PARKFIELD WAY										0
034-640-018	309 BARN DANCE WAY										0
037-600-041	853 RIVERROCK DR										0
037-600-012	384 COOLCREST DR										0
037-590-026	346 PARKFIELD WAY										0
037-590-027	342 PARKFIELD WAY										0
034-640-008	349 BARN DANCE WAY										0
032-520-094	159 DAVISCO DR										0
032-520-099	156 DAVISCO DR										0
032-520-091	147 DAVISCO DR										0
032-520-100	152 DAVISCO DR										0
037-580-045	292 COOLCREST DR										0
037-550-081	774 WESTMOOR CIR										0
037-550-083	782 WESTMOOR CIR										0
034-290-114	3827 PATO LN										0
032-520-096	167 DAVISCO DR										0
032-520-093	155 DAVISCO DR										0
032-520-097	164 DAVISCO DR										0
032-520-098	160 DAVISCO DR										0
032-520-092	151 DAVISCO DR										0
034-000-000	813 SHEARWATER WAY										0

037-590-013	381 PARKFIELD WAY										0
037-590-060	226 WYNN ST										0
034-290-117	3826 PATO LN										0
037-590-063	214 WYNN ST										0
037-590-065	206 WYNN ST										0
037-590-067	201 WYNN ST										0
037-590-023	362 PARKFIELD WAY										0
037-590-024	358 PARKFIELD WAY										0
037-590-004	345 PARKFIELD WAY										0
037-600-006	852 RIVERROCK DR										0
034-290-105	34 PATO CT										0
032-520-103	140 DAVISCO DR										0
032-520-104	136 DAVISCO DR										0
034-290-123	39 PATO CT										0
034-640-028	429 DIAMOND PEAK LN										0
034-640-039	432 DIAMOND PEAK LN										0
037-600-048	825 RIVERROCK DR										0
034-640-027	425 DIAMOND PEAK LN										0
034-640-030	437 DIAMOND PEAK LN										0
033-460-006	31 MINARET RD										0
037-550-066	793 WESTMOOR CIR										0
037-590-005	349 PARKFIELD WAY										0
032-520-089	139 DAVISCO DR										0
032-520-090	143 DAVISCO DR										0
037-600-043	845 RIVERROCK DR										0
037-590-003	341 PARKFIELD WAY										0
037-590-001	333 PARKFIELD WAY										0
034-640-040	428 DIAMOND PEAK LN										0
032-520-105	132 DAVISCO DR										0
037-600-052	809 RIVERROCK DR										0
037-590-084	232 SHEARWATER WAY										0
037-600-054	801 RIVERROCK DR										0
037-600-053	805 RIVERRROCK DR										0
037-590-082	240 SHEARWATER WAY										0
032-520-106	128 DAVISCO DR										0
037-560-085	816 RIVERROCK DR										0
037-590-078	363 HANSFORD WAY										0
037-600-051	813 RIVERROCK DR										0
037-590-077	241 WYNN ST										0
034-640-043	416 DIAMOND PEAK LN										0
034-640-045	408 DIAMOND PEAK LN										0
037-590-079	367 HANSFORD WAY										0
037-590-080	371 HANSFORD WAY										0
037-590-081	375 HANSFORD WAY										0
037-600-049	821 RIVERROCK DR										0
037-590-002	337 PARKFIELD WAY										0
037-590-076	237 WYNN ST										0
037-600-003	840 RIVERROCK DR										0
034-640-023	409 DIAMOND PEAK LN										0
037-600-004	844 RIVERROCK DR										0
034-260-038	533 STONE MOUNTAIN DR										0
037-590-057	238 WYNN ST										0
037-600-047	829 RIVERROCK DR										0
037-590-083	236 SHEARWATER WAY										0
032-520-082	112 DAVISCO DR										0
037-590-053	351 HANSFORD WAY										0
034-290-104	38 PATO CT										0
034-290-106	30 PATO CT										0
034-640-014	325 BARN DANCE WAY										0

037-590-058	234 WYNN ST										0
032-520-084	120 DAVISCO DR										0
032-520-085	123 DAVISCO DR										0
034-640-044	412 DIAMOND PEAK LN										0
037-560-081	800 RIVERROCK DR										0
037-560-082	804 RIVERROCK DR										0
037-590-050	239 LITTLETON ST										0
037-590-030	244 LITTLETON ST										0
032-520-081	108 DAVISCO DR										0
037-590-032	236 LITTLETON ST										0
037-590-049	235 LITTLETON ST										0
037-590-031	240 LITTLETON ST										0
034-260-040	528 STONE MOUNTAIN DR										0
032-520-083	116 DAVISCO DR										0
037-590-075	233 WYNN ST										0
034-260-033	513 STONE MOUNTAIN DR										0

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy								
			10							11	12
Current APN	Street Address	Project Name+	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued	# of Units issued Certificates of Occupancy or other forms of readiness
			0	0	74	0	0	0	144		218
037-100-041	49 CAROL LN	39 UNITS-FAMILY APARTMENT BUILDING AND SOLAR			38				1	3/26/2019	39
037-100-041	51 CAROL LN	36 UNITS-FAMILY APARTMENT BUILDING AND SOLAR			36					3/26/2019	36
041-340-017	4907 BELDIN LN										0
037-590-049	235 LITTLETON ST										0
037-590-050	239 LITTLETON ST										0
037-590-051	243 LITTLETON ST										0
037-590-056	242 WYNN ST										0
037-590-057	238 WYNN ST										0
037-590-058	234 WYNN ST										0
037-590-030	244 LITTLETON ST										0
037-590-031	240 LITTLETON ST										0
037-590-032	236 LITTLETON ST										0
032-520-093	155 DAVISCO DR										0
032-520-094	159 DAVISCO DR										0
032-520-095	163 DAVISCO DR										0
032-520-096	167 DAVISCO DR										0
032-520-097	164 DAVISCO DR										0
032-520-098	160 DAVISCO DR										0
032-520-099	156 DAVISCO DR										0
034-070-068	3610 BROWN RD										0
032-520-084	120 DAVISCO DR										0
032-520-085	123 DAVISCO DR										0
032-520-086	127 DAVISCO DR										0
032-520-087	131 DAVISCO DR										0
032-520-088	135 DAVISCO DR										0
032-520-089	139 DAVISCO DR										0
032-520-090	143 DAVISCO DR										0
032-520-091	147 DAVISCO DR										0
032-520-092	151 DAVISCO DR										0
032-520-100	152 DAVISCO DR										0
032-520-101	148 DAVISCO DR										0
032-520-102	144 DAVISCO DR										0
032-520-103	140 DAVISCO DR										0
032-520-104	136 DAVISCO DR										0
032-520-105	132 DAVISCO DR										0

032-520-106	128 DAVISCO DR										0
034-640-027	425 DIAMOND PEAK LN										0
034-640-028	429 DIAMOND PEAK LN										0
034-640-029	433 DIAMOND PEAK LN										0
034-640-030	437 DIAMOND PEAK LN										0
034-640-039	432 DIAMOND PEAK LN										0
034-640-040	428 DIAMOND PEAK LN										0
034-640-041	424 DIAMOND PEAK LN										0
033-080-024	3391 DOYLE RD										0
032-520-079	100 DAVISCO DR										0
032-520-080	104 DAVISCO DR										0
032-520-081	108 DAVISCO DR										0
032-520-082	112 DAVISCO DR										0
032-520-083	116 DAVISCO DR										0
032-520-107	307 MCCLELLAND WAY										0
032-520-108	303 MCCLELLAND WAY										0
032-520-124	298 MCCLELLAND WAY										0
032-520-125	302 MCCLELLAND WAY										0
032-520-126	306 MCCLELLAND WAY										0
032-520-127	310 MCCLELLAND WAY										0
032-520-128	314 MCCLELLAND WAY										0
032-520-129	318 MCCLELLAND WAY										0
034-640-023	409 DIAMOND PEAK LN										0
034-640-024	413 DIAMOND PEAK LN										0
034-640-025	417 DIAMOND PEAK LN										0
034-640-026	421 DIAMOND PEAK LN										0
034-640-042	420 DIAMOND PEAK LN										0
034-640-043	416 DIAMOND PEAK LN										0
034-640-044	412 DIAMOND PEAK LN										0
034-640-045	408 DIAMOND PEAK LN										0
037-121-040	1961 HAMBURG ST										0
034-260-036	525 STONE MOUNTAIN DR										0
034-260-037	529 STONE MOUNTAIN DR										0
034-260-038	533 STONE MOUNTAIN DR										0
034-260-039	532 STONE MOUNTAIN DR										0
034-260-040	528 STONE MOUNTAIN DR										0
034-260-041	524 STONE MOUNTAIN DR										0
032-530-180	629 LONGMONT DR										0
032-530-181	633 LONGMONT DR										0
032-530-182	637 LONGMONT DR										0
032-540-048	806 STICKNEY WAY										0
032-540-049	802 STICKNEY WAY										0
032-540-050	798 STICKNEY WAY										0
032-540-052	790 STICKNEY WAY										0
032-540-053	786 STICKNEY WAY										0
032-540-054	782 STICKNEY WAY										0
032-540-072	738 SHULLSBURG WAY										0
032-540-073	734 SHULLSBURG WAY										0
032-540-074	730 SHULLSBURG WAY										0
032-540-079	741 SHULLSBURG WAY										0
032-540-080	737 SHULLSBURG WAY										0
032-540-081	733 SHULLSBURG WAY										0
032-540-082	729 SHULLSBURG WAY										0
032-540-069	750 SHULLSBURG WAY										0
032-540-070	746 SHULLSBURG WAY										0
032-540-075	757 SHULLSBURG WAY										0
032-540-076	753 SHULLSBURG WAY										0
032-540-077	749 SHULLSBURG WAY										0

032-540-078	745 SHULLSBURG WAY										0
034-260-033	513 STONE MOUNTAIN DR										0
034-260-034	517 STONE MOUNTAIN DR										0
034-260-035	521 STONE MOUNTAIN DR										0
034-260-042	520 STONE MOUNTAIN DR										0
034-260-043	516 STONE MOUNTAIN DR										0
034-260-044	512 STONE MOUNTAIN DR										0
032-530-106	171 DAVISCO DR										0
032-530-107	175 DAVISCO DR										0
032-530-108	179 DAVISCO DR										0
032-530-109	183 DAVISCO DR										0
032-530-110	187 DAVISCO DR										0
032-540-071	742 SHULLSBURG WAY										0
034-260-057	581 SAPPHIRE PKWY										0
034-260-058	577 SAPPHIRE PKWY										0
034-260-059	644 COPPER RIDGE WAY										0
034-260-060	640 COPPER RIDGE WAY										0
034-260-061	636 COPPER RIDGE WAY										0
034-260-054	625 COPPER RIDGE WAY										0
034-260-055	629 COPPER RIDGE WAY										0
034-260-056	633 COPPER RIDGE WAY										0
034-260-062	632 COPPER RIDGE WAY										0
034-260-063	628 COPPER RIDGE WAY										0
034-260-064	624 COPPER RIDGE WAY										0
032-520-109	299 MCCELLAND WAY										0
032-520-110	295 MCCELLAND WAY										0
032-520-111	291 MCCELLAND WAY										0
032-520-122	290 MCCELLAND WAY										0
032-520-123	294 MCCELLAND WAY										0
032-560-029	866 DARIGOLD WAY										0
032-560-030	862 DARIGOLD WAY										0
032-560-031	858 DARIGOLD WAY										0
032-560-032	854 DARIGOLD WAY										0
032-560-038	861 DARIGOLD WAY										0
032-560-039	865 DARIGOLD WAY										0
032-560-040	869 DARIGOLD WAY										0
032-560-007	272 GOLDEN STATE PKWY										0
032-560-008	276 GOLDEN STATE PKWY										0
032-560-009	280 GOLDEN STATE PKWY										0
032-560-033	850 DARIGOLD WAY										0
032-560-034	846 DARIGOLD WAY										0
032-560-035	849 DARIGOLD WAY										0
032-560-036	853 DARIGOLD WAY										0
032-560-037	268 GOLDEN STATE PKWY										0
034-260-051	613 COPPER RIDGE WAY										0
034-260-052	617 COPPER RIDGE WAY										0
034-260-053	621 COPPER RIDGE WAY										0
034-260-065	620 COPPER RIDGE WAY										0
034-260-066	616 COPPER RIDGE WAY										0
034-260-067	612 COPPER RIDGE WAY										0
032-530-142	188 DAVISCO DR										0
032-530-143	184 DAVISCO DR										0
032-530-144	180 DAVISCO DR										0
032-530-145	176 DAVISCO DR										0
032-530-146	172 DAVISCO DR										0
034-260-048	601 COPPER RIDGE WAY										0
034-260-049	605 COPPER RIDGE WAY										0
034-260-050	609 COPPER RIDGE WAY										0

034-260-068	608 COPPER RIDGE WAY										0
034-260-069	604 COPPER RIDGE WAY										0
034-260-070	600 COPPER RIDGE WAY										0
032-560-020	317 HOLSTEIN DR										0
032-560-021	321 HOLSTEIN DR										0
032-560-022	325 HOLSTEIN DR										0
032-560-023	329 HOLSTEIN DR										0
032-560-025	337 HOLSTEIN DR										0
032-540-056	774 STICKNEY WAY										0
032-540-057	770 STICKNEY WAY										0
032-540-058	766 STICKNEY WAY										0
032-540-059	762 STICKNEY WAY										0
032-540-060	761 STICKNEY WAY										0
032-540-061	765 STICKNEY WAY										0
032-540-062	769 STICKNEY WAY										0
032-540-063	773 STICKNEY WAY										0
032-540-083	725 SHULLSBUURG WAY										0
032-540-084	813 FOREMOST DR										0
032-540-085	817 FOREMOST DR										0
032-540-086	821 FOREMOST DR										0
032-540-087	825 FOREMOST DR										0
032-540-088	829 FOREMOST DR										0
032-540-089	833 FOREMOST DR										0
032-540-090	837 FOREMOST DR										0
032-560-027	874 DARIGOLD WAY										0
032-560-028	870 DARIGOLD WAY										0
032-560-041	873 DARIGOLD WAY										0
032-560-042	877 DARIGOLD WAY										0
032-560-043	881 DARIGOLD WAY										0
032-560-044	885 DARIGOLD WAY										0
032-560-045	889 DARIGOLD WAY										0
032-560-046	893 DARIGOLD WAY										0
032-520-112	287 MCCLELLAND WAY										0
032-520-113	283 MCCLELLAND WAY										0
032-520-114	279 MCCLELLAND WAY										0
032-520-115	275 MCCLELLAND WAY										0
032-520-116	271 MCCLELLAND WAY										0
032-520-117	270 MCCLELLAND WAY										0
032-520-118	274 MCCLELLAND WAY										0
032-520-119	278 MCCLELLAND WAY										0
032-520-120	282 MCCLELLAND WAY										0
032-520-121	286 MCCLELLAND WAY										0
032-530-111	191 DAVISCO DR										0
032-530-112	195 DAVISCO DR										0
032-530-113	199 DAVISCO DR										0
032-530-114	203 DAVISCO DR										0
032-530-115	207 DAVISCO DR										0
032-530-137	241 MCCELLAND WAY										0
032-530-138	237 MCCELLAND WAY										0
032-530-139	200 DAVISCO DR										0
032-530-140	196 DAVISCO DR										0
032-530-141	192 DAVISCO DR										0
032-520-130	489 AVANTI WAY										0
032-520-131	485 AVANTI WAY										0
032-520-132	481 AVANTI WAY										0
032-520-133	477 AVANTI WAY										0
032-520-134	473 AVANTI WAY										0
032-520-151	470 AVANTI WAY										0

032-520-152	474 AVANTI WAY										0
032-520-153	478 AVANTI WAY										0
032-520-154	482 AVANTI WAY										0
032-520-155	486 AVANTI WAY										0
034-260-071	763 RUBY HILL LN										0
034-260-072	759 RUBY HILL LN										0
034-260-073	755 RUBY HILL LN										0
034-260-074	751 RUBY HILL LN										0
034-260-075	747 RUBY HILL LN										0
034-260-030	501 STONE MOUNTAIN DR										0
034-260-031	505 STONE MOUNTAIN DR										0
034-260-032	509 STONE MOUNTAIN DR										0
034-260-045	508 STONE MOUNTAIN DR										0
034-260-046	504 STONE MOUNTAIN DR										0
034-260-047	500 STONE MOUNTAIN DR										0
032-550-013	889 FOREMOST DR										0
032-550-015	897 FOREMOST DR										0
032-550-017	905 FOREMOST DR										0
032-550-019	913 FOREMOST DR										0
032-550-020	950 HOLSTEIN DR										0
032-550-022	942 HOLSTEIN DR										0
032-550-024	934 HOLSTEIN DR										0
032-550-026	926 HOLSTEIN DR										0
032-560-001	244 GOLDEN STATE PKWY										0
032-560-002	248 GOLDEN STATE PKWY										0
032-560-003	252 GOLDEN STATE PKWY										0
032-560-004	256 GOLDEN STATE PKWY										0
032-560-005	260 GOLDEN STATE PKWY										0
032-560-006	264 GOLDEN STATE PKWY										0
032-560-024	333 HOLSTEIN DR										0
032-560-026	341 HOLSTEIN DR										0
041-143-003	105 LARIAT CT										0
034-640-019	305 BARN DANCE WAY										0
034-640-020	301 BARN DANCE WAY										0
034-640-021	401 DIAMOND PEAK LN										0
034-640-022	405 DIAMOND PEAK LN										0
034-640-046	404 DIAMOND PEAK LN										0
034-640-047	400 DIAMOND PEAK LN										0
034-640-048	715 RUBY HILL LN										0
034-640-049	719 RUBY HILL LN										0
034-640-050	723 RUBY HILL LN										0
034-640-054	739 RUBY HILL LN										0
034-650-002	524 VANEK DR										0
034-650-003	528 VANEK DR										0
032-520-135	469 AVANTI WAY										0
032-520-136	465 AVANTI WAY										0
032-520-137	461 AVANTI WAY										0
032-520-138	457 AVANTI WAY										0
032-520-139	453 AVANTI WAY										0
032-520-140	449 AVANTI WAY										0
032-520-141	445 AVANTI WAY										0
032-520-142	441 AVANTI WAY										0
032-520-148	458 AVANTI WAY										0
032-520-149	462 AVANTI WAY										0
032-520-150	466 AVANTI WAY										0
034-360-098	424 ACACIA DR								1	1/2/2019	1
034-290-119	3834 PATO LN								1	1/9/2019	1
037-600-012	388 COOLCREST DR								1	1/9/2019	1

037-600-011	392 COOLCREST DR								1	1/10/2019	1
034-640-031	441 DIAMOND PEAK LN								1	1/11/2019	1
034-640-034	453 DIAMOND PEAK LN								1	1/14/2019	1
037-600-012	227 LITTLETON ST								1	1/15/2019	1
037-600-012	231 LITTLETON ST								1	1/17/2019	1
037-600-042	849 RIVERROCK DR								1	1/23/2019	1
034-640-033	449 DIAMOND PEAK LN								1	1/23/2019	1
037-600-012	219 LITTLETON ST								1	1/24/2019	1
037-600-012	223 LITTLETON ST								1	1/24/2019	1
034-640-006	3712 MOSSWOOD DR								1	1/28/2019	1
034-290-112	3835 PATO LN								1	1/29/2019	1
037-600-012	212 LITTLETON ST								1	1/31/2019	1
037-550-093	949 PENDLETON CT								1	2/6/2019	1
034-360-109	417 PINENUT ST								1	2/14/2019	1
034-640-038	597 SAPPHIRE PKWY								1	2/19/2019	1
034-360-105	410 PINENUT ST								1	2/22/2019	1
037-560-044	186 WILLOWRUN WAY								1	2/27/2019	1
037-560-008	133 WILLOWRUN WAY								1	2/27/2019	1
037-560-009	137 WILLOWRUN WAY								1	2/27/2019	1
037-560-010	141 WILLOWRUN WAY								1	2/27/2019	1
034-360-106	411 PINENUT ST								1	3/19/2019	1
034-640-035	585 SAPPHIRE PKWY								1	3/22/2019	1
034-360-107	413 PINENUT ST								1	3/26/2019	1
034-640-007	353 BARN DANCE WAY								1	4/3/2019	1
037-600-012	215 LITTLETON ST								1	4/23/2019	1
034-640-012	333 BARN DANCE WAY								1	4/24/2019	1
034-640-010	341 BARN DANCE WAY								1	4/25/2019	1
034-290-121	3842 PATO LN								1	4/29/2019	1
034-640-036	589 SAPPHIRE PKWY								1	4/30/2019	1
037-600-001	832 RIVERROCK DR								1	4/30/2019	1
034-290-110	3843 PATO LN								1	5/2/2019	1
034-640-004	3720 MOSSWOOD DR								1	5/6/2019	1
034-640-011	337 BARN DANCE WAY								1	5/6/2019	1
034-290-120	3838 PATO LN								1	5/9/2019	1
037-600-045	837 RIVERROCK DR								1	5/10/2019	1
037-600-044	841 RIVERROCK DR								1	5/28/2019	1
037-600-008	380 COOLCREST DR								1	6/3/2019	1
037-600-046	833 RIVERROCK DR								1	6/10/2019	1
034-290-109	3847 PATO LN								1	6/11/2019	1
034-290-108	3851 PATO LN								1	6/12/2019	1
034-640-016	317 BARN DANCE WAY								1	6/12/2019	1
037-600-005	848 RIVERROCK DR								1	6/25/2019	1
034-640-017	313 BARN DANCE WAY								1	6/25/2019	1
037-590-028	338 PARKFIELD WAY								1	7/1/2019	1
037-590-029	334 PARKFIELD WAY								1	7/1/2019	1
034-640-018	309 BARN DANCE WAY								1	7/1/2019	1
037-600-041	853 RIVERROCK DR								1	7/2/2019	1
037-600-012	384 COOLCREST DR								1	7/2/2019	1
037-590-026	346 PARKFIELD WAY								1	7/2/2019	1
037-590-027	342 PARKFIELD WAY								1	7/2/2019	1
034-640-008	349 BARN DANCE WAY								1	7/2/2019	1
032-520-094	159 DAVISCO DR								1	7/2/2019	1
032-520-099	156 DAVISCO DR								1	7/2/2019	1
032-520-091	147 DAVISCO DR								1	7/2/2019	1
032-520-100	152 DAVISCO DR								1	7/2/2019	1
037-580-045	292 COOLCREST DR								1	7/11/2019	1
037-550-081	774 WESTMOOR CIR								1	7/11/2019	1
037-550-083	782 WESTMOOR CIR								1	7/11/2019	1

034-290-114	3827 PATO LN								1	7/16/2019	1
032-520-096	167 DAVISCO DR								1	7/23/2019	1
032-520-093	155 DAVISCO DR								1	7/24/2019	1
032-520-097	164 DAVISCO DR								1	7/24/2019	1
032-520-098	160 DAVISCO DR								1	7/24/2019	1
032-520-092	151 DAVISCO DR								1	7/25/2019	1
034-000-000	813 SHEARWATER WAY								1	7/29/2019	1
037-590-013	381 PARKFIELD WAY								1	7/29/2019	1
037-590-060	226 WYNN ST								1	7/29/2019	1
034-290-117	3826 PATO LN								1	7/29/2019	1
037-590-063	214 WYNN ST								1	7/29/2019	1
037-590-065	206 WYNN ST								1	7/29/2019	1
037-590-067	201 WYNN ST								1	7/29/2019	1
037-590-023	362 PARKFIELD WAY								1	7/29/2019	1
037-590-024	358 PARKFIELD WAY								1	7/29/2019	1
037-590-004	345 PARKFIELD WAY								1	8/1/2019	1
037-600-006	852 RIVERROCK DR								1	8/7/2019	1
034-290-105	34 PATO CT								1	8/15/2019	1
032-520-103	140 DAVISCO DR								1	8/15/2019	1
032-520-104	136 DAVISCO DR								1	8/15/2019	1
034-290-123	39 PATO CT								1	8/22/2019	1
034-640-028	429 DIAMOND PEAK LN								1	8/22/2019	1
034-640-039	432 DIAMOND PEAK LN								1	8/22/2019	1
037-600-048	825 RIVERROCK DR								1	8/26/2019	1
034-640-027	425 DIAMOND PEAK LN								1	8/26/2019	1
034-640-030	437 DIAMOND PEAK LN								1	8/26/2019	1
033-460-006	31 MINARET RD								1	8/27/2019	1
037-550-066	793 WESTMOOR CIR								1	8/27/2019	1
037-590-005	349 PARKFIELD WAY								1	8/30/2019	1
032-520-089	139 DAVISCO DR								1	8/30/2019	1
032-520-090	143 DAVISCO DR								1	8/30/2019	1
037-600-043	845 RIVERROCK DR								1	9/3/2019	1
037-590-003	341 PARKFIELD WAY								1	9/4/2019	1
037-590-001	333 PARKFIELD WAY								1	9/9/2019	1
034-640-040	428 DIAMOND PEAK LN								1	9/9/2019	1
032-520-105	132 DAVISCO DR								1	9/13/2019	1
037-600-052	809 RIVERROCK DR								1	9/16/2019	1
037-590-084	232 SHEARWATER WAY								1	9/16/2019	1
037-600-054	801 RIVERROCK DR								1	9/19/2019	1
037-600-053	805 RIVERRROCK DR								1	9/23/2019	1
037-590-082	240 SHEARWATER WAY								1	9/24/2019	1
032-520-106	128 DAVISCO DR								1	9/25/2019	1
037-560-085	816 RIVERROCK DR								1	10/1/2019	1
037-590-078	363 HANSFORD WAY								1	10/9/2019	1
037-600-051	813 RIVERROCK DR								1	10/11/2019	1
037-590-077	241 WYNN ST								1	10/17/2019	1
034-640-043	416 DIAMOND PEAK LN								1	10/17/2019	1
034-640-045	408 DIAMOND PEAK LN								1	10/24/2019	1
037-590-079	367 HANSFORD WAY								1	11/4/2019	1
037-590-080	371 HANSFORD WAY								1	11/4/2019	1
037-590-081	375 HANSFORD WAY								1	11/6/2019	1
037-600-049	821 RIVERROCK DR								1	11/13/2019	1
037-590-002	337 PARKFIELD WAY								1	11/13/2019	1
037-590-076	237 WYNN ST								1	11/13/2019	1
037-600-003	840 RIVERROCK DR								1	11/20/2019	1
034-640-023	409 DIAMOND PEAK LN								1	11/20/2019	1
037-600-004	844 RIVERROCK DR								1	11/25/2019	1
034-260-038	533 STONE MOUNTAIN DR								1	11/25/2019	1

037-590-057	238 WYNN ST								1	11/26/2019	1
037-600-047	829 RIVERROCK DR								1	12/2/2019	1
037-590-083	236 SHEARWATER WAY								1	12/3/2019	1
032-520-082	112 DAVISCO DR								1	12/4/2019	1
037-590-053	351 HANSFORD WAY								1	12/5/2019	1
034-290-104	38 PATO CT								1	12/5/2019	1
034-290-106	30 PATO CT								1	12/5/2019	1
034-640-014	325 BARN DANCE WAY								1	12/5/2019	1
037-590-058	234 WYNN ST								1	12/5/2019	1
032-520-084	120 DAVISCO DR								1	12/5/2019	1
032-520-085	123 DAVISCO DR								1	12/5/2019	1
034-640-044	412 DIAMOND PEAK LN								1	12/5/2019	1
037-560-081	800 RIVERROCK DR								1	12/9/2019	1
037-560-082	804 RIVERROCK DR								1	12/9/2019	1
037-590-050	239 LITTLETON ST								1	12/9/2019	1
037-590-030	244 LITTLETON ST								1	12/9/2019	1
032-520-081	108 DAVISCO DR								1	12/9/2019	1
037-590-032	236 LITTLETON ST								1	12/10/2019	1
037-590-049	235 LITTLETON ST								1	12/12/2019	1
037-590-031	240 LITTLETON ST								1	12/12/2019	1
034-260-040	528 STONE MOUNTAIN DR								1	12/12/2019	1
032-520-083	116 DAVISCO DR								1	12/16/2019	1
037-590-075	233 WYNN ST								1	12/19/2019	1
034-260-033	513 STONE MOUNTAIN DR								1	12/26/2019	1

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier				Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Notes
			13	14	15	16	17	18	19	20			21
Current APN	Street Address	Project Name+	How many of the units were Extremely Low Income?+	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N+	Assistance Programs for Each Development (see instructions)	Deed Restriction Type (see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)+	Number of Demolished/Destroyed Units+	Demolished or Destroyed Units+	Demolished/Destroyed Units Owner or Renter+	Notes+
			0	0						0	0	0	
037-100-041	49 CAROL LN	39 UNITS-FAMILY APARTMENT BUILDING AND SOLAR	0	N	Y	LIHTC	DB	n/a	55				
037-100-041	51 CAROL LN	36 UNITS-FAMILY APARTMENT BUILDING AND SOLAR	0	N	Y	LIHTC	DB	n/a	55				
041-340-017	4907 BELDIN LN			N	Y								
037-590-049	235 LITTLETON ST			N	Y								
037-590-050	239 LITTLETON ST			N	Y								
037-590-051	243 LITTLETON ST			N	Y								
037-590-056	242 WYNN ST			N	Y								
037-590-057	238 WYNN ST			N	Y								
037-590-058	234 WYNN ST			N	Y								
037-590-030	244 LITTLETON ST			N	Y								
037-590-031	240 LITTLETON ST			N	Y								
037-590-032	236 LITTLETON ST			N	Y								
032-520-093	155 DAVISCO DR			N	Y								
032-520-094	159 DAVISCO DR			N	Y								
032-520-095	163 DAVISCO DR			N	Y								
032-520-096	167 DAVISCO DR			N	Y								
032-520-097	164 DAVISCO DR			N	Y								
032-520-098	160 DAVISCO DR			N	Y								
032-520-099	156 DAVISCO DR			N	Y								
034-070-068	3610 BROWN RD			N	Y								
032-520-084	120 DAVISCO DR			N	Y								
032-520-085	123 DAVISCO DR			N	Y								
032-520-086	127 DAVISCO DR			N	Y								
032-520-087	131 DAVISCO DR			N	Y								
032-520-088	135 DAVISCO DR			N	Y								
032-520-089	139 DAVISCO DR			N	Y								
032-520-090	143 DAVISCO DR			N	Y								
032-520-091	147 DAVISCO DR			N	Y								
032-520-092	151 DAVISCO DR			N	Y								
032-520-100	152 DAVISCO DR			N	Y								
032-520-101	148 DAVISCO DR			N	Y								
032-520-102	144 DAVISCO DR			N	Y								
032-520-103	140 DAVISCO DR			N	Y								
032-520-104	136 DAVISCO DR			N	Y								
032-520-105	132 DAVISCO DR			N	Y								
032-520-106	128 DAVISCO DR			N	Y								
034-640-027	425 DIAMOND PEAK LN			N	Y								
034-640-028	429 DIAMOND PEAK LN			N	Y								
034-640-029	433 DIAMOND PEAK LN			N	Y								
034-640-030	437 DIAMOND PEAK LN			N	Y								
034-640-039	432 DIAMOND PEAK LN			N	Y								
034-640-040	428 DIAMOND PEAK LN			N	Y								
034-640-041	424 DIAMOND PEAK LN			N	Y								
033-080-024	3391 DOYLE RD			N	Y								
032-520-079	100 DAVISCO DR			N	Y								
032-520-080	104 DAVISCO DR			N	Y								
032-520-081	108 DAVISCO DR			N	Y								
032-520-082	112 DAVISCO DR			N	Y								
032-520-083	116 DAVISCO DR			N	Y								
032-520-107	307 MCCLELLAND WAY			N	Y								
032-520-108	303 MCCLELLAND WAY			N	Y								
032-520-124	298 MCCLELLAND WAY			N	Y								
032-520-125	302 MCCLELLAND WAY			N	Y								
032-520-126	306 MCCLELLAND WAY			N	Y								
032-520-127	310 MCCLELLAND WAY			N	Y								
032-520-128	314 MCCLELLAND WAY			N	Y								
032-520-129	318 MCCLELLAND WAY			N	Y								
034-640-023	409 DIAMOND PEAK LN			N	Y								

034-640-024	413 DIAMOND PEAK LN			N	Y								
034-640-025	417 DIAMOND PEAK LN			N	Y								
034-640-026	421 DIAMOND PEAK LN			N	Y								
034-640-042	420 DIAMOND PEAK LN			N	Y								
034-640-043	416 DIAMOND PEAK LN			N	Y								
034-640-044	412 DIAMOND PEAK LN			N	Y								
034-640-045	408 DIAMOND PEAK LN			N	Y								
037-121-040	1961 HAMBURG ST			N	Y								
034-260-036	525 STONE MOUNTAIN DR			N	Y								
034-260-037	529 STONE MOUNTAIN DR			N	Y								
034-260-038	533 STONE MOUNTAIN DR			N	Y								
034-260-039	532 STONE MOUNTAIN DR			N	Y								
034-260-040	528 STONE MOUNTAIN DR			N	Y								
034-260-041	524 STONE MOUNTAIN DR			N	Y								
032-530-180	629 LONGMONT DR			N	Y								
032-530-181	633 LONGMONT DR			N	Y								
032-530-182	637 LONGMONT DR			N	Y								
032-540-048	806 STICKNEY WAY			N	Y								
032-540-049	802 STICKNEY WAY			N	Y								
032-540-050	798 STICKNEY WAY			N	Y								
032-540-052	790 STICKNEY WAY			N	Y								
032-540-053	786 STICKNEY WAY			N	Y								
032-540-054	782 STICKNEY WAY			N	Y								
032-540-072	738 SHULLSBURG WAY			N	Y								
032-540-073	734 SHULLSBURG WAY			N	Y								
032-540-074	730 SHULLSBURG WAY			N	Y								
032-540-079	741 SHULLSBURG WAY			N	Y								
032-540-080	737 SHULLSBURG WAY			N	Y								
032-540-081	733 SHULLSBURG WAY			N	Y								
032-540-082	729 SHULLSBURG WAY			N	Y								
032-540-069	750 SHULLSBURG WAY			N	Y								
032-540-070	746 SHULLSBURG WAY			N	Y								
032-540-075	757 SHULLSBURG WAY			N	Y								
032-540-076	753 SHULLSBURG WAY			N	Y								
032-540-077	749 SHULLSBURG WAY			N	Y								
032-540-078	745 SHULLSBURG WAY			N	Y								
034-260-033	513 STONE MOUNTAIN DR			N	Y								
034-260-034	517 STONE MOUNTAIN DR			N	Y								
034-260-035	521 STONE MOUNTAIN DR			N	Y								
034-260-042	520 STONE MOUNTAIN DR			N	Y								
034-260-043	516 STONE MOUNTAIN DR			N	Y								
034-260-044	512 STONE MOUNTAIN DR			N	Y								
032-530-106	171 DAVISCO DR			N	Y								
032-530-107	175 DAVISCO DR			N	Y								
032-530-108	179 DAVISCO DR			N	Y								
032-530-109	183 DAVISCO DR			N	Y								
032-530-110	187 DAVISCO DR			N	Y								
032-540-071	742 SHULLSBURG WAY			N	Y								
034-260-057	581 SAPPHIRE PKWY			N	Y								
034-260-058	577 SAPPHIRE PKWY			N	Y								
034-260-059	644 COPPER RIDGE WAY			N	Y								
034-260-060	640 COPPER RIDGE WAY			N	Y								
034-260-061	636 COPPER RIDGE WAY			N	Y								
034-260-054	625 COPPER RIDGE WAY			N	Y								
034-260-055	629 COPPER RIDGE WAY			N	Y								
034-260-056	633 COPPER RIDGE WAY			N	Y								
034-260-062	632 COPPER RIDGE WAY			N	Y								
034-260-063	628 COPPER RIDGE WAY			N	Y								
034-260-064	624 COPPER RIDGE WAY			N	Y								
032-520-109	299 MCCELLAND WAY			N	Y								
032-520-110	295 MCCELLAND WAY			N	Y								
032-520-111	291 MCCELLAND WAY			N	Y								
032-520-122	290 MCCELLAND WAY			N	Y								
032-520-123	294 MCCELLAND WAY			N	Y								
032-560-029	866 DARIGOLD WAY			N	Y								
032-560-030	862 DARIGOLD WAY			N	Y								
032-560-031	858 DARIGOLD WAY			N	Y								
032-560-032	854 DARIGOLD WAY			N	Y								
032-560-038	861 DARIGOLD WAY			N	Y								
032-560-039	865 DARIGOLD WAY			N	Y								
032-560-040	869 DARIGOLD WAY			N	Y								
032-560-007	272 GOLDEN STATE PKWY			N	Y								
032-560-008	276 GOLDEN STATE PKWY			N	Y								
032-560-009	280 GOLDEN STATE PKWY			N	Y								
032-560-033	850 DARIGOLD WAY			N	Y								
032-560-034	846 DARIGOLD WAY			N	Y								
032-560-035	849 DARIGOLD WAY			N	Y								
032-560-036	853 DARIGOLD WAY			N	Y								
032-560-037	268 GOLDEN STATE PKWY			N	Y								
034-260-051	613 COPPER RIDGE WAY			N	Y								
034-260-052	617 COPPER RIDGE WAY			N	Y								
034-260-053	621 COPPER RIDGE WAY			N	Y								
034-260-065	620 COPPER RIDGE WAY			N	Y								
034-260-066	616 COPPER RIDGE WAY			N	Y								

034-260-067	612 COPPER RIDGE WAY			N	Y								
032-530-142	188 DAVISCO DR			N	Y								
032-530-143	184 DAVISCO DR			N	Y								
032-530-144	180 DAVISCO DR			N	Y								
032-530-145	176 DAVISCO DR			N	Y								
032-530-146	172 DAVISCO DR			N	Y								
034-260-048	601 COPPER RIDGE WAY			N	Y								
034-260-049	605 COPPER RIDGE WAY			N	Y								
034-260-050	609 COPPER RIDGE WAY			N	Y								
034-260-068	608 COPPER RIDGE WAY			N	Y								
034-260-069	604 COPPER RIDGE WAY			N	Y								
034-260-070	600 COPPER RIDGE WAY			N	Y								
032-560-020	317 HOLSTEIN DR			N	Y								
032-560-021	321 HOLSTEIN DR			N	Y								
032-560-022	325 HOLSTEIN DR			N	Y								
032-560-023	329 HOLSTEIN DR			N	Y								
032-560-025	337 HOLSTEIN DR			N	Y								
032-540-056	774 STICKNEY WAY			N	Y								
032-540-057	770 STICKNEY WAY			N	Y								
032-540-058	766 STICKNEY WAY			N	Y								
032-540-059	762 STICKNEY WAY			N	Y								
032-540-060	761 STICKNEY WAY			N	Y								
032-540-061	765 STICKNEY WAY			N	Y								
032-540-062	769 STICKNEY WAY			N	Y								
032-540-063	773 STICKNEY WAY			N	Y								
032-540-083	725 SHULLSBUURG WAY			N	Y								
032-540-084	813 FOREMOST DR			N	Y								
032-540-085	817 FOREMOST DR			N	Y								
032-540-086	821 FOREMOST DR			N	Y								
032-540-087	825 FOREMOST DR			N	Y								
032-540-088	829 FOREMOST DR			N	Y								
032-540-089	833 FOREMOST DR			N	Y								
032-540-090	837 FOREMOST DR			N	Y								
032-560-027	874 DARIGOLD WAY			N	Y								
032-560-028	870 DARIGOLD WAY			N	Y								
032-560-041	873 DARIGOLD WAY			N	Y								
032-560-042	877 DARIGOLD WAY			N	Y								
032-560-043	881 DARIGOLD WAY			N	Y								
032-560-044	885 DARIGOLD WAY			N	Y								
032-560-045	889 DARIGOLD WAY			N	Y								
032-560-046	893 DARIGOLD WAY			N	Y								
032-520-112	287 MCCLELLAND WAY			N	Y								
032-520-113	283 MCCLELLAND WAY			N	Y								
032-520-114	279 MCCLELLAND WAY			N	Y								
032-520-115	275 MCCLELLAND WAY			N	Y								
032-520-116	271 MCCLELLAND WAY			N	Y								
032-520-117	270 MCCLELLAND WAY			N	Y								
032-520-118	274 MCCLELLAND WAY			N	Y								
032-520-119	278 MCCLELLAND WAY			N	Y								
032-520-120	282 MCCLELLAND WAY			N	Y								
032-520-121	286 MCCLELLAND WAY			N	Y								
032-530-111	191 DAVISCO DR			N	Y								
032-530-112	195 DAVISCO DR			N	Y								
032-530-113	199 DAVISCO DR			N	Y								
032-530-114	203 DAVISCO DR			N	Y								
032-530-115	207 DAVISCO DR			N	Y								
032-530-137	241 MCCELLAND WAY			N	Y								
032-530-138	237 MCCELLAND WAY			N	Y								
032-530-139	200 DAVISCO DR			N	Y								
032-530-140	196 DAVISCO DR			N	Y								
032-530-141	192 DAVISCO DR			N	Y								
032-520-130	489 AVANTI WAY			N	Y								
032-520-131	485 AVANTI WAY			N	Y								
032-520-132	481 AVANTI WAY			N	Y								
032-520-133	477 AVANTI WAY			N	Y								
032-520-134	473 AVANTI WAY			N	Y								
032-520-151	470 AVANTI WAY			N	Y								
032-520-152	474 AVANTI WAY			N	Y								
032-520-153	478 AVANTI WAY			N	Y								
032-520-154	482 AVANTI WAY			N	Y								
032-520-155	486 AVANTI WAY			N	Y								
034-260-071	763 RUBY HILL LN			N	Y								
034-260-072	759 RUBY HILL LN			N	Y								
034-260-073	755 RUBY HILL LN			N	Y								
034-260-074	751 RUBY HILL LN			N	Y								
034-260-075	747 RUBY HILL LN			N	Y								
034-260-030	501 STONE MOUNTAIN DR			N	Y								
034-260-031	505 STONE MOUNTAIN DR			N	Y								
034-260-032	509 STONE MOUNTAIN DR			N	Y								
034-260-045	508 STONE MOUNTAIN DR			N	Y								
034-260-046	504 STONE MOUNTAIN DR			N	Y								
034-260-047	500 STONE MOUNTAIN DR			N	Y								
032-550-013	889 FOREMOST DR			N	Y								

032-550-015	897 FOREMOST DR			N	Y								
032-550-017	905 FOREMOST DR			N	Y								
032-550-019	913 FOREMOST DR			N	Y								
032-550-020	950 HOLSTEIN DR			N	Y								
032-550-022	942 HOLSTEIN DR			N	Y								
032-550-024	934 HOLSTEIN DR			N	Y								
032-550-026	926 HOLSTEIN DR			N	Y								
032-560-001	244 GOLDEN STATE PKWY			N	Y								
032-560-002	248 GOLDEN STATE PKWY			N	Y								
032-560-003	252 GOLDEN STATE PKWY			N	Y								
032-560-004	256 GOLDEN STATE PKWY			N	Y								
032-560-005	260 GOLDEN STATE PKWY			N	Y								
032-560-006	264 GOLDEN STATE PKWY			N	Y								
032-560-024	333 HOLSTEIN DR			N	Y								
032-560-026	341 HOLSTEIN DR			N	Y								
041-143-003	105 LARIAT CT			N	Y								
034-640-019	305 BARN DANCE WAY			N	Y								
034-640-020	301 BARN DANCE WAY			N	Y								
034-640-021	401 DIAMOND PEAK LN			N	Y								
034-640-022	405 DIAMOND PEAK LN			N	Y								
034-640-046	404 DIAMOND PEAK LN			N	Y								
034-640-047	400 DIAMOND PEAK LN			N	Y								
034-640-048	715 RUBY HILL LN			N	Y								
034-640-049	719 RUBY HILL LN			N	Y								
034-640-050	723 RUBY HILL LN			N	Y								
034-640-054	739 RUBY HILL LN			N	Y								
034-650-002	524 VANEK DR			N	Y								
034-650-003	528 VANEK DR			N	Y								
032-520-135	469 AVANTI WAY			N	Y								
032-520-136	465 AVANTI WAY			N	Y								
032-520-137	461 AVANTI WAY			N	Y								
032-520-138	457 AVANTI WAY			N	Y								
032-520-139	453 AVANTI WAY			N	Y								
032-520-140	449 AVANTI WAY			N	Y								
032-520-141	445 AVANTI WAY			N	Y								
032-520-142	441 AVANTI WAY			N	Y								
032-520-148	458 AVANTI WAY			N	Y								
032-520-149	462 AVANTI WAY			N	Y								
032-520-150	466 AVANTI WAY			N	Y								
034-360-098	424 ACACIA DR			N	Y								
034-290-119	3834 PATO LN			N	Y								
037-600-012	388 COOLCREST DR			N	Y								
037-600-011	392 COOLCREST DR			N	Y								
034-640-031	441 DIAMOND PEAK LN			N	Y								
034-640-034	453 DIAMOND PEAK LN			N	Y								
037-600-012	227 LITTLETON ST			N	Y								
037-600-012	231 LITTLETON ST			N	Y								
037-600-042	849 RIVERROCK DR			N	Y								
034-640-033	449 DIAMOND PEAK LN			N	Y								
037-600-012	219 LITTLETON ST			N	Y								
037-600-012	223 LITTLETON ST			N	Y								
034-640-006	3712 MOSSWOOD DR			N	Y								
034-290-112	3835 PATO LN			N	Y								
037-600-012	212 LITTLETON ST			N	Y								
037-550-093	949 PENDLETON CT			N	Y								
034-360-109	417 PINENUT ST			N	Y								
034-640-038	597 SAPPHIRE PKWY			N	Y								
034-360-105	410 PINENUT ST			N	Y								
037-560-044	186 WILLOWRUN WAY			N	Y								
037-560-008	133 WILLOWRUN WAY			N	Y								
037-560-009	137 WILLOWRUN WAY			N	Y								
037-560-010	141 WILLOWRUN WAY			N	Y								
034-360-106	411 PINENUT ST			N	Y								
034-640-035	585 SAPPHIRE PKWY			N	Y								
034-360-107	413 PINENUT ST			N	Y								
034-640-007	353 BARN DANCE WAY			N	Y								
037-600-012	215 LITTLETON ST			N	Y								
034-640-012	333 BARN DANCE WAY			N	Y								
034-640-010	341 BARN DANCE WAY			N	Y								
034-290-121	3842 PATO LN			N	Y								
034-640-036	589 SAPPHIRE PKWY			N	Y								
037-600-001	832 RIVERROCK DR			N	Y								
034-290-110	3843 PATO LN			N	Y								
034-640-004	3720 MOSSWOOD DR			N	Y								
034-640-011	337 BARN DANCE WAY			N	Y								
034-290-120	3838 PATO LN			N	Y								
037-600-045	837 RIVERROCK DR			N	Y								
037-600-044	841 RIVERROCK DR			N	Y								
037-600-008	380 COOLCREST DR			N	Y								
037-600-046	833 RIVERROCK DR			N	Y								
034-290-109	3847 PATO LN			N	Y								
034-290-108	3851 PATO LN			N	Y								
034-640-016	317 BARN DANCE WAY			N	Y								

037-600-005	848 RIVERROCK DR			N	Y								
034-640-017	313 BARN DANCE WAY			N	Y								
037-590-028	338 PARKFIELD WAY			N	Y								
037-590-029	334 PARKFIELD WAY			N	Y								
034-640-018	309 BARN DANCE WAY			N	Y								
037-600-041	853 RIVERROCK DR			N	Y								
037-600-012	384 COOLCREST DR			N	Y								
037-590-026	346 PARKFIELD WAY			N	Y								
037-590-027	342 PARKFIELD WAY			N	Y								
034-640-008	349 BARN DANCE WAY			N	Y								
032-520-094	159 DAVISCO DR			N	Y								
032-520-099	156 DAVISCO DR			N	Y								
032-520-091	147 DAVISCO DR			N	Y								
032-520-100	152 DAVISCO DR			N	Y								
037-580-045	292 COOLCREST DR			N	Y								
037-550-081	774 WESTMOOR CIR			N	Y								
037-550-083	782 WESTMOOR CIR			N	Y								
034-290-114	3827 PATO LN			N	Y								
032-520-096	167 DAVISCO DR			N	Y								
032-520-093	155 DAVISCO DR			N	Y								
032-520-097	164 DAVISCO DR			N	Y								
032-520-098	160 DAVISCO DR			N	Y								
032-520-092	151 DAVISCO DR			N	Y								
034-000-000	813 SHEARWATER WAY			N	Y								
037-590-013	381 PARKFIELD WAY			N	Y								
037-590-060	226 WYNN ST			N	Y								
034-290-117	3826 PATO LN			N	Y								
037-590-063	214 WYNN ST			N	Y								
037-590-065	206 WYNN ST			N	Y								
037-590-067	201 WYNN ST			N	Y								
037-590-023	362 PARKFIELD WAY			N	Y								
037-590-024	358 PARKFIELD WAY			N	Y								
037-590-004	345 PARKFIELD WAY			N	Y								
037-600-006	852 RIVERROCK DR			N	Y								
034-290-105	34 PATO CT			N	Y								
032-520-103	140 DAVISCO DR			N	Y								
032-520-104	136 DAVISCO DR			N	Y								
034-290-123	39 PATO CT			N	Y								
034-640-028	429 DIAMOND PEAK LN			N	Y								
034-640-039	432 DIAMOND PEAK LN			N	Y								
037-600-048	825 RIVERROCK DR			N	Y								
034-640-027	425 DIAMOND PEAK LN			N	Y								
034-640-030	437 DIAMOND PEAK LN			N	Y								
033-460-006	31 MINARET RD			N	Y								
037-550-066	793 WESTMOOR CIR			N	Y								
037-590-005	349 PARKFIELD WAY			N	Y								
032-520-089	139 DAVISCO DR			N	Y								
032-520-090	143 DAVISCO DR			N	Y								
037-600-043	845 RIVERROCK DR			N	Y								
037-590-003	341 PARKFIELD WAY			N	Y								
037-590-001	333 PARKFIELD WAY			N	Y								
034-640-040	428 DIAMOND PEAK LN			N	Y								
032-520-105	132 DAVISCO DR			N	Y								
037-600-052	809 RIVERROCK DR			N	Y								
037-590-084	232 SHEARWATER WAY			N	Y								
037-600-054	801 RIVERROCK DR			N	Y								
037-600-053	805 RIVERRROCK DR			N	Y								
037-590-082	240 SHEARWATER WAY			N	Y								
032-520-106	128 DAVISCO DR			N	Y								
037-560-085	816 RIVERROCK DR			N	Y								
037-590-078	363 HANSFORD WAY			N	Y								
037-600-051	813 RIVERROCK DR			N	Y								
037-590-077	241 WYNN ST			N	Y								
034-640-043	416 DIAMOND PEAK LN			N	Y								
034-640-045	408 DIAMOND PEAK LN			N	Y								
037-590-079	367 HANSFORD WAY			N	Y								
037-590-080	371 HANSFORD WAY			N	Y								
037-590-081	375 HANSFORD WAY			N	Y								
037-600-049	821 RIVERROCK DR			N	Y								
037-590-002	337 PARKFIELD WAY			N	Y								
037-590-076	237 WYNN ST			N	Y								
037-600-003	840 RIVERROCK DR			N	Y								
034-640-023	409 DIAMOND PEAK LN			N	Y								
037-600-004	844 RIVERROCK DR			N	Y								
034-260-038	533 STONE MOUNTAIN DR			N	Y								
037-590-057	238 WYNN ST			N	Y								
037-600-047	829 RIVERROCK DR			N	Y								
037-590-083	236 SHEARWATER WAY			N	Y								
032-520-082	112 DAVISCO DR			N	Y								
037-590-053	351 HANSFORD WAY			N	Y								
034-290-104	38 PATO CT			N	Y								
034-290-106	30 PATO CT			N	Y								
034-640-014	325 BARN DANCE WAY			N	Y								

037-590-058	234 WYNN ST			N	Y								
032-520-084	120 DAVISCO DR			N	Y								
032-520-085	123 DAVISCO DR			N	Y								
034-640-044	412 DIAMOND PEAK LN			N	Y								
037-560-081	800 RIVERROCK DR			N	Y								
037-560-082	804 RIVERROCK DR			N	Y								
037-590-050	239 LITTLETON ST			N	Y								
037-590-030	244 LITTLETON ST			N	Y								
032-520-081	108 DAVISCO DR			N	Y								
037-590-032	236 LITTLETON ST			N	Y								
037-590-049	235 LITTLETON ST			N	Y								
037-590-031	240 LITTLETON ST			N	Y								
034-260-040	528 STONE MOUNTAIN DR			N	Y								
032-520-083	116 DAVISCO DR			N	Y								
037-590-075	233 WYNN ST			N	Y								
034-260-033	513 STONE MOUNTAIN DR			N	Y								

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This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

		1	2									3	4
Income Level		**RHNA Allocation by Income Level**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total Units to Date (all years)**	**Total Remaining RHNA by Income Level**
Very Low	Deed Restricted	317			8							8	309
	Non-Deed Restricted												
Low	Deed Restricted	174			66							66	108
	Non-Deed Restricted												
Moderate	Deed Restricted	175										209	
	Non-Deed Restricted		70	88	51								
Above Moderate		502	164	208	117	184	262					935	
Total RHNA		**1168**											
Total Units			**234**	**296**	**242**	**184**	**262**					**1218**	**417**

Note: units serving extremely low-income households are included in the very low-income permitted units totals
Cells in grey contain auto-calculation formulas

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Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table C
Sites Identified or Rezoned to Accommodate Shortfall Housing Need

Project Identifier				Date of Rezone	RHNA Shortfall by Household Income Category				Type of Shortfall	Sites Description							
1				2	3				4	5	6	7	8		9	10	11
APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Date of Rezone	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Type of Shortfall	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses
Summary Row: Start Data Entry Below																	

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Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	**Objective**	**Timeframe in H.E**	**Status of Program Implementation**
1.1 Provision of Adequate Sites to Meet Remaining RHNA Need	**Provision of Adequate Sites to accommodate remaining RHNA need of 385 extremely low, very low, and low income units**	**1/27/2017**	**The City completed this program by designating 9 specific properties with the Affordable Housing Overlay Zone. The City Council adpted Ordinance 16-16 that adopted the overlay.**
1.2 Density Bonus Ordinance	**Implement Density Bonus Ordinance**	**Ongoing**	**The City will continue to use the Density Bonus Ordinance with qualifying affordable projects.**
1.3 Review and Revise Development Fees	**Review and Revise Development Fees**	**Review Annually**	**The City's Park and Traffic Impact Fee's are currently being looked at and revised with anticpated reductions to both fees.**
1.4 Promote Energy-Conserving Programs	**Efficient Use of Energy Resources**	**12/31/2016**	**The City has adopted the California Energy Code and performs plan reviews to ensure projects meet the codes intention for efficient energy use. The City also has an updated website with links and information to Energy Conservation programs.**
1.5 Encourage Residential Development in Areas Served by Public Transit	**Encourage Residential Development near Transit**	**7/1/2016**	**The City adopted the Downtown Specific Plan which is within 1/2 mile of public transit. The DSP allows for reduced parking in order to facilitate the redevelopment of downtown. Additionally, the General Plan has policies that encourage high density development near transit, and the City has made a consistent effort to locate higher density development along existing transit corridors.**
1.6 Maintain an Inventory of Available Land Resources	**Inventory of Available Land Resources**	**12/1/2016**	**The City has developed a comprehensive map of vacant and underutilized parcels. The list includes both vacant parcels and parcels that have infill potential. The information was updated prior to the adoption of the 2015-2023 Housing Element.**

1.7 Encourage Infill Development	Encourage infill as a means to provide additional opportunities for construction	12/1/2015	The city continues to encourage infill development. The City has adopted a Downtown Specific Plan which specifically provides for infill and mixed use residential opportunities within the City.
1.8 Jobs-Housing Balance Evaluation	Analyze the status of jobs and housing within the community and then provide to large employers within the community	Ongoing	The city has a comprehensive list of approved and developed subdivisions within the City. This list is readily available to large employers within the City.
1.9 Annual Review and Reporting of Housing Element Progress	Complete reporting requirements	Report due to HCD Annually	The Annual Report is scheduled for Council review and approval at the March 24, 2020 City Council Meeting. Thereafter, the Annual Report will be forwarded to HCD.
1.10 Affordable Housing Overlay	Review and Revise Affordable Housing Overlay	In conjunction with Policy Action 1.1	The City completed this program with the adption of Ordinance 15-16 in Summer 2016.
1.11 Multifamily Housing Sites	Encourage multifamily and affordable residential uses on multifamily sties	In conjunction with Policy Action 1.1	Active Program (See also Status of Implementation of Goal 1.1)
2.1 Rehabilitation of Existing Housing Units	Continue to provide information on housing rehabilitation assistance	6/1/2015	The City has provided access on the web site to the full list of programs available with the County and HUD, as well as links to appropriate web sites
2.2 Proactive Code Enforcement	Develop a Proactive Code Enforcement Strategy	Ongoing	Staff has developed, adopted and implemented a Property Maintenance Program, as well as a Residential Rental Inspection Program.
2.3 Infrastructure Preservation Program	Provide Adequate Infrastructure	Ongoing	The City annually adopts a capital improvement program as part of its budget to plan and schedule infrastructure improvements throughout Oakley. Based on those adopted priorities and funding plans the City aggressively implements capital improvement projects. There are currently 20 capital improvement projects in various stages of implementation throughout the City.
3.1 Monitor Assisted Housing Units	Monitor units to identify at risk units and insure current units compliance	Ongoing and Annual Monitoring	The City requires fiscal year financial and proof of certification to be reported 90 days after the end of the prior fiscal year. These reports are then audited. The City also maintains active relationships with owners and management.
3.2 Encourage Development of New Affordable Rental Housing for Remaining RHNA Need	Encourage Affordable Rental Housing Development to meet remaining RHNA need	Ongoing	Active Program (See also Status of Implementation of Goal 1.1)
4.1 Increase Access to Homeownership	Disseminate information about the available programs for Affordable Housing through offices, library or City website	8/1/2015	The City website has the following information: where existing affordable family and senior housing projects within the City are located as well as submitted development applications, a link to the 211 program, and the County Section 8 Program.

4.2 Promote Fair Housing Standards	**Continue to encourage the enforcement of federal and state fair housing standards**	**8/1/2015**	**The City currently posts resources on the web site, plus disseminates information through the housing department and the police department. A guide to tenants and landlords rights is kept on hand as well.**
4.3 Development of Housing for Extremely-Low Income Households and Special Needs Groups	**Encourage housing to meet need of 45 Extremely-Low Income units or special needs housing**	**Through the 2015-2023 Planning Cycle**	**The City works cooperatively with affordable housing developers to explore incentives. Although the City does not have available funds, staff has explored funding sources from other agencies in efforts to find ways to achieve the program goals to attain Extremely-Low Income units.**
4.4 Development of Housing for Large Families	**Increase Housing for Large Families**	**Ongoing**	**The City continues to focus on achieving a balance to accommodate various needs for housing.**
4.5 Reasonable Accommodation Procedures	**Continue reasonable accommodation procedures**	**Ongoing**	**Staff continues to ensure that projects meet the State's newest accessibility requirements by identifying deficiencies at plan review stage. City also works with a Certified Access Specialist for plan reviews and inspections.**
4.6 Compliance with SB2	**Comply with SB 2**	**1/1/2016**	**The City has completed this program and has adopted an ordinance that complied with SB 2 in regard to transitional and supportive housing. The Downtown Specific Plan provides a zone district and site to allow an Emergency Shelter by-right.**
4.7 Ensure Adequate Emergency Shelter Sites	**Accommodate the City's emergency shelter need**	**Ongoing/Annually**	**The Downtown Specific Plan provides a zone district and site to allow an Emergency Shelter by-right.**
4.8 Pursue Outside Funding Sources	**Monitor Sources of Development Financing**	**Ongoing/Annually**	**The City is working cooperatively with affordable housing developers to explore outside funding sources. Although the City does not have available funds, staff has explored funding sources from other agencies in efforts to find ways to achieve the program goals to attain Extremely-Low Income units instead of Very-Low and -Low. The City has had numerous meetings and discussions in the past with developers to explore incentives and creative financing.**
4.9 Provide Comprehensive Housing Information	**Comprehensive Housing Resources**	**Ongoing**	**The City uses print media, mailers, web-based information, e-mail blasts, and other methods to provide information about available housing resources.**
4.10 Residential Care Facilities	**Accommodate residential care facilities/group homes**	**1/1/2016**	**The City has completed this program and has adopted an ordinance that complied with State Law pertaining to Residential Care Facilities.**
4.11 Employee and Farmworker Housing	**Accommodate farmworker and employee housing**	**1/1/2016**	**The City has completed this program and has adopted an ordinance that complied with State Law pertaining to Employee and Farmworker Housing.**

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Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table E

Commercial Development Bonus Approved pursuant to GC Section 65915.7

Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Oakley	
Reporting Period	2019	(Jan. 1 - Dec. 31)

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Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)(2)

This table is optional. Jurisdictions may list (for informational purposes only) units that do not count toward RHNA, but were substantially rehabilitated, acquired or preserved. To enter units in this table as progress toward RHNA, please contact HCD at APR@hcd.ca.gov. HCD will provide a password to unlock the grey fields. Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in Government Code section 65583.1(c)(2).

Activity Type	Units that Do Not Count Towards RHNA+ Listed for Informational Purposes Only				Units that Count Towards RHNA + Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1+
	Extremely Low-Income+	Very Low-Income+	Low-Income+	TOTAL UNITS+	Extremely Low-Income+	Very Low-Income+	Low-Income+	TOTAL UNITS+	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Total Units by Income									

Jurisdiction	Oakley	
Reporting Period	2019	(Jan. 1 - Dec. 31)

NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

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Table G

Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of

Project Identifier						
1						4
APN	**Street Address**	**Project Name+**	**Local Jurisdiction Tracking ID+**	**Realistic Capacity Identified in the Housing Element**	**Entity to whom the site transferred**	**Intended Use for Site**
Summary Row: Start Data Entry Below						

Jurisdiction	Oakley	
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Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		262
Total Units		**262**

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Housing Applications Summary	
Total Housing Applications Submitted:	4
Number of Proposed Units in All Applications Received:	322
Total Housing Units Approved:	300
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

Oakley Housing Fund
SB 341 Annual Reporting Requirements for Housing Successors to Redevelopment Agencies
For Fiscal Year Ended June 30, 2019

1. *Amounts Deposited into the Low & Moderate Housing Asset Fund, distinguishing any amounts deposited for items listed on the Recognized Obligation Payment Schedule (ROPS) from other amounts deposited.*

a.	*ROPS Schedule Funding*	*$ 0*
b.	*Loan Payments Received*	*$ 72,347*
c.	*Interest Earnings on Cash Balances*	*$ 2,761*
	Total Deposits	*$ 75,108*

2. *A statement of the balance in the fund as of the close of the fiscal year, distinguishing any amounts held for items listed on the ROPS from other amounts. $*

Cash	*$ 148,664 (Cash and Investments)*
Restricted for Current Payables	*$ -0-*
Available Cash Balance	*$148,664*

3. *Description of the expenditures from the fund by category, including, but not limited to, expenditures (A) for monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor and administering the activities described in paragraphs (2) and (3) of subdivision (a), (B) for homeless prevention and rapid rehousing services for the development of housing described in paragraph (2) of subdivision (a), and (C) for the development of housing pursuant to paragraph (3) of subdivision (a).*

(A) Monitoring and Preserving LT Affordability of Units	*$3,492*
(B) Homeless Prevention	*$ 0*
(C) Development of Housing	*$ 0*
(D) Other (accounting, bank fees, etc..)	*$25,308*
Total Expenditures	*$28,800*

4. *As described in paragraph (1) of subdivision (a), the statutory value of real property owned by the housing successor, the value of the loans and grants receivable, and the sum of these two amounts.*

Real Property Owned	*$ 0*
Loans Receivable	*$11,475,033*
Total	*$11,475,033*

5. *Description of any transfers made pursuant to paragraph (2) of subdivision (C) in the previous fiscal year and, if still unencumbered, in earlier fiscal years and a description of and status update on any project for which transferred funds have been or will be expended if that project has not yet been placed in service.*

   $0 (No transfers made under this section, in the current or any prior year).

6. *Description of Projects for which the Oakley Housing Fund receives or is holding property tax revenue pursuant to the ROPS and the status of that project.*

   N/A -The Oakley Housing Fund neither receives nor holds property tax revenue pursuant to a ROPS.

7. *For interests in real property acquired by the former redevelopment agency prior to February 1, 2012, a status update on compliance with section 33334.16. For interest in real property acquired on or after February 1, 2012, a status update on the project.*

   N/A – The Oakley Housing Fund owns no real property.

8. *a. A description of outstanding obligations pursuant to Section 33413 that remain to transfer to the Housing Successor on February 1, 2012.*

   The Oakley Housing Fund is obligated to pay the remaining deferred impact fee obligation related to the Oakley Cypress Associates project. The balance at June 30, 2019, including interest, was $1,142,157.

   b. A description of the Housing Successor's progress in meeting obligations described in 8a.

   Very little progress has been made since dissolution of the Oakley Redevelopment Agency, as these fees were only recently confirmed as solely a Housing Successor obligation, and the Department of Finance continually denied any Successor Agency payment.

   c. A description of the housing successor's plan to meet unmet obligations described in 8a.

   The Housing Successor receives loan repayments each year, and after paying for the services described in item 3 above, it will continue to use remaining balances to pay down this obligation. Given the state of the projects and length of the loan repayment terms, payment of the impact fees may take decades.

9. *Information required by subparagraph (B) or paragraph (3) of subdivision (a).*

   N/A.

10. *Percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, its former RDA and its host jurisdiction within the last 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the housing successor, its former RDA and its host jurisdiction within the same time period.*

    47.5%

11. *a. The amount of excess surplus. N/A – None.*

    b. The amount of time that the successor agency has had the excess surplus. N/A

    c. The housing successor's plan for eliminating the excess surplus. N/A

RESOLUTION NO. XX – 20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING THE ANNUAL PROGRESS REPORT ON IMPLEMENTATION OF THE HOUSING ELEMENT FOR THE CITY OF OAKLEY

WHEREAS, in November 1998, the voters approved the incorporation of the City of Oakley, to be effective July 1, 1999; and

WHEREAS, on July 1, 1999, the City of Oakley was incorporated; and

WHEREAS, after incorporation, the City adopted the Contra Costa County General Plan for the Oakley Area as its General Plan, the County's subdivision ordinance as its subdivision Ordinance, and the County's zoning ordinance as its zoning ordinance (Ordinance Nos. 1-99, 17-99, 22-99). Since that time, the City has prepared its own General Plan, as required by Government Code Section 65360; and

WHEREAS, in December 2002, the Oakley City Council adopted the Oakley 2020 General Plan; and as part of the General Plan the City developed a 2001-2007 Housing Element, which was certified by The State Department of Housing and Community Development (HCD) in 2005; and

WHEREAS, in August 2009, the Oakley City Council adopted the 2007-2014 Housing Element,

WHEREAS, in January 2015, the Oakley City Council adopted the 2015-2023 Housing Element,

WHEREAS, the City is required to provide housing opportunities for all income groups. HCD reviews the Housing Element portion of the General Plan, and requires an Annual Progress Report on the Implementation of the Housing Element; and

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 approvals:

1. The City has completed an Annual Progress Report (Attachment 1), which outlines the progress the City has made on the goals and policies outlined in the Housing Element:

    a. The City shall meet the State Department of Housing and Community Development Department (HCD) requirements to ensure the City is providing adequate housing types for all income groups.

b. Compliance with HCD requirements will provide for orderly, well balanced growth within the City.

PASSED AND ADOPTED: by the City Council of the City of Oakley at a meeting held on the 14th day of April 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

_____ _____
Kevin Romick, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Establishment of the Rate per Equivalent Runoff Unit for FY 2020/21 and Requesting the Contra Costa County Flood Control and Water Conservation District to Adopt an Annual Parcel Assessment for Drainage Maintenance and the National Pollutant Discharge Elimination System Program

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Background and Analysis

The City of Oakley joined the Contra Costa Clean Water Program in March of 2000 to implement its National Pollutant Discharge Elimination System Program as required by the Federal Water Pollution Control Act. To fund the City's participation in the program, the Contra Costa County Flood Control and Water Conservation District was authorized by Assembly Bill 2768 to impose an annual assessment on behalf of member cities. The annual assessment is based on an Equivalent Runoff Unit (ERU) which is defined as the service charge rating assigned to each parcel based on its land use.

Prior to incorporation, the County collected $16.20 per ERU in the Oakley area. The estimated level of effort and corresponding budget for Oakley's first two years as a member of the Clean Water Program required that the rate per ERU be increased to $20.65. That rate allowed the City to achieve the minimum requirements of the 5-Year National Pollutant Discharge Elimination System (NPDES) Permit that was in effect at that time. In FY 2003/04, anticipating a change in the permit requirements and an increased level of effort, the rate was raised to $25.00 per ERU.

In early 2004, the Countywide permits were amended to include new development and re-development requirements that were very stringent and time intensive. Since that time, the required monitoring, reporting, and administration efforts have become more burdensome and the permit fees charged by the Regional Water Quality Control Board have increased. The most recent permit, referred to as the Municipal Regional Permit, or MRP is even more restrictive. To cover these costs, the rate was raised to $28.00 per ERU in FY 2004/05; and to the maximum rate of $30.00 in FY 2005/06. When the Stormwater Utility Areas were established by the legislation, maximum rates were

established for each participating agency. Oakley's maximum rate is $30.00 per ERU and can only be increased by a vote pursuant to Proposition 218. This results in a total budget estimate for FY 2020/21 of approximately $507,000.

In FY 2004/05, the City added a part-time Stormwater Coordinator to manage the program. In 2011, the duties of the Stormwater Coordinator were shifted to the incumbent Senior Engineer who performed this work with assistance from a consultant. In 2019, the duties of the Stormwater Coordinator were shifted to the Principal Engineer. This operation plan is proposed to remain unchanged for FY 2020/21.

The core activities of the program include drainage facility maintenance, street sweeping, and monitoring and reporting on the stormwater components of the City's new development, industrial and commercial inspection, municipal maintenance, public education, and illicit discharge activities. The City is also continuing to implement the new permit provisions by tracking and monitoring all stormwater control features associated with new development and conducting public outreach activities that complement the countywide effort through presentations to the local schools and other mediums such as the Oakleaf Newsletter and during our annual Public Works event. The City pays nearly $75,000 to the Countywide program annually for their activities, which include extensive public education, coordination of the annual report, representation to the regional boards and other stakeholder groups, negotiation of permit requirements, and other administrative activities. Oakley's Stormwater Coordinator sits on the management committee that establishes the Countywide program budget, and a concerted effort has been made to keep the costs to a minimum. Staff has prepared a draft line item budget for the City's cleanwater activities that is attached to this report for reference, and will be included in the annual City FY 2020/21 budget process. The budget may be modified as part of the Citywide budget hearings and approval, but provides a logical nexus and justification for the proposed rate.

The agreement between the City and the Contra Costa County Flood Control and Water Conservation District (District) requires that the City determine the rate per ERU annually prior to May 1st of each year. The District has requested that the City submit certified resolutions in April so that they can schedule the item for a specific Contra Costa County Board of Supervisors hearing.

Fiscal Impact

Adoption of the resolution will authorize the Contra Costa County Flood Control and Water Conservation District to collect approximately $507,000.00 from the property tax rolls on Oakley's behalf to fund program costs. Funds are disbursed from the District to the City as outlined in the Program agreement.

Staff Recommendation

Staff recommends that the City Council adopt the Resolution Establishing the Rate per Equivalent Runoff Unit for FY 2020/21 and Requesting the Contra Costa

County Flood Control and Water Conservation District to Adopt an Annual Parcel Assessment for Drainage Maintenance and the NPDES Program.

Attachments

1) Resolution for ERU Establishment
2) Draft FY 2020/21 Budget

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ESTABLISHING THE RATE PER EQUIVALENT RUNOFF UNIT FOR FY 2020/21 AND REQUESTING THE CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM

WHEREAS, under Federal Water Pollution Control Act, prescribed discharges of stormwater require a permit from the appropriate California regional water quality board under the National Pollutant Discharge Elimination System (NPDES) program; and

WHEREAS, the City of Oakley (City) did apply for, and did receive, an NPDES permit which requires the implementation of selected Best Management Practices to minimize or eliminate pollutants from entering storm waters; and

WHEREAS, it is the intent of the City to utilize funds received from its Stormwater Utility Area (SUA) for implementation of the NPDES program and drainage maintenance activities; and

WHEREAS, at the request of the City, the Contra Costa County Flood Control & Water Conservation District (District) has completed the process for formation of an SUA, including the adoption of the Stormwater Utility Assessment Drainage Ordinance No. 93-47; and

WHEREAS, The SUA and Program Group Costs Payment agreement between City and District requires that the City annually, by May 1st, determine the rate to be assessed to a single Equivalent Runoff Unit (ERU) for the forthcoming fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Oakley does determine that the rate to be assigned to a single ERU for FY 2020/21 shall be set at $30.00.

BE IT FURTHER RESOLVED that the City Council does hereby request the District to adopt SUA levies based on said amount.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

Oakley Clean Water Program Budget
Fiscal Year 2020/21

Task Number	Task Title	FY 2020/21 Proposed	Description/Comments
1	New Development and Construction Controls	$ 2,000.00	Funds costs related to new development and construction activities
2	Public Education and Outreach	$ 2,000.00	Funds costs related to public education and outreach activities; includes newsletter publication
3	Municipal Maintenance	$ 3,000.00	Funds costs related to municipal maintenance activities
4	Industrial and Commercial Inspections	$ 2,000.00	Funds costs related to the inspection of industrial and commercial businesses for water quality compliance
5	Illicit Discharge Control	$ 3,000.00	Funds costs related to identification and clean-up of illicit discharges
6	Monitoring	$ 1,000.00	No special water quality monitoring activities have been identified at this time for this year.
7	Special Studies	$ 2,000.00	No special studies other than those related to the anticipated new permit have been identified at this time for this year.
8	Watershed Management	$ 5,000.00	Anticipates a contribution to the watershed organization
9	Permit Fees	$ 15,000.00	Annual RWQCB permit fees
11	Agency Administration	$ 1,000.00	Costs for attending mandatory meetings and workshops and program related conferences and training.
12	Group Costs	$ 75,000.00	Oakley share of the overall CCWP costs including assessment levying
13	New Permit Implementation	$ 6,000.00	Special studies and consultant assistance related to new permit requirements
14	Street Sweeping	$ 220,000.00	Annual street sweeping contract
15	Drainage Maintenance	$ 70,000.00	Funds eligible drainage maintenance activities such as catch basin cleaning
16	Total Staff Costs	$ 50,000.00	Staffing costs necessary to implement the goals of the stormwater management plan.
17	Overhead	$ 50,000.00	Offsets overhead costs to the PW&E Division
Total Project Costs		***$ 507,000.00***	
Estimated FY 2020/21 ERU's		***16,900.00***	
Proposed FY 2020/21 Fee Rate		***$ 30.00***	

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Award of Contract with Capra Environmental Services Corporation for On-Call Weed and Brush Maintenance Grazing Services for FY 2020/21 and FY 2021/22

Background and Analysis

The City of Oakley has limited in-house resources to be able to address all of the on-going maintenance needs of the public infrastructure and facilities in the community. Outside contractors have been used to supplement City staff in performing maintenance activities. The various types of public works maintenance activities that the City needs for outside contractor resources generally are: major street repair, crack filling of streets, storm drain pipe repair and rehabilitation, ditch cleaning, large scale brush removal from open ditches and drainage basins, striping of streets and parking lots, guard rail repair and replacement and concrete repair.

With the geographic location of Oakley in the far eastern region of Contra Costa County, there are limited contractors available to perform various maintenance services for the agencies. Due to this contactor's familiarity with the City's operations and to the high demand on City staff, the Public Works Department did not feel that it was feasible or would be fruitful to complete the formal bidding process for this contract.

Goat and sheep grazing provides weed and brush maintenance in a very cost effective way, compared to using contractors with mechanized equipment. It is also an environmentally friendly maintenance practice.

The use of these animals for weed clearing has been very successful in Oakley for the past few years and has been popular with many of the Oakley residents who enjoy the sight of the herd grazing in the community. The utilization of goats and sheep for weed and vegetation clearing is also used by Contra Costa County and many other agencies in the Bay Area.

Capra Environmental Services Corporation has been providing the weed and brush grazing services for the past few years. They have performed well and accommodated the City's service requests professionally.

Staff is recommending that the City Council authorize the City Manager to execute the agreement with Capra Environmental Services Corporation for weed and brush grazing services for FY 2020/21 and FY 2021/22 for a not to exceed amount of $50,000 for each fiscal year.

Fiscal Impact

The proposed work will be paid for from the Stormwater maintenance fund.

Staff Recommendation

Staff recommends that the City Council adopt the Resolution approving the agreement with Capra Environmental Services Corporation and authorizes the City Manager to execute the agreement.

Attachments

1) Proposal
2) Resolution

March 21, 2020

Mr. Kevin Rohani
City of Oakley
Public Works Director/City Engineer
3231 Main Street
Oakley, CA 94561

Re: Vegetation Management using Goats and Sheep

Mr. Rohani,

Thank you for allowing Capra Environmental Services to provide the City of Oakley with a cost proposal for the vegetation management at the various sites throughout the City.

Capra Environmental Services, Corp. provides vegetation management/contracted grazing services using goats and sheep. Our company, our staff and myself have been in the vegetation management industry for an extensive period of time, a combined 110 years of experience. We currently provide our services for the State of California, numerous cities, counties, corporations, homeowners association, reclamation districts, water districts, and private landowners. We specialize in working in highly residential areas. We take great pride in the welfare of our workforce, the sheep and goats, since they are how we make our livings.

We provide for our clients the livestock required to graze the site in a timely manner, the portable electric fence (with signage stating that it is electric) to contain the livestock to the area to be grazed, all the labor to install the electric fencing and care for the livestock on a 24/7 basis, transportation to and from the grazing sites, all the required liability, workers compensation, and auto insurance, city business licenses and/or permits, and our entire support staff on call on a 24/7 basis. Our shepherds will be on site in a camp trailer.

The cost will remain the same as last year and the breakdown for each site is listed below. Any site less than 3 acres are grazed at a cost of $1350.00/acre while any site over 3 acres is grazed at a cost of $1000.00/acre.

Description	Acreage	Cost/acre	Total
Teakwood Basin	5.3	$1,000.00	$5,300.00
Fandoras Circle	2.1	$1,350.00	$2,835.00
Terra Verde Lane	1.0	$1,350.00	$1,350.00
Stirrup Drive	1.1	$1,350.00	$1,485.00
Piper Channel	4.7	$1,000.00	$4,700.00
Las Dunas Avenue	1.1	$1,350.00	$1,485.00
Del Antico Avenue	3.1	$1,000.00	$3,100.00
Live Oak Basin East	3.2	$1,000.00	$3,200.00
Live Oak Basin West	6.0	$1,000.00	$6,000.00
Lot next to 1530 Neroly Rd.	2.7	$1,350.00	$3,645.00
		Total	$33,100.00

If you have any questions, please feel free to give me a call.

Sincerely,

John Quinn
Capra Environmental Services, Corp.
john@capraenv.com
(916) 719-8522
www.capraenvironmental.com

RESOLUTION NO. -20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE AGREEMENT WITH CAPRA ENVIRONMENTAL SERVICES CORPORATION FOR ON-CALL WEED AND BRUSH MAINTENANCE GRAZING SERVICES FOR FY 2020/21 AND FY 2021/22

WHEREAS, City of Oakley is responsible for vegetation maintenance services for all the stormwater detention basins and other City parcels of lands at locations throughout the City of Oakley; and

WHEREAS, Capra Environmental Services Corporation has been performing vegetation services using a herd of goats for the past few years for City of Oakley; and

WHEREAS, Staff recommends executing the contract with Capra Environmental Services Corp. for FY 2020/21 and FY 2021/22 for grazing services throughout the City; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the agreement with Capra Environmental Services Corp. is hereby approved and the Council Authorizes the City Manager to execute an agreement in a not to exceed amount of $50,000 annually for each FY 2020/21 and FY 2021/22. The proposal is hereto attached as Exhibit A.

BE IT FURTHER RESOLVED AND ORDERED, if at the end of the term the services have been performed satisfactorily the City Manager has the discretion to approve an extension of the agreement to June 30, 2024 under the same terms as the original agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Authorize the City Manager to execute an agreement for Downtown Tree Lighting Maintenance Services with Pacific Display, Inc. for the City of Oakley from July 1, 2020 through June 30, 2022

Background and Analysis

The City of Oakley has limited in-house resources to be able to address all of the on-going maintenance needs of the public infrastructure and facilities in the community. Outside contractors have been used to supplement City staff in performing maintenance activities. The various types of public works maintenance activities that the City needs for outside contractor resources generally are: major street repair, crack filling of streets, storm drain pipe repair and rehabilitation, ditch cleaning, large scale brush removal from open ditches and drainage basins, striping of streets and parking lots, guard rail repair and replacement and concrete repair and lighting repair and maintenance.

With the geographic location of Oakley in the far eastern region of Contra Costa County, there are limited contractors available to perform various maintenance services for the agencies. Due to this contactor's familiarity with the City's operations and to the high demand on City staff, the Public Works Department did not feel that it was feasible or would be fruitful to complete the formal bidding process for this contract.

Downtown Oakley has gone through a major revitalization in the past few years, to its final reconstruction that was completed in 2017. The streetscape component of the downtown project included planting new trees on both sides of Main Street. In order to enhance the beauty of downtown, decorative LED lights were installed on downtown trees along Main Street from Vintage Parkway to 5th Street.

Pacific Display, Inc. was hired for the installation of these decorative LED tree lights for downtown Oakley. This firm specializes in providing, installing, and maintaining outdoor lighting for municipalities (including Brentwood) and private institutions throughout the Bay Area; especially tree lighting and maintenance. The new LED tree lights need regular maintenance to ensure all light strings are working properly,

also as the trees grow and their trunks expand, the light strings need to be rewrapped and adjusted to the growing tree trunk in order for all the lights to function properly. In addition, light strings that are damaged as result of vandalism need to be replaced.

Staff has negotiated a tree light maintenance contract with Pacific Display, Inc. to perform bi-monthly service for the downtown Oakley tree lights for a not-to-exceed amount of $35,422.78 per fiscal year. This service includes rewrapping any light strings, replacing damaged lights, and installing new light strings as trees grow new limbs. This service will help keep all downtown tree lights in great operational condition and make downtown Oakley look vibrant and attractive at night.

The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "For maintenance and repair of buildings and facilities." Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per the City's purchasing policy.

Fiscal Impact

Approval of the resolution will authorize the City Manager to execute the Tree Lighting Services agreement with Pacific Display, Inc. for Fiscal Year 2020/21 and FY 2021/22. The funding for this service is included in the Public Works Department operations budget for the respective fiscal years.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving the Downtown Tree Lighting Services Maintenance Agreement with Pacific Display, Inc. for a two year period in an amount not-to-exceed $35,422.78 per fiscal year and authorizing the City Manager to execute the agreement.

Attachments

1. Proposal from Pacific Display, Inc.
2. Resolution

PACIFIC DISPLAY, INC.
18270 Enderson Court
Morgan Hill, CA 95037

PACIFIC DISPLAY
INCORPORATED

City Of Oakley
c/o Kevin Rohani
3231 Main Street
Oakley, CA. 94561

CONTRACT

Date	Contract #
3/9/2020	00524

Description	Qty	Rate	Total
LABOR -TREE LIGHTING MAINTENANCE CONTRACT FROM JULY 1, 2020 TO JUNE 30, 2022: Perform Bi-Monthly Inspection and Maintenance of LED Light Strings in Downtown Trees on Main Street. (81 Trees)	12	1,827.00	21,924.00
LED 70LT Polka Dot, 4" spacing, 23.7', green cord, UL, warm white bulbs	580	21.50	12,470.00T

Subtotal	$34,394.00
Sales Tax (8.25%)	$1,028.78
Total	$35,422.78

AUTHORIZED SIGNATURE **DATE**

RESOLUTION NO. ___-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AWARD OF CONTRACT WITH PACIFIC DISPLAY, INC. FOR TREE LIGHTING MAINTENANCE AND REPAIR SERVICES IN DOWNTOWN OAKLEY AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT

WHEREAS, the City of Oakley Public Works and Engineering Department frequently seeks repair and maintenance services for City-owned infrastructure; and

WHEREAS, the renovation of downtown Oakley has added new trees and new LED tree lights were installed with all the new downtown trees, and these tree lights need regular maintenance and service; and

WHEREAS, Pacific Display, Inc. has performed this tree lighting maintenance services competently for the term of the previous contract; and

WHEREAS, the award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "*For maintenance and repair of buildings and facilities"*.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the Maintenance Services agreement with Pacific Display, Inc. for tree lighting maintenance and repair services for a not-to-exceed amount of $35,422.78 for each Fiscal Year 2020/21 and FY 2021/22 is hereby approved, and the City Manager is authorized to execute said agreement. The proposal is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED AND ORDERED, if at the end of the term the services have been performed satisfactorily the City Manager has the discretion to approve an extension of the agreement to June 30, 2024 under the same terms as the original agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Authorize the City Manager to execute an agreement for traffic engineering services with TJKM Transportation Consultants, to provide contract traffic engineering services for the City of Oakley related to private development project on an on-call basis from July 1, 2020 through June 30, 2022

Background and Analysis

Traffic Engineering is a key component of private development projects in the City of Oakley. Having a key Traffic Engineering component helps ensure that all projects (Residential, Commercial, and Industrial) are processed and approved in compliance with the City's General Plan, ordinances, and laws. Understanding the demands placed on the community's transportation network by these developments is an important dimension of assessing the overall impacts of development.

The City of Oakley Public Works and Engineering Department provides a cursory review of the traffic improvement plans related to private development projects, to ensure that projects are built to standards and specifications. Development projects have increased and the ongoing review of traffic signal, signing, striping, and traffic handling plans need further detailed review by design experts of traffic engineering. It is imperative that we increase the level of sophistication in our traffic engineering plan reviews to keep up with our developing community and industry standards to ensure any traffic impacts generated by development projects are addressed properly.

As the City continues to grow with the construction of private development projects, the demand to provide detailed traffic engineering services increases to ensure the development projects that are designed and constructed to meet standards and specifications; in addition to being in conformance of the City's traffic model that evaluates the cumulative traffic impacts of development projects in Oakley.

TJKM Transportation Consultants is a premier engineering firm with over 40 years of experience in transportation and traffic engineering in the Bay Area and have extensive experience working with various municipalities providing on-call traffic engineering services and have worked successfully in the past for City of Oakley projects since 2016.

Staff recommends that TJKM Transportation Consultants continue to provide traffic engineering services for the City of Oakley's projects. The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 1) which provides an exception for competitive bidding on "Contracts involving the acquisition of professional or specialized services, such as, but not limited to, services rendered by architects, attorneys, engineers, and other specialized consultants" Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per the City's purchasing policy

Fiscal Impact

There is no fiscal impact to the City's General Fund as a result of these on-call services since the costs associated with the agreement will be supported by developer deposits for time and materials expended for the project.

Staff Recommendation

Staff recommends that the City Council adopt the resolution authorizing the City Manager to execute an agreement for a not-to-exceed amount of $75,000 each for Fiscal Years 2020/20 and FY 2020/21 for Traffic Engineering services with TJKM Transportation Consultants for plan review services.

Attachments

1. Proposal
2. Resolution

City of Oakley

Statement of Qualifications for

ON-CALL TRANSPORTATION ENGINEERING, TRANSPORTATION PLANNING, AND TRAFFIC OPERATIONS SERVICES

March 13, 2020



TJKM

Mr. Kevin Rohani
Public Works Director/City Engineer
City of Oakley

March 13, 2020

Subject: Statement of Qualifications for On-Call Transportation Engineering, Transportation Planning, and Traffic Operations Services

Dear Mr. Rohani:

TJKM Transportation Consultants is please to submit out Statement of Qualifications to continue to provide professional services to the City of Oakley for Transportation Engineering, Transportation Planning, and Traffic Operations disciplines on an On-Call basis. Our team has expertise in transportation studies for development proposals, traffic safety analysis, traffic control analysis and recommendations, traffic signal system design (isolated intersections and systems), signal timing, peer review, bicycle and pedestrian-related studies, and overall day-to-day traffic engineering that occurs in cities such as Oakley.

TJKM is a traffic engineering and transportation planning firm located in Pleasanton, Fresno, Sacramento, and Santa Rosa, California, Tampa, Florida, and Austin, Texas. For over 45 years, TJKM has been involved with all aspects of transportation planning and traffic engineering to improve the quality of life for many communities within the Bay Area, including the City of Oakley. We have provided on-call services in the field of transportation engineering, transportation planning and traffic operations to numerous jurisdictions throughout the State of California. Many of TJKM's key staff proposed for this contract have been traffic engineers for various public agencies and are currently managing on-call contracts with other Bay Area cities. TJKM specializes in multi-year, "on-call" types of contracts with California public agencies. The depth of TJKM's in-house resources and specialists gives us the necessary skills and knowledge that will ensure we meet the City of Oakley's needs in all of the transportation projects assigned to us.

The TJKM Team

To continue to meet the specific needs of the City, I am pleased to serve as the Project Manager. I bring over 21 years of transportation planning and traffic engineering expertise and vast project management experience, having served as the Project Manager for several on-call contracts throughout California.

To further support the needs of the City on this contract, I have at my disposal a group of highly talented and experienced leaders in their fields with significant experience in providing planning and engineering support services for the development of federal, state, and locally funded transportation-related projects. The TJKM Team brings current knowledge and experience to the City

Commitment

You have my personal assurance, as Principal of the firm, which TJKM hereby continues to commit all resources and capabilities necessary to the City of Eureka to help achieve your goals.

Thank you for considering TJKM for the City's engineering needs. If you have any questions regarding our proposal, please contact me at 408.421.0768. You may also reach me via email at rjariwala@tjkm.com.

Very Truly Yours,

TJKM Transportation Consultants



Ruta Jariwala, PE, TE
Principal

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Appendices

Appendix A Resumes

GENERAL INFORMATION

FIRM DESCRIPTION

TJKM Transportation Consultants (TJKM) founded in 1974, is a traffic engineering and transportation planning firm that provides professional services throughout the State of California. TJKM currently has a staff of 40 employees with offices in Pleasanton, San Jose, Fresno, Sacramento, and Santa Rosa, California, Tampa, Florida, and Austin, Texas. For over 45 years, more than 3,500 satisfied clients have entrusted TJKM with their critical work. We serve a full-range of clients, including municipalities, congestion management agencies, metropolitan planning organizations, transportation agencies, private developers, other consulting firms, and attorneys. TJKM has been involved in more than 8,000 transportation projects throughout California, and averages about 240 new projects each year. TJKM's primary service categories include transportation planning, traffic operations, corridor studies, traffic safety, traffic engineering design (including PS&E), intelligent transportation systems (ITS), and multimodal studies. Our motivation comes from satisfying clients' objectives and improving communities. TJKM has a strong roster of both public and private sector clients and continually builds upon this base.

Our engineers have worked on the public side of the desk for years as municipal engineers, developing superior skills in collaborating with the public and city councils and, more importantly, crafting excellent relationships with the right people.

Our project managers, engineers, and planners have "hands on" experience and understand the latest requirements, technologies, trends, and standards. Our experience with local agency processes keeps projects moving faster; and know-how from thousands of engagements helps us complete projects on time and within budget.

TJKM fosters an atmosphere of professional growth and higher learning. Our engineers are encouraged to become active in professional organizations; indeed all of our engineers are members of one or more premier transportation societies, and many serve in key leadership roles. TJKM's hiring standards include finding the most qualified and knowledgeable team of engineers available. The commitment to you, our Client, makes our teamwork and our company thrive.

TJKM Transportation Consultants is a disadvantaged and small business enterprise, DBE #40772 and SBE #38780.

FULL SERVICE TEAM

The TJKM Team offers the experienced transportation planning and design, traffic operations, traffic engineering and Intelligent Transportation Systems team in California. Our skills and depth of resources have been proven by the successful completion of hundreds of traffic engineering projects for local agencies, cities, counties, metropolitan transportation agencies, congestion management authorities and Caltrans.

TJKM continues to commit a dedicated staff of seasoned, experienced traffic experts who have demonstrated capabilities to meet the technical, managerial, and schedule challenges to be encountered during this On-Call services task orders. The Team proposed by TJKM is not only unparalleled in each of these areas, but has consistently demonstrated the creativity to develop innovative design approaches to meet project's challenges efficiently. The TJKM Team's extensive experience includes many state and city projects, as well as direct experience with As-Needed Traffic Engineering Services contracts. The TJKM Team is uniquely qualified to meet all of the City of Oakley goals and objectives on any assignment.

As shown below, we have the in-house capabilities to provide you with virtually all the services required for your on-call projects.

- Transportation Engineering Design:
  - Traffic Signals Design
  - Roadway Improvement Design
  - Development & Site Plan Review
  - Construction Support Services
  - Design Criteria, Schematic Design & Alternatives
  - Project Phasing, Scheduling, & Estimating
  - Topographic Surveys
  - Government Agency Review & Coordination
  - PS&E Preparation
  - Intelligent Transportation Systems (ITS)
  - Incident Management System
  - Communication Systems
- Traffic Operations:
  - Corridor Studies
  - Traffic Studies & Analysis
  - Traffic Simulation
  - Transit Priority & Bus Rapid Transit
  - Feasibility Studies
  - Noise Analysis
  - Traffic Surveys
  - Warrant Analysis
  - Traffic Signal Timing & Coordination
- Transportation Planning:
  - Traffic Impact Analysis
  - On-Street & Off-Street Parking
  - Neighborhood Traffic Calming Program
  - Parking Studies
  - Multimodal Studies
  - Environmental Impact Studies
  - Pedestrian & Bicycle Access & Safety
  - Safety Studies
  - Systemic Safety Analysis
  - Traffic Impact Fee Program
  - Multimodal Impact Fee Program
- Travel Demand Modeling:
  - Travel Demand Forecasting for all modes
  - Transit Modeling & Simulation
  - Data Analytics
- Additional Consulting Services:
  - Staff Augmentation
  - Programming & Grant Application
  - Educational Material
  - Public & Staff Meeting Facilitation
  - Outreach
  - Peer Review

TJKM has been providing On-Call Professional Services in Traffic Engineering, Transportation Planning and Intelligent Transportation Systems disciplines to numerous Cities, Counties and CMA's.

Alameda County
City of Berkeley
City of Fremont
City of Livermore
City of Oakland

Contra Costa County
City of Antioch
City of Concord
City of Oakley
City of Orinda
City of Pittsburg
City of San Ramon
City of Walnut Creek
Town of Danville

Merced County
Merced County

Monterey County
City of Marina
City of Seaside

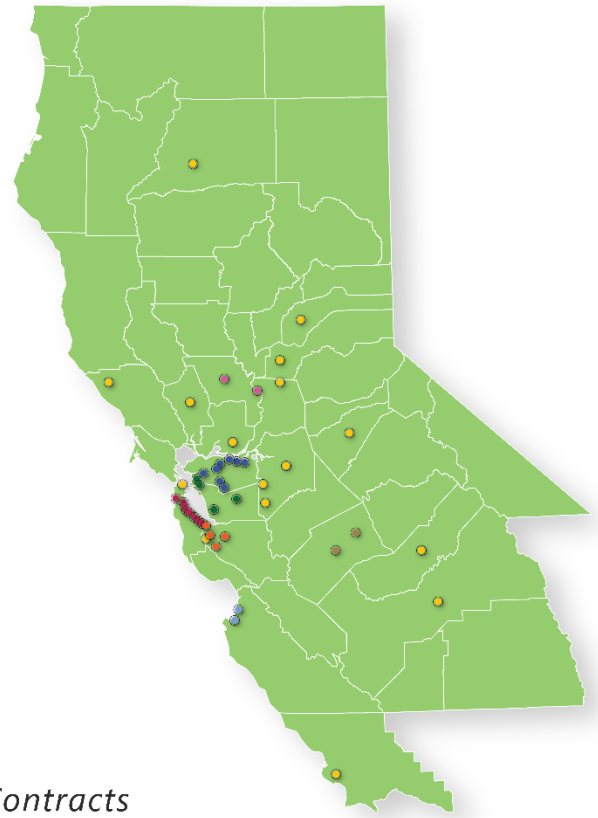
San Joaquin County
City of Tracy
Mountain House Community Services District

San Mateo County
City of Belmont
City of Burlingame
City of Daly City
City of Menlo Park
City of Millbrae
City of Redwood City
City of San Bruno
City of South San Francisco
County of San Mateo

Santa Clara County
City of Palo Alto
City of San Jose
City of Saratoga
Los Altos Hills
Town of Los Gatos

Yolo County
City of West Sacramento
Yolo County

Additional Agencies
Calaveras Council of Governments
Caltrans District 10
City of Citrus Heights
City of Grass Valley
City of Lincoln
City of Merced
City of Patterson
City of San Luis Obispo
City of Shasta Lake
County of Fresno
County of Napa
County of Sonoma
Madera County Transporation Commission
Metropolitan Transportation Commission
Midpeninsula Regional Open Space District
Solano Transportation Authority



Current On-Call Contracts

EXPERTISE

General Transportation & Planning



TJKM regularly assists public agencies with traffic engineering and planning tasks for municipal projects. Our range of services includes transportation circulation elements; transportation master plans that include public transportation, bicycle, and pedestrian improvements; and peer reviews of existing planning studies and documents. Many citywide planning projects, such as traffic impact fee studies and citywide circulation studies have been a regular service we provide.

Traffic Engineering Design



TJKM provides design services for traffic signal improvements, traffic signal interconnect communication systems, complete streets, bicycle facilities, signing and striping, and traffic handling plans. TJKM has designed more than 2,000 traffic signals in nearly 200 jurisdictions throughout Northern and Central California. Our design staff are very experienced in preparing PS&E for new and modified traffic signal systems, and pavement delineation to improve capacity and safety. TJKM'S design staff has field and hands-on experience for constructible designs, with an extensive track record of successful design projects, and our team is dedicated to providing high quality and accurate PS&E. Many of our traffic signal design projects require design for interconnect and coordination that include fiber optic, copper wire, and wireless communications. TJKM's staff routinely provides construction assistance for our design projects, including traffic calming devices and traffic signal systems. We attend pre-bid and pre-construction conferences to provide in-field assistance and work effectively with contractors. TJKM also designs traffic/construction zone control plans that show how traffic will be handled during construction periods.

Our multimodal planning and design studies focus on transportation facility design, and also traffic operations analysis in support of environmental documentation meeting California Environmental Quality Act (CEQA) standards. Multimodal design alternatives are typically prepared and reviewed with City staff and community members in public forums.

Signal Coordination & Timing



Any signal coordination project presents many challenges such as: signal timing optimization philosophies and strategies; pedestrian clearances; advance and exclusive pedestrian phases; transit signal priority; cycle length selection; network partitioning; cross street coordination; and queue management.

Our approach is based on numerous signal coordination projects we have worked on and lessons learned from those projects. Based on our extensive experience in delivering successful similar projects we believe in order to develop good timing plans, accurate traffic volumes and data must be collected and analyzed. In addition, identification of the feeders and facilitators and other key relevant factors that can impact the progression and operations for all modes of transportation is very important. Once the plans have been developed via a software program, it is important that the traffic engineer observe the resulting conditions and fine-tune the plans to make them the most effective.

Our proposed team members have worked on signal coordination projects under MTC's Regional Signal Timing Program (RSTP) 2008-10 Cycles and PASS 2010-16 Cycles, in addition we have provided traffic signal timing evaluation and signal timing plans for numerous local jurisdictions within the State of California. Our team has timed approximately 1500+ intersections throughout the State. Many of our traffic signal system projects have included coordination of existing signals,

development of new timing plans, implementation and fine tuning including interconnect design for some projects. Our engineers are thoroughly familiar with all of the necessary software programs (Streetwise, ATMS.now, 200SA, 233, Caltrans C8,QuickNet, ACTRA, MIST, Wapiti, Mccain) associated with different types of controllers (Econolite, Type 170's, 2070L, 2070's, NEMA TS2, Eagle, ASC-2, Transyt, Cobalt) that are utilized by different agencies. TJKM staff also has in-depth expertise in the development and calibration of the types of signal coordination plans available to improve transportation management systems: time-of-day, traffic responsive, and traffic adaptive signal coordination routines.

Intelligent Transportation Systems



Our Team is recognized worldwide for transportation planning and design capabilities and we have worked with many agencies to improve the efficiency of surface transportation systems through the planning, design, operation, and maintenance of Intelligent Transportation Systems (ITS). Our Team members have gained significant experience in the design and development of ITS systems during the last 10 years. Through our work, we have developed a process that provides efficient ITS design through a multi-leveled approach, which addresses each element from concept and communications technology to implementation. Our Team members have successfully applied this approach to several similar projects throughout the nation, tailoring each project to our client's needs. On our ITS design projects, we inventory existing conditions, develop base maps and prepare plans, specifications and estimates for traffic signals at 35%, 60%, 90% and Final.

Traffic Operations



In order to address operating conditions on arterials that perform either undesirably or inefficiently, TJKM often performs operational studies to develop measures that will improve traffic flow. Generally, these traffic operations are evaluated through a level of service (LOS) process. Public agencies set thresholds for acceptable traffic conditions and if the actual or predicted conditions are lower, measures must be taken to bring them within the agency's guidelines. TJKM's services include data collection. Many of our engineers and technicians collect field data, including turning movement and volume counts. Data collected then is input into a program, such as TRAFFIX, Synchro, or SimTraffic, and analyzed to determine if the amount of traffic within the study area is acceptable to that governing agency's standards. By observing traffic conditions personally, an engineer or project manager can then determine some of the more effective strategies that will actually work to improve operations rather than just sound good on paper. LOS analysis is a common type of study for TJKM, and we can perform analysis of a single intersection or an entire region/study area. TJKM's studies have evaluated operations for a variety of land uses including infrastructure improvements, residential communities, regional shopping centers, industrial developments, public/private learning institutions, and more.

Traffic Calming Operations & Design



About 20 percent of TJKM's total project experience is derived from traffic studies that include traffic calming recommendations and design. Our calming strategies have been implemented time and again because we begin these assignments with a careful, thoughtful analysis of the current traffic conditions. Our success with traffic calming projects comes from years of tried and true experiences. TJKM has written traffic calming policies and guidelines for Bay Area cities, including Redwood City, Fremont, Hayward, Campbell, Los Gatos, Palo Alto and San Leandro. Many of our municipal contracts are directly related to developing implementable neighborhood traffic calming strategies. TJKM has experts who have been involved in the planning of traffic calming devices that make for a more walkable community. Wider streets are generally a deterrent to pedestrians. We have used various techniques (such as curb bulb-outs, lane reductions, pedestrian refuge, medians, raised intersections and crosswalks, etc.) to make a street more walkable and pedestrian friendly. Our approaches and processes are in place because they have worked well for numerous past projects.

Corridor Studies



TJKM has conducted corridor studies for significant transportation projects along major arterials, state highways and freeways. Such studies analyze conditions for vehicular traffic as well as bicycle and pedestrian facilities and transit operations. These studies seek to identify the mix of transportation improvements that would be most effective in moving people and goods in specific travel corridors, and balancing those improvements with available funding and neighborhood and community concerns. When planning or integrating multiple modes of transportation within a traffic corridor shared by multiple modes of travel, it is important to know about the issues and concerns. TJKM has performed numerous corridor studies that provided a balanced and comprehensive view of the project. We analyzed existing conditions and identified deficiencies, opportunities, and constraints. As part of the analysis, we forecast population, traffic, and land use changes to project future corridor use by different modes of transportation. We have assessed traffic management under existing, near-term, and long-term future conditions and evaluated all the feasible or proposed alternatives as well as provided recommendations. Our expertise includes developing Corridor System Management Plans (CSMP) that outline the multi-jurisdictional management of a corridor experiencing delay due to congestion, with emphasis on operations and getting the most of our existing infrastructure. We are highly skilled at analyzing existing and future traffic conditions and assessments of performance measures within the corridor. We develop innovative and feasible solutions regarding operational improvements, intelligent transportation system (ITS) strategies, and system expansion projects to preserve or improve performance measures within the corridor.

Multi-Modal Planning & Design



TJKM has incorporated bike and pedestrian planning and design in many of its projects. TJKM has prepared trail designs, and trail/roadway intersection designs, along with elaborate Class II bicycle facilities along major streets and at intersections. Based on the individual project, TJKM frequently inventories existing bicycle and pedestrian volumes as a part of multi-modal planning studies and design projects, analyzes impacts, develops recommendations and alternatives, conducts outreach and prepares deliverables.

Complete Streets | Bicycle & Pedestrian

At TJKM, we look at each community's unique needs to design safe and efficient transportation alternatives that meet the needs of all users. The goal being to integrate all modes to achieve safer and more accessible communities.



TJKM has prepared preliminary designs and traffic operations studies for transportation projects that enhance the accessibility and safe accommodation of bicycle, pedestrian, and public transportation modes on roadways. These projects are consistent with the objectives of Complete Streets, which the National Complete Streets Coalition defines as facilities that "are designed and operated to enable safe access for all users."

Bicycle & Pedestrian Facilities Design



TJKM has prepared conceptual plans for various alternative bicycle facilities as part of intersection improvement projects and streetscape projects. TJKM has designed pedestrian safety and bicycle gap closure projects that involve installation of Class II, III, and IV bicycle facilities. We have designed signing and striping and traffic signal modification PS&E for construction of the pedestrian and bicycle improvements.

Safe Routes to School

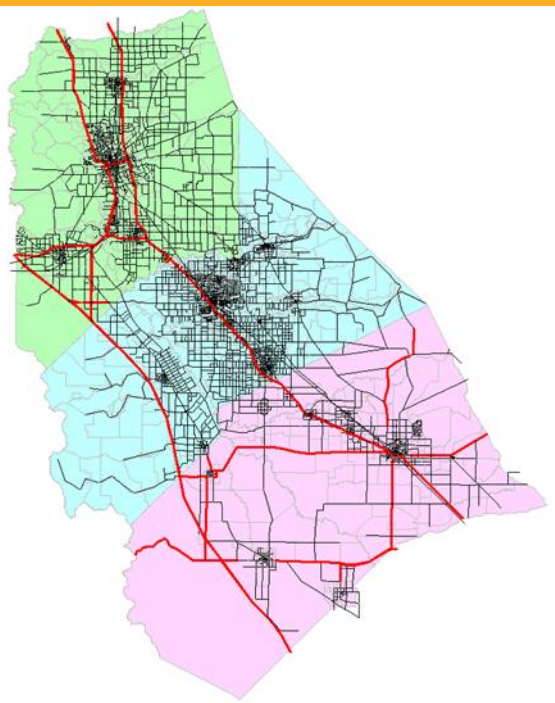


TJKM has evaluated bicyclist and pedestrian safety and designed improvements as part of numerous Safe Route to School projects, and our staff is highly cognizant of the dynamics of school route safety through our experience as city traffic engineers. We understand the characteristics of school-age children, as well as the often limited resources available to implement improvement measures. We strive to balance competing priorities and recommend safety measures that can be

implemented in both the short and long term. We work with all project stakeholders to build consensus on improving safety for all students traveling to and from schools.

Modeling

TJKM provides expert consultation for the review, development, implementation, application and calibration of transportation planning modeling systems. From data requirement specification to system modeling and system implementation, TJKM's modeling department has the capabilities to complete projects of varying complexities successfully.



- Develop customized travel demand forecasting models for agencies of various sizes from cities, counties, MPOs to states.
- Develop extensive tools to improve reporting capabilities from the model, capture different model run outputs efficiently, and inform the analyst of anomalous model outputs and inputs.
- Develop special tools to integrate intersection Level of Service (LOS) analysis software with models.
- Forecast O-D based and/or link-based vehicle-miles traveled (VMT) and calculate greenhouse gas (GHG) emissions related to transportation and land use development projects.
- Perform sub-area analysis using Origin-Destination Matrix Estimation (ODME) demand adjustment and estimation process to closely replicate local conditions such as observed roadway segment volumes, intersection turning movement volumes and total trips generated.
- Develop GIS (ArcView, MapInfo) databases and integrate GIS with models.
- Develop traffic count databases; Develop traffic speed profiles using GPS technology; Analyze existing systems; Provide Maintenance of the model and Train professionals and students in the use of planning models; Coordinate different surveys to be used in modeling procedure.

Parking Studies



We bring extensive experience in many areas that cover both on-street and off-street parking facilities. We have successfully completed hundreds of studies for cities and private developers that involved parking supply/demand analysis, parking intrusion into residential neighborhoods, commuter parking, permit parking programs, parking fees, enforcement, wayfinding signs, policy development, etc. throughout the State of California, including Cities of Orinda, Fairfield, Walnut Creek, Brentwood, Redwood City, Turlock, Town of Danville, and Counties of San Luis Obispo and Marin. We have developed Parking Demand

Management solutions for many cities with a goal to reduce parking demand by promoting cleaner and sustainable non-auto modes of transportation.

Traffic Impact Studies



Traffic impact studies (TIS) are a specialty at TJKM and we are well trained and highly effective in analyzing potential impacts created by a new or modified development, and we develop creative solutions that our clients can implement. TJKM's TIS services typically include: Identifying LOS deficiencies, recommending alternative circulation systems, producing forecasts using transportation models, and providing mitigation measures for traffic impacts associated with a proposed development. TJKM has conducted over 3,000 traffic impact studies as part of environmental impact reports (EIRs) or as separate analyses. We have conducted studies for residential, retail, office, institutional, industrial, government, and recreational developments. Our clients include both private developers and government agencies. Traffic is often one of the major considerations in planning a new or modified development. A traffic impact study usually occurs in the early stages of the project planning. The purpose of the study is to assist planners, in both the public and private sectors, in making major land use and other development decisions. Because traffic impact studies are a specialty at TJKM, we are well trained and highly effective in analyzing potential impacts created by a new development and can develop creative solutions that our clients can implement. We routinely attend City Council and Planning Commission meetings to support our findings and recommendations and have a successful track record of achieving accord between the developer's vision and the best interests of the community.

Systemic Safety Analysis



The key to successful starting and completing a systemic safety analysis is a clear and specific understanding of agency priorities, goals, and expectations for the process. The first issue that needs to be clearly and concisely resolved is the availability of high-quality crash, traffic, roadway, and environmental data. While crash data and traffic count data is often readily available, a systemic safety analysis program (SSARP) can also benefit from detailed inventories of changes to the roadway infrastructure that have occurred over the analysis years, and databases and maps of terrain features and the location of signage, safety equipment, and traffic control. The more data is available, the higher the resulting detail in crash type and risk factor analysis will be. Field data collection is then utilized to augment available databases.

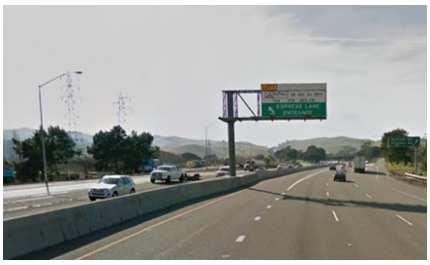
Traffic Impact Fee



Since 1974, TJKM has completed a number of high profile Traffic Impact Fee studies, and we understand the significance of these studies for cities and counties. Money generated by a defensible Traffic Impact Fee Program can greatly help a jurisdiction with development-related costs, especially in economic times such as these. We are very experienced with these types of projects and have proven our ability to complete these types of studies successfully time and again.

TJKM also has extensive experience with stakeholder outreach. Many of our projects include this type of component and the team is skilled in meeting with stakeholders, including them in the process so that project "buy-in" can occur with minimal conflict. TJKM has been tasked time and again to complete and update Fee/AB 1600 studies for municipalities.

Transportation Demand Management



To reduce the number of vehicle trips generated and thereby the traffic impacts of development, TJKM often prepares TDM plans for local agencies and developers. TJKM assisted the City of Pleasanton in developing the City's TDM program, which has been a key feature in the successful development of the large Hacienda Business Park area of the City over the past 30 years. Additionally, TJKM has created TDM plans for many specific development projects, including the 600 W. California Avenue R&D/Office complex in Sunnyvale, Paragon Retail Outlets in Livermore, and Terraces at San Joaquin Gardens Senior Housing in Fresno.

Congestion Management Plan



Congestion Management Programs (CMP) have been established in California counties to document and address ongoing traffic congestion throughout the State. A CMP roadway system is a network that allows performance monitoring in terms of established LOS standards. The network must be created at a level such that impacts can be identified, and a connection can be made between proposed transportation improvement projects and their specific impacts on the network. The network can neither be too small, as impacts would be unidentifiable, nor too large, as there would be logistical issues in monitoring network performance. The CMP was established as part of the legislated Transportation Blueprint of 1990 and became a requirement for Congestion Management Agencies (CMAs) across California to fulfill. TJKM is experienced working with County CMAs in conducting biennial updates to their CMPs and has also worked extensively at the city level to document and monitor traffic levels on principal city roadways. The goal is to identify any deficiencies and recommend an improvement program to address those deficiencies.

Speed Surveys



TJKM has conducted numerous Engineering and Traffic Surveys (ETS) for municipal agencies in over 50 jurisdictions throughout the State of California. Each study segments in all of these projects were carefully reviewed to meet the requirements of California state laws for speed zones and radar enforcement. Past study recommendations have been adopted by our municipal clients keeping them in compliance with state law and improving traffic safety in their communities.

In order to better conform to the standards established in the Federal Highway Administration's (FHWA) MUTCD, and to address some of the widespread disregard of the five mile per hour (mph) special downward speed zoning provision, the CA MUTCD revised the speed zoning section to require rounding the 85th percentile to the nearest five mph increment rather than the lower five mph increment. This specific guideline revision has resulted in raising certain street speed limits and has become a challenge for the State and local jurisdictions.

TJKM uses pre-existing software templates and tools to perform technical analysis, which are proven effective on similar projects. We also use a checklist to ensure all procedures and tasks are followed satisfactorily. This practice eliminates repetitive work and increases the efficiency of our personnel.

Public Hearings, Meetings & Workshops



TJKM has a combined total experience of about 70 years in the area of stakeholder outreach, including involvement in many meetings and hearings involving substantial areas of conflict among the participants. On any given week, it is not unusual for many of TJKM's staff to attend, present, and answer project questions at city/town council or planning commission meetings, or transportation committee meetings related to our specific projects. We are very comfortable in this setting and skilled in presenting project technical content in a clear and concise manner for a non-technical audience.

TJKM also regularly works with stakeholders committees and groups. For instance, in the numerous downtown traffic studies we've conducted, we have surveyed, interviewed, and worked closely with downtown business owners. For neighborhood traffic safety studies, we often will hold neighborhood community meetings in order to fully assess a project's true issues. For school studies, we have met with school groups (PTAs, teacher groups, parents, and student committees) in order to convey the results of our studies.

PROJECT UNDERSTANDING & APPROACH

UNDERSTANDING OF ON-CALL CONTRACTS

The TJKM Team provides the City with the full range of traffic engineering capabilities necessary to address the many and varied requirements of this on-call services contract. Our approach to providing the required services is focused on adequately responding to the following key points:

- **Ensure a Staffing Capacity With the Necessary Range of Expertise and Experience.** Our proposed team has provided services in the fields of traffic engineering, transportation planning, operational analysis and Intelligent Transportation Systems. The experience offered by TJKM Team includes numerous local examples of traffic engineering relevant to this contract. Our proposed team has demonstrated the ability to successfully manage both large and small projects and resolve issues through a proactive management process throughout California and United States.
- **Provide Experienced Project Manager and Task Leaders**. The TJKM Team is comprised of highly qualified individuals with extensive project management experience. Ms. Ruta Jariwala, PE, TE, has over 21 years of expertise include corridor studies, context sensitive roadway design, traffic impact and parking studies, circulation plan, safety audits, traffic calming, and general plan roadway policies and programs. She will serve as overall Contract Manager, providing a single point of contact for the City of Oakley. Our proposed team also includes task leaders with extensive experience in their field of expertise. Our proposed team has worked together on numerous projects and successfully delivered the projects on time and within budget.
- **Understand City's Policies and Standards.** Our local presence and ongoing involvement in the region's transportation and engineering projects, combined with our extensive national experience in conducting traffic studies and design work, gives the TJKM Team the knowledge and in-depth experience to efficiently complete task assignments. Our team members are very familiar with the City's Policies and Standards.
- **Ensure Responsiveness to both City Needs and Project Issues.** With our available resources, TJKM can provide the level of responsiveness needed by the City of Oakley. Our staff is adept to meeting client needs and being very responsive. The TJKM Team will develop an individualized approach to each assignment, specifically designed to the unique project issues and requirements. This, combined with an active project management and team-oriented approach, will ensure the delivery of timely, high-quality assignments.
- **Ensure Availability and Interest in the Projects.** The TJKM Team has dedicated traffic engineers who will be available to meet the City of Oakley needs in being responsive and providing timely quality products. Our staff is adept at taking ownership in the projects they work on. This positive attitude provides a very high level of interest and assures the City of Oakley a quality work product.
- **A Sound Approach.** The TJKM project management approach has been consistently demonstrated to be effective through the success of past and current projects to be an effective manner in which to conduct on-call service contracts. Our approach to project management is characterized by three basic responsibilities:
  - Ensure that each project assignment is completed on time;
  - Ensure that the assignment is completed within budget; and
  - Ensure that the assignment is completed with a high degree of quality and innovation.

WORK APPROACH

Our general approach for any task order, assigned to TJKM Team as part of the On-Call Contract is summarized below.

Successful completion of task orders requires three elements that our team provides special emphasis on:

- Proactive project management in close coordination with the client's staff;
- Thorough understanding of regulatory requirements, coupled with informal agency consultation early in the project to ascertain specific permitting permutations and agency attitudes; and
- Careful and continuous assessment of the schedule so that tasks in the critical path are completed at the appropriate point in the project.

Our experience indicates that projects are most successful when clients and regulatory agencies coordinate closely when preparing a project description and while establishing the appropriate scope for and timing of technical studies. Our role as the City of Oakley technical on-call traffic consultant will be to focus on providing support and coordination to successfully fulfill technical studies, including sound scope development and schedule requirements. This approach relies upon strong leadership by Ms. Jariwala and the Task Leaders, who are thoroughly familiar with regulations pertinent to each discipline, with the understanding that permitting requirements often drive the project schedule. Understanding the project's critical path enables Ruta to focus technical efforts, thereby maintaining cost efficiency and overall schedule.

The TJKM approach to successful completion of each task relies on a careful assessment of the likely technical and regulatory requirements of the project, and formulation of the appropriate team for the task. The size and structure of the task is tailored to meet the project schedule, and is designed to be of sufficient depth to provide flexibility with the flow of project demands. For each task order, Ruta will consult with the City of Oakley Project Manager to develop an appropriate scope and staffing matrix for each task. At that point, a detailed work plan will be established in consultation with City of Oakley, and the schedule adjusted as necessary to meet the needs of the task through intensification of efforts in specific areas.

Our role for this on-call contract, as an on-call traffic consultant, is to assist the City of Oakley in delivering projects. To accomplish this objective, the TJKM Team assigned to a specific task or technical study will work closely with Ms. Jariwala and, as needed, the City of Oakley Project Manager and planning and engineering staff, to identify important issues and develop an effective approach for addressing those issues. Close teamwork between City of Oakley staff and our technical team will enable issues of public and agency concern to be evaluated to an appropriate level of detail. For each assignment, our general approach is as follows:

Initiation of Work Assignments - The City of Oakley Project Manager will notify Ms. Ruta Jariwala of a proposed or possible task assignment. Based on the type of work involved, Ruta will identify one or more choices of team for the assignment, and provide these recommendations to the City of Oakley. She will be available to meet with the City of Oakley Project Manager, to discuss the team for the assignment and make necessary changes based on the input received.

Preparation of Work Plans and Initiation of Task Orders - The City of Oakley task order will provide the proposed study objectives and expectations, including any specialized needs and schedule requirements. TJKM will work with the City of Oakley Project Manager to confirm the requirements, and refine or clarify assumptions or expectations, including needed information from the City of Oakley. TJKM will coordinate with the City of Oakley to achieve approval of the task order, and no work will proceed until the task order is signed and a notice to proceed is issued. As appropriate, a work plan will be developed at the initiation of the task order, or the task order itself will function as the work plan. A project schedule will be developed that identifies key milestones, including delivery dates and incorporation of City of Oakley review times, and if applicable other regulatory agency review periods.

Monitoring Progress of Assignment - Objective-based performance monitoring is a highly visible activity on our projects. The budget and schedule for tasks identified in the Work Plan for each task order will be entered into our in-house, accounting system that allows both Ruta and the Task Order Leaders to monitor budget and schedule performance. Coordination may include scheduled technical briefings with City of Oakley staff. Progress reports for each assignment under this contract will be prepared monthly.

Deliverables - As assigned deliverables are prepared, they will receive an independent, documented technical and peer review by qualified in-house staff. Following the peer review, documents will be provided to the City of Oakley for review. City of Oakley comments will be addressed and incorporated into the draft deliverable(s). TJKM uses comment matrices to list each comment and how and where it was addressed. These comment matrices provide an additional documentation of the QA/QC process. As appropriate, documents will be provided in paper and electronic formats in accordance with the contract/task order.

Project Management Plan

The TJKM Project Management Plan that will be used on these projects is based on proven management and administrative systems developed to enhance communication among the City of Oakley, the TJKM Project Manager and team members, and other affected agencies. This management approach has been used successfully on numerous projects throughout California. The TJKM Project Management Plan has the following elements:



Work Plan

It is a TJKM policy to prepare a Work Plan for all projects, large and small. Upon receipt of a Notice-to-Proceed, we will prepare, in consultation with the City of Oakley, an overall project work plan that includes detailed work elements for each team specialty. A TJKM work plan typically includes: definition of the project purpose, task objectives, scope of services, staffing, coordination requirements, deliverables, budget, schedule, and monitoring and reporting procedures.

Coordination & Communication

Frequent and effective communication among the City of Oakley, other local jurisdictions (as agreed with the City of Oakley), and the TJKM Team is needed to maintain the project schedule and ensure a quality product. The key to our success is an integrated team approach. Our goal is "no surprises" and a partnership that has common understanding and expectations every step of the way. Ms. Jariwala, our proposed project manager, will maintain close communication with the City of Oakley' Project Manager by personal contact, telephone, written communications, and meetings. Our project manager strongly believes in the necessity and benefit of scheduled monthly progress meetings. Most of the tasks, other than fieldwork, will be performed in the TJKM Pleasanton Office, however, as needed, staff can provide the services in the City of Oakley as needed. Ms. Jariwala, as well as other key team members, will meet with City of Oakley' Project Manager monthly to discuss project issues, status, schedule, budget and invoicing items. This will ensure that our "no surprises" goal is maintained and the City of Oakley is thoroughly aware of all aspects of the project.

The TJKM Team will maintain regular contact with the City of Oakley staff to ensure clear communication on project tasks, products, meetings, and schedule. Specifically we will:

- Participate in conference calls and meet with the City of Oakley staff, as needed at key stages during the project to review ideas, products, deliverables, project status and overall project direction and budget.
- Manage all aspects of the project to maintain project schedule and budget, maintain continuous liaison with the City of Oakley.
- Prepare and submit monthly progress status updates to the City of Oakley. The reports will include: progress of work, updated project schedule, information/decisions required to maintain schedule and complete deliverables, problems encountered that may affect schedule, budget or work products and anticipated work products for the following month.

Cost Control

Control of project costs will be accomplished by monitoring on a task level basis. This detailed task level will roll up into milestone summaries and a project summary. Our cost accounting system is a "live" database that the project manager can access to determine the financial status of the project any time. Cost control reporting to the TJKM's Project Manager will be implemented through the invoicing process. Progress reports will also be included to relay information on project progress and critical issues.

Schedule Control

Establishing a schedule that meets the project objectives is relatively easy. Maintaining this schedule during changing project priorities, unforeseen conditions, public consensus, etc., is a challenge. The project work scope will be broken down by function and separated into defined tasks. Tasks will be linked logically and will be sufficiently detailed to allow for realistic representation of the project. Project progress will also be monitored by percent complete for each task.

Quality Control

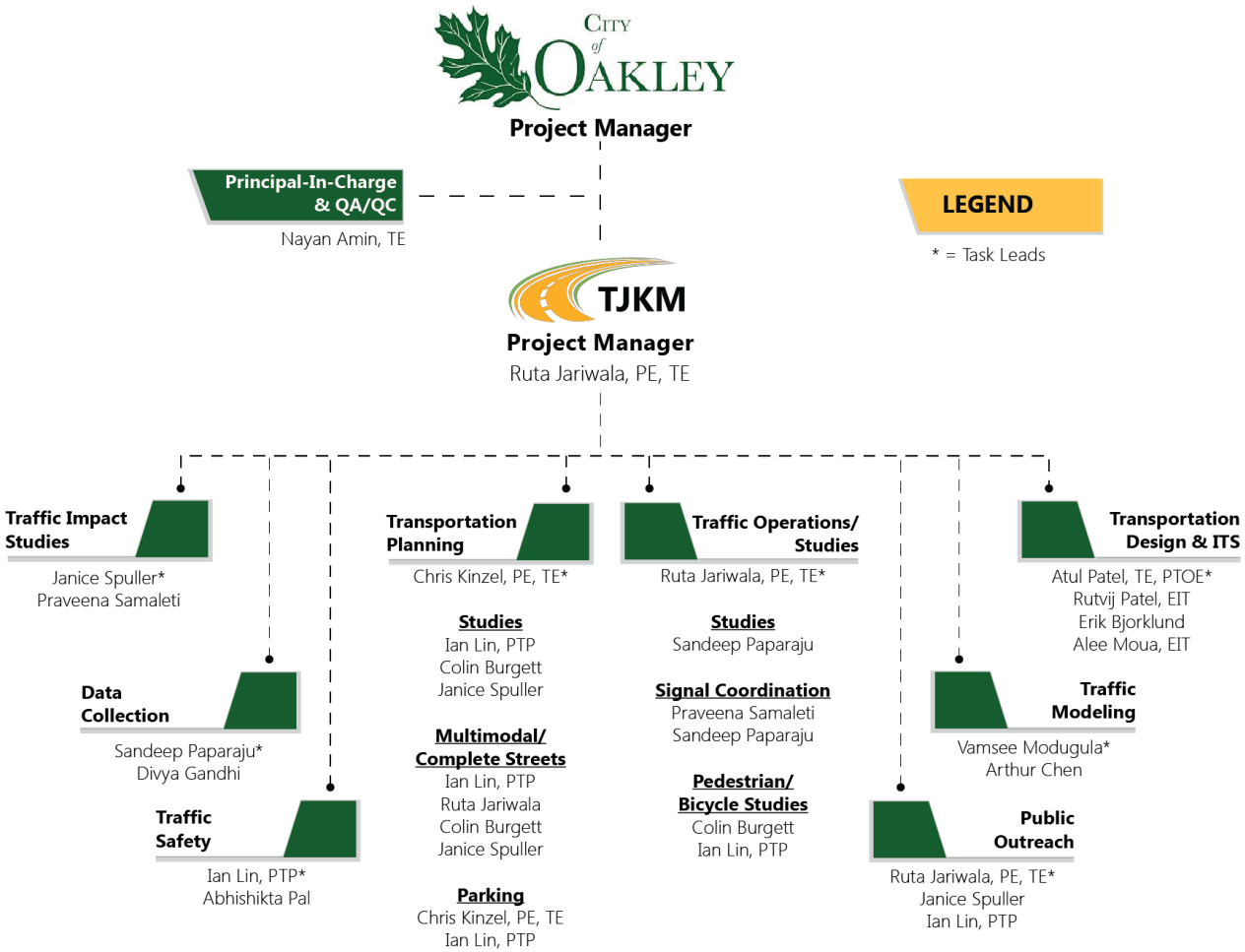
QA/QC Procedures – TJKM's Quality Assurance Procedures are utilized throughout the life of the Project. Quality Control starts at the proposal and scope definition stage and continues through the completion of all assignments. To assure that errors, omissions and ambiguities in submittals are limited to an absolute minimum, the responsibilities for technical review, peer review/coordination checking, and technical audit functions are assigned to the appropriate TJKM Team members.

Quality Control (QC) – TJKM's Quality Control Program provides quality services and products that meet or exceed the expectations of our clients. Quality Control is an integral part of TJKM's entire professional service process, which is integrated into our work plan. The formal Quality Control Reviews consist of "Project Manager and Project Engineer Reviews". All formal Quality Control Reviews will result in comments recorded on Comment Sheets. TJKM's established Quality Control Plan ensures that TJKM will receive thorough and accurate analysis and reports that are prepared in formats consistent with local agency guidelines. Our Project Manager has responsibility for implementation of the Quality Control Plan.

THE TJKM TEAM

Our proposed Team members specialize in providing "as needed" traffic engineering services to public agencies and regularly act as an extension of staff to handle their both day-to-day and long-term needs. TJKM's Team has skills and depth of resources that have been demonstrated in numerous on-call contracts for repeat Clients.

The TJKM Team offers a streamlined organization with clear lines of authority that identifies key points of contact and responsibilities. The proposed organization is a fully integrated team under the direction of Mr. Nayan Amin, TE, Principal-in-Charge and QA/QC and Ms. Ruta Jariwala, PE, TE, Project Manager. The organization chart is illustrated below. On the following page is a table of our staff with their qualifications and experience along with their project role. Resumes are included in the Appendix. The proposed organization provides a structure that allows work to be distributed into manageable tasks and subtasks with clear lines of responsibility for each assignment. Work performed will be under the direct supervision/direction of the Project Manager, Ms. Jariwala. She will be responsible for overall coordination, maintaining the effectiveness and efficiency of the work, coordinating cost and schedule reporting and ensuring the City of Oakley' satisfaction. She will be available to the City of Oakley on short notice and he will be responsible for day-to-day coordination and activities of the project.



The following table summarizes our proposed team member's qualifications and experience.

Name, Role, Years of Experience	Registration Number	Specialized Expertise	Qualifications & Experience
Key Staff			
Nayan Amin, TE Principal-In-Charge & QA/QC 30 Years of Experience	CA TR2290	▪ Safety Studies ▪ Multimodal Studies ▪ Complete Streets ▪ Traffic Calming ▪ Traffic Operations ▪ ITS Planning & Design ▪ Traffic Signal Systems ▪ Transportation Planning	▪ On-Call Traffic & Transportation Engineering Services for the Cities of San Luis Obispo, Walnut Creek, Palo Alto, Belmont, Redwood City, San Bruno, Tracy, Fresno, Orinda, San Carlos, Brentwood, Dublin, Santa Clara, & Sunnyvale ▪ On-Call Traffic & Transportation Engineering Services for the Counties of, Yolo, Fresno, San Mateo, San Joaquin, & Santa Clara ▪ Charleston-Arastradero Corridor Improvements, Palo Alto ▪ Eureka North-South Multimodal Corridor Study, Eureka ▪ Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
Ruta Jariwala, PE, TE Project Manager & Traffic Operations/ Studies & Public Outreach Task Lead 21 Years of Experience	CA C73840 CA TR2465	▪ Safety Studies ▪ Traffic Calming ▪ Complete Streets ▪ Multimodal Studies ▪ Freeway Operations ▪ Traffic Operations ▪ Transportation Planning ▪ Public Outreach	▪ On-Call Traffic & Transportation Engineering Services for the Cities of Oakley, San Luis Obispo, Mountain View, Walnut Creek, Palo Alto, Belmont, Tracy, Fresno, San Carlos, Santa Clara, & Sunnyvale & Town of Los Gatos ▪ On-Call Traffic & Transportation Engineering Services for the Counties of, Napa, Fresno, Monterey, San Mateo, San Joaquin, & Santa Clara ▪ Charleston-Arastradero Corridor Improvements, Palo Alto ▪ Eureka North-South Multimodal Corridor Study, Eureka ▪ Hollister Avenue Complete Streets Study, Goleta
Chris Kinzel, PE, TE Transportation Planning Task Lead 60 Years of Experience	CA CE 15347 CA TE 0023	▪ Peer Review ▪ Transportation Engineering & Planning ▪ Project Management ▪ Meeting Facilitation	▪ On-Call Traffic Engineering in for the Cities of Oakley, San Carlos, Dublin, Mountain House, Tracy, Redwood City, Grass Valley, Walnut Creek, Orinda, Patterson, Palo Alto, El Cerrito & Town of Los Gatos & Mountain House Community Services District ▪ Eureka North-South Multimodal Corridor Study, Eureka ▪ Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba ▪ Downtown Parking Management Plan, Brentwood

Name, Role, Years of Experience	Registration Number	Specialized Expertise	Qualifications & Experience
Atul Patel, PE, TE, PTOE Transportation Design & ITS Task Lead 30 Years of Experience	CA TR2321 PTOE 1640 TX 83987	▪ Traffic Engineering Design ▪ Safety Studies Improvement Design ▪ ITS Planning & Design ▪ Traffic Signal Systems ▪ Pedestrian & Bicycle Studies ▪ Complete Streets Design	▪ On-Call Traffic & Transportation Engineering Services for the Cities of, Sunnyvale, Oakland, Albany, Palo Alto, Redwood City, Walnut Creek, Saratoga, Belmont & Pittsburg, & Merced County ▪ Charleston-Arastradero Corridor Project, Palo Alto ▪ Miner Avenue Complete Streets PS&E, Stockton ▪ Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
Vamsee Modugula Traffic Modeling Task Lead 22 Years of Experience	N/A	▪ Travel Demand Modeling ▪ Transportation Planning ▪ Project Management	▪ Modeling On-Call for SNABM Model ▪ Travel Demand Model 2018 Update, Sonoma County ▪ Caltrans Statewide On-Call Modeling Support
Janice Spuller Traffic Impact Studies Task Lead 19 Years of Experience	N/A	▪ Transportation Planning ▪ Project Management ▪ Community Outreach ▪ Traffic Impact Studies	▪ On-Call Traffic & Transportation Engineering Services for the Cities of Oakley, Tracy, Redwood City, Walnut Creek, Palo Alto, & Counties of Napa & Yolo, & Towns of Los Gatos & Danville ▪ Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba ▪ Comprehensive Pedestrian & Bicycle Master Plan, Belmont ▪ Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba
Ian Lin, PTP Traffic Safety Task Lead 6 Years of Experience	CA PTP 601	▪ Safety Studies ▪ Transportation Planning ▪ Traffic Impact Studies ▪ Parking Operations & Studies	▪ On-Call Traffic & Transportation Engineering Services for the Cities of Walnut Creek, Redwood City, San Bruno & County of San Mateo ▪ Eureka North-South Multimodal Corridor Study, Eureka ▪ Hollister Avenue Complete Streets Study, Goleta ▪ Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
Sandeep Paparaju Data Collection Task Lead 6 Year of Experience	N/A	▪ Transportation Planning ▪ Construction Management	▪ On-Call Traffic/Transportation Engineering Services, Tracy ▪ Eureka North-South Multimodal Corridor Study, Eureka ▪ 2014 Speed Zone Studies, Antioch ▪ Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
Technical Staff			
Erik Bjorklund ITS Task Lead 30 Years of Experience	N/A	▪ Engineering Design ▪ Traffic Operations ▪ Traffic Signal Systems	▪ On-Call Traffic & Transportation Engineering Services for the Cities of Dublin, Los Gatos, Patterson, Concord, Pleasanton ▪ Traffic Signal, Signing, Delineation, and Lighting Plans for Arterial State Routes, Various Caltrans District 4 Jurisdictions

Name, Role, Years of Experience	Registration Number	Specialized Expertise	Qualifications & Experience
			▪ Design Plans for 700 Traffic Signals and Hundreds of Miles of Signing and Delineation
Colin Burgett Transportation Planner 25 Years of Experience	N/A	▪ Integrated Transportation & Land Use Planning ▪ Complete Streets ▪ Travel Demand Forecasting & Traffic Operations Analysis	▪ Oakland Bicycle Master Plan ▪ San Leandro Bicycle & Pedestrian Master Plan ▪ Seaside Bicycle Master Plan ▪ Hoover Area Mobility Plan, Redwood City
Rutvij Patel, EIT Project Engineer 13 Years of Experience	EIT 154117	▪ Traffic Operations ▪ Traffic Handling ▪ Pavement Delineation ▪ Signage Plans	▪ On-Call Traffic Engineering Services, for the Cities of Palo Alto & Fremont ▪ Charleston-Arastradero Corridor Project, Palo Alto ▪ Eureka North-South Multimodal Corridor Study, Eureka ▪ Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
Praveena Samaleti Assistant Transportation Planner 13 Years of Experience	N/A	▪ Signal Coordination ▪ Traffic Impact Studies ▪ Transportation Planning ▪ Intelligent Transportation Systems ▪ Data Collection ▪ Level of Service Analysis	▪ Oakley Citywide Traffic Model, Oakley ▪ Shoreline Boulevard Traffic Adaptive Signal System, Mountain View ▪ Citywide Multimodal Improvement Study, Hayward
Arthur Chen Transportation Planner 9 Years of Experience	N/A	▪ Travel Demand Model Development/Update ▪ Travel Demand Model Application ▪ ArcGIS Mapping	▪ On-Call Traffic/Transportation Engineering Services, Tracy ▪ Golden State Boulevard/Golf Road/Berkeley Avenue Intersection Improvement, Stanislaus County ▪ I-80/Gilman Street Interchange Improvement Project, Alameda County ▪ Comprehensive Belmont Pedestrian & Bicycle Plan, Belmont
Alee Moua, EIT Assistant Transportation Engineer 4 Years of Experience	EIT 150024	▪ Traffic Signal Design & Modification ▪ Signing & Striping Design ▪ Interconnect ▪ AutoCAD ▪ Traffic Handling Plans	▪ On-Call Traffic Engineering Services, for the Cities of Fremont, Belmont, & Pittsburg, & Mountain House Community Services District ▪ Cypress Self Storage TSM-SS, Oakley ▪ Three HSIP Projects for West Leland Corridor Safety Improvements, Pittsburg
Divya Gandhi Assistant Transportation Planner 3 Years of Experience	N/A	▪ Transportation Planning ▪ Active Transportation Plans ▪ Complete Streets ▪ Safety Studies	▪ Dinuba Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba ▪ Downtown Parking Study, Clovis ▪ Systemic Safety Analysis Report, Del Norte County
Abhishikta Pal Assistant Transportation Planner 3 Years of Experience	N/A	▪ Transportation Planning ▪ Traffic Impact Studies ▪ Safety Studies ▪ Data Analytics ▪ GIS Analysis	▪ On-Call Traffic Engineering Services, for the Cities of Pittsburg, San Luis Obispo, South San Francisco, & County of Napa ▪ Downtown Parking Management Plan, Brentwood ▪ Citywide Multimodal Improvement Plan, Mountain View

RELEVANT EXPERIENCE & REFERENCES

Nearly 85 percent of our clients are repeat clients. Prompt service, attention to details, strict adherence to schedule requirements, and commitment to our clients' goals are among the reasons for this steady client base. Our objective on every assignment is to provide the most cost-effective product that meets the specific needs and criteria of each client within the planned schedule and budget. We encourage the City of Oakley to contact our references to learn about our performance. We are confident that you will be pleased with what our clients have to say about us.



On-Call Transportation Engineering, Transportation Planning & Transportation Operations Services, Oakley | 2016-Ongoing

Reference: Kevin Rohani | City of Oakley | 925.625.7003 | rohani@ci.oakley.ca.us

TJKM is currently under contract with the City of Oakley for Transportation Engineering, Planning & Operations Services. Below are some of the projects that are currently active or were completed in the past.

- **Citywide Traffic Model** – TJKM developed a Citywide Traffic Model for the City using VISTRO software. This model has been developed to assist the City in monitoring near-term and mid-term levels of service at key intersections.
- **Transportation Impact Fee (TIF) Update** – TJKM provided technical analysis for updating TIF program for the City y. Transportation impact fees are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use.
- **Traffic Signal Modifications** – TJKM is preparing traffic signal modification plans, specifications and estimates for improvements along multiple intersections in the City. These modifications include video detection and internally illuminated sign installations, pole relocations, signal phasing upgrades, lane geometry changes and verification of truck turning radii.
- **Peer Review** – TJKM has been reviewing Laurel and Rose Signal Warrants, Freedom High School, Freedom High School traffic safety study, Laurel Road and Empire Avenue Commercial Project traffic impact study.
- **Circulation and Safety Analysis for Freedom High School** – TJKM evaluated existing conditions, identified deficiencies and provided recommendations to enhance operations and safety for vehicular, pedestrian, bicycle and transit in the immediate vicinity of Freedom High School.
- **Update Signal Timings** – TJKM updated existing signal timing sheets based on the existing traffic demands and consistency with CA MUTCD for several key intersections in the City.
- **Traffic Signal Timing Optimization** – TJKM has developed peak period coordination plans and updated traffic signal timing parameters in accordance with the CA MUTCD for the Main Street and Empire Avenue corridors in the City of Oakley. The timing Plans were implemented and fine-tuned with the assistance of City Staff.

On-Call Traffic Engineering Services, Palo Alto | 2013-Ongoing

Reference: Shahla Yazdy | City of Palo Alto | 650.617.3151 | shahla.yazdy@cityofpaloalto.org



TJKM was selected to provide on-call services to Palo Alto for several key projects in the City including:

- **Providing On-Call Traffic Engineering Support** – TJKM has staff two days per week at the City assisting the planning department staff on various transportation planning, operations, and design projects. TJKM also took the lead in assisting the City to implement their new 311 resident request system. The citizen requests were related to transportation planning, engineering, and operations issues, also parking restriction, reviewing proposed traffic calming devices, pedestrian crossing signals, and stop warrant analysis.
- **Pop Up Traffic Circle Pilot Project** – TJKM worked with City Staff for a pilot project at a four-legged intersection to convert an all-way stop to traffic circle near a school for improved student safety. The pop up infrastructure was developed using low cost materials such as rubber curbs to form the traffic circle, paint for striping, A-frames with signs inside traffic circle, and some potted landscaping. The City maintenance staff built the improvement and help maintain it for a year to see Community input. Overall the results were favorable and majority of the community preferred the traffic circle over the all way stop.
- **Middlefield Road PS&E** – TJKM developed signage and striping plans for Middlefield Road from Palo Alto Avenue to Oregon Expressway. Project goal was for traffic calming on Middlefield Road by adding edge line striping as part of the annual pavement repair project. The work also included design of two-way cycle track to connect students using California Avenue crossing Middlefield Road to go to Jordan Middle School. Students/Residents have been very pleased with the new cycle track as it has improved safety and comfortability for students going to School on bicycles.
- **Middlefield Road North Safety Project Design and Traffic Evaluation Report** – TJKM prepared design plans for signage, medians, and striping improvements on the Middlefield Road North Corridor and performed evaluations over a one-year period to evaluate changes in transportation conditions. The project involved using low cost channelizing devices such as rubber traffic separate curb with delineators to restrict turn movements along Middlefield Road, the goal was to minimize cut-through and improve overall safety for residents in the area.
- **Middlefield Road and Embarcadero Road Hybrid Protected Intersection** – Hybrid Protected intersection, TJKM worked with City planning staff to implement the first hybrid protected intersection within the City of Palo Alto. This involved unique geometric layout to separate the pedestrian and bicyclists to have their own crossing through the intersection. The intersection is adjacent to Walter Hays Elementary School and it helped improve the safety for students biking and walking to school during peak hours. It is the first protected intersection within the City of Palo Alto.

- **PEER Review Citywide Bike Boulevards Project** – The City of Palo Alto issued task order to peer review the plans developed by Alta Planning + Design for Bike Boulevards throughout the City of Palo Alto. The project involved numerous roundabout installations, bike lane improvements, wayfinding signs and circulation improvements. TJKM staff did a detailed review and provided two rounds of comments on the plan set. TJKM met with design consultants and City staff to resolve roundabout feasibility issues during construction.
- **Review of Alma Street Train Preemption Signal Phasing Alternative** – TJKM collected data for all the existing at-grade intersections within City of Palo Alto to improve traffic operations. TJKM performed site visit to observe the behavior of the pedestrians with vehicular and Caltrain rail-road pre-emption. TJKM prepared a memorandum of our existing finding and provided recommendations for signal timing adjustment and safety improvements to be considered for regular operation.



On-Call Traffic Engineering Services, Fremont | 2016-Ongoing

Reference: Sheila Lynn Marquises | City of Fremont | 510.494.4756 | smarquises@fremont.gov

- **Traffic Signal Installation & Signal Interconnect Plans** - Blacow Road and Gatewood Street and Grimmer Boulevard and Seneca Park Avenue. Tasks include:
  - Preparation of PS&E
  - Preparation of Signal Interconnect Plans
  - Meetings and Construction Support Services
- **Pedestrian Crossing Improvements at 4 locations** - TJKM along with RJA Civil sub provided design services to improve pedestrian crossing at four locations; Fremont/Margery, Paseo/Surry, Driscoll/Joyce, Driscoll mid-block. TJKM took the lead on electrical upgrades to add RRFB system at all locations. Tasks include:
  - Preparation of Pedestrian Crossing Improvement PS&E
  - Preparation of Civil PS&E
  - Meetings and Construction Support Services
- **Walnut Boulevard and Civic Center Drive, Walnut Boulevard and Paseo Padre Parkway Signal Modifications** - TJKM provided traffic signal modification design services for Walnut Avenue/Civic Center Drive and Walnut Avenue/Paseo Padre Parkway intersections. Tasks include:
  - Preparation of Traffic Signal Modification PS&E
  - Preparation of Traffic signal Interconnect PS&E
  - Meetings and Construction Support Services
- **Mission Boulevard and Sullivan Underpass/Nichols Avenue New Signal** - TJKM along with RJA civil sub provided design services for new signal installation at Mission Boulevard and Sullivan Underpass/Nichols Avenue intersection. TJKM took the lead on preparing the signal design, signage and striping plans. Tasks include
  - Topographic survey
  - Preparation of Traffic Signal PS&E
  - Preparation of Signing and Striping PS&E
  - Preparation of Civil PS&E
  - Meetings and Construction Support Services

On-Call Traffic Engineering Services, Tracy | 2014-Current

Reference: City of Tracy | Criseldo Mina | 209.831.6425 | criseldo.mina@ci.tracy.ca.us



TJKM currently serves as an on-call consultant to City of Tracy and is conducting traffic impact analysis for various proposed projects in the city. The tasks include, but not limited to, project management, stakeholder coordination, collecting traffic counts, trip generation and distribution, level of service calculations, traffic operations, and intersection configurations. These will be summarized in a report, which includes the methodology, findings and recommendations of the study. TJKM will coordinate project meetings at various stages of the project as needed. We are currently conducting traffic impact analysis for the below projects in the city:

- Primrose Phase 1 Project
- Sutter Medical Center Project
- Montessori Elementary School Project
- Aspire II Multi-Family Project
- Berg Road Properties



On-Call Traffic Engineering Services, Mountain House | 2002-Ongoing

Reference: Nader Shareghi | Mountain House Community Services District | 209.831.5607 | nshareghi@co.san-joaquin.ca.us

Mountain House is an emerging community planned to bring residential, recreational, institutional and retail developments together in the form of a self-sufficient community. It is a 4,800-acre development with its own schools, parks and public facilities. Ultimately, Mountain House will consist of 12 distinct neighborhoods housing 44,000 residents, with offices, retail shops and boutiques within walking distance of homes. It will take about 20 years to complete the build-out of the community. In part, the success of Mountain House depends upon the phased implementation of transportation measures developed by TJKM.

Mountain House Community Services District (MHCSD) retained TJKM (since 2002) for all of the significant transportation planning and traffic engineering efforts, from the layout of the streets and roads to the design of dozens of intersections. TJKM has completed traffic impact analysis and traffic operations studies for all of the development within the community, including the interchange improvements at I-205/Mountain House Parkway. TJKM continues to serve as an on-call consultant to MHCSD, as well as to the primary developer, Shea Homes.

Projects under this contract include:

- Master Traffic Signal Plan
- Specific and Master Plans
- Business Park Traffic Study
- Business Park Traffic Control Plan
- Traffic Impact Fee Program
- Citywide Engineering and Traffic Surveys
- Traffic Signal Designs for 14 locations
- Town Center Circulation and Access
- Annual Monitoring (Traffic counts, ADT counts, accident analysis, land use and trigger verification)
- Truck Route Plan
- EIR Support for various documents
- The Mountain House Parkway Trimark Commercial Project Traffic Impact Study

On-Call Traffic Engineering Services, Orinda | 2005-Ongoing

Reference: Janice Carey | City of Orinda | 925.253.4231 | jcarey@cityoforinda.org



TJKM provides on-call traffic engineering services to the City of Orinda. Our staff has provided traffic engineering services for a variety of projects, including:

- **Centerline Striping Review** – conducted field review of centerline striping for four corridors in Orinda and recommended centerline striping modifications.
- **Camino Pablo Improvements** – conducted a traffic study to analyze the travel conditions on Camino Pablo and Santa Maria Way near the State Route 24 (SR 24) interchange, including evaluation of existing conditions; identifying traffic related issues; conducting accident analysis; reviewing existing signing and striping plans; and recommending improvement measures for the corridor.
- **Engineering and Traffic Surveys** – conducted speed surveys on 26 roadway segments based on California Vehicle Code and California Manual of Uniform Traffic Control Devices standards.
- **Glorietta Boulevard/Rheem Boulevard Pedestrian Safety Study** – conducted a focused pedestrian safety study of roadway segments in the vicinity of Glorietta Elementary School and provided recommendations for improvements.
- **Hartford Road/Charles Hill Circle & Dalewood Drive/Lombardy Lane Stop Sign Warrant Analysis** – investigated intersection traffic safety conditions to determine if a stop sign was warranted.
- **Pulte Homes' Pine Grove Neighborhood Project** – conducted Peer Review of EIR transportation section for a new residential development.
- **Moraga Way Study** – investigated the speed limit and school area signs in both directions on this arterial roadway.
- **La Espiral-La Campana-Via Hermosa-La Vuelta (5-Corners Intersection)** – investigated traffic safety conditions at this complex intersection of five roadways plus a private driveway with vertical and horizontal curves on all approaches.



On-Call Traffic Engineering Services, Los Gatos | 2003-Current

Reference: Jessy Pu | Town of Los Gatos | 408.395.2859 | jpu@town.losgatos.ca.gov

TJKM has provided general traffic engineering services for the Town of Los Gatos for over a decade. TJKM has conducted numerous traffic impact studies for a variety of land uses, including:

- **Traffic Impact Study for Proposed CVS Pharmacy and Commercial Development** - TJKM conducted a transportation impact analysis for a proposed CVS Pharmacy and medical office/commercial development at 15600 Los Gatos Boulevard in Los Gatos. The proposed project would demolish the existing buildings and develop a 14,576 square foot CVS Pharmacy, a 4,000 square foot walk-in-bank, and an 8,000 square foot medical office building. In addition to analyzing anticipated impacts on intersection level of service from the proposed development, TJKM: evaluated pedestrian, bicycle, and transit accessibility to the site; analyzed recent collision history in the project vicinity; analyzed traffic impacts on nearby freeway segments in accordance with Santa Clara Valley Transportation Authority (VTA) freeway operational analysis procedures; and analyzed project impacts on vehicle queuing at the study intersections. TJKM identified mitigation measures that would mitigate anticipated traffic impacts to a less than significant level.
- **Hillbrook School Expansion Traffic Impact Study** - TJKM prepared a traffic study to analyze the impacts of the Hillbrook School expansion project. Located in a residential area, Hillbrook School is a K-8 private school, and the proposed expansion would increase the student population. TJKM analyzed traffic impacts at seven study intersections under several project scenarios. In addition to Level of Service (LOS) analysis, TJKM performed Engineering & Traffic surveys to determine appropriate speed limits; conducted license plate surveys to determine travel routes for the a.m. and the school p.m. peak periods; reviewed collision data to recommend any safety improvements needed; and performed on-site circulation and queuing analysis to recommend any necessary mitigation measures. Recommendations advising the School to prepare & implement a more aggressive Transportation Demand Management (TDM) plan to improve their current procedures.
- **Traffic Impact Study for the Proposed Medical Office Development at 14251 Winchester Boulevard** - TJKM conducted a transportation impact analysis for a proposed medical office building on the site of a vacant general office building. The project included the demolition of the existing building and development of a 13,887 square foot medical office building. The development was analyzed under five project scenarios encompassing existing and cumulative traffic conditions, and was entered into the Town's TRAFFIX model as a new zone. In addition to analyzing anticipated traffic impacts from the proposed development, TJKM: evaluated pedestrian, bicycle, and transit accessibility to the site; analyzed recent collision history in the project vicinity; and analyzed project impacts on vehicle queuing at the study intersections. The proposed development was found to have no significant traffic impacts and had acceptable queuing conditions and collision histories.

In addition to the three noted above we have also provided Traffic Impact Studies for the following:

- 15400 Los Gatos Boulevard Medical Office Building
- 14881 National Avenue Medical Office Building
- 15720 – 15736 Winchester Boulevard General Office Building
- Single-family Residential Development at 371 Los Gatos Boulevard
- 14777 Los Gatos Boulevard Mixed-use Development
- 475-485 Alberto Way Office Development
- Bella Vasona Residential Development
- Highlands of Los Gatos Subdivision
- San Jose Water Company Reservoir Road Construction
- 234 Oak Meadow Drive Medical Office Development
- 17435 & 17443 Farley Road Mixed-use Development
- 15047 Los Gatos Boulevard Medical Office Building
- 404 University Avenue Mixed-use Development
- Safeway Grocery Store Expansion

TJKM has provided other traffic engineering services as the Town's on-call traffic consultant, including:

- Creekside Sports Park- Traffic & Parking Studies
- Town Public Library – Traffic Impact & Parking Studies
- Congestion Management Program (CMP) Intersection Analysis – LOS Monitoring
- 930 University Avenue Mini-warehouse Development – Traffic Impact & Parking Studies
- 55 Los Gatos Saratoga Road Mixed-use Development – Traffic Impact & Parking Studies
- Civic Center Master Plan – Parking Study
- Downtown Los Gatos – On-street Parking Review & Cut-through Traffic Analysis
- Montgomery Street – Traffic Calming
- Los Gatos Gateway – Traffic Impact Study Peer Review
- Community Hospital – Traffic Impact & Parking Studies
- Old Town Traffic Study – Peer Review
- Traffic Calming Services – Developed City's first traffic calming policy

TJKM regularly attends and presents to the Los Gatos Planning Commission and Council meetings, and has had extensive involvement with neighborhood and community groups.

ADDITIONAL ON-CALL CONTRACTS:

Agencies & References	Duties/Responsibilities		
City of Vallejo 2019-Ongoing Mr. David Yatabe (415) 424-3009 david.yatabe@cityofvallejo.net	• Traffic Studies • Traffic Engineering • Peer Review • Parking Studies	• Traffic Impact Studies • Transportation Impact Fee	• Safety Studies • Public Meetings • Ped & Bike Studies
City of Pittsburg 2016-Ongoing Mr. Paul Reinders (925) 252-4822 preinders@ci.pittsburg.ca.us	• Traffic Studies • Transportation Engineering Design • Peer Review	• Traffic Impact Studies • Public Meetings • Systemic Safety Analysis Report	• Programming & Grant Application • Signal Coordination
City of Belmont 2010-Ongoing Ms. Bozhena Palatnik (650) 595-7463 bpalatnik@belmont.gov	• Traffic Studies • Transportation Engineering Design • Peer Review • Safety Studies	• Traffic Impact Studies • Public Meetings • Complete Street Design & Feasibility Studies	• Programming & Grant Application • Signal Coordination
City of San Bruno 2015-Ongoing Mr. David Wong 650.616.7157 dhwong@sanbruno.ca.gov	• Engineering & Traffic Surveys • Transportation Planning	• Transportation Impact Fee • Transportation Engineering Design	• Traffic Safety Studies • Intersection Safety Study
City of Millbrae 2017-Ongoing Mr. Andrew Yang (650) 259-2393 ayang@ci.millbrae.ca.us	• Traffic Engineering • Pedestrian & Bicycle Planning & Design	• Transportation Engineering Design • Safety Analysis • Traffic Studies	• Grant Application Support • Multimodal Planning
County of San Luis Obispo 2017-Ongoing Mr. Dave Flynn (805) 781-4463 dflynn@co.slo.ca.us	• Traffic Engineering • Pedestrian & Bicycle Planning & Design	• Transportation Engineering Design • Parking Study	• Multimodal Planning • Systemic Safety Analysis Report
City of San Luis Obispo 2017-Ongoing Mr. Luke Schwartz (805) 781-7108 lschwartz@slocity.org	• Traffic Engineering	• Traffic Impact Studies	• Multimodal Analysis
City of Walnut Creek 2012- Ongoing Mr. Rafat Raie (925) 943-5899 ext. 2202 raie@walnut-creek.org	• Traffic Calming Studies • Safe Routes to School • Signal Coordination	• Traffic Engineering Staff Augmentation • Parking Studies • Traffic Impact Studies	• Traffic Impact Analysis Technical Guidelines • Grant Funding
City of Patterson 2008- Ongoing Mr. Mike Willett (209) 895-8065 mwillett@ci.patterson.ca.us	• Transportation Infrastructure Master Plan • Speed Surveys • Traffic Engineering	• Traffic Operations • Travel Demand Model • Transportation Planning	• Impact Fee Study • General Plan Update • Peer Review • Parking Studies

Appendix A

Resumes



Mr. Amin has 30 years of both public and private sector experience in the areas of transportation planning, traffic impact studies, transportation management plans, construction scheduling, construction area signs, signing and striping, traffic signal coordination, traffic operations, transit priority, traffic signal systems, freeway and arterial management studies, and intelligent transportation systems planning, design and construction oversight. He specializes in macro and microscopic model development and application for analysis of impacts across all modes of transportation. His projects range from traffic studies for developments, specific plans, general plans, corridor studies, and area-wide studies to long-term planning studies. Studies also include multimodal operations, light-rail, bus rapid transit, pedestrian, bicyclists and traffic safety and operations.

Nayan Amin, TE

PRESIDENT

Project Role: Principal-In-Charge

AREAS OF EXPERTISE

- Transportation Planning
- Traffic Impact Studies
- Transportation Management Plans
- Traffic Operations
- Transit Priority
- Freeway & Arterial Management Studies

YEARS OF EXPERIENCE

30

REGISTRATIONS & CERTIFICATIONS

CA TR 2290 (Traffic)

PROFESSIONAL HISTORY

TJKM	2012–Present
URS	2004 – 2012
Bucher, Willis & Ratliff	2001 – 2003
TJKM	1996 – 2000
VK Patel	1990 – 1994

EDUCATION

M.S., Civil Engineering, San Jose State University, San Jose, CA
B.S., Civil Engineering, Saurashtra University, Rajkot, Gujarat, India

Project Experience

On-Call Traffic/Transportation Engineering Services

- Cities of Walnut Creek, San Luis Obispo, Palo Alto, Belmont, Redwood City, San Bruno, Tracy, Fresno, Orinda, San Carlos, Brentwood, Dublin, Santa Clara, and Sunnyvale
- Counties of San Joaquin, Santa Clara, and Fresno
- SNABM On-Call Land-Use, Transportation, & Socioeconomic Modeling & Forecasting Services, Solano & Napa Counties
- Caltrans Statewide Modeling On-Call

Bicycle & Pedestrian/Safe Routes to School

- Rossmoor Pedestrian Safety Evaluation, Walnut Creek
- Leigh High School Safety Analysis, San Jose
- Bike Lane Gap Closure Level of Effort (On-Call Task Order 1), South San Francisco
- Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba

Congestion Management Programs & Traffic Monitoring Studies

- Congestion Management Program (CMP) Update, 2013-2014 & 2007, San Joaquin County
- 2014-2015 CMP Monitoring and Update efforts for Transportation Authority of Marin (TAM), Marin County
- 2013 CMP Update for TAM, Marin County
- Annual CMP Monitoring, Los Gatos

Corridor Studies/Complete Streets

- Bascom Corridor Complete Streets Study, Santa Clara County
- Eureka North-South Multimodal Corridor Study, Eureka
- Hollister Avenue Complete Streets Study, Goleta
- Oyster Point Boulevard & E. Grand Avenue Corridor Improvements, South San Francisco

Traffic Signal Designs

- Traffic Signal Mathilda Avenue & Indio Avenue, Sunnyvale
- Ralston Avenue Corridor Improvements – Segments 1 & 2, Belmont
- Traffic Signals at the Intersections of 11th Street & Transit Loop Road, Union City
- Traffic Signal Controller Upgrade Project, Hayward

Traffic Operations

- Safe Routes to School Project, Dixon
- Livorna/Wilson Road Traffic Operations Study, Danville
- Pitt School Road Traffic Operations Study, Dixon

- Traffic Calming Study at Mineta San Jose International Airport, San Jose

Traffic Control Device Inventory & GIS Inventory Projects

- Regulatory & Warning Sign Retroreflectivity Survey & Inventory, Eureka
- Retroreflectivity Sign Project, Manteca
- Road Safety Sign Audit, Wasco
- City Sign Condition Evaluation & Reporting, Morgan Hill

Traffic Impact Studies/EIRs

- Traffic Study for Hotel Development at 701 Third Street, San Francisco
- 2670 Geary Boulevard Transportation Impact Study, San Francisco
- Traffic Impact Study for Proposed Mixed-Use Development at 900-954 North First Street, San Jose
- Peer Review of Safeway Fuel Center Traffic Impact Analysis, Pleasant Hill

Signal Coordination

- SR 29 Signal Phasing & Timing Evaluation, Napa
- Santa Fe Street Signal Installation & Fiber Interconnect Project, Visalia
- Metropolitan Transportation Commission (MTC) Program for Arterial Signal Synchronization (PASS) 2014-2015 Cycle, San Francisco Bay Area
- MTC PASS 2012-2013 Cycle, San Francisco Bay Area

Truck Route Studies

- Truck Restriction Plan Development, South San Francisco

Traffic Impact Fee (AB 1600) Studies

- Traffic Impact Fee Study 2018 Update, Windsor
- Greater Eureka Traffic Impact Fee Study, Humboldt County
- Transportation Impact Fee Study, Visalia
- Regional Transportation Impact Fee Update, Merced County

Transit

- Tulare CAG Long Range Transit Plan, Tulare County
- County Connection Transit Access Improvement Project, Contra Costa County
- Bus Stop Improvement Plan, San Benito County

Plans, Specifications & Estimates

- US 101 HOV Lane Widening Project (Segment A), Sonoma County
- US 101 HOV Lane Widening Project (Segment B), Sonoma County
- US 101 HOV Lane Widening Project (Segment B2), Sonoma County
- I-680 Southbound Express Lane Project, Alameda County

Freeway Operations

- Mountain House Parkway at I-205 Project Study Report, San Joaquin County
- I-580/Mountain House Parkway Project Study Report, San Joaquin County
- I-680 Southbound Express Lane Project, Alameda County
- I-80/San Pablo Dam Road Interchange Corridor Study, Contra Costa County

Transportation Planning

- ConnectMenlo General Plan & Facebook Campus Planning, Menlo Park
- General Plan Update 2016, Humboldt County
- AIM Parking & Traffic Circulation Study, Marin County
- Seaside 2040 General Plan & Environmental Impact Report, Seaside

Traffic Calming

- Neighborhood Traffic Calming Program, Millbrae
- Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba
- Traffic Calming in the Lyon-Hoag Neighborhood & Vicinity, Burlingame
- Stanford Neighborhood Streets Enhancement Project, Redwood City

Intelligent Transportation Systems

- AC Transit Line 97 South County Corridors Transit Performance Initiative Project Adaptive Traffic Control System
- NGAOP SCC Bluetooth/Wi-Fi Readers Design, Santa Clara County
- Webster Street SMART Corridor Project, Alameda County
- Preliminary Engineering & Environmental Services for the Port of Oakland CIP Projects, Oakland

Parking Studies

- Jackson-Webster Parking Study, Fairfield
- Downtown Parking Study, Clovis
- Downtown Parking & Circulation Study, Avila Beach
- Downtown Parking Management Plan, Brentwood

Safety Studies

- Citywide Intersection Safety Study, San Bruno
- Crow Canyon Road Safety Study, Alameda County
- Patterson Pass Road Safety Study, Alameda County

Systemic Safety Analysis Report Program

- Yuba County
- City of Pittsburg
- County of Del Norte
- City of Dinuba

Travel Demand Modeling

- Travel Demand Model 2018 Update, Sonoma County
- SNABM On-Call Land-Use, Transportation, & Socioeconomic Modeling & Forecasting Services, Solano & Napa Counties
- Caltrans Statewide Modeling On-Call, District 10
- Three County Model Base Year Update, Stanislaus, San Joaquin & Merced County



Ms. Jariwala has 21 years of professional experience in the areas of traffic operations, transportation planning, freeway and arterial management studies, signal coordination, traffic signal systems, traffic impact studies/EIRs and intelligent transportation systems planning, design and construction oversight. She has extensive experience in macro and microscopic model development and application for analysis of traffic operations for express lane studies as well as multimodal operations, light-rail, bus rapid transit, pedestrian, bicyclists, and traffic safety studies.

Ruta Jariwala, PE, TE

PRINCIPAL

Project Role: Project Manager

AREAS OF EXPERTISE

- Signal Coordination
- Project Management
- Traffic Impact Studies
- Freeway Operations
- Traffic Operations
- Traffic Planning

YEARS OF EXPERIENCE

21

REGISTRATIONS & CERTIFICATIONS

CA CE 73840 (Civil)
CA TR 2465 (Traffic)
TX CE 135281 (Civil)

PROFESSIONAL HISTORY

TJKM	2012 - Present
URS	2004 – 2012
Bucher, Willis & Ratliff	2001 – 2003
Autodesk	1999 – 2001

EDUCATION

M.S., Civil Engineering, San Jose State University, San Jose, CA
B.S., Civil Engineering, Bombay University, Mumbai, Maharashtra, India

Project Experience

On-Call Traffic/Transportation Engineering Services

- County of Napa, San Luis Obispo, Monterey, San Mateo, Fresno, San Joaquin, and Santa Clara
- City of Walnut Creek, Palo Alto, Belmont, Sunnyvale, Oakley, San Carlos, Mountain View, Tracy, Fresno, Oakland, and Santa Clara
- Town of Los Gatos

Transit

- West Grand Transit Signal Priority Implementation, Alameda County
- Tulare CAG Long Range Transit Plan, Tulare County

Corridor Studies/Complete Streets

- Bascom Corridor Complete Streets Study, Santa Clara County
- Ralston Avenue Corridor Improvements – Segments 1 & 2, Belmont
- Shoreline Boulevard Corridor Study, Mountain View
- Pleasant Hill Road Corridor Study, Lafayette
- Eureka North-South Multimodal Corridor Study, Eureka

Bicycle & Pedestrian/Safe Routes to School

- Rossmoor Pedestrian Safety Evaluation, Walnut Creek
- Leigh High School Safety Analysis, San Jose
- Bike Lane Gap Closure Level of Effort (On-Call Task Order 1), South San Francisco
- Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
- RRFB Installation Pedestrian Safety Project, Manteca
- Safe Routes to School 2015, Sunnyvale

Congestion Management Programs & Traffic Monitoring Studies

- 2016-2017 TAM System Monitoring & CMP Update, Marin County
- Measure J Traffic Congestion Relief Agency (TRAFFIX) 2015 Traffic School Counts & Analysis, Danville
- 2014 CMP Monitoring Report & 2015 CMP Update, Marin County
- 2013 TAM CMP Update, Marin County
- 2013-2014 CMP Plan, San Joaquin County

Traffic Control Device Inventory & GIS Inventory Projects

- Retroreflectivity Sign Project, Manteca
- Alameda County TCDI & Sign Retroreflectivity, Alameda County
- Palo Alto GIS Based TCDI & Sign Retroreflectivity, Palo Alto
- Hillsborough TCDI, Hillsborough
- SR 4 HOV Lane Widening Project, Contra Costa County

Traffic Impact Studies/EIRs

- Fruitvale Avenue Traffic Study, Oakland
- 2747 & 3045 Park Boulevard Traffic Impact Study, Palo Alto
- 2492 Whipple Road Traffic Impact Study, Hayward
- Self-Storage Facility Traffic Impact Analysis, Milpitas
- Hotel Traffic Impact Study on San Pablo Dam Road, San Pablo

Freeway Operations

- I-580 Eastbound Express Lane Project, Alameda County
- I-580 Westbound Express Lane Traffic & Revenue Study, Alameda County
- Mid-County Project Study Report, Stanislaus County

Signal Coordination

- Citywide Signal Coordination Project, Walnut Creek
- Tully Road & Saratoga Avenue Adaptive Signal Control Evaluation, San Jose
- West Leland Road Signal Coordination, Pittsburg
- SR 29 Signal Phasing & Timing Evaluation, Napa
- Railroad Avenue-Kirker Pass Road Signal Coordination, Pittsburg
- Signal Coordination Timing & Optimization Project, Sunnyvale
- Metropolitan Transportation Commission (MTC) Program for Arterial Signal Synchronization (PASS) 2014-2017 Cycle, Multiple San Francisco Bay Area Jurisdictions

Traffic Operations

- Citywide Traffic Model, Oakley
- I-80/Gilman Street Interchange PA/ED Project, Alameda County
- Sperry Avenue at I-5 Interchange, Stanislaus County
- I-580/Mountain House Parkway Project Study Report, San Joaquin County
- I-80/San Pablo Dam Road Interchange Project, Contra Costa County
- Camino Tassajara Road Traffic Operations Study, Danville

Traffic Signal Designs

- Mathilda/Indio Intersection Improvements, Sunnyvale
- AC Transit Line 97 South County Corridors Transit Performance Initiative Project Adaptive Traffic Control System, Alameda County
- Preliminary Engineering & Environmental Services for the Port of Oakland CIP Projects, Oakland
- Traffic Signal Hardware & Wiring 2017 Project, Sunnyvale
- Three HSIP Projects for West Leland Corridor Safety Improvements, Pittsburg

Traffic Planning

- Golden State Boulevard/Golf Road/Berkeley Avenue Intersection Improvement, Stanislaus
- I-80/Gilman Street Interchange PA/ED Project, Alameda County
- Sperry Avenue at I-5 Interchange, Stanislaus County
- I-580/Mountain House Parkway Project Study Report, San Joaquin County
- I-80 San Pablo Dam Road Interchange Project, Contra Costa County

Design Build

- SR 180 Braided Ramps Design Build, Fresno

Plans, Specifications & Estimates

- US 101 HOV Lane Widening Project (Segment A), Sonoma County
- US 101 HOV Lane Widening Project (Segment B), Sonoma County
- US 101 HOV Lane Widening Project (Segment B2), Sonoma County
- I-680 Southbound Express Lane Project, Alameda County
- SR 85/US 101 Expressway Lanes Project, Santa Clara County

Speed Zone Studies

- 2015 Engineering & Traffic Survey, San Bruno
- Antioch 2014 Speed Zone Studies, Antioch

Parking

- Parking In-Lieu Fee Study, Redwood City
- AIM Parking & Traffic Circulation Study, Marin County
- Downtown Parking Utilization Assessment, Danville

Traffic Impact Fee

- Visalia Traffic Impact Fee Study, Visalia
- Office Traffic Impact Fee Review, Contra Costa County
- Regional Transportation Impact Fee Update, Merced County
- Greater Eureka Traffic Impact Fee Study, Humboldt County

Traffic Calming

- Neighborhood Traffic Calming Program, Millbrae
- Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba
- Traffic Calming in the Lyon-Hoag Neighborhood & Vicinity, Burlingame
- Stanford Neighborhood Streets Enhancement Project, Redwood City
- Avalon Heights Traffic Calming Study, Fremont

Safety Studies

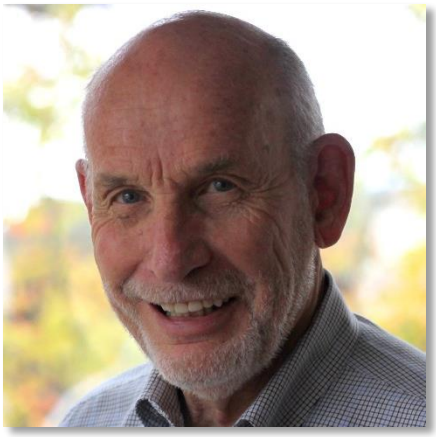
- Tesla Road Project Safety Study, Alameda County
- Crow Canyon Road Safety Study, Alameda County
- Patterson Pass Road Safety Study, Alameda County

Bridge Projects

- Newark Central Avenue Grade Separation Project, Newark
- Newell Road Bridge Replacement Project, Palo Alto
- Traffic Analysis for Sacramento Street Bridge Reconstruction Project, Vallejo

Systemic Safety Analysis Report Program

- Yuba County
- City of Pittsburg
- County of Del Norte
- City of Dinuba



Mr. Kinzel is the Vice President of TJKM and has 60 years of experience in nearly all aspects of traffic engineering and planning. He has managed and performed hundreds of traffic studies over the years. A former municipal engineer, much of his career today is focused on working with city and county traffic engineers to determine the most effective strategies for reducing traffic congestion. He has also worked with many California developers and homebuilders, performing development studies and presenting study results.

Mr. Kinzel has made presentations at hundreds of city council/planning commission/public meetings to present traffic study recommendations, and has taught traffic-engineering courses for the University of California and the University of Santa Clara. He wrote the "Traffic Studies" chapter of the Traffic Engineering Handbook, published by Prentice-Hall, and he assisted ITE with updating their Parking Generation Manual that is now in circulation. Mr. Kinzel also conducted a peer review of the 7th, 8th, and 9th Editions of the ITE Trip Generation Manual.

Chris Kinzel, PE, TE

VICE PRESIDENT

Project Role: Transportation Planning Task Lead

Project Experience

On-Call Traffic/Transportation Engineering Services

- Cities of Walnut Creek, Grass Valley, Orinda, San Carlos, Redwood City, Tracy, Tracy Hills, Dublin Ranch, Dublin, Patterson, Palo Alto, El Cerrito
- Town of Los Gatos
- Mountain House Community Services District

Safety Studies

- Rossmoor Pedestrian Safety Evaluation, Walnut Creek
- No Passing Zone Study, Fresno County
- Digital/GIS Crash Analysis Database, Alameda County, El Cerrito, Mountain House, Palo Alto, Patterson, San Joaquin County, Tracy, & Union City
- Sight Distance Review for New Development, San Joaquin County

Parking Studies

- Downtown Parking Study, Walnut Creek
- Jackson-Webster Parking Study, Fairfield
- Downtown Parking Study, Clovis
- Downtown Parking & Circulation Study, Avila Beach
- Downtown Parking Management Plan, Brentwood
- Turlock Downtown Parking Plan, Turlock
- Downtown & Neighborhoods Parking Study, Orinda

Corridor Studies

- Eureka North-South Multimodal Corridor Study, Eureka
- Citywide Multimodal Improvement Study, Hayward
- Citywide Multimodal Improvement Plan, Mountain View
- Sandia National Laboratories/CA Traffic Safety Study, Livermore

Pedestrian & Bicycle

- Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba

Traffic Impact Studies

- Quay Valley Traffic Studies, Kings County
- Proposed Dialysis Center, Alameda County
- 2747 & 3045 Park Boulevard Traffic Impact Study, Palo Alto
- Mosque Traffic Study, Hayward
- Hotel on Constitution Drive Traffic Impact Study, Livermore
- Aptos Village Traffic Study Update, Santa Cruz County

AREAS OF EXPERTISE

- Municipal Traffic Engineering
- Freeway Operations
- Arterial System Planning
- Circulation Studies
- Traffic Impact Studies
- General/Specific Plans
- Parking Studies
- Corridor Studies
- Expert Witness Testimony
- Transportation Planning
- Geometric Design
- Safety Studies

YEARS OF EXPERIENCE

60

REGISTRATIONS & CERTIFICATIONS

CA TR0023 (Traffic)
CA C15347 (Civil)

PROFESSIONAL HISTORY

TJKM	1974 - Present
Lampman & Associates	1971 - 1974
City of Hayward	1966 - 1971
County of Fresno	1960 - 1965

EDUCATION

M.S., Transportation Engineering, University of California, Berkeley, Berkeley, CA
B.S., Civil Engineering, California State University, Fresno, Fresno, CA

Large-Scale Development Projects

- TDM Plan for the Terraces at San Joaquin Gardens Senior Residential Development, Fresno
- Transportation Demand Management Plan for the Paragon Retail Outlets, Livermore
- Mountain House Advanced Traffic Management System, San Joaquin County
- Crow Canyon Road, Alameda County
- Patterson Pass Road Project Study Report, Alameda County
- Project Study Report for Tesla Road, Alameda County
- Crows Landing Industrial Business Park, Stanislaus County
- West Park Traffic Circulation Master Plan & EIR, Stanislaus County

General Plan Projects

- City of Menlo Park
- General Plan Update 2016, Humboldt County
- Seaside 2040 General Plan & Environmental Impact Report, Seaside
- City of Patterson
- City of Soledad
- City of Half Moon Bay Circulation Element
- City of Pleasant Hill Circulation Element
- City of Dublin General Plan Update EIR
- East Dublin Specific Plan Update
- City of Pleasanton
- City of Sunnyvale Circulation Element Update

Circulation Studies

- Charleston-Arastradero Corridor Improvements, Palo Alto
- River Islands Residential Development, Lathrop
- Downtown Revitalization Plan, Pleasanton
- Main Street Corridor Improvements, Manteca

Traffic Impact Fee (AB 1600) Studies

- Traffic Impact Fee Study 2018 Update, Windsor
- Regional Transportation Impact Fee Update, Merced County
- Greater Eureka Traffic Impact Fee, Humboldt County
- Office Traffic Impact Fee Review, Contra Costa County
- Transportation Infrastructure Master Plan & Traffic Fee, Patterson
- Cities of Visalia, Pleasanton, Menlo Park, Dublin, Livermore, Los Altos, Lathrop, Half Moon Bay, and St. Helena
- Tuolumne County

Freeway Operations

- Mountain House Parkway at I-205 Project Study Report, San Joaquin County
- I-580 HOV Lane Traffic Forecasting & Operations Report, Alameda County
- Altamont Pass Corridor Study, Livermore, Tracy & San Joaquin County
- I-680 Traffic Operations Study, Contra Costa, Alameda & Santa Clara Counties
- Alameda County Congestion Management Agency, Alameda County
- SR 84 Route Alternatives Study, Livermore

Transportation Modeling

- Citywide Traffic Model, Oakley
- Tuolumne County Circulation System Model, Transportation Improvement Program, & Funding Strategy, Tuolumne County

Traffic Control Device Inventory

- Regulatory & Warning Sign Retroreflectivity Survey & Inventory, Eureka
- Road Safety Sign Audit, Wasco
- Retroreflectivity Sign Project, Manteca
- Alameda County TCDI & Sign Retroreflectivity, Alameda County
- Palo Alto GIS Based TCDI & Sign Retroreflectivity, Palo Alto
- City of Lakeport

Signal Coordination

- Metropolitan Transportation Commission (MTC) Program for Arterial Signal Synchronization (PASS), San Francisco Bay Area
- Stoneridge/Santa Rita Improvements, Pleasanton
- MTC Regional Signal Timing Program, San Francisco Bay Area

Congestion Management Programs & Traffic Monitoring Studies

- San Joaquin County Congestion Management Program (CMP) Update, 2013-2014 & 2007
- 2014-15 CMP Monitoring and Update efforts for Transportation Authority of Marin (TAM) in Marin County
- 2013 CMP Update for Transportation Authority of Marin
- Measure J Traffic Congestion Relief Agency (TRAFFIX) 2015 Traffic Monitoring Analysis – Danville, San Ramon & Contra Costa County
- Measure J Traffic Congestion Relief Agency (TRAFFIX) 2011 Traffic Monitoring Analysis – Danville, San Ramon & Contra Costa County

Speed Zone Studies

- 2014 Speed Zone Studies, Antioch
- Citywide Engineering Radar Speed Surveys, Cupertino, El Cerrito, Mountain House, & Palo Alto

Engineering & Traffic Surveys

- City of San Bruno, Hollister, Rio Vista, Menlo Park, Cupertino, Pleasant Hill, Newark
- Town of Danville

Transit Studies

- Bus Stop Improvement Plan, San Benito County

Truck Route Studies

- Truck Route Study, Tracy
- Truck Restriction Plan Development, South San Francisco
- Truck Route Study, Citrus Heights

Traffic Calming

- Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba



Mr. Patel has 30 years of traffic engineering and transportation planning experience, and has worked in both the public and private sectors. Prior to joining TJKM, he served as the City of Menlo Park's Traffic Engineer where he co-developed the City's signal design and equipment standards. Mr. Patel has designed several traffic signal installations and modifications involving Caltrans and obtained encroachment permits for these client. Some of these projects have included installation of traffic signal interconnect conduit and cable to the adjacent signals, installation of curb ramps that comply with the Americans with Disabilities Act (ADA), video detection systems, video surveillance systems, emergency vehicle pre-emption, fiber optic communication hubs. He has also completed railroad signal pre-emption for the adjacent Union Pacific Railroad, signing and striping at the intersection as well as along the arterial, and construction assistance after the design was completed.

Mr. Patel has developed bus rapid transit projects involving design and construction of transit signal priority hardware at existing traffic signal locations in Oakland and Stockton. Some of the other ITS projects he has managed have included strategic plan development, Concept of Operations, multi-jurisdictional systems integration, and technical specifications development.

Atul Patel, PE, TE, PTOE

DIRECTOR OF ITS & DESIGN

Project Role: Transportation Design & ITS Task Lead

AREAS OF EXPERTISE

- Intelligent Transportation Design
- ITS Planning
- Traffic Signal Designs
- Traffic Operational Analysis
- Bicycle & Pedestrian Studies
- Parking Studies

YEARS OF EXPERIENCE

30

REGISTRATIONS & CERTIFICATIONS

CA TR 2321 (Traffic)
TX CE 83987 (Civil)
Professional Traffic Operations Engineer 1640

PROFESSIONAL HISTORY

TJKM	2012-Present
City of Menlo Park	2010-2012
DKS	1999-2010
PBQ&D	1998-1999
City of Coppell	1994-1998
City of Dallas	1992-1994
TX Transportation Institute	1990-1991

EDUCATION

M.B.A., Technical Management, University of Phoenix, Northern California Campus, CA
B.S., Civil Engineering, Texas A&M University, College Station, TX

Project Experience

On-Call Traffic/Transportation Engineering Services

- County of Merced
- Cities of Walnut Creek, Sunnyvale, Oakland, Albany, Palo Alto, Redwood City, Saratoga, Belmont, and Pittsburg

Traffic Signal Designs

- South Main Street at Broadway Plaza & South Main Street at Newell Avenue, Walnut Creek
- Traffic Signal System Update Project HSIP, Manteca
- Traffic Signal Modifications at Central Expressway & Castro Street, Mountain View
- Lovers Lane/Tulare Avenue Signal Design, Visalia
- Mathilda/Indio Intersection Improvements, Sunnyvale
- Intersection Improvements at Grant Road & Phyllis Avenue/Martens Avenue, Mountain View
- Traffic Signal Hardware & Wiring 2017 Project, Sunnyvale

Intelligent Transportation Systems

- NGAOP SCC Bluetooth/WiFi Readers Design PS&E, Santa Clara County
- SR 237 Phase 2 Express Lanes Electronic Toll System Integrator Project, Santa Clara County
- BAIFA Toll System Integration, San Francisco Bay Area
- ITS & Signal Synchronization, Visalia
- Webster Street SMART Corridor, Alameda County
- SR 180 Braided Ramp Design/Build, Fresno
- Jackson Street Fiber, Hayward
- Bascom Avenue ITS, Santa Clara County
- BRT Installation along Grand Avenue & MacArthur Boulevard Corridors, Oakland
- Santa Clara County Traffic Operations System, Santa Clara County
- Pima Road Fiber, Scottsdale, AZ
- Silicon Valley SMART Corridor, San Jose
- Silicon Valley ITS Enhancement, San Jose

Adaptive Signal System

- Ygnacio Valley Road Adaptive Signal System, Walnut Creek
- AC Transit San Pablo Avenue Rapid Corridors, Alameda County
- AC Transit Line 97 South County Corridors Transit Performance Initiative Project Adaptive Traffic Control System, Union City
- Bollinger Canyon & Crow Canyon Traffic Adaptive Signal System Implementation, San Ramon
- Shoreline Boulevard Traffic Adaptive Signal System, Mountain View

Street Lighting Design

- In-Roadway Lighting, Sebastopol
- Signal Modifications along Bailey Road from SR 4 to West Leland, Pittsburg
- Main Street Streetscape, Milpitas
- Telegraph Avenue Streetscape, Oakland
- Auto Mall Circle, Fairfield
- Diablo Valley College Transit Center, Pleasant Hill

Construction Zone Traffic Control

- Cities of Fremont, Hayward, Alameda, Garden Grove, La Mirada, & Morgan Hill
- Sand Hill Road PG&E Gas Distribution Line, Menlo Park
- Construction Zone Traffic Control, Fountain Valley
- Katella Avenue Construction Zone Traffic Control, Anaheim
- Beach Boulevard Construction Zone Traffic Control, Buena Park

Traffic Operations Analysis

- Golden State Boulevard/Golf Road/Berkeley Avenue Intersection Improvement, Stanislaus County
- Miramonte/Covington Bike & Pedestrian Improvements, Los Altos
- Wanda Hirsch Circulation Study, Tracy
- San Tomas Expressway & Montague Expressway Traffic Operations System, Santa Clara County
- San Fernando Boulevard Streetscape, Santa Clarita
- Traffic Operational Analysis of Shattuck Avenue, Berkeley

Railroad At-Grade Crossing Projects

- Cities of Menlo Park, Redwood City, Burlingame & South San Francisco
- Caltrain Railroad At-Grade Crossings Safety Project, Multiple Jurisdictions
- Linden at Dollar Signal Installation, South San Francisco

Transit

- San Leandro Boulevard. BART Downtown Pedestrian Interface Project, San Leandro
- Tulare CAG Long Range Transit Plan, Tulare County

Parking Studies

- City of San Jose Parking Guidance System, San Jose
- Contra Costa County Parking Management Plan, Martinez
- Fourth Street at Lootens Place Parking Assessment, San Rafael
- Bayview Business Park Trip Generation Study, San Rafael
- City of Coppell Parking Ordinance Revision, Coppell, TX
- City of Dallas Deep Ellum Parking Study, Dallas, TX

Safe Routes to School

- Safe Routes to School 2015, Sunnyvale
- Safe Routes to School Implementation, Sunnyvale
- Safe Routes to School Designs, Kettleman
- Safe Routes to School Designs, Los Altos
- Marin-Curtis Safe Routes to School Pedestrian Improvements
- Safe Route to Valparaiso, Menlo Park

Corridor Studies/Complete Streets/Streetscape Project

- Miner Avenue Complete Streets PS&E, Stockton
- Shoreline Boulevard Transportation Corridor Study, Mountain View
- East 14th Streetscape Project, Alameda County
- Ralston Avenue Corridor Improvements – Segments 1 & 2, Belmont
- Citywide Intersection Safety Improvement Study, San Bruno
- Charleston-Arastradero Corridor Improvements, Palo Alto
- Shoreline Boulevard Traffic Adaptive Signal System, Mountain View

Signal Coordination

- Dinuba Signal Synchronization Project, Dinuba
- Ocean Avenue/Water Avenue Signal Coordination, Santa Cruz
- Willow Road Traffic Signal Coordination, Menlo Park

Bicycle & Pedestrian Studies

- Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
- Central Corridor Bicycle & Pedestrian Safety Improvements, Daly City
- RRFB Installation Pedestrian Safety Project, Manteca,
- Stanford Neighborhood Streets Enhancement Project, Redwood City
- Sunnyvale-Saratoga Road Traffic Signal, Bicycle & Pedestrian Safety Project, Sunnyvale
- UC Merced Rancher's Road Traffic Evaluation Project

Bridge

- Newark Central Avenue Grade Separation Project, Newark

Traffic Calming

- Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba

Traffic Control Device Inventory

- Retroreflectivity Sign Project, Manteca

Systemic Safety Analysis Report Program

- Yuba County
- San Luis Obispo
- City of Pittsburg
- County of Del Norte



Ms. Modugula has 22 years of experience in leading transportation planning firms in the United States and India in the field of travel forecasting models. She is an expert in passenger and freight travel demand forecasting models, mobility plans, master plans, demand assessment, and public transport feasibility projects. She also has extensive experience in transportation planning software such as CUBE, TransCAD, and EMME. Ms. Modugula has conducted numerous training sessions in model development and Cube software.

Vamsee Modugula

DIRECTOR OF TRAVEL DEMAND FORECASTING

Project Role: Traffic Modeling Task Lead

AREAS OF EXPERTISE

- Travel Demand Modeling
- Transportation Planning
- Project Management

YEARS OF EXPERIENCE

22

PROFESSIONAL HISTORY

TJKM	2018-Present
Transportation Planning & Research, Mumbai	2007-2012
Citilabs, India	2008-2013
Cambridge Systematics	2000-2008
KPMG LLP, Washington	1998-2000
Washington Government	1997-1998

EDUCATION

M.S., Transportation Planning & Engineering, University of Massachusetts, Amherst, MA

B.E., Civil Engineering, Osmania University, Hyderabad, Telangana, India

Project Experience

Travel Demand Modeling

- Modeling On-Call for Solano Napa Activity Based Model
- Travel Demand Model 2018 Update, Sonoma County
- Caltrans Statewide On-Call Modeling Support
- Traffic Operations and Forecasting for I-880/Winton Ave & A Street, Hayward
- San Francisco Tour Based Travel Model
- San Francisco Water Transit Authority Ridership Forecasting & Modeling
- Contra Costa County Travel Demand Model Development
- San Francisco Trans-Bay Ridership Analysis
- Caltrain Commuter Rail Ridership & Revenue Analysis
- Doyle Drive Micro Simulation Study, San Francisco
- Contra Costa Transportation Authority (CCTA) Model Evaluation Study
- Metropolitan Transportation Commission (MTC) Master Plan & Mobility Study
- California Statewide Travel Demand Model Development & High Speed Rail Ridership Forecasting Study
- San Joaquin Goods Movement Study Phase III
- Contra Costa Transportation Authority (CCTA) Model Support & Maintenance
- Caltrans District 4 – Construct 4th Bore at the Caldecott Tunnels
- Los Angeles CARGO Multimodal Freight Model
- Bus Planning Guidebook & Toolkit
- Ports of Long Beach & Los Angeles Model Development
- World Research Institute (WRI) Inter-city Passenger & Freight Transport in the Mumbai-Ahmedabad Corridor
- Multimodal Freight Model for Houston Galveston Area Council (HGAC), Texas, USA
- Thane Light Rail Feasibility Analysis
- Ann Arbor Travel Demand Model
- Toll and Revenue Analysis for Gerald Desmond Bridge/I710, Port of Long Beach
- South Amboy Ferry Research Study
- Bangalore Travel Demand Model Evaluation & Emissions Methodology
- Washington DC Capital Beltway Corridor Transportation Study
- Ferry Passenger Market Feasibility Analysis
- Minot Transportation Model for the City of Minot, North Dakota
- Northwest New Jersey-Northeast Pennsylvania Major Investment Study (MIS)
- Port Authority of Allegheny County, Pittsburgh



AREAS OF EXPERTISE

- Transportation Planning
- Project Management
- Community Outreach
- Traffic Impact Studies

YEARS OF EXPERIENCE

19

PROFESSIONAL HISTORY

TJKM	2015 – Present
County of Santa Clara Roads & Airport Department	2012 – 2015
City of Milpitas	2001 – 2012

EDUCATION

B.A., Environmental Studies, University of California, Santa Barbara, CA

Ms. Spuller has over 19 years of experience in transportation planning, traffic impact studies, environmental impact reviews and project management. Janice has spent most of her career in the public sector with experience with major transportation infrastructure and transit projects, long-range transportation plans, transportation demand management and land-use planning.

Ms. Spuller's experience includes updating bicycle master plans and implementation, updating the circulation element of the general plan, applying and managing grant funding, and participation on regional transportation committees. During her tenure with local government agencies, she provided support as staff liaisons to bicycle and transportation committees and commissions.

Janice Spuller

PROJECT MANAGER

Project Role: Traffic Impact Studies Task Lead

Project Experience

On-Call Traffic/Transportation Planning & Engineering

- Cities of Walnut Creek, Tracy, Redwood City, Palo Alto and Napa County
- Town of Los Gatos
- Town of Danville
- On-Call Transportation Services, San Luis Obispo
- On-Call CEQA Consultant Services, Yolo County

Transportation Planning

- Seaside 2040 General Plan & Environmental Impact Report, Seaside
- County Comprehensive Expressway Plan Study/Expressway Plan 2040, San Jose
- Lawrence Expressway Improvement Project, Santa Clara
- BART Silicon Valley Berryessa Extension Project, Milpitas
- Community Based Transportation Plan, Milpitas
- Bikeway Master Plan, Milpitas

Transportation Demand Management

- Icehouse Mixed Use Development Project TDM Plan, Oakland
- Employer Trip Reduction Incentive Program, Milpitas
- Suggested Routes to School Program, Milpitas

Community Outreach

- Highway 237/I-880 Interchange Reconstruction Project & Public Awareness Program, Milpitas
- Dixon Landing Road/I-880 Interchange Reconstruction Project & Public Awareness Program, Milpitas
- Tasman East Light Rail Extension Project, Milpitas

Land Use Planning

- Assistant Planner, Milpitas

Traffic Impact Studies/EIR

- Traffic Impact Analysis for Proposed Mixed-Use Development at 582 Hope Street, Mountain View
- 2747 San Pablo Avenue Traffic Impact Study, Berkeley
- Ridgeline Development Traffic Impact Study, Tracy
- Aspire II Residential Development Traffic Impact Study, Tracy
- 201-225 Los Gatos-Saratoga Road Traffic Impact Study Peer Review, Los Gatos
- South County Corridor Study, Stanislaus County
- Quay Valley Traffic Studies, Kings County

- 16601 Almaden Expressway Daycare Center Traffic Impact Study, San Jose

Congestion Management

- 2014 System Monitoring/2015 CMP, Marin

Parking

- Parking In-Lieu Fee Study, Redwood City
- AIM Parking & Traffic Circulation Study, Marin County
- Turlock Downtown Parking Plan, Turlock

Traffic Calming

- Stanford Neighborhood Streets Enhancement Project, Redwood City
- Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba
- Neighborhood Traffic Calming Program, Hayward

Corridor Studies/Complete Streets

- California Street/Escuela Avenue Complete Street Feasibility Study, Mountain View

Bicycle & Pedestrian/ Safe Routes to School

- Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
- Leigh High School Safety Analysis, San Jose
- Comprehensive Pedestrian & Bicycle Master Plan, Belmont

Grant Applications

- Grant Application for San Mateo County TA 2017 Measure A Pedestrian & Bicycle Program, Millbrae



Mr. Paparaju has more than five years of professional experience in the areas of professional experience in the areas of traffic operations, signal coordination, traffic impact studies, bridge design, and construction oversight.

Sandeep Paparaju

TRANSPORTATION ENGINEER

Project Role: Data Collection Task Lead

AREAS OF EXPERTISE

- Transportation Planning
- Construction Management
- Corridor Studies
- Complete Streets
- Traffic Signal Systems

YEARS OF EXPERIENCE

5

PROFESSIONAL HISTORY

TJKM	2014 – Present
Larsen & Toubro Ltd.	2011 – 2012
Simplex Infrastructure Pvt. Ltd.	2010 – 2011

EDUCATION

M.S., Civil Engineering, University of Akron, Akron, OH

B.S., Civil Engineering, Pune University, Pune, Maharashtra, India

Project Experience

On-Call Traffic/Transportation Planning & Engineering

- City of Tracy

Corridor Studies/Complete Streets

- Hollister Avenue Complete Streets Study, Goleta
- Eureka North-South Multimodal Corridor Study, Eureka
- South County Corridor Study, Stanislaus County
- Rengstorff Avenue Signal Coordination & Corridor Study, Mountain View
- California Street/Escuela Avenue Complete Streets, Mountain View

Transportation Planning

- Traffic Impact Study for the Proposed Capital Toyota Dealership Expansion, San Jose
- Menlo Park General Plan Update, Menlo Park
- Truck Restriction Plan Development, South San Francisco
- AIM Parking & Traffic Circulation Study, Marin County

Traffic Impact Studies

- 16601 Almaden Expressway Daycare Center, San Jose
- CarMax Transportation Impact Studies, San Jose
- Mosque Traffic Study, Hayward
- North Capitol & Hostetter Road Traffic Impact Study, San Jose
- Mountain House Parkway at I-205 Project Study Report, San Joaquin County
- I-580/Mountain House Parkway Project Study Report, San Joaquin County
- Tech Corner, Mountain View
- Rancho Murieta Community Residential Development, Sacramento County
- 2747 & 3045 Park Boulevard, Palo Alto
- 3345 North Texas Street Traffic Impact Analysis, Fairfield

Traffic Signal Systems & Signal Coordination

- MTC PASS, San Francisco Bay Area
- MTC PASS 2014-2015 Cycle, Concord
- MTC PASS 2014-2015 Cycle, San Ramon
- Fair Oaks/Howe Signal Modification, Sacramento
- Cypress Avenue Signal Coordination, Redding
- Implementation & Fine-tuning of Signal Timing Plan on Buskirk Avenue, Pleasant Hill

Speed Surveys

- 2014 Speed Zone Studies, Antioch

Parking

- Parking Study for 1350 S. Eliseo, Larkspur

Safe Routes to School/Pedestrian & Bicycle Projects

- Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba

Traffic Calming

- Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba



Mr. Bjorklund has 30 years of design experience, including 28 with TJKM. He has been the lead designer for more than 1,000 signal design, modification, and signal interconnect projects throughout California, and has prepared hundreds of miles of signing and striping (S&S) design plans using AutoCAD. Mr. Bjorklund has extensive experience performing field analyses to determine geometric configurations of intersections, and has conducted many peer reviews of other designers' work, providing clients with useful design modifications. During his tenure with the City of Brentwood, Mr. Bjorklund plan checked Joint Trench, Interconnect, Fiber Optic, Street Lighting, Traffic Signals, and Signing and Striping Plans.

Many of the design projects Mr. Bjorklund has led and managed include Caltrans coordination and obtaining encroachment permits. His familiarity with Caltrans' design standards results in minimal plan check revisions, moving design projects efficiently through the Agency's approval process. TJKM's design projects often include construction support services and Mr. Bjorklund has established a good working relationship with many of the developers and contractors in the Bay Area.

Erik Bjorklund

PROJECT ENGINEER

Project Role: Project Engineer

AREAS OF EXPERTISE

- Street & Highway Lighting
- Traffic Signal Design & Modification
- Signing & Striping Design
- Signal Timing
- Arterial/Interchange Design
- AutoCAD
- Traffic Handling Plans
- Interconnect

YEARS OF EXPERIENCE

30

PROFESSIONAL HISTORY

TJKM	1990 – Present
City of Brentwood	2000 – 2002

EDUCATION

AS Computer-Aided Drafting Technology, ITT Technical Institute Sacramento, CA

Fundamentals of Traffic Signal Design, Basic 170 Controller Course, & Construction Inspection of Traffic Signals University of California, Berkeley Extension

PROFESSIONAL SOCIETIES

City of Livermore, Planning Commissioner

Institute of Transportation\Engineers (ITE)

Project Experience

On-Call Traffic Engineering & Transportation Planning

- City of Dublin , Pleasanton, Livermore, Palo Alto, Dublin/Dublin Ranch
- Town of Los Gatos
- Mountain House Community Services District

Complete Streets

- Charleston-Arastradero Corridor Project, Palo Alto
- Mary Avenue Street Space Allocation Study & Environmental Documentation, Sunnyvale
- Shoreline Boulevard Transportation Corridor Study, Mountain View

Intelligent Transportation System Design

- AC Transit Line 97 South County Corridors Transit Performance Initiative Project Adaptive Traffic Control System
- Webster Street SMART Corridor Project, Alameda
- Route 238 Advanced Traffic Management System & Corridor Improvements Projects, Hayward
- ITS & Signal Synchronization Project, Visalia
- Grant Line Road CCTV Cameras Design, Tracy
- City of Dublin Signal Interconnect System (Various Projects), Dublin
- Advanced Traffic Management System, Mountain House
- Traffic Signal Reconstruction at 4 Locations, Sunnyvale

Street Lighting

- Main Street & Cedar Way Traffic Signal & Street Lighting, Milpitas
- PS&E for Fremont Boulevard & Landings Parkway, Fremont
- South Main Street at Broadway Plaza & South Main Street at Newell Avenue, Walnut Creek
- I-880 HOV Lane Widening Project, Santa Clara County
- I-580/Castro Valley Interchange PS&E, Alameda County

Traffic Signal, Signing, & Striping Design

- Five Signal Modifications Project, Visalia
- Mathilda/Indio Intersection Improvements, Sunnyvale

- San Leandro Boulevard BART Downtown Pedestrian Interface Project, San Leandro
- Redwood Highway/US 101 On/Off Ramp Signal Modifications, Marin County
- Main Street & Cedar Way Traffic Signal & Street Lighting, Milpitas
- Veranda Shopping Center Traffic Signal Modifications & Signing/Striping Plans, Concord
- Three HSIP Projects for West Leland Corridor Safety Improvements, Pittsburg
- Traffic Design Services at Civic Center Drive, Fremont
- Traffic Design Services at Dixon Landing Road & McCarthy Drive/Fremont Boulevard, Fremont
- Traffic Design Services at Paseo Padre Parkway & Capitol Avenue, Fremont
- Cordes Ranch Phase 1A/1B/1C, Tracy
- Rohnert Park Traffic Signals, Rohnert Park
- Santa Fe Street Signal Installation & Fiber Interconnect Project, Visalia
- Wallis Ranch Traffic Signal Modification/S&S, Dublin
- Fair Oaks/Howe Signal Modification, Sacramento
- Traffic Signal PS&E Moller Ranch, Dublin
- PS&E Modifications at Dublin Boulevard/Golden Gate Drive, Dublin
- Bay Road Improvements, East Palo Alto
- Signal Modification at Remington Drive/Bernardo Avenue, Sunnyvale
- Engineering Design for 2 Intersections, Sunnyvale
- Signal Modification at Paly High & Embarcadero, Palo Alto
- Livermore Premium Outlets, Livermore
- Benjamin Holt Drive & Cumberland Place Traffic Signal Installation, Stockton
- Benjamin Holt Drive & Inglewood Avenue Traffic Signal Installation, Stockton
- Mountain View Union Pacific Railroad Pre-Signal, Fresno County

Signal Timing

- Mathilda Avenue Signal Coordination, Sunnyvale
- Eighth Street/Constitution Way Arterial Optimization Project, Alameda

Arterial/Interchange Design

- Fremont Boulevard Extension at Dixon Landing Road, Fremont
- I-880/Washington Avenue Interchange Improvements, San Leandro
- I-205/Mountain House Parkway PSR, San Joaquin County
- Union City Lane Configurations Design, Union City
- Corral Hollow Road Widening Improvements Project, Tracy
- Lakeport Boulevard & South Main Street Improvements Project, Lake County
- I-205/Mountain House Parkway PS&E, San Joaquin County
- Fairfield Connector (West of Suisun Valley Road) Project, Fairfield
- Fairfield North Connector Project, Fairfield
- Bernal Avenue Widening Project Phases I & II – Signal Design & Construction Zone Traffic Control Plans, Pleasanton
- Traffic Signal Controller Upgrade & Signal Modification Project (Hesperian, Tennyson, & Winton Corridors), Hayward

Construction Zone Traffic Control

- Patterson Ranch Traffic Services, Fremont
- Traffic Handling Plans for PG&E Gas Line, Fremont
- San Ramon Valley Boulevard Pipeline Project, San Ramon
- Lemon Street Storm Drain Improvements Project, Vallejo
- Traffic Control & Stage Construction Plans for PG&E Undergrounding Project on Vineyard Avenue, Pleasanton
- Construction Zone Traffic Control Plans for Reservation Road & East Garrison, Monterey County
- Louise Avenue Construction Zone Traffic Control Plans, Lathrop

Design Build

- Escuela Avenue & El Camino Real (Caltrans) Traffic Signal Design, Mountain View
- SR 180 Braided Ramp Design/Build Project, Fresno

Bicycle & Pedestrian Projects

- Brewster Avenue Bicycle Improvements Project, Redwood City
- Downtown Concord Pedestrian & Bicycle Lane Improvements, Concord
- Citywide Trail Crossing Enhancements Project, Pleasant Hill
- San Antonio Road Pedestrian Safety Improvement Project, Los Altos
- Front Street Pedestrian Safety Improvements, Lighted Crosswalk System, Danville
- Crosswalk Designs for Two Intersections, San Joaquin County
- Hudson Bike & Pedestrian Improvement, Redwood City

Safe Routes to School

- Safe Routes to School Implementations, Sunnyvale
- Marin-Curtis Safe Routes to Schools Pedestrian Improvements, Albany

Regulatory Rapid Flashing Beacon

- Pedestrian Crossing Improvements at Four Locations, Fremont
- Flashing Beacon for Via Moraga, Moraga
- Chiquita Grove Crosswalk & Beacon, Healdsburg
- East Avenue Beacon, Livermore
- Marin-Curtis Safe Routes to Schools Pedestrian Improvements, Albany



Mr. Burgett has over two decades of professional experience with expertise in multimodal transportation and integrated transportation/land use planning. He specializes in strategic planning for large-scale projects, including citywide transportation plans, large area plans, campus plans, bicycle and pedestrian master plans, EIR transportation studies, bus rapid transit (BRT) corridor studies, and transit station area plans. He has extensive experience with projects that emphasize corridor revitalization, transit-oriented development, and complete streets planning.

Mr. Burgett manages projects that place a strong emphasis on facilitating the interactions between transportation systems, land use patterns and urban design components.

Colin Burgett

TRANSPORTATION PLANNER

Project Role: Transportation Planner

AREAS OF EXPERTISE

- Mobility & Land Use Planning
- Transit & Station Area Planning
- Bicycle & Pedestrian Planning
- Corridor Studies
- Complete Streets
- Transportation Impact Studies/EIRs
- Campus Planning
- Parking
- Transportation Demand Management (TDM)
- Transit Oriented Development (TOD)

YEARS OF EXPERIENCE

26

PROFESSIONAL HISTORY

TJKM	2015 – Present
Nelson\Nygaard	2009 – 2014
Fehr & Peers	2001 – 2009
City of Oakland	1998 – 2001
City of Seaside	1996 – 1997
City of Eugene	1995 – 1996
City of Tigard	1994 – 1994

EDUCATION

M.C.R.P, California Polytechnic State University, San Luis Obispo, CA
B.S., Political Science, University of Oregon, Eugene, OR

Project Experience

Mobility & Land Use Planning

- 2040 General Plan Update, Pittsburg
- Seaside 2040 General Plan & Environmental Impact Report, Seaside
- ConnectMenlo General Plan, Menlo Park
- Volcano Heights Sector Plan, Albuquerque, NM
- Baylands Specific Plan, Brisbane
- Vista 2035 General Plan Update, East Palo Alto
- Bellevue Corridor Community Plan, Merced
- International Boulevard TOD Plan, Oakland
- General Plan Mobility Element, Petaluma
- General Plan Circulation Element, Pomona
- Richmond Bay Specific Plan, Richmond
- Downtown Specific Plan, Soledad
- Downtown Development Cap Study, Palo Alto
- Hoover Area Community Mobility Plan, Redwood City
- East 14th South Area Development Strategy, San Leandro

Transit & Station Area Planning

- BART On-call Study at Dublin BART Station, Dublin
- Regional Transit Access Study, Alameda
- Morena Boulevard Station Area Planning Study, San Diego
- Euclid Market Land Use & Mobility Plan, San Diego
- Daly City BART Station Access Improvement Plan, Daly City
- Transit Village Design Guidelines, Pleasanton
- Bayfair BART Station Area Plan, San Leandro
- Oakland Airport/Coliseum BART Station Area Plan, Oakland
- Euclid Market Land Use & Mobility Plan, San Diego
- Oakland Airport/Coliseum BART Station Area Plan, Oakland

Corridor Studies & Complete Streets

- Bascom Corridor Complete Streets, Santa Clara County
- Central Avenue Complete Streets, Albuquerque, NM
- Safe Routes to Downtown, Los Altos
- South Richmond Transportation Connectivity Plan, Richmond
- Mission Chavez Streetscape Plan, San Francisco
- Ocean Beach Master Plan, San Francisco
- SR 520 Corridor Study, Seattle, WA

- Las Tunas Drive Streetscape Plan, Temple City

Bicycle & Pedestrian Planning

- Active Transportation Plan, Scotts Valley
- Comprehensive Pedestrian & Bicycle Plan, Belmont
- Bicycle Master Plan, Oakland
- Bicycle & Pedestrian Master Plan, San Leandro
- Bicycle Master Plan, Seaside
- Pedestrian Safety & Crosswalk Installation Guidelines, Stockton

Transportation Impact Studies/EIRs

- Rancho Murieta Community Residential Development, Sacramento County
- 433 Mason Street Circulation Study, San Francisco
- 2670 Geary Boulevard TIS, San Francisco
- General Plan EIR, Seaside
- General Plan EIR & Facebook Expansion EIR, Menlo Park
- Central Crossing TIS, Livermore
- Camp Sweeney EIR, Alameda County
- D Street Residential EIR, Alameda County
- Fairview Residential EIR, Alameda County
- Kaka'ako TOD Plan EIS, Honolulu, HI
- American Brush Building TIS, Portland, OR
- Hunters View Redevelopment EIS, San Francisco
- Downtown Specific Plan EIR, Soledad
- 555 Washington EIR, San Francisco
- Russian River Brewing Company EIR, Windsor
- Hussey Ranch EIR, Napa
- Commons at Mount Burdell TIS, Novato
- General Plan EIR, Petaluma
- Western University EIR, Pomona
- Pomona Valley Medical Center EIR, Pomona

Campus Planning

- Genentech Campus Planning, South San Francisco
- Apple 2 Campus Planning, Cupertino
- Apple Park TDM Monitoring Program, Cupertino
- College of Marin Master Plan, Kentfield & Novato
- Foothill College Master Plan, Los Altos Hills
- City College Master Plan, San Francisco
- Genentech Campus Planning, South San Francisco

Parking Studies

- Mixed Use Shared Parking Study, Hayward
- One Camino Sobrante Parking Analysis, Orinda
- Bell Village & Winsdor Mill Parking Studies, Windsor
- Downtown Development Cap Study, Palo Alto
- Citywide Transportation Study, Monterey

On-Call Traffic/Transportation Planning & Engineering

- City of Alameda
- Town of Los Gatos
- City of San Francisco



AREAS OF EXPERTISE

- Traffic Operations
- Traffic Handling
- Pavement Delineation
- Signage Plans
- Bicycle & Pedestrian Implementation
- Complete Streets
- Safe Routes to School
- Traffic Signal Design
- Intelligent Transportation Design
- ITS Planning

YEARS OF EXPERIENCE

13

REGISTRATIONS & CERTIFICATIONS

CA EIT 154117

PROFESSIONAL HISTORY

TJKM	2013 – Present
URS	2007 – 2012

EDUCATION

B.S., Civil Engineering, San Jose State University, San Jose, CA

Mr. Patel has 13 years of professional experience in transportation/traffic engineering and design. He has provided support on traffic impact studies, highway operation analysis, signal coordination projects and highway design plans, specifications and estimates (PS&E) packages. Mr. Patel has worked on various electrical design projects which include street lighting, traffic signal, and intelligent transportation system design plans, as well as the preparation of traffic handling, signage, and striping plans.

Mr. Patel has worked with various jurisdictions in the San Francisco Bay Area, Tri-Valley, Central Valley, and Northern California and is very familiar with their different standards and requirements. This knowledge often leads to minimal need for plan check comments during the design phase. For all projects, Mr. Patel has developed project estimates, specifications to accompany the full plan set. He has met with clients for comment review meetings, assisted cities on answering contractor Requests for Information (RFI's) on design work, and have met with them onsite to resolve any design questions.

Rutvij Patel, EIT

PROJECT ENGINEER

Project Role: Project Engineer

Project Experience

On-Call Traffic/Transportation Planning & Engineering

- On-Call Traffic Engineering Services, Palo Alto
- On-Call Traffic Engineering Services, Fremont

Traffic Signal Systems & Signal Coordination

- Three HSIP Projects for West Leland Corridor Safety Improvements, Pittsburg
- Lovers Lane/Tulare Avenue Signal Design, Visalia
- Mathilda/Indio Intersection Improvements, Sunnyvale
- East 14th Streetscape Project, Alameda County
- Dinuba Signal Synchronization Project, Dinuba
- Intersection Improvements at Grant Road & Phyllis Avenue/Martens Avenue, Mountain View
- Traffic Signals at the Intersection of 11st & Transit Loop Road, Union City
- Traffic Signal Hardware & Wiring 2017 Project, Sunnyvale
- Main Street & Cedar Way Traffic Signal & Street Lighting, Milpitas
- Veranda Shopping Center Traffic Signal Modifications & Signing/Striping Plans, Concord
- Traffic Signal Reconstruction at Four Locations, Sunnyvale
- Five Signal Modifications Project, Visalia
- Perrin Avenue & Sommerville Drive, Fresno
- Shepherd Avenue & Sommerville Drive, Fresno
- Benjamin Holt Drive & Cumberland Place, Stockton
- Benjamin Holt Drive & Inglewood Avenue, Stockton
- Industrial Drive & McKinley Avenue at UPRR Section 130 Signal & Pre-Signal Crossing Safety Improvements, Stockton
- Thompson/Whitson Signal Modification, Selma
- Signal Installation & Modifications for Fancher Creek Development, Fresno
- Herndon Auxiliary Lane – SR 41 to Fresno Street, Fresno
- SR 41 NB Off-Ramp at Shaw Avenue, Fresno
- Shields Temperance Signal Plan Update, Fresno
- Standard Street Separation of Grade, Kern County

- Fair Oaks/Howe Signal Modification, Sacramento
- Thirteenth Avenue/Lacey Boulevard, Kings County
- In-Roadway Lighting, Sebastopol
- 808 A Street Signal Modification, Hayward

Intelligent Transportation Systems Design

- AC Transit Line 97 South County Corridors Transit Performance Initiative Project Adaptive Traffic Control System
- Preliminary Engineering & Environmental Services for the Port of Oakland CIP Projects, Oakland
- ITS & Signal Synchronization Project, Visalia
- Santa Fe Street Signal Installation & Fiber Interconnect Project, Visalia
- Shoreline Boulevard Traffic Adaptive Signal System, Mountain View
- SR 180 Braided Ramp Design/Build Project, Fresno

Construction Traffic Control Plans

- TCP Cordes Ranch Phase 1A, Tracy
- TCP Cordes Ranch Phase 1C, Tracy
- Patterson Ranch Traffic Control Plans, Fremont
- Traffic Handling Plans for PG&E Gas Line, Fremont

Corridor Studies/Complete Streets

- Middlefield Road PS&E, Palo Alto
- Eureka North-South Multimodal Corridor Study, Eureka
- Shoreline Boulevard Transportation Corridor Study, Mountain View
- Charleston-Arastradero Corridor Project, Palo Alto
- California Street/Escuela Avenue Complete Streets Feasibility Study, Mountain View
- San Benito Street Corridor Study, Hollister

Pedestrian & Bicycle Studies

- Bike Lane Gap Closure, On-Call Task Orders 1 & 2, South San Francisco
- Ralston Avenue Corridor Improvements – Segments 1 & 2, Belmont
- Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
- I-680 Interchange Bicycle & Pedestrian Improvements, Fremont
- San Leandro Boulevard. BART Downtown Pedestrian Interface Project, San Leandro
- Central Corridor Bicycle & Pedestrian Safety Improvements, Daly City
- Bike Lane Gap Closure, West Sacramento
- Quarry Road Improvements &Transit Access, Palo Alto
- Sunnyvale-Saratoga Road Traffic Signal, Bicycle & Pedestrian Safety Project, Sunnyvale
- Downtown Bicycle Improvement Project, Concord
- Bike Loop Detection & San Antonio Road/1st Street Signal Modification, Los Altos

Safe Routes to School

- Safe Routes to School 2015, Sunnyvale
- Marin-Curtis Elementary Safe Routes to School Pedestrian Improvement, Albany
- Safe Routes to School Traffic Signal on Lincoln Avenue, Fresno County
- Safe Routes to School, Kettleman City
- Safe Routes to School Implementation, Sunnyvale
- Marin-Curtis Safe Routes to Schools Pedestrian Improvements, Albany

Traffic Impact Studies/EIRs

- California High Speed Train Traffic Impact Study, Fresno to Bakersfield Segment
- Commercial Development Along Green, Atwater
- CVS Pharmacy, Hanford
- Bear Creek Village Automated Carwash, Merced
- The Shoppes at University Village Traffic Impact Study, Merced
- Traffic Impact Study for O'Neill Vintners & Distillers, Fresno County
- Almond Avenue Traffic Study, Madera
- Shaw Avenue/De Wolf Avenue Traffic Impact Study, Clovis

Regulatory Rapid Flashing Beacon

- Pedestrian Crossing Improvements at Four Locations, Fremont
- RRFB Installation Pedestrian Safety Project
- Flashing Beacon for Via Moraga, Moraga
- Chiquita Grove Crosswalk & Beacon, Healdsburg

Street Lighting

- Main Street & Cedar Way Traffic Signal & Street Lighting, Milpitas
- South Main Street at Broadway Plaza & South Main Street at Newell Avenue, Walnut Creek

Traffic Operations

- I-580 Eastbound Express Lane Project, Alameda County
- I-580 Eastbound HOV/HOT Lane Project, Alameda County
- SR 85/US 101 Express Lane Project
- SR 85 Traffic Operations Report, Santa Clara County

Highway Design PS&E Packages

- SR 84 Isabel Avenue Segments A & B, Alameda County
- US 101 MSN B2 & B4 Project, Sonoma County
- US 101 Auxiliary Lanes Project, Santa Clara County
- US 101/Broadway Interchange Corridor Project & Environmental Document, San Mateo County

Systemic Safety Analysis Report Program

- City of Pittsburg
- County of Del Norte
- City of Dinuba

Traffic Calming

- Neighborhood Traffic Calming Program, Millbrae
- Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba
- Traffic Calming in the Lyon-Hoag Neighborhood & Vicinity, Burlingame



Ms. Praveena has 13 years of experience in the area of transportation/traffic engineering. She has completed a variety of engineering tasks for signal coordination projects such as LOS and Collision analyses, performing travel time runs, data collection, field surveys, and preparation of reports related to signal coordination projects. She has also worked on traffic impact study (TIS) projects, Comprehensive Traffic and Transportation studies, and Feasibility studies in India. She has experience with a variety of software packages, including Synchro 8, SimTraffic 8, and Traffix.

Praveena Samaleti

ASSISTANT TRANSPORTATION PLANNER

Project Role: Assistant Transportation Planner

AREAS OF EXPERTISE

- Signal Coordination
- Traffic Impact Studies
- Transportation Planning
- Intelligent Transportation Systems
- Data Collection
- Level of Service Analysis

YEARS OF EXPERIENCE

13

PROFESSIONAL HISTORY

TJKM	2015 – Present
SLS TTIC PVt.. Ltd., India	2006 – 2013

EDUCATION

Master of Technology (Specialization in Transportation Engineering), Jawaharlal Nehru University, Hyderabad, India

B.E., Civil Engineering, Vasavi College of Engineering, Hyderabad, India

Project Experience

Signal Coordination

- Metropolitan Transportation Commission (MTC) Program for Arterial System Synchronization (PASS) 2016-2017 Cycle, Oakley, Antioch, San Mateo, & Santa Rosa
- East 14th Streetscape Project, Alameda County
- Metropolitan Transportation Commission (MTC) Program for Arterial System Synchronization (PASS) 2015-2016 Cycle, Oakley, South San Francisco, & Napa
- Cypress Avenue Signal Coordination, Redding
- Shoreline Boulevard Traffic Adaptive Signal System, Mountain View

Traffic Impact Studies

- Silver Gate Residential Development, Brentwood
- New Life Community Church Development, American Canyon
- Traffic Study at 29700 Ahern Road, San Joaquin county
- LMK Petro Development at 1625 Buchanan Road, Pittsburg
- Avila Ranch Winery, Livermore
- Proposed Truck Parking at 3372 West 11th Street, Tracy
- Industrial Development on 2756 Alvarado Street, San Leandro
- Elementary School Development at East Belle Terrace, Bakersfield
- Burlingame Park Square Mixed Use Development, Burlingame
- 375 West El Pintado Road Residential Development, Danville
- Dublin –Pleasanton BART Station Parking Garage Expansion, Dublin
- Fremont Tech Business Center, Fremont
- Springhill Suites Hotel on Mission Boulevard, Hayward
- Hospitality Center Development at 203 East Vallecitos Road, Livermore
- Senior Care Center Development at 3322 East Avenue, Livermore
- Car Max Traffic Study, Pleasant Hill
- 1629 Main Street Office and Residential Building Development, Redwood City
- Rancho Murieta Community Residential Development, Sacramento County
- Proposed Mobile Home Park Development at 12523 S. McCall Avenue, Fresno County
- Proposed Chevron Gas Station at 7300 Southfront Road, Livermore
- Proposed Royal Kids Day Care Center, Hayward

Transportation Planning

- Citywide Multimodal Improvement Study, Hayward
- Oakley Citywide Traffic Model, Oakley
- Traffic Analysis for Schools, San Ramon, Danville
- Traffic Evaluation of Newell Road Bridge Project, Palo Alto

Corridor Studies/Complete Streets

- Sperry Avenue at I-5 Interchange, Stanislaus County



Mr. Chen has nine years of experience in transportation planning. He has been working primarily as a transportation modeler at TJKM, with extensive experience on various travel demand models around the San Francisco Bay Area. He also has extensive experience with active transportation plans, such as making bicycle maps for the cities of Belmont and Seaside. Other experience include doing transportation impact studies for various projects in the Bay Area. He has worked for the Stanislaus Council of Governments as a transportation modeler, planner, and Census researcher. Mr. Chen has created various census maps for use in the federally mandated Unmet Transit Needs assessments for Stanislaus County. In addition, Mr. Chen has worked on the creation of a new Geographic Information System (GIS) mapping layer for the Town of Danville and designating traffic signal locations along with DUI-related incidents in the town.

Arthur Chen has extensive experience with the San Joaquin – Stanislaus – Merced Counties Three-County transportation model. He also has experience in preparing full Regional Transportation Plans. Mr. Chen has extensive experience with Trafficware Synchro, ESRI ArcGIS, Citilabs Cube and Adobe Creative Suite.

Arthur Chen

TRANSPORTATION PLANNER

Project Role: Transportation Planner

AREAS OF EXPERTISE

- Travel Demand Model Development/Update
- Travel Demand Model Application
- ArcGIS Mapping

YEARS OF EXPERIENCE

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PROFESSIONAL HISTORY

TJKM	2019–Present
Stanislaus Council of Governments	2017 - 2019
TJKM	2015 – 2017
Stanislaus Council of Governments	2013 – 2015
Town of Danville	2011 – 2011
City of Walnut Creek	2011 – 2011

EDUCATION

Master of Planning, University of Southern California, Los Angeles

BA Geography, University of California Berkeley

Project Experience

On-Call Traffic/Transportation Planning & Engineering

- City of Tracy

Traffic Impact Studies

- Mountain House Town Center Revision, San Joaquin County
- Sperry Road at I-5 Interchange, Stanislaus County
- Golden State Boulevard/Golf Road/Berkeley Avenue Intersection Improvement, Stanislaus County

Travel Demand Model Development/Update

- I-80/Gilman Street Interchange Improvement Project, Alameda County
- Central Avenue Overpass Project, Newark
- Tulare CAG Long Range Transit Plan, Tulare County
- Rancho Murieta Area Model, Sacramento County
- Quay Valley Traffic Studies, Kings County
- South County Corridor Study, Stanislaus County
- Greater Ukiah Area Microsimulation Model Update, Mendocino County
- Stanislaus Council of Governments (StanCOG) Regional Transportation Plan, Stanislaus County
- StanCOG Federal Transportation Improvement Program, Stanislaus County
- StanCOG Unmet Transit Needs Assessment, Stanislaus County
- Three County Model Covering Stanislaus, San Joaquin, & Merced Counties
- San Joaquin Valley Goods Movement Study, Fresno County

Geographic Information Systems/Mapping

- StanCOG Geographic Information Systems, Stanislaus County
- DUI Outreach, Danville
- Comprehensive Belmont Pedestrian & Bicycle Plan, Belmont
- Seaside 2040 General Plan & Environmental Impact Report, Seaside



Mr. Lin is a transportation planner at TJKM with six years of professional experience in the field of parking study, parking operation, transportation planning, transit planning, pedestrian and bicycle studies. Prior to joining TJKM, he served as a transportation analyst intern at the Los Angeles World Airports, assisting in the development and implementation of major parking projects and capital improvement programs.

Ian Lin, PTP

TRANSPORTATION PLANNER

Project Role: Transportation Planner

AREAS OF EXPERTISE

- Transportation Planning
- Transit Service
- Traffic Impact Studies
- Parking Operation
- Parking Studies

YEARS OF EXPERIENCE

6

REGISTRATION & CERTIFICATIONS

CA 601 Professional Transportation Planner

PROFESSIONAL HISTORY

TJKM 2015–Present
Los Angeles World Airports, City of Los Angeles 2014 – 2015

EDUCATION

M.S., Transportation Planning, University of Southern California, Los Angeles, CA
M.S., Financial Engineering, University of Michigan, Ann Arbor, MI
B.S., Mathematics, Fu Jen University, Taipei, Taiwan

Project Experience

On-Call Traffic & Transportation Engineering

- City of Walnut Creek
- City of Redwood City
- City of San Bruno
- County of San Mateo

Traffic Calming

- Rossmoor Pedestrian & Vehicle Safety Study, Walnut Creek
- Neighborhood Traffic Calming Program, Millbrae
- Neighborhood Traffic Calming Program & Complete Streets Policy, Dinuba
- Traffic Calming in the Lyon-Hoag Neighborhood & Vicinity, Burlingame
- Stanford Neighborhood Streets Enhancement Project, Redwood City
- Susan Drive Traffic Calming Study, San Bruno
- Neighborhood Traffic Calming Program, Hayward

Pedestrian & Bicycle

- Rossmoor Pedestrian Safety Evaluation, Walnut Creek
- Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba
- Cherry Avenue/Bayhill Shopping Center Driveway Pedestrian Safety Enhancement Study, San Bruno
- Comprehensive Pedestrian & Bicycle Master Plan, Belmont
- Bicycle & Pedestrian Master Plan, Los Gatos
- Los Angeles Metro Exposition Line Extension & TOD: Research on Potential for TOD & Last Mile Travel, Los Angeles

Parking

- Jackson-Webster Parking Study, Fairfield
- Downtown Parking Study, Clovis
- Downtown Parking & Circulation Study, Avila Beach
- Downtown Parking Management Plan, Brentwood
- Middlefield Road Comprehensive Parking Study, San Mateo County
- Parking Occupancy Study, Redwood City
- Downtown Parking Utilization Study, Danville
- AIM Parking & Traffic Circulation Study, Marin County
- Downtown Parking Plan, Turlock
- Downtown & Affected Neighborhoods Parking Study, Orinda
- Bridge Apartment Homes Parking Study, Hayward
- LAX Long-Term Economy Parking Lot C Management and Capital Improvement Program, Los Angeles
- Off-Airport Long-Term Private Parking Demand Analysis, Los Angeles
- Parking Demand and Pricing Strategy for the LAX Central Terminal Area Parking Garages and the Ontario International Airport, Los Angeles

Traffic Impact Studies

- University Village Mixed-Use Retail & Residential Development, Los Angeles

Transportation Planning

- LAX Sepulveda Tunnel Traffic Study, Los Angeles
- Economic Development Plan: Fashion District Business Improvement District Mobility Element, Los Angeles

Transit

- San Benito Bus Stop Improvement Plan, San Benito County
- Transit Service Improvement for the LAX Free Shuttle Services, Los Angeles

Operations

- LAVTA/Dublin NGAOP Evaluation Study, Dublin

Corridor Studies/Complete Streets

- Citywide Intersection Safety Study, San Bruno
- Eureka North-South Multimodal Corridor Study, Eureka
- Hollister Avenue Complete Streets Study, Goleta
- Bascom Corridor Complete Streets, Santa Clara County
- Multimodal Improvement Plan, Mountain View
- Seaside 2040, Seaside

Systemic Safety Analysis Report Program

- Yuba County
- City of Pittsburg
- City of Dinuba
- County of Del Norte



Ms. Gandhi is a recent graduate of Transportation Planning from Tufts University. She has three years of professional experience in the development of various transit studies, bike and pedestrian plans, complete street programs, neighborhood traffic calming programs and parking studies. She was also involved in organizing and conducting public outreach events which were key to the planning projects she was working on.

Divya Gandhi

ASSISTANT TRANSPORTATION PLANNER

Project Role: Assistant Transportation Planner

AREAS OF EXPERTISE

- Transportation Planning
- Active Transportation Plans
- Complete Streets
- Safety Studies

YEARS OF EXPERIENCE

3

PROFESSIONAL HISTORY

TJKM	2018 – Present
Nelson/Nygaard	2017

EDUCATION

M.S., Environmental Policy and Planning, Tufts University, Medford, MA

B.S., Urban and Regional Planning, Center for Environmental Planning and Technology (CEPT) University, Ahmedabad, Gujarat, India

Project Experience

Pedestrian & Bicycle Studies

- Dinuba Pedestrian & Bicyclist Safety & Connectivity Study, Dinuba

Multimodal Transportation Studies

- Mumbai Metro Rail Multimodal Integration, Mumbai, Maharashtra, India

Parking Studies

- Jackson-Webster Parking Study, Fairfield
- Downtown Parking Study, Clovis
- Avila Beach Parking Study, San Louis Obispo County
- School District Parking Study, Santa Clara

Traffic Signal Systems & Signal Coordination

- West Grand Transit Signal Priority, Oakland

Adaptive Ramp Metering

- I-880 Adaptive Ramp Metering Implementation Plan, Oakland

Safety Studies

- Systemic Safety Analysis Report, Del Norte County

Complete Streets/Corridor Studies

- Hollister Avenue Complete Streets Study, Goleta

Traffic Calming

- Traffic Calming in the Lyon-Hoag Neighborhood & Vicinity, Burlingame



Ms. Pal has three years of experience working on planning projects which include campus sustainability planning, neighborhood planning, business district parking studies, transit oriented development and transportation planning projects. During her internship at BuroHappold and Squirrel Hill Urban Coalition in Pittsburgh, PA, Ms. Pal was also involved in organizing and conducting public outreach events which were key to the planning projects she was working on. Upon joining TJKM, Ms. Pal has worked on projects which included parking management, collision analysis, traffic impact studies, multimodal planning, systemic safety analysis, and traffic sign inventory.

Abhishikta Pal

ASSISTANT TRANSPORTATION PLANNER

Project Role: Assistant Transportation Planner

AREAS OF EXPERTISE

- Transportation Planning
- Traffic Impact Studies
- Safety Studies
- Data Analytics
- GIS Analysis

YEARS OF EXPERIENCE

3

PROFESSIONAL HISTORY

TJKM	2018 – Present
Squirrel Hill Urban Coalition	2017 – 2018
Burohappold Engineering	2017
Pittsburgh Community Reinvestment Group & Evolve EA	2016

EDUCATION

M., Urban Design, Carnegie Mellon University, Pittsburgh, PA
B., Architecture, Pune University Pune, Maharashtra, India

Project Experience

On-Call Traffic/Transportation Planning & Engineering

- City of Pittsburg
- City of San Luis Obispo
- City of South San Francisco
- County of Napa

Safety Studies

- Lam Research Safety Analysis, Fremont
- Regional Systemic Safety Analysis Report, Del Norte County
- Systemic Safety Analysis Report, Dinuba
- Systemic Safety Analysis Report, Pittsburg

Parking Studies

- Santa Clara Unified School District Parking Lot Survey, Santa Clara
- Downtown Parking Management Plan, Brentwood

Corridor Studies/Complete Streets

- Rohnerville Airport Connectivity Study, Humboldt County
- Citywide Multimodal Improvement Plan, Mountain View
- Eureka North-South Multimodal Corridor Study, Eureka

Traffic Control Device Inventory

- Retroreflectivity Sign Project, Manteca
- Regulatory & Warning Sign Retroreflectivity Survey & Inventory, Eureka

Travel Demand Modeling

- Three County Model 2015 Base Year Update & Support, Stanislaus, San Joaquin, & Merced Counties

Traffic Impact Studies/EIRs

- Centerpoint Traffic Study & VMT Analysis, Oakland
- Warehouse Queuing Analysis, Oakland
- Byron Corner Valero Expansion TIS, Contra Costa County
- 40 Airport Boulevard TIS, South San Francisco
- Mckay Ranch TIS, Humboldt County
- 5952 Silver Creek Valley Road TIS, San Jose
- 2198 San Pablo Avenue TIS, Berkeley
- Todd Road Mixed Use Project, Sonoma County
- Cotati Hotel TIS, Cotati



Mr. Moua graduated from Sacramento State University with a Bachelors in Civil Engineering, studying transportation engineering and traffic engineering as course electives. He has completed AutoCAD training through CAD Masters. He has over four years of professional experience in transportation/traffic engineering and design. He spent three months interning for the design group at TJKM and was hired on fulltime afterwards. Mr. Moua continues to providing support on signal design plans, traffic handling plans, striping plans, and estimate (PS&E) packages. Prior to joining TJKM, Mr. Moua worked as an intern for Omni-Means conducting a pavement condition survey for the Town of Loomis. Mr. Moua also worked at Caltrans as a student assistant assisting in keeping inventory for all of California's freeway on/off ramps.

Alee Moua, EIT

ASSISTANT TRANSPORTATION ENGINEER

Project Role: Assistant Transportation Engineer

AREAS OF EXPERTISE

- Traffic Signal Design & Modification
- Signing & Striping Design
- Interconnect
- AutoCAD
- Traffic Handling Plans

YEARS OF EXPERIENCE

4

REGISTRATIONS & CERTIFICATIONS

CA EIT 150024

PROFESSIONAL HISTORY

TJKM 2017–Present

EDUCATION

B.S., Civil Engineering, Sacramento State University, Sacramento, CA

AutoCAD Certified, CAD Masters, Sacramento, CA

Project Experience

On-Call Traffic/Transportation Planning & Engineering

- City of Fremont
- City of Belmont
- City of Pittsburg
- Mountain House Community Services District

Traffic Signal & Striping Design

- Three HSIP Projects for West Leland Corridor Safety Improvements, Pittsburg
- Madera County Signal Installation at Road 36 & Avenue 12 ½, Madera County
- West Leland at Burton Avenue Traffic Signal Modification, Pittsburg
- Cypress Self Storage TSM-SS, Oakley
- Cordes Ranch Phase 1E/1F, Tracy
- Rohnert Park Expressway Traffic Signals, Rohnert Park
- Dublin Boulevard Widening Project, Dublin
- Irby Ranch Property TSM, Pleasanton
- Arch Road & Newcastle Road Traffic Signal Modification, Stockton
- Mustang at Central Signal Design & Modification, Mountain House
- Traffic Design Services for Pacific Commons Development, Fremont
- Caldwell Avenue Widening & Improvements, Visalia

Street Lighting

- Wolfe Road & Arques Avenue, Sunnyvale

Rate Schedule

Principal	$220/hour
Director	200/hour
Senior Project Manager	190/hour
Project Manager	160/hour
Senior Transportation Engineer	140/hour
Transportation Engineer	130/hour
Assistant Transportation Engineer	115/hour
Transportation Planner	110/hour
Assistant Transportation Planner	105/hour
Graphics Designer	100/hour
Designer	95/hour
Technical Staff II	85/hour
Administrative Staff	80/hour
Production Staff	55/hour

Reimbursable Expenses

Plotting (per sheet)	$18.00
Travel Cost (per mile, subject to change; based on IRS standard mileage rates)	.575

All outside services are billed at cost plus a ten percent margin for handling.

Expert Witness charges available upon request.

Invoices are due and payable within 30 days. Invoices paid after 30 days will be subject to separate billings of one and one half percent per month of unpaid balance. Late charges are not included in any agreement for maximum charges.

Rates Effective January 1, 2020

Rates Subject to Change

RESOLUTION NO.___-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE THE AGREEMENT WITH TJKM TRANSPORTATION CONSULTANTS FOR ON-CALL TRAFFIC ENGINEERING SERVICES FOR FY 2020/21 AND FY 2021/22

WHEREAS, the City of Oakley's Public Works and Planning Departments commonly use consultants to conduct in-depth review of private development projects; and

WHEREAS, the volume and complexity of private development projects have increased especially in areas of traffic engineering and it is important to be able to address various traffic related issues related to development projects; and

WHEREAS, TJKM Transportation Consultants, is the premiere traffic engineering firm in the bay area with expertise in municipal traffic and transportation engineering and has been providing review of private development project traffic documents for City of Oakley since 2016; and

WHEREAS, the costs associated with the agreement for on-call traffic engineering services will be supported from deposits provided by developers without any impacts to the City's General Fund, TJKM Transportation Consultants will be compensated based on actual time and materials expended; and

WHEREAS, The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 1) which provides an exception for competitive bidding on "Contracts involving the acquisition of professional or specialized services, such as, but not limited to, services rendered by architects, attorneys, engineers, and other specialized consultants" Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per the City's purchasing policy

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the City Council of the City of Oakley hereby authorizes the City Manager to execute an agreement for a not-to-exceed amount of $75,000 per fiscal year for 2020/21 and 2021/22 with TJKM Transportation Consultants for on-call traffic engineering services commencing July 1, 2020 to June 30, 2022. The proposal is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED AND ORDERED, if at the end of the term the services have been performed satisfactorily the City Manager has the discretion to approve an extension of the agreement to June 30, 2024 under the same terms as the original agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Authorize the City Manager to execute an agreement for Security Camera Services with KB Security Kams, Inc. for City of Oakley from July 1, 2020 through June 30, 2022

Background and Analysis

The City of Oakley has limited in-house resources to be able to address all of the on-going maintenance needs of the public infrastructure and facilities in the community. Outside contractors have been used to supplement City staff in performing maintenance activities. The various types of public works maintenance activities that the City needs for outside contractor resources generally are: major street repair, crack filling of streets, storm drain pipe repair and rehabilitation, ditch cleaning, large scale brush removal from open ditches and drainage basins, striping of streets and parking lots, and security camera service.

The City parks and facilities have been the target of various types of vandalism on a regular basis over the past few years. The amount of damage caused as result of these illegal activities has been high. The quality of the City parks and facilities degrades with continued vandalism, and has required many staff time hours to repair and replace damaged and vandalized parts. It is not sustainable to continue to react to the vandalism and graffiti attacks with limited staffing.

City Staff from Public Works and the Police Department have been evaluating various security camera systems over the past years to identify the best suitable security camera system and service for City operations. The result of this evaluation was the selection of a new digital security camera system as proposed by KB Security Kams Inc. which has been in service since 2015. This security camera system has helped in real time monitoring and in identifying the individuals who commit illegal acts that are ranging from vandalism and graffiti attacks, to drug use in the parks.

The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding “For maintenance and repair of buildings and facilities.”

Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per the City's purchasing policy.

Fiscal Impact

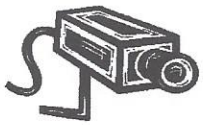
Approval of the resolution will authorize the City Manager to execute the Security Camera Services agreement with KB Security Kams, Inc. for Fiscal Year 2020/21 and FY 2021/22. The funding for this service is included in the budget for various Landscape and Lighting District (LLD) Zones and Community Facility District (CFD).

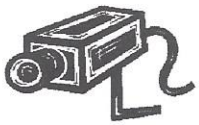
Staff Recommendation

Staff recommends that the City Council adopt the resolution approving the Security Camera Services Maintenance Agreement with KB Security Kams, Inc. for a two year period and authorizing the City Manager to execute the agreement.

Attachments

1. Proposal from KB Security Kams, Inc.
2. Resolution





KB Security Kams Inc.
"We Have A Viewing Advantage"
(925) 890-0790

March 15, 2020

City of Oakley
3231 Main Street
Oakley, Ca. 94561

Attention: Kevin Rohani

RE: On Call Agreement

Greetings Kevin;

KB Security Kams Inc. is based here in Oakley and has been doing business with the City of Oakley for many years. We have installed hundreds of Security Cameras throughout the City. We've assisted the Oakley Police Department and the Parks and Recreation Department on numerous occasions and have successfully met their video surveillance needs.

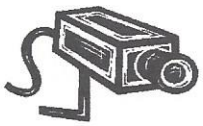
We have a proven record of responding rapidly when contacted by City personnel. I take ownership of this City and care about its future. I am grateful for the opportunity the City has provided a small owned business such as mine and look forward to continued success in serving our community together.

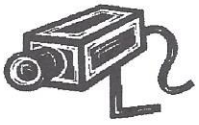
See page 2 for Proposal.

Thank you,

Kyndl L. Buzas

Kyndl Buzas
KB Security Kams Inc.
2063 Main Street # 500
Oakley, California 94561
EIN 83-0869156
CSLB License # 875154





KB Security Kams Inc.
"We Have A Viewing Advantage"
(925) 890-0790

Proposal: On Call Agreement - Camera Installation/maintenance of City owned cameras

Scope of Agreement:
Man power and equipment used on Service Call:

- Labor Rate: $75.00 per hour Monday through Friday (6:00am – 6:00pm)
- Labor Rate off hours $95.00-Weekends and Holidays (6pm – 6am Mon-Fri).
- 36 Foot Boom Lift: $48 per hour
- Work Vehicle: $35 per hour

Service calls subject to a 2 hour minimum charge
Any materials purchased will be taxed at the current tax rate for Contra Costa County.

***This Agreement is subject to change, any changes must be made in writing* and agreed upon by both parties.

Kyndl L. Bazas
Signature

CEO
Title

RESOLUTION NO. ___-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AWARD OF CONTRACT WITH KB SECURITY KAMS, INC. FOR SECURITY CAMERA MAINTENANCE AND INSTALLATION SERVICES FOR CITY OF OAKLEY AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT

WHEREAS, the City of Oakley Public Works and Engineering Department frequently seeks repair and maintenance services for City-owned infrastructure and facilities; and

WHEREAS, KB Security Kams, Inc. has performed the security camera maintenance services competently for the City of Oakley since 2015; and

WHEREAS, the award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "*For maintenance and repair of buildings and facilities"*.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the Maintenance Services agreement with KB Security Kams, Inc. for security camera maintenance and repair services for Fiscal Year 2020/21 and FY 2021/22 is hereby approved, and the City Manager is authorized to execute said agreement.

BE IT FURTHER RESOLVED AND ORDERED, if at the end of the term the services have been performed satisfactorily the City Manager has the discretion to approve an extension of the agreement to June 30, 2024 under the same terms as the original agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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 Subdivision Improvement Agreement and Final Map for Alicante (Previously known as "The Village at Main") Subdivision 9503 (Located on Main Street approximately 1,000 feet east of Live Oak Avenue)

Background and Analysis

On March 26, 2019, the City Council adopted Resolution 49-19 approving The Village at Main (Subdivision 9503) project's Vesting Tentative Map (TM 03-18) and Design Review (DR 06-18) conditionally approving the tentative map for Subdivision 9503, to subdivide the 21.3 acres site consisting of 5 parcels (APN's 037-100-013, 037-100-019, 037-100-023, 03-100-049 and 037-100-048) into 154-single family unit residential subdivision. The subdivision is located on Main Street approximately 1,000 feet east of Live Oak Avenue.

This subdivision includes the construction of the frontage improvements along Main Street such as roadway pavement widening, street lights, storm drain, sidewalk, curb, gutter, and landscaping. The in-tract improvements will be privately owned and maintained by the Home Owner's Association as a gated community.

Meritage Homes of California, Inc., a California Corporation has now requested approval by the City Council for the final map for Subdivision 9503 Alicante Subdivision.

In order to satisfy all remaining conditions of approval, the applicant has requested that the City enter into a Subdivision Improvement 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 this 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 and approving the Final Map for Subdivision 9503 Alicante.

Attachments

1) Resolution Approving the Final Map titled Subdivision 9503 Alicante (Previously known as “The Village”)
2) Resolution Approving the Subdivision Improvement Agreement
3) Subdivision Improvement Agreement (SIA)
   Exhibit A - City Council Resolution 49-19
   Exhibit B - Insurance Requirements
   Exhibit C - Verification of Required Insurance
   Exhibit D - Prevailing Wage
4) Reduction of Subdivision 9503 Alicante Final Map

RESOLUTION NO. XX-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE FINAL MAP OF SUBDIVISION 9503 ALICANTE (PREVIOUSLY KNOWN AS "THE VILLAGE AT MAIN") SUBDIVISION

WHEREAS, Meritage Homes of California, Inc., a California corporation has satisfied the necessary conditions of approval for Subdivision 9503 Alicante (Previously known as "The Village at Main") Subdivision, as approved by the City Council on March 26, 2019 Resolution Number 49-19 conditionally approving the tentative map for Subdivision 9503, to subdivide the 21.3 acres site consisting of 5 parcels (APN's 037-100-013, 037-100-019, 037-100-023, 03-100-049 and 037-100-048) into 154-single family unit residential subdivision; and

WHEREAS, the City Engineer has determined that the conditions of approval for the project have been satisfied; and

WHEREAS, the City Surveyor has determined that the final map attached hereon as Exhibit A is technically correct

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley that the final map labeled "Subdivision 9503 Alicante", as prepared by Carlson, Barbee, & Gibson, Inc. be approved.

PASSED AND ADOPTED by the City Council of the City of Oakley, California, this 24th day of March 2020 by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT WITH MERITAGE HOMES OF CALIFORNIA, INC., A CALIFORNIA CORPORATION FOR SUBDIVISION 9503 ALICANTE 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 Meritage Homes of California, Inc., a California Corporation for the development of a residential subdivision known as Subdivision 9503 Alicante; and

WHEREAS, this agreement will require the developer to complete $1,709,000 for Grading, $4,633,000 for Private Improvements, $466,000 for Public Improvements, $642,800 for Private Landscaping, and $167,500 for Public Landscaping 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 Meritage Homes of California, Inc. is hereby approved and the City Manager is hereby authorized to execute the Subdivision Improvement Agreement for the development of Subdivision 9503 Alicante in the form attached hereto as Exhibit A is made part of this resolution.

PASSED, APPROVED AND ADOPTED this 14th day of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

CITY OF OAKLEY
SUBDIVISION IMPROVEMENT AGREEMENT
SUBDIVISION 9503 ALICANTE

This agreement is made and entered into this 24th day of March, 2020 by and between the City of Oakley, a municipal corporation, hereinafter referred to as "CITY", and Meritage Homes of California, 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 9503, 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 Resolution Number 49-19 in accordance with the requirements and conditions set forth in approvals, the requirements of the Subdivision Map Act of the State of California, and shown in those certain plans and specifications for said development approved by CITY and titled *(i) Alicante Grading Plans Subdivision 9503, (ii) Alicante Improvement Plans Subdivision 9503, (iii) Alicante Public Improvement Plans Subdivision 9503,* as prepared by Carlson, Barbee & Gibson, Inc. and *(iv) Alicante Streetscape Subdivision 9503 Landscape Plans, (v.) Alicante Production Subdivision 9503* as prepared by Vandertoolen and Associates (collectively, the “Improvement Plans”), 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 Resolution Number 49-19 have been satisfied (including the completion of the Improvements), but nevertheless, DEVELOPER desires to file a final map. The construction of the Improvements is the subject of this Agreement. DEVELOPER’s agreement to construct the Improvements 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 construct the Improvements, which include the installation of the road improvements (both public and private), sewer and drainage improvements, signs, streetlights, fire hydrants, landscaping, and such other improvements (including appurtenant equipment) required as conditions of approval of

Tentative Map 9503 set forth in Exhibit A to this Agreement, which is incorporated herein as if set forth at this point. In the event that any provision of this Agreement conflicts with the provisions of Exhibit A, the provisions of Exhibit A shall prevail to the extent that the conflicting provision in Exhibit A requires a greater or more extensive improvement, expenditure or obligation than set forth herein.

DEVELOPER will commence construction of the Improvements within 30 days following the date on which CITY executes and delivers this Agreement to DEVELOPER. DEVELOPER shall complete said work not later than 12 months following said date of execution in a good workmanlike manner, in accordance with the applicable 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. If DEVELOPER is delayed at any time in the progress of the critical elements of the work by any act or neglect of City or by fire, unusual delay in transportation, adverse weather conditions beyond the historical annual means or not reasonably anticipatable, or unavoidable casualties, the date for completion set forth in this section shall be automatically extended for a length of time commensurate with the delay; in addition, the City may extend the time for completion of the Improvements. Before the City will grant an extension, DEVELOPER must show good cause satisfactory to the City for the extension and provide evidence satisfactory to the City that sufficient security will remain in place during the term of the extension to ensure the faithful performance of this Agreement. These determinations shall be made by the City in its sole discretion.

Time is of the essence in this Agreement. Upon completion of the Improvements, DEVELOPER shall furnish CITY with a complete and reproducible set of final as-built plans of the Improvements, including any authorized modifications to the Improvement Plans and/or Improvements.

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 $1,709,000 (One Million Seven Hundred Nine Thousand Dollars) for Grading, $4,633,000 (Four Million Six Hundred Thirty Three Thousand Dollars) for Private Improvements, $466,000 (Four Hundred Sixty Six Thousand) for Public Improvements, $642,800 (Six Hundred Forty Two Thousand and Eight Hundred Dollars) for Private Landscaping, and $167,500 (One Hundred Sixty Seven Thousand Dollars) for Public Landscaping.

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. A minimum of one percent (1%) of the security shall be a cash deposit.

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.

CITY shall be the sole indemnitee named on any instrument required by this Agreement. Any instrument or deposit required herein shall conform with the provisions of Chapter 5 of the Subdivision Map Act. DEVELOPER may request that portions or all of the bonds may be substituted by other parties in the event that portions or all of the Subdivision is sold to other parties, and such substitution shall not be unreasonably withheld by CITY.

The security provided hereunder shall be released in accordance with the provisions of Government Code Sections 66499.7 and 66499.8, as applicable.

4. Prevailing Wage.

CITY has determined that construction of The Improvements falls within the definition of “public works” set forth in California Labor Code Section 1720. Subject to any amendments to Labor Code Section 1720 et seq., DEVELOPER shall comply with Labor Code Section 1720 et seq., shall comply with the provisions set forth in Exhibit B and shall ensure that any contractors and subcontractors comply with the provisions of Exhibit B. DEVELOPER shall waive, indemnify, hold harmless and defend CITY concerning any liability arising out of Labor Code Section 1720 et seq.

5. Insurance Required.

Prior to commencement of work hereunder, DEVELOPER shall obtain or cause to be obtained and filed with the CITY, the policies of insurance set forth in Exhibit C, 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, the policies of insurance set forth in Exhibit C, 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 under this Agreement 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.

6. 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 contractors, 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 Improvements or portion thereof 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 with respect to that Improvement or portion thereof, shall automatically be extended for an additional year to ensure 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 City's 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, which billing shall not be given prior to the completion of the work for which such billing is submitted.

7. 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.

8. Agreement Assignment.

If DEVELOPER voluntarily ceases to have any legal interest in the Property, then a notice to that effect shall be filed with the City. The notice shall include the name and address of the new owner of the Property, submittal of a new and duly executed security in compliance with this Agreement (at which time the original security will be released to DEVELOPER), and a certified copy of the recorded deed. Unless a new agreement between the City and any successor owner is entered into, the successor owner is charged with the obligations under this Agreement in lieu and in place of DEVELOPER, and DEVELOPER shall thereafter have no further obligations to the City under this Agreement except for any liability or obligations arising prior to such transfer.

9. 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 (a) DEVELOPER refuses or fails to cause prosecution of the work, or any severable part thereof, with such diligence as will ensure its completion within the time specified, or any extensions thereof, or fails to cause completion of said work within such time; or (b) DEVELOPER should be adjudged as bankrupt; or (c) DEVELOPER should make a general assignment for the benefit of DEVELOPER's creditors; or (d) a receiver should be appointed, or (e) DEVELOPER or any of DEVELOPER's contractors, subcontractors, agents or employees should violate any of the provisions of this Agreement; then the City may serve written notice on DEVELOPER and the DEVELOPER'S surety of breach of this Agreement and of the default of the DEVELOPER; provided that, as to a failure under clause (a) or clause (e) of this paragraph, if DEVELOPER cures said failure within thirty (30) days of receipt of said written notice (or if said failure is not one which can be reasonably cured within thirty (30) days, then if

DEVELOPER has diligently commenced to cure said failure within said thirty (30)-day period and thereafter diligently pursues said cure to completion) then DEVELOPER shall not be deemed in default under this Agreement.

If DEVELOPER shall be in default under this Agreement, beyond applicable notice and cure periods, the CITY through its Public Works Director may serve written notice on DEVELOPER and DEVELOPER's surety or holder of other security of the default of DEVELOPER. In the event of any such notice, 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:

Meritage Homes of California, Inc.
860 Stillwater Road, #200A,
West Sacramento, California 95605
Attention: John Bayless
Telephone: (925) 543-4057
Facsimile: (480) 422-9095
Email: john.bayless@meritagehomes.com

Notices required to be given surety of DEVELOPER shall be addressed as follows:

Everest Reinsurance Company
P.O. Box 830, Liberty Corner, NJ 07938 – 0830

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.

10. Use of Streets or Improvements.

At all times prior to the final acceptance of the Improvements 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.

11. 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 Improvements left clean and orderly.

12. Acceptance of Work.

Upon notice of the completion of the Improvements or portions thereof which may be accepted independently, CITY, through its City Engineer or his designated representative, shall examine the Improvements (or applicable portions thereof) without delay, and, if found to be in accordance with said Improvement Plans and this Agreement, shall recommend acceptance of the work to the City Council at its next meeting and, upon such acceptance, shall notify DEVELOPER or his designated agents of such acceptance.

13. Patent and Copyright Costs.

In the event that said Improvement Plans 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 unauthorized use of said patented or copyrighted material, process or publication.

14. Alterations in Improvement Plans.

Any alteration or alterations made in the Improvement Plans 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.

15. Liability.

a. Primarily Liable. DEVELOPER hereby warrants that the design and construction of the Improvements will not cause any physical damage, trespass, or nuisance on or affecting any portion of adjacent properties. 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 or 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.

b. 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.

c. 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

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to the CITY for the corrective work required.

d. 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.

16. 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

Meritage Homes of California, Inc., a California corporation

By:_____
Name:_____
Title:_____

Exhibits:

Exhibit A - City Council Resolution 49-19
Exhibit B - Insurance Requirements
Exhibit C - Verification of Required Insurance
Exhibit D - Prevailing Wage

EXHIBIT A

(Resolution 49-19)

RESOLUTION NO. 49-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING TENTATIVE MAP (TM 03-18) AND DESIGN REVIEW (DR 06-18) ON A 21.3-ACRE SITE LOCATED AT 1731 MAIN STREET (APN'S 37-100-048, 037-100-049, 037-100-13, 19 AND 23) FOR THE PROJECT KNOWN AS "THE VILLAGE AT MAIN"

WHEREAS, on September 20, 2018, MLC Holdings, Inc., ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment (GPA 02-18) to amend the land use designation from Commercial (CO) to Multi-Family, Low Density (ML); 2) a Rezone (RZ 05-18) from the General Commercial (C) District to the Planned Development (P-1) District; 3) a Tentative Map to subdivide the 21.3-acre site consisting of 5 parcels into 153 single family lots; and 4) Design Review (DR 06-18) for the home designs, site landscaping, fence plans and site design. The project site is located at 1731 Main Street. APN's: 037-100-048, 037-100-049, 037-100-13, 19 and 23. ("Project"); and

WHEREAS, on December 20, 2018, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project is designated as *Multi-Family, Low Density (ML)* in the Oakley 2020 General Plan per City Council Resolution No. 48-19 and zoned Planned Development (P-1) District per Ordinance No. 05-19; 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 February 4, 2019 to March 5, 2019. The Notice of Intent to Adopt a Negative Declaration and Initial Study/Mitigated Negative Declaration were filed with the Governor's Office of Planning and Research State Clearinghouse and the County Clerk, on February 4, 2019; and

WHEREAS, on March 14, 2019, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On March 14, 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 March 26, 2019, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution 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 upon the City's General Plan, the City's Zoning Ordinance, the City's Residential Design Guidelines, and the information submitted to the City Council at its March 26, 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 (hereinafter the "Record"); and

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above findings of fact and the entire Record, the City Council makes the following additional findings in support of the approvals:

A. In regards to the application requesting Design Review approval for (DR 06-18) for The Village at Main project, the City Council finds that:

1. The proposed Design Review plans are substantially consistent with the applicable General Plan designation and approved Vesting Tentative Map. The proposed use is allowed for by the approval of the projects General Plan Amendment and Rezone application; and

2. The proposed Design Review plans comply with all applicable Planned Development (P-1) District regulations as set forth in the approval of the projects Rezone application; 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. Regarding the application requesting approval of Vesting Tentative Map (TM 03-18) to subdivide the 21.3-acre site consisting of 5 parcels into 153 single family lots, the City Council finds that:

1. The proposed Vesting Tentative Map, together with the provisions of its design and improvements, is consistent with the Zoning Ordinance, and applicable portions of the Single Family Low General Plan Land Use Designations, as approved by City Council for the Project, in that it allows for orderly residential development in a residential area that meets the General Plan density allowance (maximum 9.6 dwelling units per acre) and complies with the minimum lot size, lot width, and lot depth and all

other applicable regulations set forth in the project's Planned Development (P-1) District;

2. The site is physically suitable for the type of development in that the proposed Vesting Tentative Map meets all of the applicable development standards in the project's Planned Development (P-1) District and is compatible with surrounding residential and commercial land uses;

3. The site is physically suitable for the proposed density and number of dwelling units;

4. The Project Initial Study and Mitigated Negative Declaration were prepared in accordance with CEQA Guidelines. The Mitigation and Monitoring Plan is attached hereto as Exhibit "A";

5. The design of the subdivision and type of improvements are not likely to cause serious public health problems in that the proposed subdivision consists of 154 single-family residential lots. Construction and grading of the project are subject to building or grading permits, and violations of any such permits are subject to appropriate enforcement;

6. The design of the subdivision includes the construction of improvements within public right-of-way that are consistent with major subdivisions and the City's design standards. The improvements consist of widening Main Street, with additional roadway, sidewalks, curbs and gutters, and landscaping adjacent to the projects frontage. The remainder of the subdivision will be gated and private; and

7. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. The Vesting Tentative Map does not conflict with easements acquired by the public for access and utilities.

C. The project complies with Measure J Growth Management requirements.

D. The Initial Study/Mitigated Negative Declaration has been prepared and made available for public comment, pursuant to the California Environmental Quality

Act (CEQA) Guidelines, and mitigation measures contained therein will reduce all potentially significant impacts of the project to a less than significant level.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves of the Applicant's request for **Design Review (DR 06-18) and Tentative Map (TM 03-18)** subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application received by the Planning Division dated **November 29, 2018**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE CONSTRUCTION OF THE BUILDING'S ON EITHER PARCEL UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. This **Design Review (DR 06-18) and Tentative Map (TM 03-18)** is approved, as shown on the plans, date stamped by the Planning Division on **November 29, 18**, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.

2. This approval for **Design Review (DR 06-18) and Tentative Map (TM 03-18)** shall be effectuated within a period of three (3) years from the effective date of this resolution by pulling a building permit and if not effectuated shall expire on **March 26, 2022**. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code.

3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on **March 26, 2019**.

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. If the remains are determined to be that of Native American origin, procedures will be guided by California PRC 5097 through California's Native American Heritage Commission.

7. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

Parks and Landscaping:

8. This project is proposing to construct and dedicate a 26,340 square foot (0.60-acres) park. The applicant will be required to pay in-lieu fees for the remainder of the projects park requirement of 1.04-acres.

9. The applicant shall work with the Community Development Department with the design, construction and completion of the park concurrent with the development of the subdivision. As part of the plan check process for the park, the applicant shall develop a park construction schedule approved by the Community Development Director to provide for the timely completion of the park concurrent with development.

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. 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 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.

12. 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.

13. 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.

14. Each residential lot shall have a minimum of one 24 inch box tree along the street frontage, with the exception of corner lots, which shall have up to three 24 inch box trees. Where feasible, smaller accent trees shall be provided on the frontage and street-side corner lots.

15. The applicant shall maintain all private landscaping until occupancy.

16. 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.

17. Beyond the eight heritage coast live oak trees to be preserved, the planting plan includes 59 coast live oak, and 52 valley oak trees for a total of 111 native oak replacement trees, indicating a 3.8 to 1 ratio of native oak replacement trees to native oak heritage trees being removed. All new coast live oak and valley oak trees to be planted will be 24" box trees. In addition to the replacement of oaks, the project will include additional species of 24" box and 15 gal trees, bringing the total number of trees on site to 280, including the 8 heritage oak trees to be preserved. This satisfies the tree mitigation per OMC Section 9.1.1112(g)(11)(a).

18. Tree #911 as identified on Sheet TM-2 shall remain and be preserved in perpetuity as part of the proposed project unless the home owner applies for a permit to remove the tree per Oakley Municipal Code section 9.1.1112.

19. The landscape plan shall also detail the relocated grape vines that will be located along the projects Main Street frontage to the satisfaction of the Community Development Director.

Fences and Walls:

20. 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 a fence or wall constructed of a durable material such as, but not limited to, masonry, vinyl, enhanced wood,

composite or other durable material as approved by the Community Development Director. 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.

21. The sound wall along the Main Street frontage shall be at least 8-feet in height as required by the Mitigated Negative Decantation/Initial Study. A minimum 8-foot wall along the west and east property lines as well as the south property line that borders lots 42, 43 and 44 shall be installed per the landscape plans approved with this project (Sheets L-1 through L-5).

22. Sound walls shall attenuate, not just deflect sound. The use of sound absorbing material should be used for the construction of sound walls per the review and approval of the Community Development Director.

23. Anti-graffiti techniques shall be used on sound walls.

Subdivision Design:

24. The neighborhood entries (both the main entrance and the secondary entrance) shall be identified by accent paving, project monument signage and accent planting per the review and approval of the Community Development Director.

25. Driveway openings shall be a maximum 18' in width or up to 25% of a lot's frontage (except on cul de sacs).

26. The street names shall be approved by the Community Development Department and the East Contra Costa Fire Protection District.

27. The project shall be constructed as a Home Owner Association (HOA) governed community. The applicant shall submit preliminary information prior to forming the HOA that details what minimum standards the development will be held to in order to avoid conflict with any applicable City regulations.

Subdivision Disclosures:

28. The 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.

29. The following statement shall be recorded at the County Recorder's Office for each parcel to notify the future owners of the parcel that they are within the Antioch School District and shall be prominently displayed in sales office's for the public to view:

> "This document shall serve as notification that you have purchased land within the Antioch Unified School District. Properties located within Antioch Unified

School District boundaries **may be** subject to Mello Roos tax. Potential property owners should be fully aware of this at the time of purchase."

Design Review:

30. All windows and doors shall be trimmed on all four sides.

31. At least 2 of the 3 elevations for each plan shall utilize stone or brick veneer on the street facing frontage.

32. The use of stone or brick veneer shall be carried to the fence line or change in wall plane per the review of the Community Development Director.

33. All houses that side or back onto a road shall have additional architectural embellishments on the side and rear elevations.

34. Front yard setbacks shall vary from those of adjacent lots by at least 5 feet, for every three lots.

35. The Applicant shall submit a color and materials board to include at least three schemes for each elevation type.

Energy Efficiency:

36. Water heaters shall provide an energy efficiency factor of 0.62 or better.

37. Dual zone air conditioning shall be provided on all two-story residential units.

38. 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.

39. Design and site units so as to take advantage of natural heating and cooling, sin and wind exposure, and solar energy opportunities.

Mitigation Measures

40. All mitigation measures addressed in the Mitigated Negative Declaration dated **March 2019** shall be complied with and addressed as outlined in the Mitigation Monitoring and Reporting Plan, per the review and approval of the Community Development Director.

41. All mitigation measures contained within the HCP Planning Survey Report dated **September 18, 2018** shall be complied with, per the review and approval of the Community Development Director.

Waste Management Plan:

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

Building Division Conditions

43. 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.

44. 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 stands and requirements found in the most recent version of the NFPA, Standard 13R.

45. Prior to requesting a Certificate of Occupancy from the Building Division all Conditions of Approval required to occupancy must be completed.

Public Works and Engineering Conditions

THE FOLLOWING PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE APPROVAL OF A FINAL MAP UNLESS OTHERWISE NOTED:

General:

46. 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.

47. 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.

48. 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.

49. 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.

50. 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.

51. Building permits for house construction shall not be issued until the subdivision streets serving the lots have been paved.

Roadway Improvements:

52. Construct the frontage of Main Street to be consistent with the cross section shown on the Vesting Tentative Map except widen the landscaped parkway strip to 8', maintain the sidewalk at 6' and reduce the landscaped strip south of the sidewalk by 4'.

53. 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.

54. Stripe the project driveways to include left and right turn lanes in the northbound direction as shown in the project traffic review report by TJKM.

55. 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.

56. Install traffic control devices such as stop signs and other signing and striping on the project streets to the satisfaction of the City Engineer.

57. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.

58. 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.

59. Submit sight distance exhibit for the west and east driveways for project ingress and egress. Exhibit must analyze sight distance required with 45 mph speed limit on Main Street.

60. Submit striping plan for Main Street analyzing the need for acceleration and deceleration lanes. Exhibit must show striping for access control at project entrances.

Road Dedications:

61. Relinquish abutter's rights of access along all non-primary frontages to the satisfaction of the City Engineer.

62. 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:

63. 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 spun aluminum "cobra head" style as required by the City of Oakley Standard Plans.

Grading:

64. 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.

65. 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.

66. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer.

67. 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.

68. 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.

69. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.

70. 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.

71. 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.

72. 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.

73. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.

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

Utilities/Undergrounding:

75. Underground all new and existing utility distribution facilities. 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.

76. 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.

77. Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

Drainage Improvements:

78. 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 29H as prepared by the Contra Costa County Flood Control and Water Conservation District.

79. 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.

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

81. Provide a recording of video inspection of all storm drain pipe runs with written documentation showing descriptions of structures with cross references to time locations on the video recording. Video inspection shall be performed prior to the final lift of asphalt or as otherwise specified by the City Engineer.

82. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

83. 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:

84. 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.

85. 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):

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

Fees/Assessments:

87. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00 and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.

C. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);

D. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);

E. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);

F. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);

G. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);

H. Fire Facilities Impact Fee, collected by the City (adopted by Resolution No. 09-01);

I. General Plan Fee (adopted by Resolution No. 53-03)

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

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.

88. The applicant shall be responsible for paying the County Recorder's fee for the Notice of Determination as well as the State Department of Fish and Game's filing fee.

89. Annex the property to the City of Oakley Community Facilities District No. 2015-2 (CFD) for funding the maintenance and operation costs associated with 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 to process the annexation. All costs of the annexations shall be paid by Applicant. The current cost of the annexation is $5,000.00. The assessment shall be the per parcel annual amount set by CFD at the time of annexation. Annexation shall be completed prior to filing of the final map.

90. Annex the property to the City of Oakley Community Facilities District No. 2018-1 Fire Protection Services (CFD) for funding certain services within the boundaries of the City of Oakley including fire protection services. The applicant shall apply

for annexation and provide all information and documents required by the City to process the annexation. All costs of the annexations shall be paid by Applicant. The current cost of the annexation is $5,000.00. The assessment shall be the per parcel annual amount set by CFD at the time of annexation. Annexation shall be completed prior to filing of the final map.

91. 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 current cost of completing the process to participate in this provision is $1,750.00. 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.

92. Applicant shall comply with the drainage fee requirements for Drainage Area 29H as adopted by the County Board of Supervisors. The applicant shall pay the fee in effect at the time of final map approval. 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.

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. The applicant shall obtain an encroachment permit for construction within existing City rights of way.

PASSED, APPROVED AND ADOPTED this 26th day of March, 2019 by the following vote:

AYES: Alaura, Hardcastle, Higgins, Pope, Romick
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:
Claire Alaura, Mayor

ATTEST:
Libby Vreonis, City Clerk

3/26/19
Date

EXHIBIT B

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.

EXHIBIT C

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 D

VERIFICATION OF INSURANCE

SUBDIVISION 9503
ALICANTE

CONSISTING OF 11 SHEETS
BEING A SUBDIVISION OF THE LANDS OF MERITAGE HOMES OF CALIFORNIA INC, AS DESCRIBED IN THAT GRANT DEED RECORDED AS DOCUMENT NO. 20190129312, AND DOCUMENT NO. 201990129967, CONTRA COSTA COUNTY RECORDS.
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

cbg
CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM

FEBRUARY 2020

OWNER'S STATEMENT

THE UNDERSIGNED, BEING A PARTY HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED 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 TO THE CITY OF OAKLEY IN FEE FOR PUBLIC STREET PURPOSES:

THE AREAS DESIGNATED "MAIN STREET DEDICATION".

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

1) THE AREAS DESIGNATED "PUBLIC UTILITY EASEMENT" (PUE) FOR USE OF UNDERGROUND ELECTRIC, GAS, CABLE TELEVISION, AND TELEPHONE FACILITIES AND APPURTENANCES THERETO, INCLUDING CONSTRUCTION, ACCESS, AND MAINTENANCE OF SAID FACILITIES AND APPURTENANCES.
2) THE AREAS DESIGNATED AS "EMERGENCY VEHICLE ACCESS EASEMENT" (EVAE) FOR THE INGRESS AND EGRESS OF EMERGENCY VEHICLES.

THE REAL PROPERTY DESCRIBED BELOW IS NOT DEDICATED FOR PUBLIC PURPOSES:

THE AREAS DESIGNATED AS "WATER LINE EASEMENT" (WLE) ARE FOR USE OF WATER LINE FACILITIES AND APPURTENANCES THERETO, INCLUDING INSTALLATION AND MAINTENANCE OF SAID FACILITIES AND APPURTENANCES. SAID EASEMENTS TO BE CONVEYED TO DIABLO WATER DISTRICT BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREAS DESIGNATED AS "SANITARY SEWER EASEMENT" (SSE) ARE FOR USE OF SEWER FACILITIES AND APPURTENANCES THERETO, INCLUDING INSTALLATION AND MAINTENANCE OF SAID FACILITIES AND APPURTENANCES. SAID EASEMENTS TO BE CONVEYED TO IRON HORSE SANITARY DISTRICT BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREAS DESIGNATED AS "PRIVATE ACCESS EASEMENT" (PAE) ARE RESERVED FOR THE USE OF PRIVATE ACCESS FOR THE OWNERS, TENANTS, AND VISITORS OF LOTS 42 AND 43. SAID EASEMENTS ARE TO BE CONVEYED TO THE OWNERS OF SAID LOTS 42 AND 43 SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREA DESIGNATED PARCEL A IS RESERVED AS A PRIVATE PARK AND PRIVATE FACILITIES FOR THE BENEFIT OF THE LOT OWNERS WITHIN THIS SUBDIVISION. MAINTENANCE OF SAID PARCEL IS THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH THE COVENANTS AND RESTRICTIONS GOVERNING THIS SUBDIVISION, AND SAID PARCEL IS TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREA DESIGNATED PARCEL B IS RESERVED FOR PRIVATE STORM DRAIN PURPOSES AND FACILITIES, INCLUDING THE INSTALLATION, CONSTRUCTION, AND MAINTENANCE OF SAID FACILITIES AND APPURTENANCES THERETO. MAINTENANCE OF SAID PARCEL AND FACILITIES IS THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH THE COVENANTS AND RESTRICTIONS GOVERNING THIS SUBDIVISION, AND SAID PARCEL IS TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREAS DESIGNATED PARCEL C AND PARCEL F ARE NOT FOR THE GENERAL USE OF THE LOTS WITHIN THIS SUBDIVISION. MAINTENANCE OF SAID PARCELS AND FACILITIES IS THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH THE COVENANTS AND RESTRICTIONS GOVERNING THIS SUBDIVISION, AND SAID PARCELS ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREAS DESIGNATED PARCEL D AND PARCEL E ARE RESERVED FOR OPEN SPACE AND LANDSCAPING PURPOSES FOR THE COMMON USE OF THE LOTS WITHIN THIS SUBDIVISION. MAINTENANCE OF SAID PARCELS IS THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH THE COVENANTS AND RESTRICTIONS GOVERNING THIS SUBDIVISION, AND SAID PARCELS ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREAS DESIGNATED PARCELS G AND H (DIAMANTE WAY, PINTOR WAY, AGATA WAY, PADRE DRIVE, PUEBLOS DRIVE, DIEGO DRIVE, DIEGO COURT, CURE DRIVE) ARE RESERVED FOR PRIVATE STREET PURPOSES INCLUDING, BUT NOT LIMITED TO, PRIVATE INGRESS AND EGRESS, PRIVATE UTILITIES, AND LANDSCAPING. MAINTENANCE OF SAID PARCELS IS THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH THE COVENANTS AND RESTRICTIONS GOVERNING THIS SUBDIVISION, AND SAID PARCELS ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

OWNER'S STATEMENT (CONT.)

THE UNDERSIGNED FURTHER RELINQUISHES TO THE CITY OF OAKLEY ALL ABUTTER'S RIGHTS OF ACCESS ALONG THE PROPERTY LINES IN THOSE AREAS DEPICTED HEREON BY THE SYMBOL ////////.

AS OWNER: MERITAGE HOMES OF CALIFORNIA, INC., A CALIFORNIA CORPORATION

BY: _____
NAME: John D Baykes
TITLE: VP of Land
DATE: 2/27/2020

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 California } SS.
COUNTY OF Yolo }

ON February 27, 2020, BEFORE ME, Chelsee Campbell, A NOTARY PUBLIC, PERSONALLY APPEARED John D Baykes, 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): Chelsee Campbell
PRINCIPAL COUNTY OF BUSINESS: Sacramento
MY COMMISSION NUMBER: 2305092
MY COMMISSION EXPIRES: Sep 14, 2023

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 MERITAGE HOMES OF CALIFORNIA, INC. IN OCTOBER OF 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, 2023, 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.

2/21/2020
DATE

LICENSED LAND SURVEYOR
MARK H. WEHBER
7960
STATE OF CALIFORNIA

MARK H. WEHBER, P.L.S.
L.S. NO. 7960

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

COUNTY RECORDER'S STATEMENT

FILED THE_____ DAY OF_____, 20___, IN BOOK_____ OF MAPS, AT PAGE _____, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

DEBORAH COOPER
ACTING COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER

SUBDIVISION 9503
ALICANTE

CONSISTING OF 11 SHEETS
BEING A SUBDIVISION OF THE LANDS OF MERITAGE HOMES OF CALIFORNIA INC, AS DESCRIBED IN THAT GRANT DEED RECORDED AS DOCUMENT NO. 20190129312, AND DOCUMENT NO. 201990129967, CONTRA COSTA COUNTY RECORDS.
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

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SACRAMENTO ▪ (916) 375-1877
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CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS

FEBRUARY 2020

TITLE NOTES:

THE LANDS INCLUDED WITHIN THIS SUBDIVISION ARE SUBJECT TO FOLLOWING TERMS AND PROVISIONS::

1. THE TERMS AND PROVISION CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT" RECORDED JULY 29, 1988 IN BOOK 14484, PAGE 922 OF OFFICIAL RECORDS.
2. A WAIVER OF ANY CLAIMS FOR DAMAGES BY REASON OF THE LOCATION, CONSTRUCTION, LANDSCAPING OR MAINTENANCE OF A CONTIGUOUS FREEWAY, HIGHWAY, ROADWAY OR TRANSIT FACILITY AS CONTAINED IN THE DOCUMENT RECORDED NOVEMBER 4, 1992 AS INSTRUMENT NO. 92–292199 IN BOOK 17999, PAGE 75 OF OFFICIAL RECORDS.
3. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "GRANT DEED" RECORDED FEBRUARY 4, 1969 IN BOOK 5805, PAGE 662 OF OFFICIAL RECORDS.
4. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DEFERRED IMPROVEMENT AGREEMENT" RECORDED JULY 16, 1976 IN BOOK 7941, PAGE 974 OF OFFICIAL RECORDS.
5. THE FACT THAT THE LAND LIES WITHIN THE BOUNDARIES OF THE OAKLEY REDEVELOPMENT PROJECT AREA, AS DISCLOSED BY VARIOUS DOCUMENTS OF RECORD.

SIGNATURE OMISSIONS:

PURSUANT TO GOVERNMENT CODE SECTION 66346 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

1. DIABLO WATER DISTRICT: AN EASEMENT FOR PIPELINES AND INCIDENTAL PURPOSES PER INSTRUMENT NO. 2008–0220791.
2. DIABLO WATER DISTRICT: AN EASEMENT FOR ACCESS PER INSTRUMENT NO. 2008–0220792.

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 9503, THE VILAGE AT MAIN (ALICANTE)" DATED DECEMBER 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

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 9503, ALICANTE" AND AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

_____ _____
FRANCIS JOSEPH KENNEDY DATE
CITY SURVEYOR, CITY OF OAKLEY,
CONTRA COSTA COUNTY, STATE OF CALIFORNIA
R.C.E. NO. 21771

REGISTERED PROFESSIONAL ENGINEER
FRANCIS J. KENNEDY
No. 21771
CIVIL
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 9503, ALICANTE"; THAT SAID SUBDIVISION AS SHOWN IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP APPROVED BY THE CITY OF OAKLEY CITY COUNCIL ON _____, 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.

_____ DATE: _____
KOUROSH ROHANI
CITY ENGINEER, CITY OF OAKLEY,
CONTRA COSTA COUNTY, STATE OF CALIFORNIA
R.C.E. NO. 51138

REGISTERED PROFESSIONAL ENGINEER
KOUROSH ROHANI
No. 51138
CIVIL
STATE OF CALIFORNIA

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 9503, ALICANTE", CONSISTING OF 11 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 _____ , 2020 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 STREETS, ROADS OR EASEMENTS SHOWN THEREON AS DEDICATED FOR PUBLIC USE.

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

SOILS REPORT

A GEOTECHNICAL EXPLORATION REPORT ON WAS PREPARED BY ENGEO INCORPORATED, DATED AUGUST 16, 2019, PROJECT NO. 15015.000.000, SIGNED BY STEVE HARRIS, GE AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.

CERTIFICATE OF DEDICATION FOR SAME PUBLIC PURPOSE

MERITAGE HOMES OF CALIFORNIA, INC. HAS DEDICATED HEREON CERTAIN PUBLIC RIGHTS OF WAY FOR MAIN STREET, AND EASEMENTS FOR PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS. THE CITY OF OAKLEY SHALL RECONVEY THE PROPERTY TO MLC HOLDINGS, 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 OR EMERGENCY VEHICLE ACCESS, EXCEPT FOR ALL OR ANY PORTION OF THE PROPERTY THAT IS REQUIRED FOR THAT SAME PUBLIC PURPOSE OR FOR PUBLIC UTILITIES.

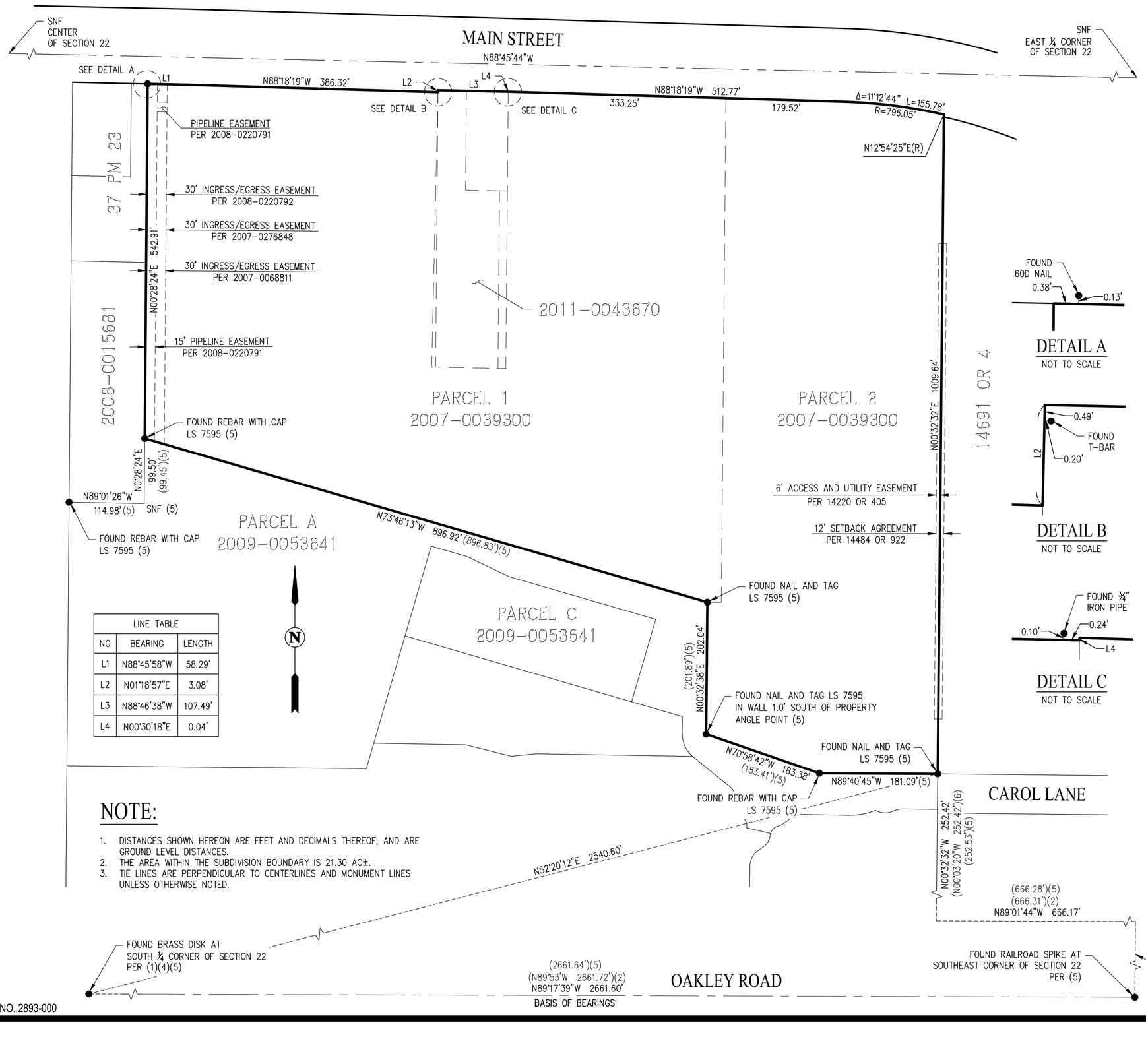
SUBDIVISION 9503
ALICANTE

CONSISTING OF 11 SHEETS
BEING A SUBDIVISION OF THE LANDS OF MERITAGE HOMES OF CALIFORNIA INC, AS DESCRIBED IN THAT GRANT DEED RECORDED AS DOCUMENT NO. 20190129312, AND DOCUMENT NO. 201990129967, CONTRA COSTA COUNTY RECORDS.
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

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SCALE: 1" = 100' FEBRUARY 2020

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE



LINE TABLE		
NO	BEARING	LENGTH
L1	N88°45'58"W	58.29'
L2	N01°18'57"E	3.08'
L3	N88°46'38"W	107.49'
L4	N00°30'18"E	0.04'

DETAIL A
NOT TO SCALE

DETAIL B
NOT TO SCALE

DETAIL C
NOT TO SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS ON THE CENTERLINE OF OAKLEY ROAD, THE BEARING BEING N89°17'39"W PER RECORD OF SURVEY RS# 3351 (140 LSM 48).

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
- - - - - -	EASEMENT LINE
——— — — ———	MONUMENT LINE
——— — ———	CENTERLINE
------------	TIE LINE
////////////	RELINQUISHED ABUTTER'S RIGHTS
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
◉	FOUND STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
◎	SET STANDARD STREET MONUMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PAE	PRIVATE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SNF	SEARCHED, NOT FOUND

NOTE:

1. DISTANCES SHOWN HEREON ARE FEET AND DECIMALS THEREOF, AND ARE GROUND LEVEL DISTANCES.
2. THE AREA WITHIN THE SUBDIVISION BOUNDARY IS 21.30 AC±.
3. TIE LINES ARE PERPENDICULAR TO CENTERLINES AND MONUMENT LINES UNLESS OTHERWISE NOTED.

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) PARCEL MAP MS 85-74 (37 PM 23)
(2) RECORD OF SURVEY OF ESTATE OF L. MARTIN (53 LSM 40)
(3) PARCEL MAP MS 08-979 (204 PM 20)
(4) RECORD OF SURVEY LOT LINE ADJUSTMENT LL 101-87 (88 LSM 4)
(5) RECORD OF SURVEY RS 3351 (140 LSM 48)
(6) LOT LINE ADJUSTMENT LLA 06-02 (2007-0039299)

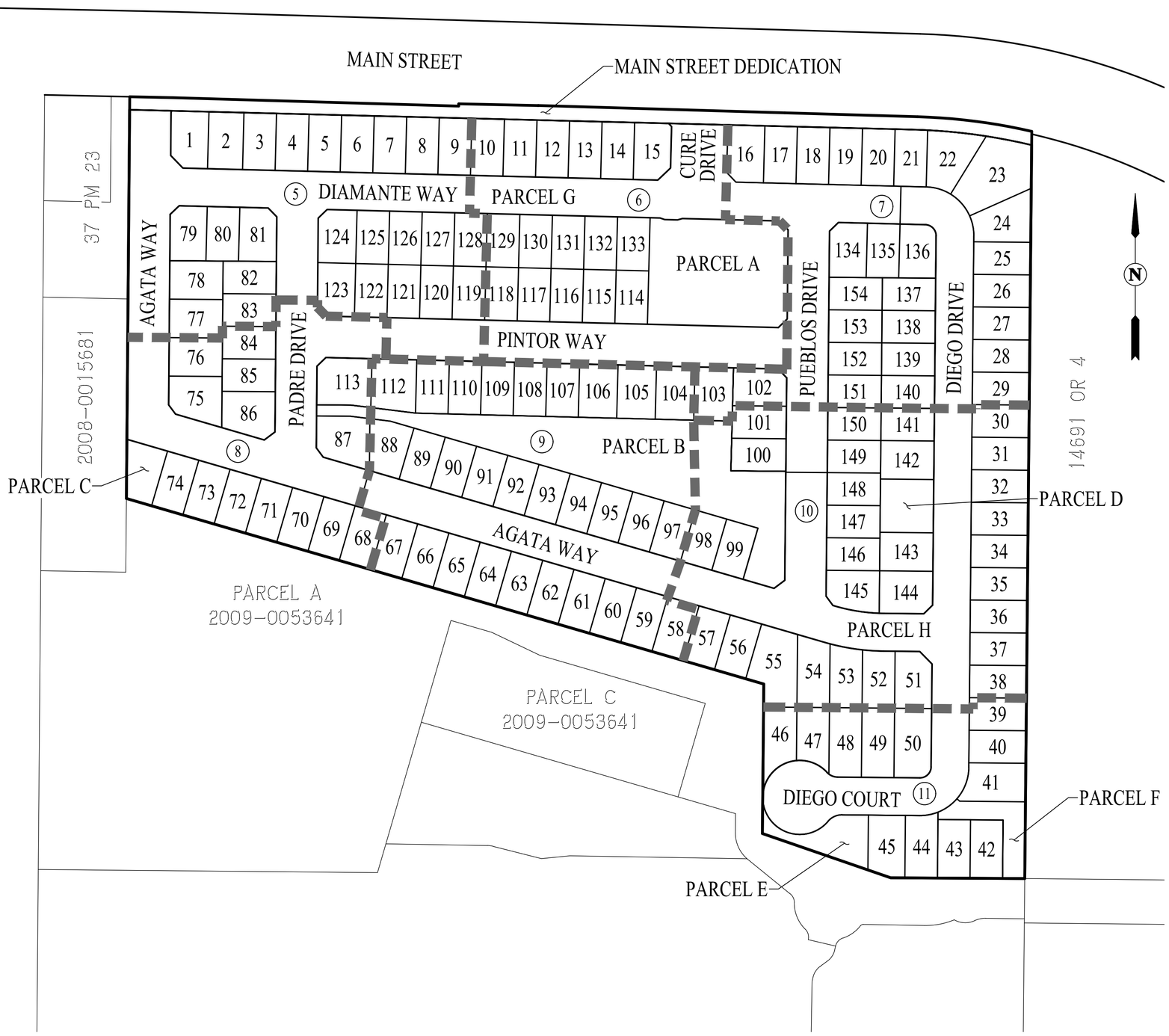
SUBDIVISION 9503
ALICANTE

CONSISTING OF 11 SHEETS
BEING A SUBDIVISION OF THE LANDS OF MERITAGE HOMES OF CALIFORNIA INC, AS DESCRIBED IN THAT GRANT DEED RECORDED AS DOCUMENT NO. 20190129312, AND DOCUMENT NO. 201990129967, CONTRA COSTA COUNTY RECORDS.
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

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SCALE: 1" = 100' FEBRUARY 2020

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE



LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
- - - - - -	EASEMENT LINE
——— – – ———	MONUMENT LINE
——— – ———	CENTERLINE
----------	TIE LINE
////////	RELINQUISHED ABUTTER'S RIGHTS
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
◉	FOUND STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
◎	SET STANDARD STREET MONUMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PAE	PRIVATE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SNF	SEARCHED, NOT FOUND
– – – –	SHEET LIMIT
(#)	SHEET NUMBER

SUBDIVISION 9503
ALICANTE

CONSISTING OF 11 SHEETS
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SCALE: 1" = 30' FEBRUARY 2020

30' 0' 15' 30' 60' 120'
GRAPHIC SCALE



N

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS ON THE CENTERLINE OF OAKLEY ROAD, THE BEARING BEING N89°17'39"W PER RECORD OF SURVEY RS# 3351 (140 LSM 48).

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
- - - - -	EASEMENT LINE
——— — — ———	MONUMENT LINE
——— — ———	CENTERLINE
- - - - -	TIE LINE
//////////	RELINQUISHED ABUTTER'S RIGHTS
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
◉	FOUND STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
◎	SET STANDARD STREET MONUMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PAE	PRIVATE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
WLE	WATER LINE EASEMENT
SNF	SEARCHED, NOT FOUND

LINE TABLE

NO	BEARING	LENGTH
L1	N00°28'24"E	17.56'
L2	N01°18'57"E	3.08'
L3	N45°57'48"E	2.02'
L4	N44°02'12"W	23.72'
L5	N46°27'12"E	16.78'
L6	N44°31'36"W	16.63'
L7	N45°57'48"E	16.75'
L8	N44°02'12"W	16.59'

NOTE:

1. DISTANCES SHOWN HEREON ARE FEET AND DECIMALS THEREOF, AND ARE GROUND LEVEL DISTANCES.
2. THE AREA WITHIN THE SUBDIVISION BOUNDARY IS 21.30 AC±.
3. TIE LINES ARE PERPENDICULAR TO CENTERLINES AND MONUMENT LINES UNLESS OTHERWISE NOTED.

SUBDIVISION 9503
ALICANTE

CONSISTING OF 11 SHEETS
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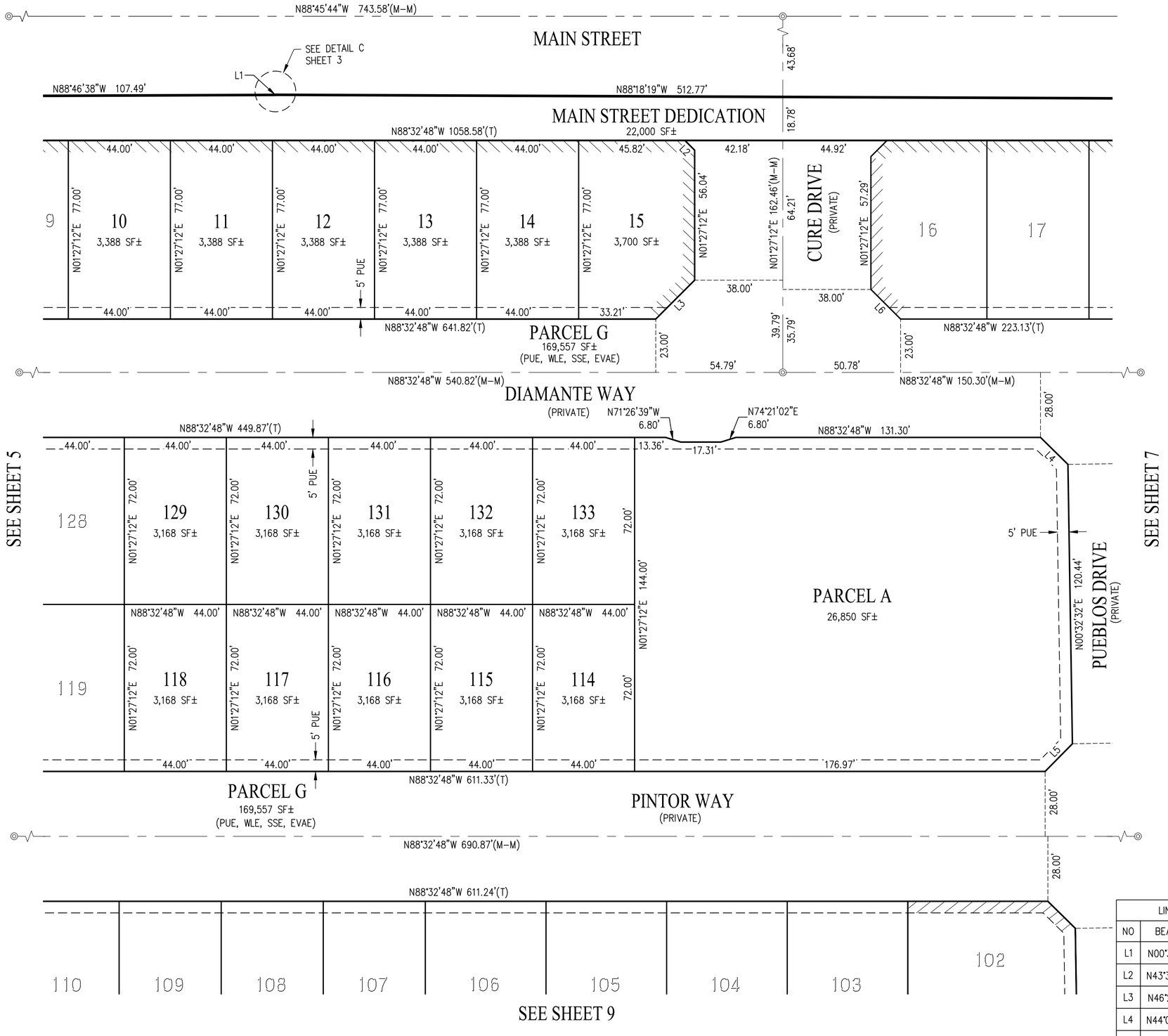
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SURVEYORS ▪ PLANNERS

SCALE: 1" = 30' FEBRUARY 2020

30' 0' 15' 30' 60' 120'
GRAPHIC SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS ON THE CENTERLINE OF OAKLEY ROAD, THE BEARING BEING N89°17'39"W PER RECORD OF SURVEY RS# 3351 (140 LSM 48).



LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- MONUMENT LINE
- CENTERLINE
- TIE LINE
- RELINQUISHED ABUTTER'S RIGHTS
- (T) TOTAL
- (R) RADIAL
- (M-M) MONUMENT TO MONUMENT
- ◉ FOUND STANDARD STREET MONUMENT
- ● FOUND MONUMENT AS NOTED
- ◎ SET STANDARD STREET MONUMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PAE PRIVATE ACCESS EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- SSE SANITARY SEWER EASEMENT
- WLE WATER LINE EASEMENT
- SNF SEARCHED, NOT FOUND

LINE TABLE		
NO	BEARING	LENGTH
L1	N00°30'18"E	0.04'
L2	N43°32'48"W	5.91'
L3	N46°27'12"E	23.74'
L4	N44°00'08"W	16.60'
L5	N45°59'52"E	16.74'
L6	N43°32'14"W	18.08'

SUBDIVISION 9503
ALICANTE

CONSISTING OF 11 SHEETS
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SCALE: 1" = 30' FEBRUARY 2020

30' 0' 15' 30' 60' 120'
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LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- MONUMENT LINE
- CENTERLINE
- TIE LINE
- RELINQUISHED ABUTTER'S RIGHTS
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- (R) RADIAL
- (M–M) MONUMENT TO MONUMENT
- FOUND STANDARD STREET MONUMENT
- FOUND MONUMENT AS NOTED
- SET STANDARD STREET MONUMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PAE PRIVATE ACCESS EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- SSE SANITARY SEWER EASEMENT
- WLE WATER LINE EASEMENT
- SNF SEARCHED, NOT FOUND

LINE TABLE		
NO	BEARING	LENGTH
L1	N46°27'12"E	9.79'
L2	N43°32'14"W	18.08'
L3	N44°00'08"W	16.60'
L4	N45°59'52"E	16.74'
L5	N45°59'52"E	16.74'
L6	N44°00'08"W	16.60'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	777.00'	1°28'25"	19.98'
C2	71.00'	30°08'34"	37.35'
C3	71.00'	34°21'09"	42.57'
C4	71.00'	24°35'38"	30.48'
C5	15.00'	89°05'21"	23.32'

SUBDIVISION 9503
ALICANTE

CONSISTING OF 11 SHEETS
BEING A SUBDIVISION OF THE LANDS OF MERITAGE HOMES OF CALIFORNIA INC, AS DESCRIBED IN THAT GRANT DEED RECORDED AS DOCUMENT NO. 20190129312, AND DOCUMENT NO. 201990129967, CONTRA COSTA COUNTY RECORDS.
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

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SAN RAMON ▪ (925) 866-0322
SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM

SCALE: 1" = 30' FEBRUARY 2020

30' 0' 15' 30' 60' 120'
GRAPHIC SCALE



LINE TABLE		
NO	BEARING	LENGTH
L1	N45°57'48"E	16.75'
L2	N36°38'55"W	15.68'
L3	N53°21'05"E	18.13'
L4	N36°38'55"W	15.68'
L5	N44°02'12"W	16.59'

BASIS OF BEARINGS:

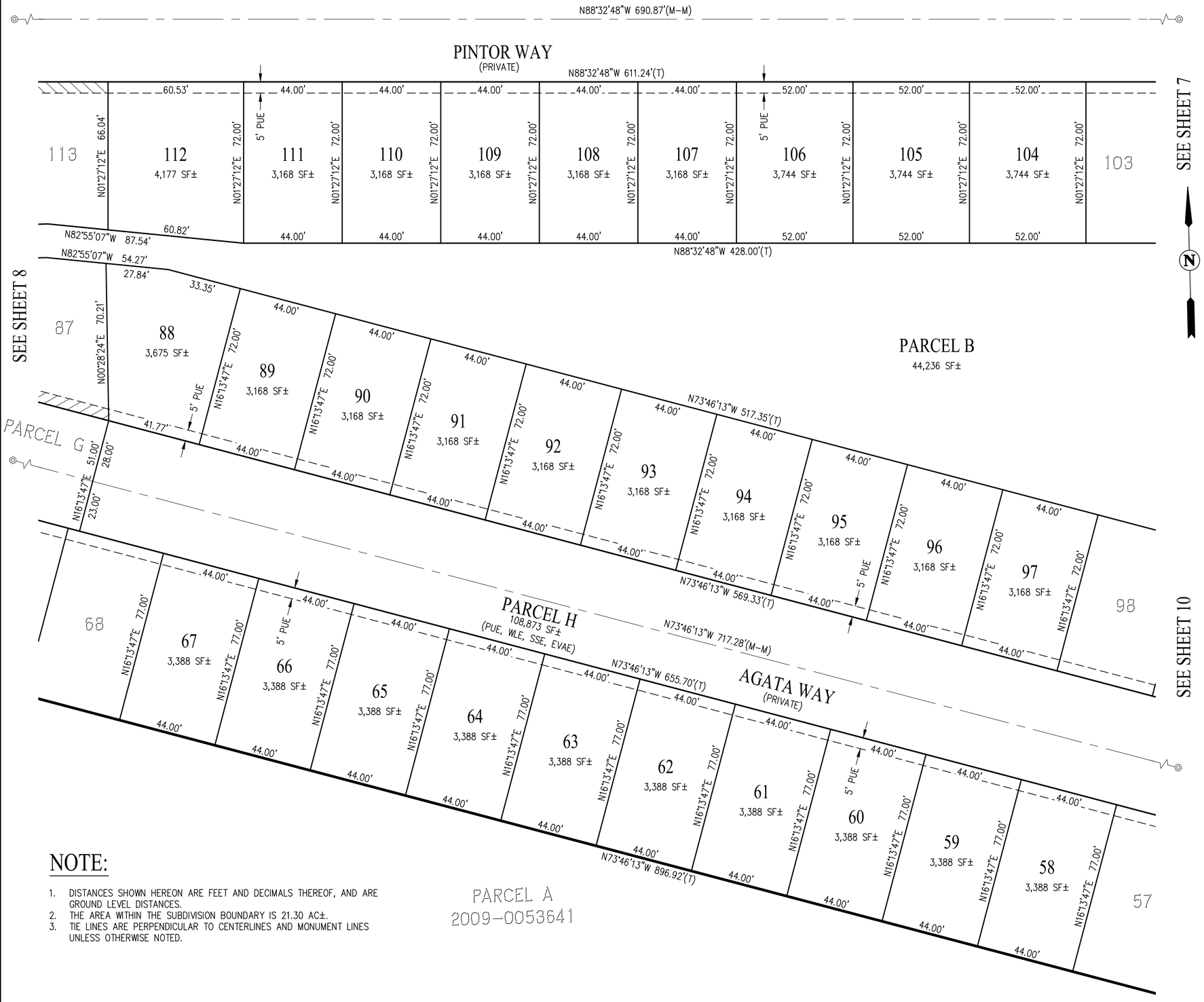
THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS ON THE CENTERLINE OF OAKLEY ROAD, THE BEARING BEING N89°17'39"W PER RECORD OF SURVEY RS# 3351 (140 LSM 48).

LEGEND

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(T)	TOTAL
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(M–M)	MONUMENT TO MONUMENT
◉	FOUND STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
◎	SET STANDARD STREET MONUMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PAE	PRIVATE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
WLE	WATER LINE EASEMENT
SNF	SEARCHED, NOT FOUND

NOTE:

1. DISTANCES SHOWN HEREON ARE FEET AND DECIMALS THEREOF, AND ARE GROUND LEVEL DISTANCES.
2. THE AREA WITHIN THE SUBDIVISION BOUNDARY IS 21.30 AC±.
3. TIE LINES ARE PERPENDICULAR TO CENTERLINES AND MONUMENT LINES UNLESS OTHERWISE NOTED.



SUBDIVISION 9503
ALICANTE

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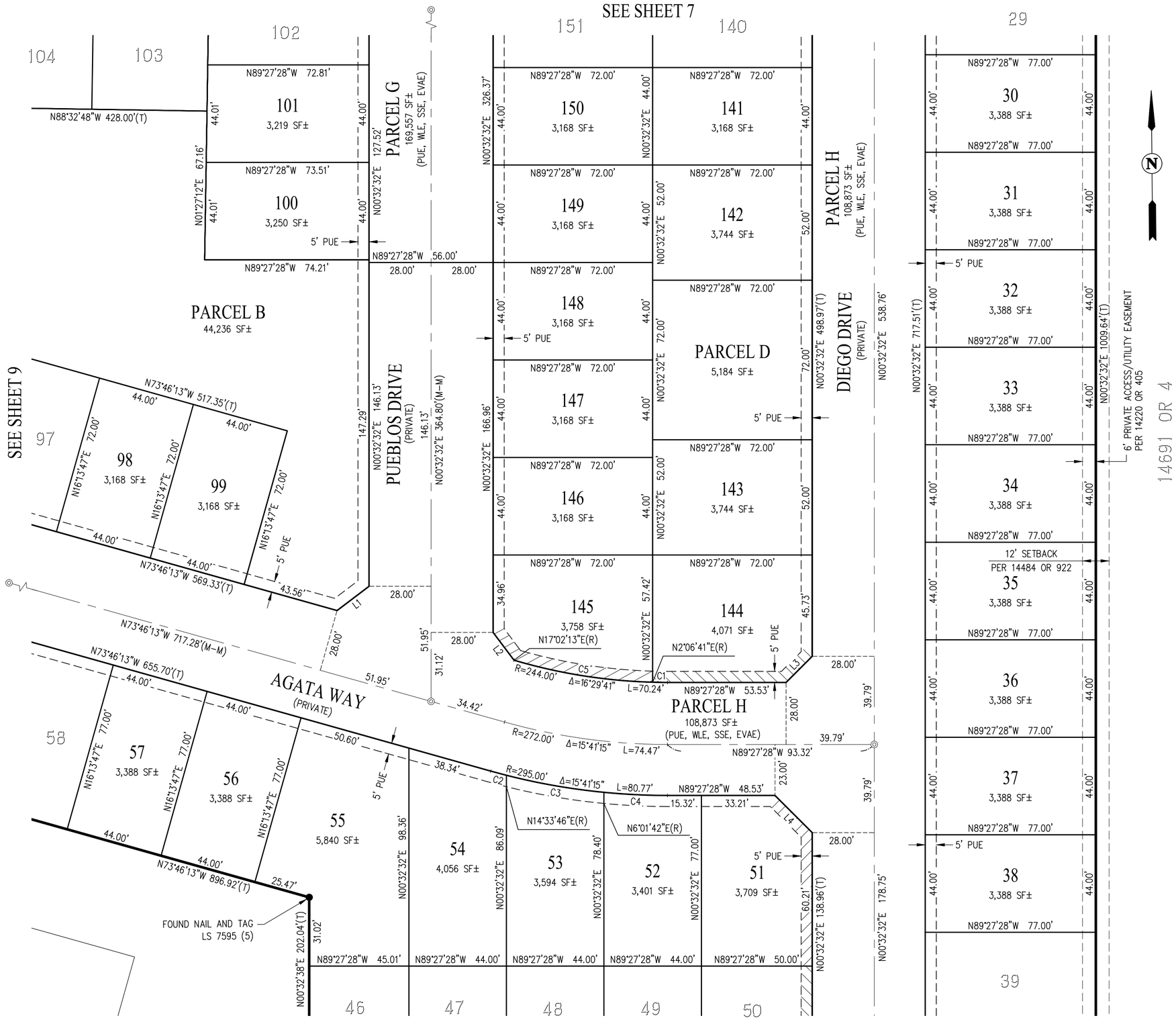
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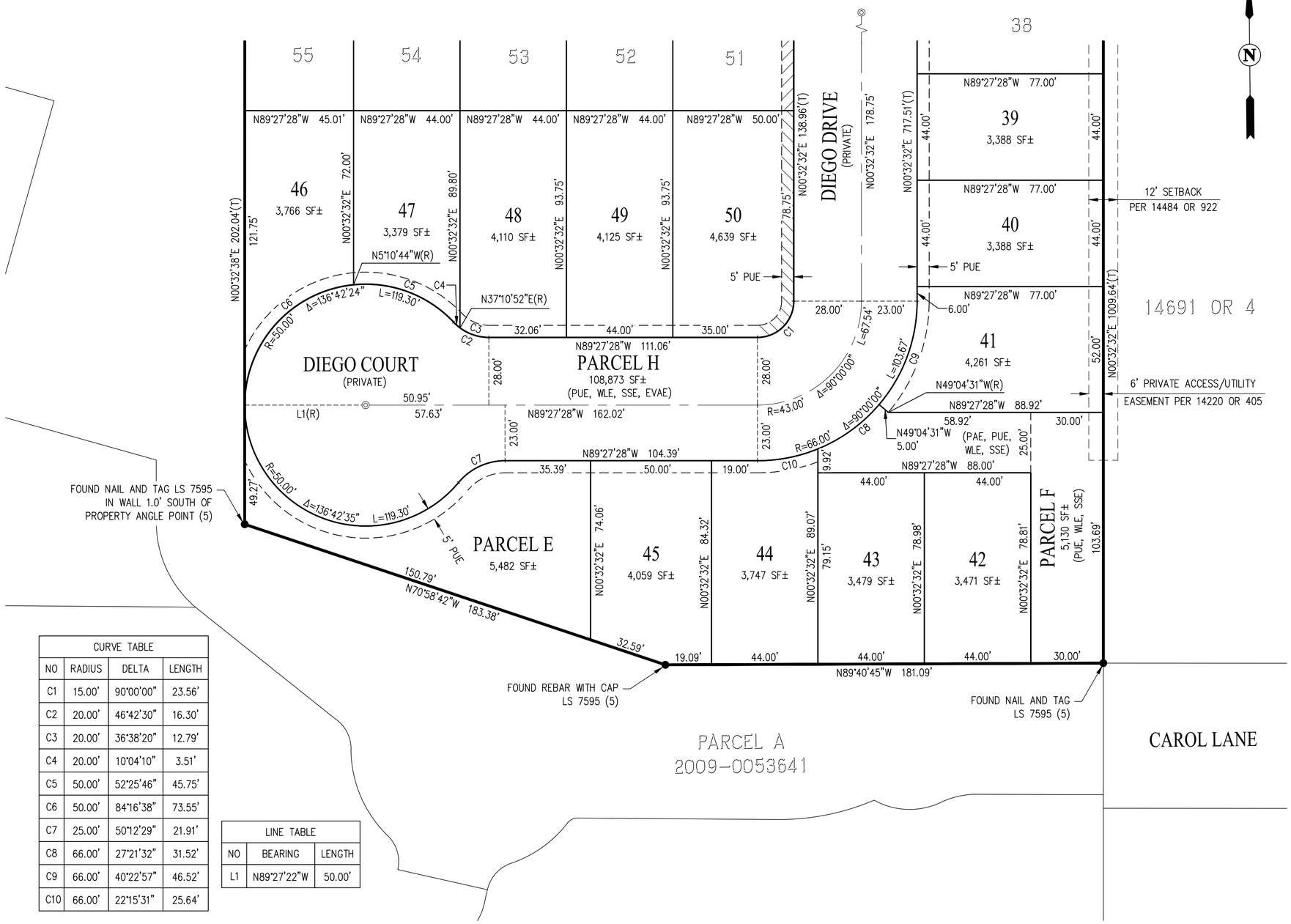
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LINE TABLE		
NO	BEARING	LENGTH
L1	N53°23'10"E	18.12'
L2	N36°23'05"W	15.65'
L3	N45°32'32"E	16.67'
L4	N44°27'28"W	23.74'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	244.00'	1°34'09"	6.68'
C2	300.00'	1°40'01"	8.73'
C3	300.00'	8°32'04"	44.69'
C4	300.00'	5°29'10"	28.72'
C5	244.00'	14°55'32"	63.56'

SEE SHEET 10



CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	15.00'	90°00'00"	23.56'
C2	20.00'	46°42'30"	16.30'
C3	20.00'	36°38'20"	12.79'
C4	20.00'	10°04'10"	3.51'
C5	50.00'	52°25'46"	45.75'
C6	50.00'	84°16'38"	73.55'
C7	25.00'	50°12'29"	21.91'
C8	66.00'	27°21'32"	31.52'
C9	66.00'	40°22'57"	46.52'
C10	66.00'	22°15'31"	25.64'

LINE TABLE		
NO	BEARING	LENGTH
L1	N89°27'22"W	50.00'

SUBDIVISION 9503
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OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Award of Contract for Professional Services Agreement for On-Call Materials Testing Services with BSK Associates for FY 2020/21 and FY 2021/22

Background and Analysis

The materials testing and inspection of new infrastructure and street projects that are constructed in the community is a critical element of the long term performance and sustainability of the new infrastructure. This task involves testing of the aggregate base, asphalt, and concrete that is used in the construction of new street infrastructure.

As the City continues to grow with the construction of new private development projects, the demand to provide material testing and inspection services continues to increase. The City of Oakley has been using geotechnical engineering consultant services for past several years to test and inspect the materials that are used by developers and contractors in the construction of new street infrastructure to ensure that all projects (Residential and Commercial) are constructed in compliance with the engineering standards and are documented.

The on-call agreement approach gives the City the flexibility to bring in resources as needed for projects in a cost effective and efficient way. BSK Associates have performed material testing services on a number of projects over the past few years and have done so professionally while accommodating the City's requests very promptly. BSK Associates is very familiar with the geographic location of Oakley in the far eastern region of Contra Costa County, its soil conditions, and the general construction materials that are accessible for use by contractors; as reflected in the statement of qualifications by BSK Associates. Staff recommends that BSK Associates continue to provide material testing services for the City of Oakley's construction projects.

The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 1) which provides an exception for competitive bidding on "Contracts involving the acquisition of professional or

specialized services, such as, but not limited to, services rendered by architects, attorneys, engineers, and other specialized consultants" Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per the City's purchasing policy.

Fiscal Impact

Approval of the resolution will authorize the City Manager to execute a professional services agreement with BSK Associates with a not to exceed amount of $75,000 per fiscal year, through June 30, 2022. Private development projects will fund the materials testing services on an as needed basis, and capital improvement project budgets include materials testing funding as part of the individual project construction phase. This contract will not require funding from the City's General Fund.

Staff Recommendation

Staff recommends that the City Council adopt the resolution authorizing the City Manager to execute an agreement with BSK Associates for materials testing and inspection services for FY 2020/21 and FY 2021/22.

Attachments

1. BSK Associates Proposal
2. Resolution

OAKLEY
CALIFORNIA

STATEMENT OF QUALIFICATIONS
FOR
CITY OF OAKLEY
ON-CALL GEOTECHNICAL ENGINEERING CONSULTING AND MATERIALS TESTING AND SPECIAL INSPECTION SERVICES

Submitted on February 28, 2020 by:

BSK ASSOCIATES

399 Lindbergh Avenue, Livermore, CA 94551
P: (925) 315-3151, F: (925) 315-3152
DIR #100003557

Primary Point of Contact:
Mr. Cristiano Melo, PE, GE
cmelo@bskassociates.com

399 Lindbergh Avenue
Livermore, CA 94551
P 925.315.3151
F 925.315.3152
www.bskassociates.com

February 28, 2020 BSK Proposal No. GL19-18912

Jason Kabalin, PE, Capital Projects Coordinator
Public Works and Engineering Department
3231 Main Street, Oakley, California 94510

SUBJECT: Statement of Qualifications for City of Oakley On-Call Geotechnical Engineering Consulting and Materials Testing and Special Inspections Services

Dear Mr. Kabalin:

BSK Associates (BSK) is pleased to provide our Statement of Qualifications (SOQ) to the City of Oakley for on-call geotechnical engineering consulting and materials testing and special inspections services**.**

BSK'S EXPERIENCE

BSK has a successful history of providing geotechnical engineering and material testing and special inspections on-call services to municipal clients throughout Northern California since 1966 with a presence in the Bay Area since 1984. **Over 50 percent of our Bay Area projects belong to public agencies.** BSK currently holds on-call contracts with the **Cities of Brentwood, Walnut Creek, Vallejo, Berkeley, El Cerrito, Fremont, San Ramon, Dublin, Livermore, Pinole, Pleasanton, Tracy, and Modesto as well as with Contra Costa, Alameda, Santa Cruz, and Stanislaus Counties.** We also currently hold on-call contracts with the **Central Contra Costa Sanitary District,** the **Hayward Area Recreation and Park District**, and the **City of Richmond Water Resource Recovery Department**. We have also provided services recently to **Delta Diablo** and the **Cities of Concord, Union City, and Richmond** and the **Town of Moraga** on project-specific contracts**.** Our extensive public works experience is a testament to our team's ability to be responsive to our client various needs. BSK's Department of Industrial Relations (DIR) registration number is 1000003557. BSK is also a DGS-certified Small Business for Public Works (SB-PW): our registration number 2014327SB-PW.

BSK's proposed Bay Area team for this contract has a wealth of geotechnical engineering, materials testing, and special inspection experience supporting the public sector during the design and construction of infrastructure projects such as **street rehabilitation/resurfacing, street widening and other improvements, pedestrian/bicycle trails and bridges, storm damage repairs, public parks and recreational facilities, public buildings, installing new or replacing existing water mains and sewer lines, and improvements to water and wastewater facilities**, among others, as demonstrated in this SOQ.

LOCAL KNOWLEDGE

Our Bay Area team is very familiar with the general geologic framework of the City of Oakley (City), including associated geologic and seismic hazards typical of the Bay Area such as liquefaction and earthquake-induced landslide zones, expansive soils, soft soils, and earthquake fault zones. BSK has also conducted several geotechnical engineering investigations within the City limits and neighboring Brentwood and Antioch. The City is mainly located within the Brentwood and Jersey Island topographic quadrangles, which the California Geological Survey has mapped for Seismic Hazard Zones associated with liquefaction and earthquake-induced landslides. A majority of the City is within a Seismic Hazard Zone associated with liquefaction. Along Big Break shoreline, the City is underlain by artificial fill and Holocene

delta mud/peat, while the rest of the City is underlain by Holocene age alluvial fan deposits and Holocene to latest Pleistocene dune sand. Holocene deposits are generally susceptible to liquefaction and potential lateral spreading. No Alquist-Priolo Earthquake Fault Zones are mapped across the City.

MEET OUR PROJECT MANAGER

This contract will be serviced by BSK's **Bay Area office and laboratory** located at 399 Lindbergh Avenue in Livermore, California. Our Primary Point of Contact and Project Manager for this contract will be **Mr. Cristiano Melo, PE, GE**, who currently serves as the Branch manager of our Bay Area office**.** Mr. Melo has been practicing geotechnical engineering and materials testing in the Bay Area since 2000. Mr. Melo has recently provided geotechnical and materials testing for the following projects within the City:

- **City of Oakley Fire Station #55 (2018-2020)**: Mr. Melo was the lead geotechnical engineer and project manager for BSK's services. BSK prepared a geotechnical investigation for a new fire station and storage building located at the intersection of East Cypress Road and Summer Lake Drive. We also provided limited geotechnical testing services during construction.
- **City of Oakley Recreation Center Improvements (2016-2018)**: Mr. Melo was the lead geotechnical engineer and project manager for BSK's services. BSK performed a geotechnical investigation for the project and provided geotechnical recommendations for planned improvements that included buildings, an amphitheater, athletic fields, asphalt concrete paved parking, and other associated improvements. We also provided geotechnical and materials testing services during construction.

Mr. Melo is very experienced working with public agencies and currently manages our on-call contracts with the **Cities of Brentwood, Walnut Creek, Vallejo, Berkeley, Dublin, and San Ramon.** He also manages our on-call services with the **Contra Costa County Public Works Department**, the **Central Contra Costa Sanitary District**, and the **Hayward Area Recreation and Park District**. His contact presented below.

Cristiano Melo, PE, GE, Primary Point of Contact/Project Manager
BSK Associates, 399 Lindbergh Avenue, Livermore, CA 94551
Office: 925-315-3151, Ext. 110; Cell: 925-765-9483; cmelo@bskassociates.com

BSK'S COMMITMENT

BSK is committed to providing the City with our services in a professional, cost-effective, and timely manner. BSK is prepared to review the City's agreement and insurance requirements. Based on our track record of holding similar on-call agreements with numerous other municipalities and public agencies in the throughout the Bay Area and beyond, BSK would be able to successfully negotiate contract and insurance requirements that are acceptable to the City. **Mr. Melo is authorized to negotiate and execute a contract with the City on BSK's behalf.**

Our BSK team is truly excited to be considered by the City of Oakley for this contract. Should you have any questions about our qualifications, do not hesitate to contact Mr. Melo. Thank you for your consideration.

Respectfully submitted,
BSK Associates

Cristiano Melo, PE, GE
Primary Point of Contact/
Project Manager

Timothy Rodriguez
Northern Regional Manager/
Material Testing and Special Inspections Task Manager

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SECTION 1: APPROACH

1.1 Understanding of the Required Services

BSK has built a reputation for partnering with Public Agencies from design through construction, allowing us to identify issues and address solutions before they impact a project, saving our clients time and money. We anticipate that the projects under this contract could include: **street rehabilitation/resurfacing, street widening, transportation facility improvements, installing new or replacing/rehabilitating existing underground utilities, parks, trails, and pedestrian bridges. Our Bay Area team has recent, relevant experience on these types of projects**. We are able to provide geotechnical investigations, geological hazards studies, full-range of materials testing (field and laboratory), special inspection, geotechnical review of plans and specifications, review of soil and material submittals, and peer review services for such projects. **BSK is also able to assume the role of Geotechnical Engineer-of-Record once a project goes into construction** provided we are given an opportunity to review the geotechnical report prepared by others and provide our input ahead of time.

BSK is confident that we will be able to staff 100 percent of the contract using the resources outlined in this Statement of Qualifications (SOQ). Should additional resources be required beyond BSK's Bay Area office, we have additional personnel and resources in our Rancho Cordova and Fresno offices who are available to support this contract. **All personnel used for this contract will be treated as originating from our Bay Area office.**

1.2 BSK Experience with Similar Contracts

We understand that City of Oakley (City) is looking for a consulting firm that will be on-call, responsive, cost-effective, and be a part of the team working with its Public Works personnel and other City departments. Within the Bay Area, BSK currently holds similar on-call contracts with the **Cities of Brentwood, Walnut Creek, Vallejo, Berkeley, El Cerrito, Fremont, San Ramon, Dublin, Livermore, Pinole, Pleasanton, Tracy, and Modesto** as well as with the public works departments for **Contra Costa, Alameda, Santa Cruz, and Stanislaus Counties**. We also currently hold on-call contracts with the **Central Contra Costa Sanitary District**, the **Hayward Area Recreation and Park District**, and **City of Richmond Water Resource Recovery Department**, and have recently provided services to **Delta Diablo** and the **Cities of Concord, Manteca, Richmond, Union City, and Richmond** and the **Town of Moraga** on project-specific contracts. Through these contracts, we have demonstrated our ability to augment each agency's staff and provide our services reliably throughout a large geographical area **in accordance with each agency's local Quality Assurance Plan (QAP) or project-specific Special Provisions**. Furthermore, **these contracts have been serviced by the same BSK key staff members that we propose to utilize for this contract**.

1.3 BSK's Commitment to be Professional, Cost-Effective, and Timely

BSK is able to respond quickly to our client's needs. For instance, we often issue a **technical memorandum presenting our initial findings and recommendations** within two weeks of performing our geotechnical investigations. This allows our clients and the rest of the design team to continue moving forward with their projects to meet the project's schedule, while at the same time allowing them an opportunity to provide input on our final recommendations before we issue our final reports. We are also able to

accommodate **dispatches for material testing during construction with less than 24-hour notice** and **mobilize quickly to address emergency-type repair projects in even shorter time**. For instance, Mr. Cristiano Melo, our Primary Point of Contact/Project Manager for this contract, visited a site at the Sandia National Laboratories in Livermore the morning after a water pipe burst causing flooding and severe erosion of the ground surface. He was able to provide temporary repair recommendations verbally to the client during his initial site visit. This allowed the client to move forward with repairs immediately.

In addition, **BSK's fully-equipped, multi-certified (Caltrans, AMRL, etc.) in-house materials testing laboratory** enables our geotechnical engineers and materials inspection staff to direct, observe, and participate in our laboratory testing programs. This greatly improves the reliability of the laboratory test data.

Our Bay Area team is experienced working as an extension of our clients and we are familiar with the coordination and documentation requirements associated with multi-tasking on behalf of a public agency. We anticipate that the City will require our team to support multiple projects/task orders simultaneously. **Mr. Melo will be the Primary Point of Contact and Project Manager for all projects/tasks as required.** Furthermore, our team understands the importance of continuity of personnel on each project assignment and to the contract as a whole. Maintaining continuity of personnel not only expedites our staff's acclimation to each task order or service request but will give City personnel the comfort level that their service requests are filled in a consistent, sound, and expeditious manner.

Many agencies choose to issue service requests for task orders on a day-to-day basis. This has been our experience with on-call contracts and, in response, our project manager and dispatcher (when appropriate) coordinate our staffing as service requests are made. We have also experienced agencies or specific projects where a regular presence is either desired or required and therefore our staff maintains a regular presence with the project team or client. Where this is the case, service coordination can be completed through our field personnel if acceptable to the City. Our team is agreeable to working in either condition as desired and, in either case, works to maintain consistency of personnel.

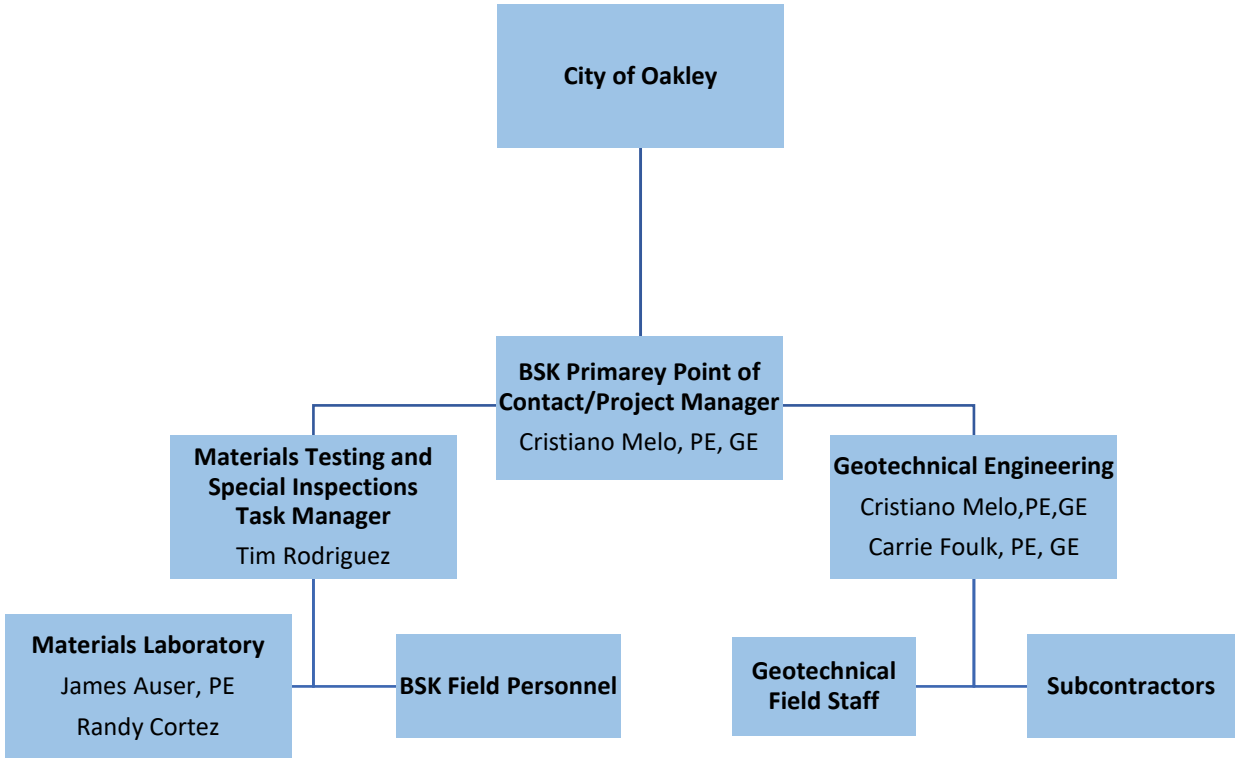
In the following sections, we present BSK's qualifications to meet the needs of the City. We appreciate your consideration of BSK for this contract.

SECTION 2: DESCRIPTION OF ORGANIZATION, MANAGEMENT AND TEAM MEMBERS

The Primary Point of Contact and Project Manager for this contract will be **Mr. Cristiano Melo, PE, GE.** Mr. Melo has worked in the Bay Area as a geotechnical engineer since 2000, and **currently manages BSK's on-call contracts with the Cities of Brentwood, Walnut Creek, Vallejo, Berkeley, Dublin, and San Ramon. He also manages BSK's on-call services with the Contra Costa County Public Works Department**, **the Central Contract Costa Sanitary District**, and the **Hayward Area Recreation and Park District**. Mr. Melo has recently provided geotechnical and materials testing for the following projects within the City:

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Mr. Melo will work closely with **Mr. Tim Rodriguez**, who will serve as the task manager for materials testing and special inspection services, to provide the entire range of services required for this contract. Below is our team's organization chart.



2.1 BSK Personnel

This contract will be serviced by BSK's **Bay Area office and laboratory** located at 399 Lindbergh Avenue, Livermore, California**.** BSK's Bay Area personnel are highly experienced at providing on-call geotechnical engineering and materials testing and special inspection services to municipalities and public agencies. In this section, we are providing our project team qualifications, including professional registrations, certifications, and experience and education, as well as a history of similar projects for each team member. The team presented herein represents our key personnel; however, several additional staff members are available to support the contract as needed. Resumes of our key team members are provided in **Appendix A** of this SOQ.

Cristiano Melo, PE, GE – Primary Point of Contact/Project Manager



Years of Experience	20 Years
Years with BSK	6½ Years
Education	MS, Civil Engineering University of Idaho, 2000 BS, Civil Engineering University of Idaho, 1997
Professional Registrations	Registered Geotechnical Engineer, California, No. 2756 Registered Civil Engineer, California, No. 64025 Registered Civil Engineer, Nevada, No. 27349
Key Qualifications	Experience with support and oversight of geotechnical engineering and materials testing on-call agreements.

Mr. Cristiano Melo is a licensed Civil and Geotechnical Engineer in the State of California and has approximately 20 years of geotechnical engineering and materials testing experience supporting projects ranging from design of shallow and deep foundations to retaining walls, pavement evaluation and rehabilitation studies, earthwork, hillside grading, site drainage, subgrade stabilization, and slope stability analysis. He is also experienced in managing construction observation and testing services. Mr. Melo will serve as the Primary Point of Contact and Project Manager for this contract. Mr. Melo is very familiar with on-call services with municipal clients, serving as BSK's main point of contact for BSK's current on-call contracts with the Cities of Brentwood, Vallejo, Walnut Creek, Berkeley, and San Ramon, the Contra Costa County Public Works Department, the Central Contra Costa Sanitary District, and the Hayward Area Recreation and Park District.

Mr. Melo will be responsible for allocating the appropriate resources of BSK's Bay Area office to meet the demands for all services for this contract. He will also be responsible for the quality and delivery of projects and will serve as Task Manager for the geotechnical services under this contract, coordinating field, laboratory and administrative efforts on behalf of BSK. He will also provide coordination for all subcontractor services and maintain contact with appointed City staff.

Tim Rodriguez – Northern Regional Manager/Materials Testing and Special Inspections Task Manager



Years of Experience	25 Years
Years with BSK	8 Years
Education	Las Positas College, Livermore, CA
Professional Registrations	ICC – Earthwork, Reinforced Concrete, Prestressed Concrete, Spray-Applied Fireproofing, Masonry DSA – Shotcrete ACI – Concrete Field-Testing Technician Grade 1, Adhesive Anchor Installation Inspector Nuclear Moisture/Density Gauge F-Number Measurement (Floor Flatness)
Key Qualifications	Northern Regional Manager and Materials testing services manager. Extensive experience with Public Works contracts and many specialized testing applications.

Mr. Tim Rodriguez has more than 25 years of experience in which he has provided inspections and technical oversight on a multitude of public works projects, including BSK's current on-call materials testing and special inspection support to the Cities of Livermore, Pleasanton, Dublin, Brentwood, El Cerrito, Tracy, and Walnut Creek, as well as project support to Contra Costa County, Stanislaus County and the County of Santa Cruz. Mr. Rodriguez will help manage and coordinate field and laboratory services for the BSK materials testing and special inspections team. His duties will include coordination of administrative functions (daily field reports and document control) while serving as liaison to BSK's office and laboratory testing staff. He is also Past-President for the statewide California Council of Testing and Inspection Agencies (CCTIA).

Carrie Foulk, PE, GE – Senior Geotechnical Engineer/Geotechnical Engineering Technical Support



Years of Experience	20 Years
Years with BSK	6½ Years
Education	MS, Civil Engineering University of California, Berkeley, 2002 BS, Civil Engineering University of Washington, 1996
Professional Registrations	Registered Geotechnical Engineer, California, No. 3016 Registered Civil Engineer, California, No. 62240
Key Qualifications	Experience with support and oversight of geotechnical engineering and materials testing on-call agreements.

Ms. Carrie Foulk is a licensed Civil and Geotechnical Engineer in the State of California and has over 20 years of geotechnical experience providing geotechnical engineering consulting for public and private sector clients. Her expertise covers many levels of project responsibility including scoping, conducting field and laboratory investigations, performing engineering analyses, preparing reports, and coordinating and providing construction services. Ms. Foulk will assist Mr. Melo with geotechnical tasks and serve as secondary reviewer for all deliverables. Ms. Foulk is very familiar with on-call services with municipal

clients, serving as BSK's main point of contact for BSK's current on-call contracts with the Cities of Livermore and Pleasanton and the Alameda County Public Works Department.

James Auser, PE – Senior Materials Engineer



Years of Experience	25 Years
Years with BSK	10 Years
Education	BS, Civil Engineering California State University, Chico, California, 1994
Professional Registrations	Civil Engineer, California, No. 59941, ACI Field Testing Technician Grade I, ICC - Reinforced Concrete, Structural Masonry, Prestressed Concrete, Nuclear Moisture/Density Gauge
Key Qualifications	Materials Engineer specializing in concrete construction and their constituents. Experienced in providing oversight for technical staff in the field and laboratory.

Mr. James Auser has developed a significant amount of hands-on experience during his 25-year career in the construction industry, specifically working and providing technical oversight on several on-call municipal contracts for BSK. He specializes in concrete construction and their constituents and in the development of specialty load test applications. Mr. Auser will serve as the responsible Materials Engineer for this contract and will provide primary oversight for BSK's technical staff in the field and laboratory. He also holds the primary function of ensuring BSK's personnel perform to internal standards and he assists in quality control and assurance issues.

Martin B. Cline, PG, CEG – Senior Engineering Geologist



Years of Experience	40 Years
Years with BSK	31 Years
Education	BA, Geology California State University, Chico, California, 1982
Professional Registrations	Registered Geologist, California, No. 6248 Certified Engineering Geologist, California, No. 2084
Key Qualifications	Experience with geology/engineering geology support for on-call agreements.

Mr. Martin Cline is a registered Geologist and Certified Engineering Geologist in the State of California and has nearly 40 years of experience in geology, engineering geology, petroleum geology and environmental field studies, including assessments for hillside grading, landslide repair and mitigation, and geohazards. Mr. Cline will assist Mr. Melo with geotechnical tasks and serve as reviewer for engineering geology related tasks.

Randy Cortez – Materials Laboratory Manager



Years of Experience	15 Years
Years with BSK	3½ Years
Education	Antelope Valley College, Lancaster, California, 2000-2003 California State University, Northridge, California, 2003-2004
Professional Registrations	NICET Materials Soil NICET Materials Concrete NICET Materials Asphalt NICET Geo Generalist NICET Geo Construction NICET Geo Laboratory NICET Highway Materials ACI -Concrete Field Testing ACI -Strength Testing Nuclear Moisture/Density Gauge Nuclear Gauge Radiation Safety Officer OSHA 10-hour Construction Caltrans: 105, 106, 125, 201, 202, 205, 206, 207, 216, 217, 226, 227, 229, 234, 235, 301, 304, 308, 309, 366,367, 370, 371, 375, 382, 504, 518, 521, 523, 524, 533, 539, 540, 543, 552, 556, 557, LP-1, LP-2, LP-3, LP-4, LP-5, LP-6, LP-7, LP-9, and Superpave AAHSTO and ASTM test methods
Key Qualifications	Experienced in laboratory testing of soils, asphalt, concrete and steel materials. Very experienced with Caltrans test methods and Superpave methodology.

Mr. Cortez has 15 years of experience in laboratory testing, encompassing a wide range of work, including soils, asphalt, concrete, and steel. He has managed three different laboratories in southern California as well as various mobile laboratories in projects ranging from Caltrans District labs to on-site airport laboratories. Mr. Cortez has extensive pavement experience having worked on several airports throughout California ranging from airport runway renovations to construction of new terminals and served on the pilot program in California for helping to introduce Superpave pavement technology to California. He will be responsible for oversight, execution, and the timely delivery of all laboratory materials testing under this agreement.

Matt Lagerstrom – Senior Engineering Technician



Years of Experience	15 Years
Years with BSK	5 Years
Education	Associates Degree Program Ventura Community College, Ventura, California
Certifications	Caltrans 125, 231, and 375 Nuclear Moisture/Density Gauge.
Key Qualifications	Extensive materials testing and inspection experience with municipal clients including soils and hot-mix asphalt tests.

Mr. Matt Lagerstrom is a senior engineering technician for BSK Associates. During his 15 years of experience, he has participated in an incredibly wide range of projects for municipal clients including recycled water pipelines, sewage line replacements, water treatment plants, bridge replacements, trail restorations, and hot mix asphalt pavement rehabilitation and overlay projects. Mr. Lagerstrom is often requested to support cities as a true extension to their inspection and construction management team, often reducing the involvement necessary by City personnel in observing and documenting the activities of a project contractor. Mr. Lagerstrom is a strong contributor to any project, and a valued member of the BSK team. Mr. Lagerstrom has extensive recent similar contract experience through BSK's work with the Cities of Walnut Creek, Vallejo, Livermore, Richmond, and Pinole.

Reza Dineli – Engineering Technician



Years of Experience	8 Years
Years with BSK	2 Years
Certifications	Caltrans 105, 125, 201, 202, 205, 216, 217, 226, 227, 229, 231, 375, 504, 518, 539, 540, 543, 556, 557 Nuclear Gauge Operator ACI Concrete NICET Soils Level 2
Key Qualifications	Materials Testing: Wide range of soils and hot-mix asphalt tests. Support through construction.

Mr. Dineli's primary focus includes field testing of soils, hot-mix asphalt pavement and concrete in accordance with Caltrans specifications and test methods. Mr. Dineli has been currently providing support for BSK's on-call contract with the City of Livermore as well as an on-call agreement with Caltrans' District 4.

Scott Orr – Engineering Technician



Years of Experience	3 Years
Years with BSK	3 Years
Education	Las Positas/Chabot Community College, Livermore, California
Certifications	Nuclear Moisture/Density Gauge Caltrans CTM 105, 106, 216, 231, 375, 504, 518, 539, 540 543, 552, 556, 557 ACI Concrete
Key Qualifications	Extensive materials testing and inspection experience with municipal clients including soils and hot-mix asphalt tests.

Mr. Scott Orr is an experienced field technician. He is experienced with materials testing of soils, hot mix asphalt and concrete, and maintains ACI and Caltrans certification in these areas. Mr. Orr has extensive recent similar contract experience through BSK's work with the Cities of Tracy, Manteca, and Livermore and Contra Costa and Stanislaus Counties. Mr. Orr can serve as lead technician to complete and coordinate all necessary testing services.

2.2 BSK Certified Field Staff

Provided below is a matrix showing our certified field staff's capabilities.

INSPECTOR	EAR	HMA	ACI	RC	MAS	NDT	PC	CWI	SSW	SSB	FP
James Auser, PE	X	X	X	X	X		X				
Nathan Stoll			X					X	X	X	
KC Clark	X	X	X								
Keven Evans			X	X					X	X	
Scott Orr	X	X	X								X
Dennis Ness	X	X	X	X	X			X	X	X	
Reza Dineli	X	X	X								
Ken Olsten			X		X	X		X	X	X	X
Tim Rodriguez	X	X	X	X	X		X				X
Matt Lagerstrom	X	X	X								
Scott Allder						X		X			
Michael Romero	X	X									
Don Steckbar	X		X	X							X
Rob Alderete III	X		X	X	X						
Tejan Schaar			X	X	X				X	X	
David Eckhardt	X	X									
Seth Murphy	X		X								

Legend:	EAR = Earthwork/Soil HMA = Hot Mix Asphalt/AC Pavement ACI = Concrete Sampling/Testing RC = Reinforced Concrete MAS = Masonry PC = Pre-stressed Concrete	CWI = AWS Certified Welding Inspector SSW = Structural Steel Welding SSB = Structural Steel Bolting FP = Fireproofing NDT = Non-Destructive Testing

2.3 BSK's Subcontractors

The table below lists most of the subcontractors we anticipate using for geotechnical investigation related services for this contract. BSK has a good working relationship and many years of experience successfully working with the subcontractors listed below. **We anticipate performing all our materials testing services in-house.**

Supporting Subcontractors and Respective Roles	California Corporate Number	DIR Number
Taber Drilling **Drilling and CPT Services**	C3049687	1000010556
Exploration GeoServices **Drilling Services**	C1278437	1000030055
Middle Earth Geo Testing **CPT Services**	C2945659	1000016730
Statewide Traffic Safety and Signs **Traffic Control Services**	C3490603	1000001109
1st Call Utility Locating **Utility Locating Services**	201522910104 (entity number)	N/A
Geotech Utility Locating **Utility Locating Services**	N/A	1000021395
Ground Penetrating Radar Systems (GPRS) **Utility Locating Services**	N/A	1000386992
Cooper Testing Laboratory **Laboratory Testing and Analyses**	C1679629	N/A
CERCO Analytical **Laboratory Corrosivity Testing**	C1769681	N/A

SECTION 3: ORGANIZATION QUALIFICATIONS

3.1 Qualifications and Experience

BSK has built a reputation for partnering with Public Agencies from design through construction, allowing us to identify issues and address solutions before they impact a project, saving our clients time and money.

3.1.1 Description of BSK Associates

BSK Associates is a 100 percent employee-owned California S corporation that provides consulting engineering, construction observation, materials testing, special inspection, and analytical laboratory services. Founded in 1966 in Fresno, BSK is a California grown company with a 36-year presence in the Bay Area. BSK currently employs a staff of approximately 200 with offices and laboratories throughout California, (Livermore, Rancho Cordova, Fresno, San Bernardino, and Bakersfield) as well a laboratory in Vancouver, Washington. In addition, we are currently finishing the process of establishing a BSK Central Valley service center in Tracy, California. The table below summarizes BSK's office locations.

BSK Offices
BSK Fresno: 550 W. Locust Avenue, Fresno, CA
BSK Fresno Analytical Laboratory (National Reach): 1414 Stanislaus Street, Fresno, CA
BSK Livermore (Bay Area): 399 Lindbergh Avenue, Livermore, CA
BSK Central Valley Service Center: currently being stablished in Tracy, CA
BSK Rancho Cordova (Sacramento Area): 3140 Gold Camp Drive #160, Rancho Cordova, CA
BSK Bakersfield: 700 22nd Street, Bakersfield, CA
BSK Vancouver Analytical Laboratory (Pacific Northwest): 2517 East Evergreen Boulevard, Vancouver, WA

BSK has a successful history of providing geotechnical engineering and material testing on-call services to municipal clients throughout Northern California since 1966 with a presence in the Bay Area since 1984. **Over 50 percent of our Bay Area projects belong to public agencies.** This experience allows our BSK staff to often operate almost as an extension of our public sector clients' staff. Furthermore, we are extremely familiar with working within the parameters of tight schedules and budgets, which is often the case on publicly-funded projects.

Our services include, but are in no way limited to:

- Geotechnical engineering
- Engineering geology
- Construction observation
- Materials testing
- Special inspection
- Materials laboratory testing
- Environmental engineering
- Hazardous materials consulting
- Water resources management
- Geospatial services (e.g. GIS)

This contract will be serviced from our Bay Area office and laboratory, which staffs a total of 30 employees including 4 registered engineers (3 of whom are registered geotechnical engineers), 1 professional geologist, 1 engineer-in-training, 2 geologists-in-training, and 18 certified special inspectors and engineering technicians. **BSK is a registered public works contractor with the Department of**

Industrial Relations (DIR) and a DGS-certified Small Business for Public Works (SB-PW). Our DIR registration number is 1000003557, our SB-PW certification number is 2014327SB-PW, and our tax identification number is 94-1633676.

3.1.2 Geotechnical Engineering Services

Our Bay Area team is very familiar with the general geologic framework of the City, including associated geologic and seismic hazards typical of the Bay Area such as liquefaction and earthquake-induced landslide zones, expansive soils, soft soils, and earthquake fault zones. BSK has also conducted geotechnical engineering investigations within the City limits and neighboring Brentwood and Antioch. The City is mainly located within the Brentwood and Jersey Island topographic quadrangles, which the California Geological Survey has mapped for Seismic Hazard Zones associated with liquefaction and earthquake-induced landslides. A majority of the City is within a Seismic Hazard Zone associated with liquefaction. Along Big Break shoreline, the City is underlain by artificial fill and Holocene delta mud/peat, while the rest of the City is underlain by Holocene age alluvial fan deposits and Holocene to latest Pleistocene dune sand. Holocene deposits are generally susceptible to liquefaction and potential lateral spreading. No Alquist-Priolo Earthquake Fault Zones are mapped across the City.

Furthermore, our team of geotechnical engineers has the technical capability to provide creative, practical and technologically sound recommendations within a reasonable budget. We are well-equipped to provide cost effective investigations and recommendations for many types of public works/engineering improvement projects, ranging from street improvements and resurfacing projects to major infrastructure projects such as a new bridge designed to Caltrans standards, a new park or significant modifications to an aging park, replacement of existing water/waste water pipelines, or geotechnical recommendations for emergency erosion repairs.

Our geotechnical design and recommendations experience encompasses, but is not exclusive to the following:

- AC and concrete pavement design
- Shallow and deep foundations
- Slope stability analysis
- Inclinometer installation and interpretation
- Retaining walls
- Concrete slabs-on-grade
- Geologic and seismic hazard evaluations
- Natural or synthetic turf fields
- General and specialized earthwork
- Hillside grading
- Site drainage
- Subgrade stabilization
- Liquefaction mitigation
- Groundwater level monitoring using piezometers
- Percolation testing
- Water recharge/holding basin design input
- Construction observation and testing

3.1.3 Materials Testing, Special Inspection, and Laboratory Services

BSK's construction services group provides quality assurance/quality control observation, monitoring and testing of construction materials. We are knowledgeable of construction materials including aggregates, asphalt, reinforced concrete, structural steel, concrete, masonry, fireproofing, and are familiar with the associated construction processes and methods. Members of our construction services team work under

the direction of Professional Engineers, and our laboratories and technical staff are certified by a number of agencies including:

- American Concrete Institute (ACI)
- American Welding Society (AWS)
- CA Division of the State Architect (DSA/LEA)
- Office of Statewide Health Planning & Development (OSHPD)
- CA Department of Transportation (Caltrans)
- International Code Council (ICC)
- U.S. Army Corps of Engineers (USACE)
- American Society for Non-Destructive Testing (ASNT)
- U.S. Bureau of Reclamation
- AASHTO Materials Reference Laboratory (AMRL)

BSK maintains certified and accredited **materials testing laboratorie**s in Livermore, Fresno, and Bakersfield. The list below summarizes a standard set of tests our facilities perform in accordance with ASTM and California Test Methods:

Soil, Aggregate, Asphalt

- Evaluation of aggregate blends and binders
- Rutting fatigue
- Moisture susceptibility
- Stripping
- Maximum dry density
- California 216 Wet Density
- Expansion Index
- R-Value
- Plasticity Index
- Sand equivalent
- Sieve analysis
- Stability
- Asphalt/Bitumin content
- Tensile Strength Ratio (TSR)
- Marshall Compaction
- Hamburg Wheel Track

Reinforcing Steel

- Tensile strength
- Bend test
- Sample and tag specimens

Concrete

- Cylinder / core compressive strength
- Anchor pull-out
- Core extraction
- Slump
- Air content / unit weight
- Concrete cylinder sampling

Masonry

- Grouted prism
- Mortar compression
- Grout compression
- Block compression
- Block dimensions / measurement
- Block moisture/absorption/shrinkage
- *A*nchor pull-out

Structural Steel

- Bolt and washer hardness
- Fireproofing density
- Bolt proof load / tensile
- Weld procedures
- Charpy impact

BSK's commitment to materials testing and special inspection support is shown in part by the expansion of our Bay Area certified materials lab in 2017 from about 1,000 to 5,000 square feet. In addition, since 2016, we have invested in Superpave QA lab equipment and train/certify our personnel to run this equipment.

3.1.4 Caltrans Experience and Certifications

BSK staff has a significant amount of experience providing geotechnical engineering on projects designed to Caltrans standards such as the **Vasco Road Safety Improvements in Contra Costa County, the**

Alhambra Creek vehicular bridge for the Martinez Intermodal Facility Phase III project in Martinez, and James Donlon Boulevard Bridge and Extension in Pittsburg, to name a few. Our materials testing staff has a significant amount of Caltrans testing and construction inspection experience as well on projects such as the **Marsh Creek Road Bridge Replacement, Alhambra Valley Road Bridge Replacement, and Byron Highway Pavement Improvement** projects for **Contra Costa County**, the **City of Fremont 2018 Pavement Rehabilitation project**, the **Santa Fe Road Bridge Replacement for Stanislaus County**, and in support to **Caltrans District 4 directly through on-call contracts for support to both the North Bay and South Bay Area Regions**. Unique to the Bay Area, our 5,000 square foot Bay Area laboratory is also certified by AASHTO and Caltrans for the testing of hot-mix asphalt under Section 39 of the Caltrans Standard Specification (Superpave). These projects have provided our staff with extensive experience referencing Caltrans design methodology as well as Caltrans Standard Specifications and Test Methods.

3.1.5 Experience Working with Federally-Funded Projects

BSK is very familiar with Caltrans Standard Plans and Specifications. Because BSK provides engineering and testing services for projects receiving federal funding on a regular basis, our systems fully comply with CFR requirements; specifically, 48 CFR Part 16.301-3. 49 CFR Part 18, and 48 CFR Part 31. BSK has the ability to conform to a Caltrans pre-award audit. Below are some of the recent federally-funded projects serviced by BSK:

- Happy Valley Road Embankment Repair (Agency: Contra Costa County)
- Alhambra Valley Road Washout Repair (Agency: Contra Costa County)
- Town of Moraga Rheem Boulevard Sinkhole Repair (Agency: Town of Moraga)
- New York House Road Bridge Replacement (Agency: Amador County)
- Marsh Creek Road Bridge Replacement (Agency: Contra Costa County)
- Santa Fe Road Bridge Replacement (Agency: Stanislaus County)
- Downtown Bike & Pedestrian Improvements (Agency: City of Fremont)
- 37th Street Bicycle and Pedestrian Improvements (Agency: City of Richmond)
- Farm Bureau Road Complete Streets Phase 2 (Agency: City of Concord)
- Carlson Crosstown Connector (Agency: City of Richmond)
- Richmond Safe Routes to School (Agency: City of Richmond)
- Nevin Avenue Pedestrian and Bicycle Improvements (Agency: City of Richmond)
- Ohlone Greenway BART Station Area Access (Agency: City of El Cerrito)
- Measure Q Pavement Repair Project #2, Project No. 2361 (Agency: City of Concord)

BSK also has experience working with Disadvantage Business Enterprises (DBE) subcontractors, such as drillers, laboratories, and soil disposal contractors. Therefore, we should be able to meet DBE goals, if any, specific to City projects.

3.2 Similar Contract Experience

BSK has built a reputation for partnering with Public Agencies from design through construction, allowing us to identify issues and address solutions before they impact a project, saving our clients time and money. Through our large amount of recent, local experience with other municipal, City and County clients providing similar services, we have demonstrated our ability to provide exceptional geotechnical engineering and materials testing services throughout a large service area. Further, these projects have

been serviced by the same BSK key team members that we are proposing to utilize for this contract. We have provided brief descriptions of several recent projects and contracts below:

- Since 2013, BSK has provided the **City of Brentwood** with on-call geotechnical engineering services for the investigation and design of their Municipal Services Building and peer review of several large residential subdivisions as well as on-call materials testing services for various task orders. BSK's construction services have provided compaction testing and observation of subgrade materials, aggregate base, and hot mix asphalt paving, as well as all associated laboratory testing (sieve analysis, sand equivalents, moisture-density curves, test maximum density, bitumen content). All work was performed in accordance with the City's Quality Assurance Plan (QAP) requirements and project special provisions. BSK was also retained by the City of Brentwood to assist in updating their QAP in accordance with the current Caltrans Local Assistance Procedures Manual. **Early in 2019, our on-call contract with the City of Brentwood came up for renewal through an RFQ process. As a testament to our performance, the City awarded us another on-call contract for a period of up to 3 years.**

- Serving as an extension of the **City of Walnut Creek** Public Works Department, BSK has provided on-call Geotechnical Engineering and Materials Testing Services to the City since 2016. Within the past 3 years, BSK's services have included construction observation and materials testing for the Woodland Trail Rehabilitation Project (including biological services), Slurry Seal Projects for 2017, 2018, and 2019, and geotechnical investigations for the improvement of the City's three Corporate Yard sites and evaluation of the groundwater depth at Larkey Park prior to reconstruction of the park's pool. BSK also provided the City with biological and cultural resources consulting services prior to construction of improvements at the City's Heather Farm Corporation Yard site.

- Since 2015/2016, BSK has supported the **Contra Costa County Public Works Department (Contra Costa County)** with separate on-call contracts for geotechnical and materials testing services on projects ranging from emergency roadway embankment repairs associated with slides and erosional failures, forensic evaluations of existing facilities, geotechnical investigations for new facilities, and materials testing of pavement overlay projects, new subdivision infrastructure, park improvements, replacement bridges, and multiple projects at a County airport, Buchannan Field. **Last year, both of our on-call contracts with Contra Costa County came up for renewal through separate RFQ processes. As a testament to our performance, Contra Costa County awarded us both on-call contracts again for a period of 3 years.**

- In the later part of 2019, BSK was awarded an on-call geotechnical and materials testing contract with the **City of Vallejo**. Since then, we have assisted the City with street overlay projects, including coring of existing pavement sections in preparation for construction bit documents as well as materials testing during construction. We have also been awarded a separate, project-specific contract to perform the geotechnical investigation for the City's new Police Headquarters.

- Since being awarded our **on-call contract** in 2015 with the **City of Livermore**, BSK has provided soils and asphalt observation and testing services for the annual sewer replacement project, 2015 and 2016 annual street resurfacing, annual slurry seal, Fire Station No. 9, and streets and utilities

for numerous new residential developments. In addition, we provided a geotechnical investigation and infiltration testing for a proposed Hydromodification Basin and geotechnical and materials testing services for the relocation of the historic Railroad Depot. **Early in 2019, our on-call contract with the City of Livermore came up for renewal through an RFQ process. As a testament to our performance, the City awarded us another on-call contract for a period of up to 4 years.**

- Since 2017, BSK has supported the **City of El Cerrito** with on-call services on multiple projects, including materials testing services for patch paving work as well as investigative and materials testing services for existing pavement/roadway investigations. Projects to date have included the Ohlone Greenway Improvements Project, 2018 Slurry Seal Program, Centennial Park Phase 1, Arlington/Brewster Safety Improvements, 2017 Patch Paving Project, and pavement investigations for Central / Carlson, Eureka / Lexington Streets, and El Dorado Street.

- BSK continues to work with the **City of Pleasanton** through an **on-call** consulting services agreement (2000 to 2010, and 2013 to present). Our largest recent project with the City of Pleasanton was the **Bernal Community Park**, which is a **60-acre** park that includes 3 artificial turf fields, a paved plaza, play areas, trails, drainage swales and parking and driveways. In our role as the Geotechnical Engineer-of-Record for the project, BSK provided construction observation and materials testing support in addition to geotechnical and environmental engineering. Other projects have included support for storm damage repairs, water and sewer pipelines, roadway improvements, dog parks, and tennis and basketball courts.

- BSK has provided the **City of Dublin** with **on-call** geotechnical engineering and construction observation/materials testing services since 2004. For example, BSK has consistently provided support to the City's **Annual Citywide Street Overlay** program, as well as provided construction observation/materials testing services for significant roadway improvements, such as **Dougherty Valley Road**, storm drain system improvements, parks such as the **Emerald Glen Aquatic Center (The Wave)**, **Dougherty Hills Dog Park**, **Kolb Park Tennis Court** renovation, **Passatempo Park, Dublin Sports Grounds, Clover Park, Sean Diamond Park, All-Abilities Playground at Dublin Sports Grounds, and installation of wayfinding signs at the Emerald Glen, Fallon Sports, and Heritage Parks.** One project involved improvements to the **Alamo Regional Trail** and construction support services of a 500-foot long retaining wall under the I-580 overpass. The **Alamo Regional Trail** project received **federal funding and required Caltrans test procedures**.

3.3 Local Experience

BSK has worked on the following projects within the Oakley-Brentwood area:

- **City of Oakley**
    - **Celebration Christian Preschool (2014):** BSK conducted a geotechnical investigation and provided engineering recommendations for the development of five (5) preschool buildings, parking, and associated improvements. The geotechnical investigation consisted of drilling four (4) exploratory borings to depths of approximately 15 to 50 feet below the ground surface.

- **City of Oakley Recreation Center (2016-2018):** BSK conducted a geotechnical investigation and provided geotechnical engineering recommendations for the project, which included various buildings and associated improvements. BSK also provided geotechnical and materials testing services during Phase 1 of construction of the project.
- **City of Oakley Fire Station No. 55 (2018-2019):** BSK conducted a geotechnical investigation and provided limited geotechnical testing services for the project. The project included a new fire station, storage building, parking, and other improvements. Field investigation consisted of exploratory borings and test pits. The primary geotechnical concerns for the site were strong ground shaking during a significant seismic event, potential liquefaction-induced settlement, and expansive soils.

- **City of Brentwood**
  - **Public Works Department (2013 to Present):** As mentioned before, through our on-call contract with the City of Brentwood, BSK has worked on various improvements projects for the City, providing materials testing and special inspections services.
  - **Municipal Service Center (2016-2018):** BSK performed a geotechnical investigation for a new administration building approximately 14,000 square-feet. Primary geotechnical concerns for the project are strong ground shaking during a future seismic event and the presence of loose to medium dense sand layers within the upper 50 feet explored. BSK provided geotechnical testing for the building during construction.
  - **Liberty High School (2017 to Present):** BSK has conducted various geotechnical investigations at the campus for the recent planned improvements. BSK is currently providing geotechnical and materials testing and special inspections for various projects at the campus.
  - **Geotechnical Peer Review Services (2018):** Mr. Cristiano Melo has provided geotechnical peer review services for the City of Brentwood for the Shea Homes and Shea Trilogy Subdivisions. The foundations and floor slabs for specific lots within the subdivision were experiencing damage as a result of expansive soils. The objective of our peer review was to provide an independent assessment of the soil/bedrock expansion mitigation measures being recommended by the Geotechnical Engineer-of-Record for the subdivisions.

SECTION 4: ADDITIONAL INFORMATION

4.1 BSK's Approach to Projects

BSK will provide the City with geotechnical engineering and materials testing and special inspections on-call services from our **Bay Area office and laboratory** located at 399 Lindbergh Avenue in Livermore, California, with additional support, if necessary, from our Rancho Cordova and Fresno offices. All personnel used on our projects with the City will be treated as originating from our Bay Area office. Our proposed Primary Point of Contact and Project Manager for this contract, **Mr. Cristiano Melo,** has an open communication style, common-sense, and practical approach to project management, geotechnical engineering problem solving, and materials testing.

For instance, during the design of the **Alhambra Creek Vehicular Bridge for the Martinez Intermodal Facility Phase III** project, Mr. Melo recommended **using light weight fill consisting of geofoam blocks** for the construction of the bridge approaches instead of regular fill to counter the potential for long-term settlements associated with the **compressible Young Bay Mud** underlying the site. This recommendation eliminated the need to implement a prolonged and costly surcharge program which resulted in a **savings of about 3 percent of the construction budget (about $50,000)**. Also, a **surcharge program** would have required about 1+ years to be completed, which **would have caused a significant delay in the construction of the project and likely resulted in higher construction bids**. It is this same type of approach to engineering that Mr. Melo brings to all of his projects at BSK and will bring to the City of Oakley.

Upon request for a proposal, Mr. Melo will interact with the City staff to discuss the project. Mr. Melo will then consult with his senior staff to develop a proposed scope, fee estimate, and schedule. At this stage, he will also select the most appropriately qualified BSK personnel and subcontractors to staff the project. For instance, if a project includes grading of slopes, he will include our geologist, Mr. Martin Cline, PG, CEG, who is experienced with hillside grading, in his project staff. If the project consists of a pavement study or rehabilitation/replacement of existing sanitary sewer or water lines along a roadway, Mr. Melo will include a traffic control subcontractor as part of our project team.

As he has done over the duration of BSK's current on-call contracts with our public agency clients, Mr. Melo will work closely with the City project management staff to keep them updated on our progress. He will also provide preliminary findings and recommendations via draft reports or technical memoranda. This approach has allowed Mr. Melo to address any input, concerns, and desires brought up by our clients in the final geotechnical investigation reports for our projects.

Mr. Melo regularly monitors the budget status of his projects using BSK's accounting system (Deltek Vision), which updates charges to our projects daily. As a result, he is able to consistently stay on budget, while still fulfilling our commitments to our clients. If during the course of a project, a client requests additional services beyond what was included in our proposal, Mr. Melo quickly evaluates what impact, if any, the additional scope will have on BSK's budget and, if appropriate, he then negotiates an amendment to our budget with our client that is satisfactory to both parties. As an example, after completing the originally approved geotechnical investigation scope for the foundation retrofit for a daycare facility for Contra Costa County, Mr. Melo then submitted a proposal to the County to cover BSK's materials testing services during construction of the project.

4.1.1 Cost Savings

BSK understands that public agencies are working with set, limited funds for their projects and sometimes tight staffing. We keep these limitations in mind during geotechnical engineering and materials testing scoping and throughout the duration of our projects. To help keep our fee estimates for geotechnical engineering investigations down, one of the first questions we ask when preparing our scope of services for a project is whether there is **existing geotechnical information for the site or near to it**. When there is existing information, we review the pertinent information keeping in mind the date of the information and the standard of practice. We then formulate our scope to complement and update existing data. This approach often results in more cost-effective investigations.

Another approach is for our engineers and project managers to look ahead to construction while the project is still in design. During geotechnical investigations, for instance, our geotechnical engineers look beyond the engineering itself and try to scope projects so that construction costs (and the respective construction inspection/materials testing needs) are minimized where possible. The Kern County Twisselman Road project is one such example. This project was nominated in 2015 for a California Transportation Foundation Award in the "Sustainable Transportation/Environmental Enhancement" category. BSK provided a soil-cement full-depth reclamation design along with the engineering/testing support for Kern County. **By using soil-cement instead of conventional asphalt concrete over aggregate base, construction costs were reduced by more than 25% (about $2 million in savings to Kern County).**

Cost saving measures can also come in the form of **creative thinking while remaining within the local standard of practice** as discussed in preceding section of this SOQ (Section 4.2) for the Martinez Intermodal Facility when Mr. Melo recommended the **use of geofoam (lightweight fill) for the Alhambra Creek vehicular bridge's approaches.**

Depending on the type of project, sometimes we eliminate the need to perform subsurface investigation via borings or other types of exploration points and instead rely on a **geotechnical paper study** only. This approach relies on review of publicly available information, such as geology, landslide, and fault maps, historical aerial photographs, groundwater depth from nearby wells, past geotechnical reports at or near the project, etc., and our past experience in the area to draw conclusions about a site's subsurface conditions and to develop design recommendations. **This approach typically results in geotechnical design services in the range of $4,000 to $6,000 instead of $20,000 to $30,000, resulting in significant savings to the project.** It also helps projects stay on schedule because geotechnical paper studies can be completed in 2 to 3 weeks compared to the 6 to 8+ weeks typically required for a typical geotechnical investigation, which requires clearing a site for utilities, obtaining drilling/encroachment permits, booking a drilling subcontractor, performing laboratory testing and analysis before the geotechnical report can be issued. **We have successfully used this approach over the past 3 years on several pipeline rehabilitation/replacement projects** for the City of Benicia, the City of Los Altos, and the Sandia National Laboratories in Livermore and for a small retaining wall repair project along Reliez Valley Road for Contra Costa County. **We also used this approach successfully on two recent projects for the Delta Diablo sanitation district**: 1) the Wastewater Treatment Plant – Electrical Switchgear Replacement in Antioch, California; and 2) the Facility Repairs at Four Pump Stations in Antioch and Pittsburg, California. We are

currently doing a geotechnical paper study for the City of Berkeley as part of a project to convert street shoulders and landscaping into bioswales and pervious pavement.

4.1.2 Project Coordination

BSK knows that providing on-call or project-specific geotechnical engineering services requires our team to often work in close coordination with multiple entities including City staff, general contractors, subconsultants, subcontractors and, at times, Caltrans personnel. Our approach centers on providing a single point-of-contact, the Project Manager, for all projects. For instance, during our involvement with the **City of Pleasanton Bernal Community Park** project, our **senior geotechnical engineer, Ms. Carrie Foulk, was the single point of contact** to the City of Pleasanton for geotechnical design, environmental testing of imported soil, review of plans, specifications and bid addenda prior to construction, as well as review of RFIs, submittals and daily field reports during construction. **Many varied areas of expertise were provided to the City of Pleasanton without the City of Pleasanton needing to coordinate separately with different people.** In addition, Ms. Foulk worked directly with the City Engineer, City's Project Manager, and City's Construction Services subcontractors for the project. This project example also illustrates BSK's ability to improve project coordination and performance throughout all aspects of a project with all levels of project stakeholders while working cost-effectively due to time saved through using one point of contact throughout the project. It also demonstrates BSK's proficiency to continue to manage a project from geotechnical engineering during design into geotechnical and materials testing during construction – the same approach that BSK will apply to our projects with the City of Oakley.

We anticipate that the City could require our team to support multiple projects/task orders simultaneously. Our team is accustomed to this, is experienced working as an extension of our clients, and is familiar with the coordination and documentation requirements associated with multi-tasking on behalf of a public agency. BSK can help the City realize potential cost savings by minimizing the number of personnel required to execute multiple service requests. Whenever possible, we maximize our staff's efficiency by utilizing cross-trained or multi-certified personnel to cover multiple disciplines of work. As an example, for our on-call contract with the City of Pleasanton, we have provided one technician to sample emulsion and aggregates and monitor spread rates for the City's annual slurry seal project and at the same time conduct compaction testing for subgrade, aggregate base, and HMA for the City's annual street resurfacing project. In addition, maintaining continuity of personnel not only expedites our staff's acclimation to each task order or service request, but also gives our clients the comfort level that their service requests are filled in a sound and expeditious manner.

4.1.3 Quality Control, Daily Inspection, and Final Report

BSK's quality assurance/quality control program extends from our project manager's desk to the field to our materials laboratory. At the project manager's desk, for instance, any conclusions or recommendations that are generated for the project at hand are reviewed by registered senior engineers as a quality control measure. All documentation and all reports and letters are reviewed and signed by at least two registered professionals.

During construction, all daily field reports are reviewed by the registered professional or staff professionals working directly with the registered professional. Our standard process for report distribution is through email, though we are able to accommodate a project-specific document control

system. Daily Field Reports are completed digitally using BSK's automated report processing and distribution system, MetaField© and will be provided to the predetermined City representative(s) daily following completion of each requested service. Non-conforming test results will be immediately relayed to the designated City contact. At the completion of laboratory tests, a preliminary report will be emailed immediately and formally delivered within one day of completion and reviewed by Mr. Randy Cortez, our Laboratory Manager. All geotechnical related field reports will be reviewed by geotechnical staff under the supervision of Mr. Cristiano Melo, our Primary Point of Contact and Project Manager for this contract. Summary reports are processed biweekly incorporating all information for the reporting period and formally delivered via email to the designated City representative(s). Final reports will be provided upon project completion incorporating all necessary test data and documentation required for timely project closeout.

Our field representatives report directly to our geotechnical engineers which adds another level of quality control. It is our geotechnical engineers, not a dispatcher, who communicate with our field representatives while in the field to assure any issues or deficiencies that come up during the geotechnical investigation are promptly addressed by the responsible professional prior to leaving he field. As an example, BSK's protocol is to always have the Geotechnical Engineer-of-Record review the field boring logs and samples before assigning the laboratory testing program and having the field logs drafted.

Our geotechnical engineers regularly visit our construction sites and communicate with our field staff daily to confirm there are no outstanding issues. When issues come up during construction, such as low compaction or differing subsurface conditions, we quickly communicate with the client, Resident Engineer, and construction manager to address them quickly and in an appropriate fashion, while trying to minimize extra costs. Although investigation and design are important aspects of a project, **we typically give priority to construction because unattended issues could quickly turn into contractor delay charges. With this in mind, we strive to respond to submittals and RFI's quickly, typically on the same day they are sent to us**.

4.2 Timely Completion of Projects

BSK is able to respond quickly to our client needs. For instance, because drilling subcontractors typically have backlogs of 4+ weeks, we usually book them well in advance of receiving formal notice to proceed from our clients on our geotechnical investigation projects. Also, we often issue a **technical memorandum presenting our initial findings and preliminary design recommendations** within 2 weeks of performing our geotechnical investigations. This allows our clients and the rest of the design team to continue moving forward with their projects to meet the project's schedule, while at the same time allowing them an opportunity to provide input on our final recommendations before we issue our final reports. The same approach can be applied when we issue our geotechnical investigation reports in draft format, thus allowing the client and project team to review the report and provide review comments before we finalize the report.

We realize the importance of timely service -- from a quick response to requests for cost or scope of services for a Task Order, through prompt and accurate dispatch, reporting of test results, and addressing any non-conformance items. For materials testing dispatches, BSK typically requests a one business day (24-hour) notice for weekday dispatch requests and a two business days (48-hour) notice for weekend

and holiday dispatches, however for this contract we are prepared to respond to "same day" requests with a minimal 4-hour notice for weekday dispatches and one business day notice for weekend and holiday dispatches. Our staff is familiar and comfortable working with a variety of construction schedules, and is available for work on overtime, weekends, nightshift, and even holidays as needed. Laboratory tests lengths can vary by test method, and our standard practice is to begin processing and preparation of samples immediately upon receipt to our office, typically the same day the sample is obtained.

We are also able to **mobilize quickly to address emergency-type repair projects in even shorter time (often within a few hours of notification)**. For instance, Mr. Melo visited a site at the Sandia National Laboratories in Livermore the morning after a water pipe burst causing severe erosion of the ground surface. He was able to provide temporary repair recommendations verbally to the client during his initial site visit even before we had prepared a proposal to the client to cover his services. This allowed the client to move forward with repairs immediately and provide formal notice to proceed to BSK afterwards.

In addition, BSK's Bay Area office has a fully-equipped, multi-certified (Caltrans, AMRL, etc.) in-house materials testing laboratory. This enables us to turnaround our laboratory testing quickly on our projects and allows our geotechnical engineers and materials inspection staff to direct, observe, and participate in our laboratory testing programs. This greatly improves the reliability of the laboratory test data. To further assure BSK's commitment to timely and reliable service to the City on this contract, we can also rely on our materials testing laboratories in Fresno and Bakersfield if the City needs or has accelerated projects that require tighter timelines or heightened workloads.

SECTION 5: REFERENCES, RELATED EXPERIENCE AND EXAMPLES OF WORK

BSK has built a reputation for partnering with Public Agencies from design through construction, allowing us to identify issues and address solutions before they impact a project, saving our clients time and money. Through our large amount of recent, local experience with other municipal, City and County clients providing similar services, we have demonstrated our ability to provide exceptional geotechnical engineering and materials testing and special inspections services throughout a large service area. Further, these projects have been serviced by the same BSK key team members that we are proposing to utilize on our projects with the City of Oakley.

2018 SLURRY SEAL PROJECT

Location: Walnut Creek, California

BSK Project Manager: Mr. Tim Rodriguez

Owner: City of Walnut Creek

Reference: Michael Hawthrone, Assistant Engineer, City of Walnut Creek, 1666 North Main Street, Walnut Creek, CA 94596, (925) 943-5899, hawthorne@walnut-creek.org

Completion Date: June 2018 – September 2018.

Project Description/ Services Provided: As part of BSK's on-call contract with the City of Walnut Creek, BSK provided earthwork services consisting of compaction testing and observations, slurry seal placement observations, and laboratory testing services for the City's 2018 slurry seal project.

BSK Fees: Approximately $15K (materials testing)

FULL-DEPTH RECLAMATION PROJECT, WARNERVILLE ROAD AND BENTLEY ROAD

Location: Stanislaus County, California

BSK Project Manager: Ms. Carrie Foulk, PE, GE

Owner: Stanislaus County Department of Public Works

Reference: Chris Brady, PE, Deputy Director, Department of Public Works, Stanislaus County, 1716 Morgan Road, Modesto, CA 95358, 209-262-5887

Completion Date: Design Phase: 2017 to Spring 2018. Construction Phase: Fall 2018 to Spring 2019.

Project Description/ Services Provided: The project consisted of rehabilitating the pavement along portions of Warnerville Road and Bentley Road in Stanislaus County, California. The Warnerville Road segment was approximately 5½ miles long and the Bentley Road segment was about 3½ miles long. As part of BSK's on-call contract with Stanislaus County, BSK performed a **geotechnical investigation** to explore and evaluate the existing pavement and shallow subsurface conditions in order to provide geotechnical design input for the planned pavement rehabilitation using full-depth reclamation. BSK provided **compaction and materials testing and special inspection services** during construction of this project.

BSK Fees: Approximately $53K (geotechnical investigation) and $41K (geotechnical and materials testing)

Key Issues/ Challenges: Providing recommendations for a long project alignment with differing subsurface conditions. Also, the presence of cobbles in the subgrade soils under Warnerville Road required extra effort by the contractor during pulverization and mixing of the existing pavement section with the subgrade soils. Evaluation of compressive strength using a proprietary mix design.

MARTINEZ INTERMODAL FACILITY – PHASE III

Location: Martinez, California

BSK Project Manager: Mr. Cristiano Melo, PE, GE

Owner: City of Martinez

Reference: All our potential references for this project have retired, including Tim Tucker, PE, formerly Martinez City Engineer, Greg Jacobs, PE, formerly with Jacobs Engineers (the construction manager for the project), Jack Walker, PE, formerly with NV5 (the designer), and Mike Hollingsworth, PE, formerly with NV5 (the designer)

Completion Date: 2014 to 2019 (including design and construction).

Project Description/ Services Provided: This project consisted of the construction of numerous improvements immediately north of the **Martinez Amtrak Station**, including a paved parking lot with approximately 300 stalls, a 100-foot long pedestrian bridge overcrossing the railroad and connecting the parking lot to the Martinez Amtrak Station to the south, a 2-lane double span vehicular bridge spanning approximately 150 feet over Alhambra Creek, re-alignment of Ferry Street, drainage basins, and paved trails.

The project was designed to Caltrans standards. BSK's services included **consultation services** during the design phase of the project and **compaction and materials testing and special inspection services** during construction.

Construction Cost: Estimated at $8.5 million

BSK Fees: Approximately $175K (construction observation and testing)

Key Issues/ Challenges: Geotechnical challenges at the site included the presence of soft, compressible young Bay Mud and shallow groundwater. These conditions were mitigated via the use of deep foundations, use of light weight fill (geofoam) for the vehicular bridge approaches, inclusion of downdrag loads for the deep foundations, and use of casing and slurry drilling for the installation of large diameter shafts to support the vehicular bridge's middle bent.

OAKLEY RECREATION CENTER, PHASE 1

Location: Oakley, California

BSK Project Manager: Mr. Cristiano Melo, PE, GE

Owner: City of Oakley

Reference: Jason Kabalin, PE, Associate Engineer, Public Works Department, City of Oakley, 3231 Main Street, Oakley, CA 94561, 925-625-7040

Completion Date: 2016 to 2018 (including design and construction).

Project Description/ Services Provided: The project consisted of the construction of two approximately 10,000 square feet single-story buildings and the relocation of an existing approximately 3,000 square foot, single story modular building. Other improvements include an amphitheater, an athletic field with natural turf, new asphalt concrete paved parking and driveways, concrete flatwork, bleachers and a baseball backstop for the athletic field, fences, underground utilities, landscaping, bioswales/infiltration basins, and a new traffic signal at O'Hara Avenue near the entrance to the site. BSK performed the **geotechnical investigation** for this project and provided **compaction and materials testing and special inspection services** during construction of this project.

BSK Fees: Approximately $35K (geotechnical investigation and geotechnical and materials testing)

Key Issues/ Challenges: Geotechnical challenges for this project consist of the presence of soils with

moderate to high potential to undergo dynamic compaction (i.e., seismic settlement) and liquefaction-induced settlement during a design-level earthquake. These concerns were addressed by compacting the bottom of footing excavations and supporting the new buildings on mat foundations.

LOS CARNEROS RECYCLED WATER PIPELINE

Project Location: Napa, CA

BSK Project Manager: Mr. Tim Rodriguez

Project Owner(s): Napa Sanitation District and Los Carneros Water District

Reference: Carollo Engineers, Mr. Mike Warriner, PE, Vice President/Project Manager, 2700 Ygnacio Valley Road, Suite 300, Walnut Creek, CA 94598, P: 925-932-1710, mwarriner@carollo.com

Completion Date: 2015 to 2016

BSK's Project Role: Materials testing (inspection and construction support)

BSK Fees: Approximately $150,000 (materials testing)

Project Description/ Services Provided: BSK supported this project on a full-time basis as the materials testing subconsultant to the construction manager, Carollo Engineers. BSK provided continuous soils observation and compaction testing of subgrade, aggregate base and hot mix asphalt pavement, as well as sampling and testing of concrete. The Los Carneros Recycled Water Pipeline, a $20 million joint venture between the Los Carneros Water District and the Napa Sanitation District, consisted of the installation of approximately 9 miles of recycled water pipe throughout the south Napa County grape-growing region in order to provide local agriculture with a source of recycled water for irrigation of crops. The project was partially funded by state and federal dollars.

MUNICIPAL SERVICE CENTER

Location: Brentwood, California

BSK Project Manager: Mr. Cristiano Melo, PE, GE

Owner: City of Brentwood

Reference: John Samuelson, PE, Engineering Manager, Public Works/Engineering, City of Brentwood, 150 City Park Way, Brentwood, CA 94513, 925-516-5307

Completion Date: 2016 to 2018 (including design and construction).

Project Description/ Services Provided: The project consisted of an approximately 14,000 square-foot, 1-story, L-shaped building with a slab-on-grade floor. The new building extends over an area formerly occupied by a 1-story, approximately 2,000 square foot building, paved paving and driveways, concrete flatwork, and concrete walls. BSK also provided geotechnical observation and testing services during construction of the new building.

BSK Fees: Approximately $16K (geotechnical investigation) and $14K (geotechnical testing)

SECTION 6: REFERENCES FOR CURRENT ON-CALL CONTRACTS

In addition to the project-specific references provided in the preceding section of this SOQ, below is a select list of references for a few of the on-call contracts BSK currently has with local Bay Area public agencies:

1. **City of Brentwood:** Jagtar (Jack) Dhaliwal, PE, Assistant Director of Public Works/Engineering, 925-516-5128, jdhaliwal@brentwoodca.gov
2. **City of Walnut Creek:** Alex Wong, PE, Associate Civil Engineer, 925-943-5899, ext. 2239, wong@walnut-creek.org
3. **Contra Costa County Public Works:** Jenna Caldwell, PE, Senior Civil Engineer, 925-313-2020, jenna.caldwell@pw.cccounty.us
4. **City of Pleasanton:** Adam Nelkie, PE, Senior Civil Engineer, 925-931-5675, anelkie@cityofpleasanton.gov
5. **City of Berkeley:** Tiffany Pham, PE, QSD, Associate Civil Engineer, 510-981-6427, tpham@cityofberkeley.info

SECTION 7: PROPOSED SCHEDULE OF FEES

Appendix B of this SOQ presents our proposed Schedule of Fees for this contract. The schedule includes our job titles, with hourly rates, test and equipment fees, other fees, and subcontractor/vendor markup. Our Fee Schedule is subject to an annual escalation rate equal to the Consumer Price Index (CIP) for the San Francisco Bay area or 3%, whichever is lower, effective immediately after the first year of the execution of the agreement for this contract.

APPENDIX A

Resumes

Cristiano Melo, PE, GE – Primary Point of Contact/Project Manager

Professional Background:



Mr. Cristiano Melo will serve as the primary point of contact, project manager, and lead geotechnical engineer for BSK's services for this contract. He is a licensed Civil and Geotechnical Engineer in the State of California with approximately 20 years of engineering experience throughout the San Francisco Bay Area and Central Valley, supporting projects from design of shallow and deep foundations to retaining walls, pavement rehabilitation studies, earthwork, hillside grading, site drainage, subgrade stabilization, and slope stability analysis. **Mr. Melo currently manages BSK's on-call geotechnical engineering services contract with the Central Contra Costa Sanitary District, the Contra Costa County Public Works Department, the Hayward Area Recreation and Park District and the Cities of Brentwood, Walnut Creek, Vallejo, Berkeley, Dublin, and San Ramon.**

His experience also includes geotechnical investigations and materials testing for numerous public works/capital improvements projects, including sewer/water/stormwater pipeline, wastewater treatment plant, pumping station, water tank, public building, parks, and roadway projects.

Qualifications

Registrations:

- Geotechnical Engineer, California, No. 2756, 2007
- Civil Engineer, California, No. 64025, 2002
- Civil Engineer, Nevada, No. 27349, 2020

Education:

- MS, Civil Engineering, University of Idaho, 2000
- BS, Civil Engineering, University of Idaho, 1997

Experience:

- BSK Associates
  Livermore, California
  2013 to present
- Kleinfelder
  Pleasanton, California
  2000 to 2013
- Idaho Transportation Department
  Caldwell, Idaho

Relevant Project Experience:

City of Dublin Overlay Projects, Dublin, CA (2014, 2015, and 2018) – Mr. Melo has been serving as Project Manager for BSK's materials testing services for the City of Dublin's annual overlay project. BSK periodically serves as an extension of the City of Dublin Public Works Department, providing construction observation and materials testing services for the project. Work for this project has included base repairs and asphalt overlays for multiple streets throughout the City.

City of Benicia Park Road Improvements, Benicia, CA (2019) – Mr. Melo is the lead geotechnical engineer and project manager for the geotechnical investigation for this project. The project is located within an approximately 5,800-foot segment of Park Road extending between I-780 and Bayshore Road in Benicia, California. The planned improvements include construction of a **bicycle lane** parallel to the roadway, an approximately 80-foot long **pre-manufactured pedestrian/bicycle bridge**, new storm drain facilities for the new bicycle facility, and **pavement rehabilitation**.

City of Benicia, Lower Arsenal Pipeline Replacement, Benicia, CA (2017) – Mr. Melo served as the project manager and lead geotechnical engineer for the geotechnical paper study for this project, which consists of the replacement of about 3,500 feet of existing 8- to 14-inch water mains within several streets. BSK prepared a geotechnical paper study that included recommendations for the design and construction of the project. **No geotechnical subsurface investigation was performed because the project involves replacement of existing utilities. This resulted in over $20,000 worth of savings to the project budget.**

Delta Diablo Sanitary District, Pavement Study – Wastewater Treatment Plant, Antioch, CA (2018) – Mr. Melo served as the project manager and lead geotechnical engineer for the pavement study for this project. BKS observed the existing pavement surface conditions, drilled pavement borings to measure existing pavement thicknesses and collect samples, R-Value testing, and provided recommendations for the rehabilitation of the wastewater treatment plant pavements, including slurry seal and seal placement, full-depth pavement reconstruction, localized pavement digouts, asphalt overlay, and full depth reclamation.

Delta Diablo Sanitary District, Pump Station Facility Repairs, Antioch and Pittsburg, CA (2017) – Mr. Melo served as the project manager and lead geotechnical engineer for the geotechnical investigation and paper study for this project. The project consists of raising site grades by up to 5 feet at four (4) pump stations, constructing flood protection dikes/berms, and other improvements. BSK performed subsurface investigation at two of the pump stations and prepared a geotechnical paper study for the other two that included recommendations for the design and construction of the project. **This resulted in a savings of several thousand dollars for BSK's services to the project budget.**

City of Manteca, North Manteca Trunk Sewer, Manteca, CA (2018) – Mr. Melo served as the project manager and lead geotechnical engineer for the geotechnical investigation of this project. This new trunk sewer alignment project will include construction of utility lines up to 30 feet deep and ranging from 12 to 54 inches in diameter. The new lines will include a sanitary sewer line approximately 4,400 feet long, a recycled water line approximately 5,100 feet long, and a water line approximately 1,300 feet long. Most utility lines will be constructed by cut and cover methods. However, trenchless excavation will be required where the sewer alignment will cross two City arterial streets. Due to shallow groundwater, the trenchless method to be used will consist of microtunneling.

Central Contra Costa Sanitary District, Austin Lane Sewer Line Replacement, Alamo, CA (2017) – Mr. Melo served as the project manager and lead geotechnical engineer for the geotechnical investigation of this project. The project involved the replacement of approximately 600 lineal feet of an existing 8-inch diameter vitrified clay pipe sewer line with a 10-inch diameter HDPE piping using conventional open-cut trenching and trenchless excavation consisting of horizontal directional drilling.

City of Milpitas Sandalwood Park Renovation, Milpitas, CA (2019-present) – Mr. Melo is the project manager and lead geotechnical engineer for the planned renovations of the park, which include construction of a pre-fabricated restroom building, new play structure, and other relevant improvements.

City of Berkeley, San Pablo Avenue Sanitary Sewer Rehabilitation, Albany, CA (2018) – Mr. Melo served as the project manager and lead geotechnical engineer for the geotechnical investigation of this project. The project involves the rehabilitation of approximately 500 lineal feet of an existing 18-inch diameter vitrified clay pipe sewer line using the pipe bursting trenchless method. Almost all of the sewer alignment to be rehabilitated is located within Highway 123. **However, Mr. Melo's team was able to perform the investigation outside the Caltrans right-of-way, thus saving the client many thousands of dollars in encroachment permit application and processing fees and helping expedite the project schedule.**

City of Oakley, Oakley Recreation Center Improvements, Oakley, California (2016-2018) – Mr. Melo was the lead geotechnical engineer and project manager for the geotechnical investigation and construction monitoring services for this project. Phase 1 of construction for the project included an approximately 10,000 square foot, single story building, the relocation of an existing approximately 3,000 square foot, single story building, an amphitheater, and a new parking lot.

City of Manteca, Water Quality Control Facility Improvements, Manteca, CA (2015-2019) – Mr. Melo serves as the Project Manager and lead geotechnical engineer for the geotechnical investigation and construction for two new 65-foot diameter by 12 feet deep digesters, a 6,500-square foot digester control building, underground pipelines, new paved driveways, and demolition and filling of existing drying beds. The investigation included deep rotary wash borings to assess the susceptibility of the site to experience liquefaction-induced settlement during a design-level earthquake. Several alternative ground improvement methods were considered by Mr. Melo to mitigate the site's liquefaction potential, including vibroflotation and compaction grouting. Ground improvement via stone columns was determined to be the most cost-effective method. Mr. Melo's design recommendations for the project included establishing the criteria for the stone column design, foundation design of shallow foundations, pavements, and earthwork. Construction of the project started in early 2017 and is due to be completed by mid-2019. BSK has been providing geotechnical, materials testing, and special inspections services during construction.

Tim Rodriguez – Northern Regional Manager/
Materials Testing and Special Inspections Task Manager

Professional Background:



Mr. Tim Rodriguez will serve as the materials testing and special inspection task manager for this contract and will assist Mr. Melo with project management and senior review of the materials aspects of BSK's services for this contract. Mr. Rodriguez has over 25 years of experience in materials testing and inspection, encompassing a wide range of work including soils, asphalt, concrete, and steel laboratory testing, as well as field inspections of soils, paving, concrete and reinforcing steel. He serves as both the Northern Regional Manager for BSK and Construction Services Group Manager for the BSK's Bay Area office and has a wide range of project management and technical supervision experience for numerous projects throughout the San Francisco Bay Area and Central Valley regions of California.

Mr. Rodriguez has served as president and board member for the statewide California Council of Testing and Inspection Agencies (CCTIA) and has extensive experience in many specialized testing applications including ground penetrating radar surveys, floor flatness testing, reinforcing steel surveys, pulse-velocity testing of concrete, specialty load testing, fire damage assessments and condition surveys.

Qualifications

Registrations / Certificates:
ICC and ACI
Reinforced Concrete
Prestressed Concrete
Spray Applied Fireproofing
Concrete Field Technician Grade I
Nuclear Density Gauge
F-Number Measurement
Floor Flatness
SWPPP Training Program

Education:
Ohlone College, Fremont, CA 1995 to 1996

Experience:
BSK Associates, Construction Services Group Manager-2012 to Current
Signet Testing Labs., Northern California Operations Manager-2010 to 2012
Signet Testing Labs., Sacramento Office Manager, Marketing Coordinator-2008 to 2010
Terrasearch, Inc., Project Manager, Special Inspection Manager-2006 to 2008
Signet Testing Labs., Project Manager, Special Inspection Dept. Manager-2000 to 2006
Signet Testing Labs., Special Inspector, Laboratory Technician-1995 to 2000

Relevant Project Experience:

City of Brentwood On-Call Material Testing Services, Brentwood, California (2013-present) – Mr. Rodriguez serves as a task manager providing oversight for BSK's current on-call material testing services contract with the City of Brentwood. Responsibilities include overseeing materials testing-related contract deliverables, project technical and quality standards, staff assignment, project billing and payroll compliance. Task orders have included material testing services for the Sand Creek Road Landscape Improvement Project and the Brentwood Boulevard Median Landscaping Improvement Project.

City of Dublin On-Call Materials Testing and Geotechnical Services Contract, Dublin, California (2012-present) – Mr. Rodriguez serves as a task manager providing oversight for BSK's current on-call materials testing services for various Capital Improvement Projects in Dublin. BSK has held this contract for numerous contract periods. Task orders have included the Golden Gate Drive Streetscape Project, 2012 Citywide Streetscape Project, Civic Center Emergency Generator Replacement, and Alamo Canal Regional Trail Improvements Project (the latter of which included approximately 800 feet of new paved bike trail -- a portion of which passes beneath the bridges of Interstate 580 and BART – and the construction of about 500 feet of retaining wall designed according to Caltrans Standards).

City of Pleasanton On-Call Geotechnical Engineering and Special Inspection Services, Pleasanton, California (2013-present) – Mr. Rodriguez serves as a task manager providing oversight for BSK's current on-call geotechnical engineering, materials

testing/special inspection services contract with the City of Pleasanton, of which BSK has held for multiple contract periods. In addition to oversight of materials testing-related contract deliverables, project technical and quality standards, he is also responsible for task order set up, staff assignment, project billing, payroll compliance, and ensuring appropriate resources are allocated for specific project needs and schedule requirements.

Walnut Creek Slurry Seal Projects, Walnut Creek, California (2016-2019) – Mr. Rodriguez has been serving as Project Manager for BSK's materials testing services for the City of Walnut Creeks' annual slurry seal project. BSK serves as an extension of the City of Walnut Creek Public Works Department, providing construction observation and materials testing services for the project. Work for this project has included base repairs, minor paving, and the application of chip seal and slurry seal for multiple streets throughout the City.

City of Concord Measure Q Pavement Repair Project, Concord, California (2017) – Mr. Rodriguez served as Project Manager overseeing materials testing and inspection for this project. Serving as a subconsultant to CSG Consultants, Inc., BSK provided material testing services for City of Concord Project 2361. Part of the Measure Q Pavement Repair Program, the project provided necessary pavement rehabilitation for Solano Way, Wren Avenue, and Sixth Street. BSK's services included field materials sampling and testing of hot-mix asphalt pavement and all associated laboratory testing.

Contra Costa County Pavement Rehabilitation Project, Pleasant Hill Road, Byron Highway, and Vasco Road, Contra Costa County, California (2015) - Mr. Rodriguez served as Project Manager for the materials testing services for the project, which involved performing Quality Assurance Materials Testing. Services for the pavement rehabilitation of three arterial roadway segments. Work completed under the contract included roadway base repairs and paving of standard ½" hot-mix asphalt and rubberized hot-mix asphalt in accordance with Caltrans specifications on Pleasant Hill Road, cold in-place recycling on Byron Highway, and rubberized hot-mix asphalt overlay on the highly-trafficked Vasco Road.

Town of Moraga 2014 Pavement Rehabilitation Project, Moraga, California (2014) – Mr. Rodriguez served as Project Manager supervising BSK's material testing services and coordination with the project Construction Manager. Responsibilities included administrative and technical oversight of all staff, deliverables, billing and payroll compliance.

Napa Sanitation District, Los Carneros Recycled Water Pipeline, Napa, California (2015-2016) – Mr. Rodriguez served as Project Manager for this $20 million, 9-mile recycled water project which ran through the vineyards of the Napa Valley.

Rheem Boulevard Sinkhole Emergency Project, Moraga, California (2017) – Mr. Rodriguez served as Project Manager for this project, in which BSK served as a subconsultant to Ghirardelli Associates, providing material testing services. The sinkhole developed in early 2016 and repair of the site was performed in 2017. BSK's services included field sampling and testing and laboratory materials testing for earthwork (subgrade, base material, backfill) concrete, and paving materials (hot-mix asphalt).

Professional Background:



Ms. Carrie Foulk will serve as a senior geotechnical engineer and will assist Mr. Melo with project management and senior review of the geotechnical aspects of BSK's services for this contract. She is a licensed Geotechnical Engineer in the State of California with over 20 years of geotechnical experience in the San Francisco Bay Area and Central Valley, providing geotechnical engineering consulting for public and private sector clients, including cities, counties, municipalities and school districts. Her expertise covers many levels of project responsibility including scoping, conducting field and laboratory investigations, performing engineering analyses, preparing reports, and coordinating and providing construction services.

Relevant Project Experience:

City of Livermore On-Call Geotechnical and Materials Testing (2015-present) – Ms. Foulk is the project manager of the On-Call Geotechnical Engineering and Materials Testing and Inspection Contract with the City of Livermore. The contract consists of providing materials testing and inspection, geotechnical engineering investigations, and environmental consultation. Projects have included materials testing for roadway and civil infrastructure projects, as well as a geotechnical investigation and infiltration testing for a hydromodification basin project and geotechnical engineer-of-record services for their Civic Center Meeting Hall project.

City of Pleasanton On-Call Geotechnical and Materials Services (2013-present) – Ms. Foulk is the project manager of the On-Call Geotechnical Engineering and Materials Testing and Inspection Contract with the City of Pleasanton. The contract consists of providing materials testing and inspection, geotechnical engineering investigations, and geotechnical peer reviews.

City of Pleasanton, Basketball Court Renovations, Pleasanton, CA (2017) -- Ms. Foulk managed and was the lead geotechnical engineer for three municipal parks (Tennis and Community, Tawny, and Meadows) in the City of Pleasanton renovations. Pleasanton Tennis and Community Park has two adjacent basketball courts, Tawny Park has two basketball courts perpendicular to each other, and Meadows Park has one basketball court in the east portion of the park along W. Las Positas Boulevard. The project consisted of demolition of the existing asphalt concrete (AC) section at all three municipal park basketball courts and installation of new concrete paved basketball courts. Ms. Foulk managed the investigation of these projects as well as provided the geotechnical recommendations to each of these parks.

Crow Canyon Road Culvert Replacements, Alameda County, CA (2018-present) – Ms. Foulk was the project manager for a geotechnical investigation for Alameda County Public Works Agency to replace existing corrugated metal pipe culverts at three locations along narrow Crow Canyon Road just west of San Ramon with high-density polyethylene pipe. The new high-density polyethylene pipes will be installed using open-cut trenching methods.

Sewer System Repair Program, Project WW0100117, Los Altos California (2016) – Ms. Foulk conducted a paper study for the replacement of approximately 2,700 lineal feet of sanitary sewer pipe within five different streets in the downtown Los Altos area. Existing sewer pipes included 6- to 10-inch diameter pipes. The paper study addressed mapped geologic and seismic hazards and provided general recommendations for manholes, pipes, and excavation and backfill of trenches. General recommendations for trenchless alternatives were also provided.

Qualifications

Registrations:

- Geotechnical Engineer, California, No. 3016, 2013
- Civil Engineer, California, No. 62240, 2001

Education:

- MS, Civil Engineering, University of California, Berkeley, 2002
- BS, Civil Engineering, University of Washington, 1996

Experience:

- BSK Associates, Livermore, California

2013 to Current

- Kleinfelder, Pleasanton, California

2011 to 2013

- Independent Consultant, Livermore, California

2006 to 2011

- Kleinfelder, Pleasanton, California

1998 to 2006

Contra Costa Water District Pumping Plants 2, 3, & 4 Improvements, Oakley and Antioch, California (2017) – Ms. Foulk conducted a geotechnical investigation for new equipment pads, designed to support large excavators, at three pumping plants within the Contra Costa Water District. The pads were constructed on sloping ground and the design took into consideration the adjacent pumping plants and existing canal walls, as well as loose sands and expansive near surface soils.

2018 NASTS Upgrade Project, Patterson Water Quality Control Facility, Patterson, California (2018) – Ms. Foulk conducted a geotechnical investigation for the construction of a new concrete Anoxic treatment tank, pump station, and bypass box. The tank was situated at the edge of a drying pond and was 4 to 16 feet below existing grade. Significant liquefiable soils were encountered, and the mat foundation was designed to accommodate the anticipated settlements.

Delta Diablo Treatment Plant, Electrical Switchgear Replacement, Antioch, California (2018) – Ms. Foulk conducted a paper study for the replacement of an electrical switchgear and transformer. Existing data from several previous geotechnical investigations was utilized for the paper study. This approach saved the client time and money while adhering to the local standard of practice. Design considerations included accounting for the new foundations for the switchgear and transformer being installed immediately adjacent to an existing building with a basement.

Daly City Sewer Replacement Project, Daly City, CA (2017) – Ms. Foulk conducted a geotechnical investigation for the installation of approx. ½ mile of new sewer pipe within four different City streets. Recommendations for cut and cover and trenchless methods were provided.

Siempre Verde Park, San Leandro, CA (2015) – Ms. Foulk managed the geotechnical investigation for this project, which consisted of a complete renovation of the existing park, including two new play structures, swings, benches, a new **restroom building**, basketball courts and concrete paving, as well as a lawn area, planted areas and three bio retention areas.

Bernal Community Park Phase I and II, Pleasanton, CA (2014-2016) – Ms. Foulk assumed the role of geotechnical engineer-of-record and managed the geotechnical construction observation and testing for the 54-acre Bernal Community Park in Pleasanton. The project consisted of building three new lighted synthetic turf fields, an oak woodland landscaped area, at-grade parking, driveways, group picnic areas, extensive flatwork, a **restroom building** and underground utilities.

West Lagoon Road Dog Park, Pleasanton, CA (2016) -- Ms. Foulk managed and was the lead geotechnical engineer for a new dog park in Pleasanton adjacent to the Marilyn Murphy Kane Trail. The dog park consisted of limited paved areas, picnic tables, benches, and dog run areas.

James Auser, PE – Senior Materials Engineer

Professional Background:



Mr. Auser will serve as the responsible materials engineer for this contract and will provide primary oversight for BSK's technical staff in the field and laboratory. Mr. Auser has developed a significant amount of hands-on experience during his 25-year career in the construction industry. As a registered civil engineer, he provides significant levels of support to our clients in his role as project manager and responsible engineer. His project specific duties cover a wide range of services, including mix design preparation, job specification review and review of project construction submittals. He provides engineering oversight for BSK's field inspectors/technicians.

Mr. Auser specializes in concrete construction and their constituents, as well as in the development of specialty load test applications. He is flexible, creative and cost conscious in his engineering approach, and consistently works cooperatively with project teams at all levels.

Relevant Project Experience:

City of Brentwood, On-Call Material Testing Services, Brentwood, California (2014-present) – Mr. Auser serves as the responsible engineer for BSK's current on-call material testing services contract with the City of Brentwood. One such project which required materials testing to Caltrans methods was the Balfour Road 2015 overlay project.

City of Pleasanton, On-Call Geotechnical Engineering and Special Inspection Services, Pleasanton, California (2015-present) – As materials laboratory manager, Mr. Auser has served as the responsible engineer with BSK's current on-call geotechnical engineering, materials testing/special inspection services contract with the City of Pleasanton. Mr. Auser has served in this role through multiple contract periods, beginning in 2008 to the current fiscal year.

Recycled Water Transmission Mains and Water Treatment Plant Pump Station, Tracy, California (2019-present) – This project consists of the installation of approximately 7 lineal miles of recycle water pipeline and a pump station. Mr. Auser serves as the senior Materials Engineer for this project of which BSK is supporting with earthwork observations, concrete, and steel special inspections and materials testing.

City of Pinole, Pinole-Hercules Water Pollution Control Plant Upgrades and Expansion, Pinole, California (2016-2019) – Mr. Auser serves as the Project Manager providing oversight of all the materials testing and special inspection of all soils, concrete, masonry, and steel over the course of the two years of this $48 million wet-weather upgrades project.

Contra Costa County 2015 Countywide Overlay Project, Various Locations (2015) – Mr. Auser served as laboratory manager for the testing that BSK performed for the

Qualifications

Registrations / Certificates:

Civil Engineer, California, 59941

Radiation Safety and Use of Nuclear Gauges

ACI Field Testing Technician Grade I

ICC Reinforced Concrete Structural Masonry Prestressed Concrete

Education:

B.S. Civil Engineering, California State University, Chico, 1994

Experience:

BSK Associates, Materials Laboratory Manager-2008 to Current

Engeo Inc., Field & Project Engineer, Laboratory Manager-1996 to 2008

A. Teichert & Son Inc., Readymix Division-Quality Assurance Field Technician-1995 to 1996

Construction Testing & Engineering Inc., Field Engineer-1994 to 1995

California Army National Guard, Combat Engineer-1988 to 1996

project which occurred in various locations within Contra Costa County – Pleasant Hill Road in Lafayette, Byron Highway and Vasco Road in East Contra Costa County. Testing was for the County on behalf of the Resident Engineer and in accordance with Caltrans Test Methods with field operations adhering to Caltrans Standard Specifications and project Special Provisions. Materials tested include subgrade, aggregate base, hot-mix asphalt pavement, and cold-in-place recycling.

Contra Costa County Buchanan Field Airport East Ramp Hangar Taxi Lane Reconstruction, Concord, California (2016) – Mr. Auser served as laboratory manager for the testing that BSK performed for the Resident Engineer on the project. Project was completed under extremely tight time schedule. Testing was in accordance with Caltrans Test Methods with field operations adhering to Caltrans Standard Specifications and project Special Provisions, and included lime treatment. Materials tested include subgrade, aggregate base, hot-mix asphalt pavement, and concrete.

Caltrans District 4 Construction Source Inspection and Materials Engineering Services Contract, Alta Vista Solutions, Northern California (2016-present) – With BSK as a subconsultant to Alta Vista Solutions, Mr. Auser serves as the Laboratory Manager to support the quality assurance testing scope of this contract. All work under this contract is completed in accordance with Caltrans Test Methods, and includes testing of soils, aggregates, and hot-mix asphalt.

Town of Moraga 2014 Pavement Rehabilitation Project, Moraga, California (2014) – Mr. Auser served as responsible project engineer to provide materials testing services to the Town of Moraga 2014 Pavement Rehabilitation Project. BSK's services to the project included inspections, materials sampling and testing in both the field and hot mix asphalt plant, and associated laboratory tests in accordance with ASTM and Caltrans standards, as specified. The project included overlays on 28 street segments and addressed streets in poor condition that will need rehabilitation. The repairs include base repair, crack sealing, hot mix asphalt overlays, rubberized hot mix asphalt overlays, cold plane asphalt concrete, curb ramps, and minor curb and gutter repairs. The project also incorporated rubberized asphalt on select roadways.

East Zayante Road Bridge Repair, Santa Cruz County, California (2014) – Responsible engineer over this project which required Caltrans testing methods. BSK provided materials testing of hot mix asphalt pavement during construction to this emergency repair located in a remote area of Santa Cruz County.

Professional Affiliations:

- American Concrete Institute (ACI)
- ASTM Technical Committee E36 Accreditation & Certification; Construction & Building Testing / Inspection Agencies
- International Code Council (ICC)
- Structural Engineers Association of Northern California (SEAONC)
- Construction Quality Assurance Committee
- American Council of Engineering Companies (ACEC), Critical Structures Committee

Martin B. Cline, PG, CEG – Senior Engineering Geologist



Professional Background:

Mr. Cline will serve as a senior engineering geologist and assist Mr. Melo on the geotechnical services on this contract. Mr. Cline has about 40 years of experience in geology, engineering geology, petroleum geology and environmental field studies including assessments for hillside grading, subsurface drainage design, and landslide repair and mitigation. His responsibilities include performing field investigations for geotechnical, geologic, and environmental studies. Mr. Cline's experience includes the planning and implementation of geologic/seismic hazard investigations, surface fault rupture investigations, and deterministic/probabilistic site-specific ground motion evaluations. He has experience in planning and implementing geologic and geomorphic mapping and analyses of soil, bedrock and groundwater conditions as they pertain to engineering works.

Relevant Project Experience:

Happy Valley Road Embankment Repair, Contra Costa County, CA – Mr. Cline oversaw the geologic aspects of the geotechnical investigation for this project. A landslide removed the asphalt-paved shoulder and a portion of the northbound lane on Happy Valley Road approximately 1,000 feet southeast of the intersection with Bear Creek Road in unincorporated Contra Costa County. Slope stability analyses were performed for various repair options.

Reliez Valley Road Retaining Wall Repair, Contra Costa County, CA – Mr. Cline oversaw the geologic aspects of the geotechnical evaluation for this project. An existing retaining wall consisting of wood posts and wood lagging and measuring approximately 200 feet long and ranging from about 2 to 3½ feet in height was experiencing distress. The County requested BSK to assess the possible cause(s) of the failure and provide recommendations for repair or replacement of the retaining wall.

Los Verjeles Road Bridge Replacement, Yuba and Butte Counties, CA – Mr. Cline oversaw the geologic aspects of the geotechnical investigation for this project. The project consists of the replacement of an existing circa 1940's, approximately 60-foot long, two-lane bridge spanning over South Honcut Creek near the border between Yuba and Butte Counties. The new bridge will be approximately 180 feet long and will be raised about 15 feet higher and rotated slightly east of the existing bridge to straighten the road.

Moody Creek Bridge Rehabilitation, Shasta Lake City, CA – Mr. Cline oversaw the geologic aspects of the geotechnical investigation for this project. The existing two-lane bridge was built in 1918, is approximately 40-foot long, and spans over Moody Creek.

Manteca FEZ Daniels Street Infrastructure Improvements, Manteca, CA – Mr. Cline oversaw the geologic aspects of the geotechnical investigation for this large underground utility corridor on the west side of Manteca. The project included construction of approximately 7,000 feet of new underground utilities ranging from 18 to 54 inches in diameter, including large diameter utility lines installed using microtunneling trenchless excavation underneath HWY 120.

Qualifications

Registrations:
Professional Geologist, California, 6248

Certified Engineering - Geologist California, 2084

Qualified Stormwater Developer (QSD), California

FAA Commercial Drone Pilot Certificate 4136547

Education:
BA, Geology, California State University, Chico, 1982

Experience:
BSK Associates, Project Geologist-1988 to Current

SOHIO Petroleum, Geologist-1983 to 1988

Exploration Logging, Geologist-1980 to 1983



Professional Background:

Mr. Cortez's 15-year experience in laboratory testing encompasses a wide range of work including soils, asphalt, concrete, and steel. His number of certifications speak for themselves. His Lab management experience includes various mobile laboratories in projects ranging from district Caltrans labs to on-site airport laboratories. He has worked through Marshall testing, Hveem, and Gyratory compaction efforts. He served on the pilot program in California for helping to introduce Superpave pavement technology to California.

Superpave Certifications:

Mr. Cortez is certified to perform Superpave testing under the following Caltrans Test Methods -- T11, T27, T84, T85, T96, T176, T209, T210, T269, T275, T283, T304, T308, T312, T324, T329, T335, D4791, SP-2. The BSK Livermore Materials Lab of which he manages is AASHTO accredited and Caltrans-certified for Superpave.

Relevant Project Experience:

BSK Associates, Laboratory Manager, 2016 to Present; MTGL, Anaheim Laboratory Manager, 2014 – 2015; Earth Systems, Senior Laboratory Tech III, 2005 – 2013

Caltrans, Laurel Street New Bridge Construction, Vallejo, California – Laboratory Manager supporting the materials sampling and testing for this demo and rebuild project. Support included testing of subgrade, aggregate base and backfill, and concrete testing. All work was performed in accordance with Caltrans specifications.

City of Fremont, On-Call Materials Testing Services Contract, Fremont, California – As Laboratory Manager, Mr. Cortez provides ongoing laboratory materials testing support for soils, aggregates, and hot-mix asphalt products, including support for Superpave QA.

City of Livermore, On-Call Materials Testing Services, Livermore, California – Laboratory manager for this current, multi-faceted contract consisting of numerous infrastructure projects ranging in construction cost from $200,000 to $8,500,000. Laboratory support for soils, structural concrete and asphalt concrete sampling and testing to Caltrans standards. Task orders have included new road construction, street improvement/widening, slurry seal, and new bridge construction.

Caltrans On-Call Materials Laboratory Support – District 4, North Bay and South Bay Regions, California – Testing under this contract is performed in accordance with Caltrans test methods and extends to native soils, aggregate base and hot mix asphalt constituents.

Caltrans, Meridian Road Overcrossing Seismic Retrofit / Midway Road Overcrossing Reconstruction, Solano County, California – Laboratory Manager for the $11.8 million Caltrans project to seismically upgrade the Meridian Road Overcrossing and Midway Road Overcrossing on Interstate 80 near Vacaville. All materials testing work was performed in accordance with Caltrans specifications.

Qualifications / Certifications:
CALTRANS: 105, 106, 125, 201, 202, 204, 205, 206, 207, 211, 216, 217, 226, 227, 229, 231, 234, 235, 301, 304, 308, 309, 366,367, 370, 371, 375, 382, 504, 518, 521, 523, 533, 539, 540, 543, 556, 557, LP-1, LP-2, LP-3, LP-4, LP-5, LP-6, LP-7, LP-9, **Superpave Certs (see body of resume)**
NICET: Soils Level 3, Concrete Level 3, Asphalt Level 3, Geo Generalist, Geo Const., Geo Lab, Highway Materials Level 3
ACI: Concrete Field Testing, Concrete Laboratory Testing Technician Levels 1 & 2, Strength Testing, Aggregate Testing Technician- Levels 1 & 2, Aggregate Base Testing Technician, Masonry Lab Testing Technician.
USACE: Certified Quality Manager
Moisture/Density Gauge
Nuclear Gauge
Radiation Safety Officer

Professional Background:



Mr. Lagerstrom is experienced in construction inspection, materials testing and soils observations in both Northern California and Southern California. He has worked on a variety of municipal, educational, healthcare, commercial and residential projects and has performed field inspections and laboratory testing in accordance with ICC (International Code Council), ASTM (American Society for Testing and Materials) and the California Department of Transportation Test Methods (CTM). Mr. Lagerstrom effectively interfaces with both the Construction Services Group and the Geotechnical Engineering Group, providing field and laboratory support for both groups through his wide range of services encompassing soils, concrete, and hot mix asphalt paving.

Qualifications

Registrations / Certificates:

Caltrans CTM 125,231,375

CPN Nuclear Gauge Operator

Education:

Ventura Community College Associates Degree Program

Experience:

BSK Associates-2015 to Current

Fugro Consultants-2008 to 2015

Relevant Project Experience:

City of Livermore On-Call – GEO Engineering & Materials Testing, Various Locations, Livermore, California – Provided special inspections and materials testing during construction of various projects. Responsibilities included soils compaction testing and concrete testing and sampling.

Napa Sanitation District, Los Carneros Pipeline Project, Napa, California-The Los Carneros Recycled Water Pipeline installed 9 miles of recycled water pipe through the south Napa County grape-growing region. BSK provided continuous soils observation and compaction testing of subgrade, aggregate base and hot mix asphalt pavement, as well as sampling and testing of concrete. Mr. Lagerstrom provided full-time continuous soils observation and compaction testing of subgrade, aggregate base and hot mix asphalt pavement, as well as sampling and testing of concrete.

City of Sunnyvale, Old Mountain View-Alviso Road (Calabazas Creek) Bridge Replacement, Sunnyvale, California- Mr. Lagerstrom supported this project with soils compaction testing, hot-mix asphalt compaction testing, concrete field testing and sampling, and plant/supplier sampling of all material components. The original structure is on the Federal Highway Administration Eligible Bridge List and eligible for the Federal Highway Bridge Program to fund various parts of the project.

Contra Costa County, On Call Contract Task Order, Alhambra Valley Bridge Replacement, Martinez, California-This emergency project constructed a single span, pre-cast, prestressed voided slab bridge, approximately 60 feet long and 40 feet wide supported on concrete abutments on driven piles. Mr. Lagerstrom supported this Caltrans-designed project with soils compaction testing, hot-mix asphalt compaction testing, concrete field testing and sampling, and plant/supplier sampling.

Town of Moraga, On Call Contract Task Order, Sinkhole (Rheem Boulevard and Center Street), Moraga, California- Mr. Lagerstrom's support to this project included soils compaction testing, hot-mix asphalt compaction testing, concrete field testing and sampling, and plant/supplier sampling of all material components. The $3.3 million 15 feet wide by 20 feet long by 15 feet deep sinkhole project resulted from the storms of Winter 2015-2016.

Reza Dineli – Engineering Technician

Professional Background:



Mr. Dineli is a seasoned field and laboratory engineering technician with an extensive working knowledge of industry standard work practices, a wide range of test methods, and maintains a constant focus on providing valued quality assurance service. Mr. Dineli's materials and laboratory experience includes performing a wide range of soils and hot-mix asphalt tests in accordance with Caltrans, ASTM and AASHTO test methods. His project experience includes public works infrastructure, highway transportation, commercial, residential and industrial project sites.

Relevant Experience:

City of Livermore, On-Call – Geotechnical Engineering & Materials Testing, Various Locations, Livermore, California – Mr. Dineli has provided materials testing services during earthwork and hot-mix asphalt paving construction for various projects at the City of Livermore. Responsibilities included soils and hot-mix asphalt observation and compaction testing, and plant and field sampling of construction materials.

Stanislaus County, Geer / Santa Fe Road Intersection Improvement Project, Stanislaus County, California – BSK currently serves as materials testing consultant to the County through an on-call service agreement. Mr. Dineli serves as BSK's alternate field materials testing technician under this agreement for soils and hot-mix asphalt construction elements.

Contra Costa County, Marsh Creek Road Bridge Replacement Project, Contra Costa County, California – BSK currently serves as materials testing subconsultant to the Construction Manager for this bridge replacement project. Mr. Dineli has provided periodic materials testing services for structural backfill on the project.

Caltrans, District 04 South Bay On-Call Materials Testing Support Services, Alameda County, California – BSK currently provides materials testing support as a subconsultant to the Construction Manager for Caltrans in the District 04 South Bay Region. Mr. Dineli provided materials testing support in both the field and laboratory for earthwork and paving construction, including field compaction testing and sampling as well as quality assurance testing of aggregates and hot-mix asphalt mixtures in the laboratory. Projects have included services to Highways 880, 580, 680, and 84.

Caltrans, Interstate 880 Express Lane Widening Project, 2018 Slurry Seal Project, California – BSK currently provides materials testing support as a subconsultant to the Construction Manager for the Interstate 880 Express Lane project. The project is expected to be completed at the end of 2019 and extends HOV lanes from Hegenberger Road in Oakland to Dixon Landing Road in Fremont. Mr. Dineli has provided materials testing support for earthwork and paving construction on the project.

Qualifications

Registrations/ Certificates:

Caltrans

105, 125, 201, 202, 205, 216, 217, 226, 227, 229, 231, 375, 504, 518, 539, 540, 543, 556, 557

NICET Soils Level 2

ACI Concrete Field Technician Grade I

CPN Nuclear Gauge Operator

Education:

M.S., Statistics, Oregon State University, 1994

M.S., Applied Mathematics, CSU Hayward, 1992

B.S., Mathematics, Oregon State University, 1984

Experience:

BSK Associates-2018 to Current

Calgeotech Engineering Consultants, Inc.-2013 to 2018

Scott Orr – Engineering Technician

Professional Background:



Mr. Orr has experience performing laboratory testing and field inspection of asphalt, soils, concrete and fireproofing. His primary focus includes field testing of soils, hot-mix asphalt pavement and concrete in accordance with Caltrans specifications and test methods. He also performs specialty testing including proof-load and torque testing. His materials testing laboratory experience includes performing strength testing of concrete, mortar, grout, shotcrete and CMU, as well as moisture-density relationship evaluation (curves), sieve analysis, sand equivalent and plasticity index testing for soils and aggregates.

Relevant Experience:

Stanislaus County, Santa Fe Road Bridge Replacement Project, Stanislaus County, California -- The $14.3 million bridge replacement project was necessary after the existing bridge was deemed to be functionally obsolete and was largely funded with federal and state funds. Mr. Orr serves as BSK's primary materials tester for support to the earthwork, concrete, and reinforcing steel elements during construction.

Stanislaus County, 2018 Urban Pavement Preservation Project, Task Order for Materials Testing On-Call Services Contract, Stanislaus County, California -- The 2018 Urban Pavement Preservation Project consists of the application of rapid setting slurry and asphalt rubber chip seal on 17 miles of roadway in Stanislaus County, as well as upgrades to curb ramps to meet current Americans with Disabilities Act Requirements. Mr. Orr serves as BSK's primary materials tester for support to the earthwork, concrete, hot-mix asphalt pavement and slurry/chip seals during construction.

Stanislaus County, Geer / Whitmore Road Intersection Improvement Project Task Order to Materials Testing On-Call Services Contract, Hughson, California – This task order to BSK's on-call materials testing contract with the County includes widening, re-paving and reconstructing roadways, as well as upgrades to the BNSF railroad tracks. Mr. Orr serves as BSK's primary field materials testing technician under this agreement for soils, Full Depth Reclamation, and hot-mix asphalt construction elements.

Qualifications

Registrations / Certificates:

Caltrans CTM 105, 106, 216, 231, 375, 504, 518, 539, 540, 543, 552, 556, 557

ACI Concrete Field Technician Grade I

CPN Nuclear Gauge Operator

Education:

Las Positas / Chabot Community College, Livermore, California

Experience:

BSK Associates-2016 to Current

City of Tracy, On-Call Materials Testing Services, Tracy, California -- Mr. Orr serves as BSK's lead materials testing technician in support of our on-call materials testing agreement with the City of Tracy, primarily providing construction observation and materials testing for soils and hot-mix asphalt construction elements. Recent support includes HMA pavement testing and observation for the MacArthur Blvd. pavement project.

Stanislaus County, Warnerville Road and Bentley Road Roadway Reconstruction, Stanislaus County, California -- Primary field materials testing services are being provided by Mr. Orr for this task order to BSK's materials testing on-call contract with the County. The project incorporates two methods of full-depth reclamation of existing materials (Lithtec and Cement Stabilization) on Warnerville and Bentley Roads, along with Hot-Mix Asphalt pavement and chip seal application. Concrete field testing included sample fabrication, air content, unit weight, temperature and slump measurements.

APPENDIX B

Schedule of Fees

BSK Associates - 2020 Prevailing Wage Schedule of Fees

Escalation: The billing rates presented herein are subject to an annual escalation rate equal to the Consumer Price Index (CIP) for the San Francisco Bay area or 3%, whichever is lower, effective immediately after the first year of the execution of the agreement for this contract.

PERSONNEL RATES

PROFESSIONAL STAFF	
Principal	$ 236.00
Senior Professional	$ 210.00
Project Professional II	$ 194.00
Project Professional I	$ 163.00
Staff Professional II	$ 147.00
Staff Professional I	$ 131.00
Seismic GIS	$ 184.00
GIS Specialist	$ 131.00
Information Specialist II	$ 147.00
Information Specialist II	$ 131.00
CAD	$ 95.00
Project Administrator	$ 90.00

TECHNICAL STAFF (PREVAILING WAGE)	
Field Supervisor	$ 163.00
Group 1 - Special Inspector	$ 146.00
Group 2 - Special Inspector	$ 138.00
Group 3 - Engineering Technician	$ 126.00
Group 4 - Technician	$ 110.00
Ground Penetrating Radar Scanning Technician	$ 275.00
Core Drilling Technician	$ 200.00
Floor Flatness Testing Technician	$ 180.00
Sample Pickup / Transportation / Delivery	$ 103.00
Laboratory Technician	$ 103.00
Administrative Assistant / Clerical	$ 82.00
Litigation support	1.5x standard rate

EQUIPMENT	
Nuclear Gauge (Day)	$ 58.00
Ultrasonic Weld Equipment (Day)	$ 58.00
Torque Wrench (Day)	$ 58.00
Proof Load Equipment (Day)	$ 58.00
Rebar Locator / Pachometer	$ 105.00
Hand Auger (Day)	$ 210.00
Water Meter (Day)	$ 53.00
Drilling Kit - Paint, stakes and lath - (Project)	$ 26.00
Drilling Supplies - Reuse of tubes/caps (Project)	$ 263.00
Manometer (Day)	$ 210.00
Double Ring Infiltrometer (Day)	$ 525.00

BASIS OF CHARGES FOR FIELD TECHNICIAN SERVICES	
Field Work from 0 to 4 hours	Bill 4 hours
Field Work from 4 to 8 hours	Bill 8 hours
Field Work over 8 hours / Saturdays	Bill time and a half
Sundays, holidays and over 12 hours	Bill double time
Swing shift (4:00pm to Midnight)	Add $15.00 per hour
Graveyard Shift	Add $20.00 per hour
Show-up time (no work performed)	Bill 2 hours
Sampling or cylinder pickup, minimum charge	Bill 2 hours

ANALYSIS SOFTWARE USAGE FEES	
gINT (Project)	$ 53.00
LPile (Project)	$ 53.00
APile (Project)	$ 53.00
SHAFT (Project)	$ 53.00
GROUP (Project)	$ 105.00
Cliq (Project)	$ 53.00
LiquefyPro (Project)	$ 53.00
LiqIT (Project)	$ 53.00
NovoLIQ (Project)	$ 53.00
Slide (Project)	$ 105.00
Settle3D (Project)	$ 105.00
ArcGIS (Project)	$ 53.00
EZ-FRISK (Per Project Site / Site Class)	$ 500.00

DIR/PREVAILING WAGE ADMINISTRATION FEES (MONTHLY)	
Certified Payroll / DIR Upload	$ 300.00
Non-Performance Certified Payroll / DIR Upload	$ 100.00
Subcontractor Management / Compliance Forms	$ 100.00
Additional LCP Tracker or Other Compliance Software	$ 200.00
Additional Special Forms, as required	$ 150.00

REIMBURSABLES	
Mileage (Portal to Portal)	$ 0.88
Per Diem (as required)	$ 150.00
Bridge Toll	Cost + 15%
Parking Fees	Cost + 15%
Subconsultant/Subcontractor Services, Vendors, and Expenses	Cost + 15%
Project Administration Fees	7% of Invoice
DIR Administration Fees	3% of Invoice
Project Setup (Project)	$500.00

MATERIALS LABORATORY TESTS

SOILS

Moisture Density Curves	
Standard Proctor, 4" (ASTM/AASHTO)	$ 244.00
Modified Proctor, 4" Mold (ASTM/AASHTO)	$ 244.00
Modified Proctor, 6" mold (ASTM D1557)	$ 259.00
Caltrans Maximum Wet Density (CT 216)	$ 222.00
Check Point	$ 141.00

Particle Size Analysis	
Sieve Analysis w/ Wash (ASTM D422)	$ 176.00
Minus #200 Wash, Soil (ASTM D1140)	$ 86.00
Hydrometer Analysis (ASTM D422)	$ 232.00
Double Hydrometer (ASTM D4221)	$ 324.00
Specific Gravity of Soil (ASTM D854)	$ 166.00
Visual Classification (ASTM D2488)	$ 45.00
Sand Equivalent (ASTM D2419)	$ 130.00
% Organics in Soil (ASTM D2974)	$ 142.00

Atterberg Limits / Swell Tests	
Plasticity Index (ASTM D4318)	$ 227.00
Shrinkage Limits of Soils (ASTM D427)	$ 211.00
Expansion Index of Soils (UBC No. 29)	$ 244.00

Moisture Density Test	
Tube Density	$ 51.00
Moisture Content of Soils (ASTM D2216)	$ 45.00

"R" Value Determination	
R-Value of Soils (CT 301)	$ 411.00
R-Value of Treated Materials (CT 301))	$ 455.00

Consolidation Tests	
Consolidation (ASTM D2435)	$ 433.00
Consolidation , Extra Points (ASTM D2435)	$ 58.00
Collapse Potential of Soils (ASTM D2435)	$ 211.00
Remolded Consolidation (ASTM D2435)	$ 368.00
One-Dimen Swell of Soil (ASTM D4546)	$ 135.00

California Bearing Ratio (CBR)	
CBR at 100% (ASTM D1883 or AASHTO T-180)	$ 530.00
CBR at 95% (ASTM D1883 or AASHTO T-180)	$ 1,028.00

Permeability Tests	
Rigid Wall Permeability (ASTM D2434)	$ 292.00
Flexible Wall Permeability (ASTM D5084)	$ 455.00
Remolded Flexwall Perm (ASTM D5084)	$ 579.00

Soil Corrosivity Tests	
Minimum Resistivity of Soils (CT 643)	$ 146.00
pH	$ 68.00
Soluble Sulfate, Chloride and Sulfide	$ 135.00
Oxidation Reduction of Soil	$ 58.00

Soil Cement Tests	
Freeze Thaw Abrasion (ASTM D560)	$ 649.00
Wetting-Drying Abrasion (ASTM D559)	$ 616.00
Preparation of Freeze-Thaw or Wetting-Drying Tests	$ 779.00
Soil Cement Compression (ASTM D1633)	$ 249.00
Cement Content Soil Cement (ASTM C1084)	$ 249.00

Other	
Sample Preparation	$ 68.00
Crumb Test Disperstion (ASTM D6572)	$ 81.00
Pinhole Dispersion Test (ASTM)	$ 259.00
Sand Density Calibration (ASTM D1566)	$ 97.00

Unconfined Compression	
Unconfined Compression (ASTM D2166)	$ 130.00

Shear Tests	
Direct Shear, Undisturbed (ASTM D3080)	$ 227.00
Direct Shear, Remolded (ASTM D3080)	$ 271.00
Triaxial Compression Testing	QUOTE

BSK Associates - 2020 Prevailing Wage Schedule of Fees

MATERIALS LABORATORY TESTS

AGGREGATES

Sieve Analysis Coarse or Fine (ASTM C136)	$ 86.00
Sieve Analysis w/ Fineness Modulus	$ 92.00
Minus 200 Wash, Aggregates (ASTM C117)	$ 86.00
Specific Gravity/Absorption (ASTM C127)	$ 166.00
Specific Gravity/Absorption (ASTM C128)	$ 166.00
Organic Impurities (ASTM C40)	$ 86.00
% Lumps/Friable Particles (ASTM C142)	$ 84.00
% Flat and Elongated (ASTM D4791)	$ 130.00
Fine Aggregate Angularity (AASHTO 304)	$ 84.00
Moisture Content (ASTM D2216)	$ 45.00
Aggregate Wt., pcf Compacted (ASTM C29)	$ 81.00
Aggregate Wt., pcf Loose (ASTM C29)	$ 68.00
Abrasion by LA Rattler, Small Size (ASTM C131)	$ 244.00
Abrasion by LA Rattler, Large Size (ASTM C131)	$ 297.00
Sodium Sulfate Soundness, Per Sieve (ASTM C88)	$ 113.00
Sodium Sulfate Soundness, Min. Charge (ASTM C88)	$ 362.00
Relative Mortar Strength of Sand (ASTM C87)	$ 443.00
Sand Equivalent (ASTM D2419 OR CT 217-I)	$ 130.00
Durability Index (CT 229)	$ 259.00
Potential Reactivity of Aggregates	QUOTE
Cleanness Value of Aggregate (CT 227)	$ 187.00
Hydrometer (ASTM D422 OR CT 205-E)	$ 232.00
% Crushed particles (CT 205)	$ 171.00
Lightweight Pieces (ASTM 123)	$ 227.00

HOT MIX ASPHALT

Mix Design, HVEEM	$ 3,212.00
Mix Design, Marshall	$ 3,807.00
JMF Mix Design, Superpave / Caltrans	$ 9,275.00
JMF Verification - HMA - Superpave / Caltrans	$ 5,375.00
JMF Production Startup - Superpave / Caltrans	$ 5,000.00
RAP Material Testing - Additional Fee	$ 650.00
Rubberized RHMA Material - Additional Fee	$ 1,500.00
Hamburg Wheel Track (AASHTO T324)	$ 2,726.00
Gyratory Compaction (AASHTO T312)	$ 347.00
AC Content by Centrifuge (ASTM D2172)	$ 297.00
AC / Ash Correction (ASTM D2172 / CT382)	$ 297.00
AC Content-Ignition (ASTM D6307 / CT382 / AASHTO T308)	$ 232.00
Moisture Content of Asphalt (CT 370)	$ 68.00
Gradation/Extraction Aggregate (ASTM D5444)	$ 141.00
Film Stripping	$ 92.00
Compaction/Preparation of HMA Briquette (CT 304)	$ 227.00
Stabilometer Value (CT 366 / AASHTO T246)	$ 182.00
AC Core Specific Gravity (ASTM D2726)	$ 58.00
AC Core Specific Gravity - Paraffin Coated (AASHTO T275)	$ 159.00
AC Max Density Rice Method (ASTM D2041)	$ 259.00
Tensile Strength Ratio (AASHTO T283)	$ 1,136.00
Moisture Vapor Susceptibility (CT 307)	$ 211.00
AC Surface Abrasion (CT 360)	$ 519.00
Index Retained Strength (ASTM D1074-D1075)	$ 465.00
AC Hveem Maximum Density (CT 375)	$ 465.00
Marshall Stability and Flow (ASTM D6927)	$ 259.00
Calculated AC Maximum Density (CT 367)	$ 103.00
Marshall Maximum Density, 50 Blows (ASTM D6926)	$ 302.00
Examination of AC Cores	$ 35.00
Thickness Determination of AC Cores	$ 23.00
AC Tensile-Strength Premixed ASTM D4867	$ 671.00
AC Tensile-Strength Lab Mixed ASTM D4867	$ 790.00

REINFORCING STEEL

Tensile & Bend of Rebar, #3 - #8	$ 153.00
Tensile & Bend of Rebar, #9 - #11	$ 153.00
Bend Test of Rebar	$ 63.00
Slip and Tensile Rebar Couplers (CT 670)	$ 222.00
Tension Test of Welded Wire Fabric	QUOTE
Bend Test of Welded Wire Fabric	QUOTE
Weld Shear Test, Welded Wire Fabric	QUOTE
PT Cable Tensile and Elongation (ASTM A416 or A421)	$ 281.00
PT Cable Preparation	QUOTE

CONCRETE

Cement Content Concrete (ASTM C1084)	$ 390.00
Chemical Test (ASTM C150)	QUOTE
Set Times Cement-Vicat Needle (ASTM C191)	$ 324.00
Specific Gravity of Hydraulic Cement (ASTM C191)	$ 156.00
Lineal Shrinkage Set of 3 (ASTM C157)	$ 411.00
Compression Test of Concrete - 1 (ASTM C39)	$ 35.00
Compression Test of Concrete - 4 (ASTM C39)	$ 141.00
Compression Test of Core (ASTM C42)	$ 63.00
Preparation of Specimens, Sawing	$ 70.00
Compressive Strength of Shotcrete Panel	$ 330.00
Proportion of Cement in Concrete (ASTM C85)	$ 362.00
Flexural Test Per Beam (ASTM C78)	$ 92.00
Splitting Tensile Strength of Concrete (ASTM C496)	$ 92.00
Unit Weight Lt Wt Concrete (ASTM C567)	$ 58.00
"AZ" Test-Reinforced Concrete Pipe "Life Factor"	$ 81.00
9 Pt Core Measurements, Each (ASTM C174)	$ 35.00
Compressive Strength of Gunite	$ 63.00
Concrete Trial Batches	QUOTE
Unit Weight & Abs Concrete (ASTM D642)	$ 130.00
Accelerated Curing of Concrete (ASTM C684)	$ 259.00
Cylinder Molds (each)	$ 7.00
Storage of Concrete Cylinders for more than 45 Days	$ 60.00
RH Probe	$ 60.00
Calcium Chloride Kit	$ 40.00
Mixing Water (pH, elec. conductance, chloride, sulfate)	$ 103.00
Contact Soil (pH, elec. conductance, chloride, sulfate)	$ 124.00

MASONRY

Concrete Masonry Units Testing (ASTM C90)

Compression Test Pavers, Single	$ 80.00
Compression Test Composit CMU Prism	$ 171.00
Specific Gravity and Unit Weight	$ 119.00
Moisture Content	$ 55.00
Compression Test, Masonry Units (ASTM C140)	$ 108.00
Absorption / Moisture Content (ASTM C140)	$ 108.00
Linear Shrinkage (ASTM C426)	$ 417.00
Masonry Core Shear Test (Title 24)	$ 113.00
Masonry Core Compression/Shear Test (Title 24)	$ 194.00
Compression Test Brick, Each (ASTM C67)	$ 81.00
Absorption/ Unit Wt. of Brick (ASTM C67)	$ 81.00
Compression Test Grout (Set of 3 or 4)	$ 124.00
Compression Test Mortar (Set of 3 or 4)	$ 113.00

WELDING AND STRUCTURAL STEEL

Welder Qualification Testing

Welder / Procedure Welder Qualification Testing	QUOTE
Face Bend of Steel	$ 63.00
Root Bend of Weld Coupon	$ 63.00
Side Bend of Weld Coupon	$ 63.00
Tensile Test of Steel Coupon	$ 86.00
Bend Test of Steel Coupon	$ 74.00
Machining Charges (Per Coupon)	QUOTE
Brinell Hardness of Steel (ASTM E10)	$ 103.00
Rockwell Hardness of Steel (ASTM E18)	$ 103.00
Bolt Ultimate Load	$ 146.00
Bolt Hardness (set of 3)	$ 103.00
Nut Hardness (set of 3)	$ 103.00
Washer Hardness (set of 3	$ 103.00
Proof Loading, bolt or nut	$ 146.00

FIREPROOFING

Cohesion/Adhesion Fireproofing Materials	$ 130.00
Dry Density Fireproofing (ASTM E605)	$ 98.00

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH BSK ASSOCIATES FOR ON-CALL MATERIALS TESTING SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT

WHEREAS, the City of Oakley utilizes the services of consultants to provide support services on a wide range of construction projects where the scope and magnitude for many of the tasks are larger than what City staff can perform; and

WHEREAS, BSK Associates has performed materials testing services for the City on a number of construction projects in an exemplary way and have accommodated the City's service needs; and

WHEREAS, The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 1) which provides an exception for competitive bidding on "Contracts involving the acquisition of professional or specialized services, such as, but not limited to, services rendered by architects, attorneys, engineers, and other specialized consultants" Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per the City's purchasing policy.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the On-Call Materials Testing proposal attached hereto as **Exhibit A** with BSK Associates for FY 2020/21 and 2021/22 for an amount not to exceed $75,000.00 per fiscal year is hereby approved and the City Manager is authorized to execute an agreement.

BE IT FURTHER RESOLVED AND ORDERED, if at the end of the term the services have been performed satisfactorily the City Manager has the discretion to approve an extension of the agreement to June 30, 2024 under the same terms as the original agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on April 14, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

ATTEST:

_____
Kevin Romick, Mayor

_____
Libby Vreonis, City Clerk

_____
Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Award of Contract with JW Backhoe & Construction, Inc. (JW) for On-Call Services for Maintenance and Repair of City Underground Infrastructure for FY 2020/21 and FY 2021/22

Background and Analysis

The City of Oakley has limited in-house resources to be able to address all of the on-going maintenance needs of the public infrastructure and facilities in the community. Outside contractors have been used to supplement City staff in performing maintenance activities. The various types of public works maintenance activities that the City needs for outside contractor resources generally are: major street repair, crack filling of streets, storm drain pipe repair and rehabilitation, ditch cleaning, large scale brush removal from open ditches and drainage basins, striping of streets and parking lots, guard rail repair and replacement and concrete repair.

With the geographic location of Oakley in the far eastern region of Contra Costa County, there are limited contractors available to perform various maintenance services for the agencies. Due to this contactor's familiarity with the City's operations and to the high demand on City staff, the Public Works Department did not feel that it was feasible or would be fruitful to complete the formal bidding process for this contract.

Staff has investigated the concept of having On-Call Maintenance Service Agreements that would provide the City with a wide range of maintenance services under one contract. With this approach, staff can supplement in-house resources with outside contractors to expeditiously and professionally provide these services to the community. The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "*For maintenance and repair of buildings and facilities.*" Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per the City's purchasing policy.

Staff has selected JW Backhoe & Construction, Inc. (JW), a local company, to be a part of the team of contract resources that would be utilized by staff in providing public

works infrastructure maintenance for the community. This contractor has been successfully working for the City of Oakley since 2016. JW has unique expertise and has performed very well and in a very professional manner for the City of Oakley. Staff will use JW on an on-call basis to address various underground infrastructure maintenance service needs in accordance with the unit prices that are proposed and agreed upon by the contractor and the City. The immediate accessibility of JW to provide on-call services is very valuable to the organization and a factor in their selection as the vendor of choice to provide this maintenance service.

Staff recommends that the City Council approve the agreement for JW Backhoe Construction, Inc. for FY 2020/21 and FY 2021/22 for a not to exceed amount of $50,000 for each year.

Fiscal Impact

Approval of this resolution will authorize the City Manager to execute an On-Call Services Agreement with a spending limit of $50,000 for JW Backhoe & Construction, Inc. for $50,000.00 for each fiscal year; FY 2020/21 and FY 2021/22. Funding will be included in the Public Works Operation Budget for respective fiscal years.

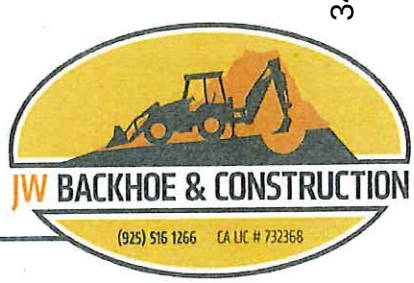
Staff Recommendation

Staff recommends that the City Council adopt the resolution approving an On-Call Services Agreement for $50,000 for each fiscal year, FY 2020/21 and FY 2021/22 and authorizing the City Manager to execute an agreement.

Attachments

1. JW Backhoe & Construction, Inc. Proposal
2. JW Backhoe & Construction, Inc. Resolution

JW BACKHOE & CONSTRUCTION



February 27th, 2020

Mr. Kevin Rohani
Public Works Director/City Engineer
City of Oakley
3231 Main Street
Oakley, Ca 94561

Subject: Statement of Qualification for On-Call Underground Utility Service work

Dear Mr. Rohani,

We at JW Backhoe & Construction are very pleased that the City of Oakley has selected us to provide underground utility service work on an on-call basis. JW Backhoe has provided the City of Oakley with underground utility service work since 2008. Our services include water main and water service repair and new installation, sewer main and sewer lateral repair and new installation, storm drain repair, patch paving, saw cutting and minor concrete work.

JW Backhoe is conveniently located in Brentwood, making us able to respond to an emergency quickly. We appreciate and look forward to providing the City of Oakley with all their underground utility needs.

If you have any questions, feel free to give me a call at (925) 516-1266 or on my cell (925) 595-4176. If email is preferred, you may reach me at bobby@jwbackhoe.com.

Sincerely,

Bobby Williamson, VP
JW Backhoe & Construction Inc.

Phone (925) 516 1266
PO Box 722
Knightsen, CA 94548
Fax (925) 516-6566

JW BACKHOE & CONSTRUCTION
(925) 516 1266 CA LIC # 732368

Office # *925-516-1266*
Cell # *925-980-8243 (Jim)*
Cell # *925-595-4176 (Bobby)*
Fax # *925-516-6566*

City Of Oakley: Rate Sheet 2020

Following is our current labor and equipment schedule:

Equipment		**Price Per Hour**
Backhoe		$65.00
Loader 938 (or similar)		Varies
Excavator 330 (or similar)		Varies
Air Compressor w/Tools		$50.40
Wacker		$26.25
Water Pump (2 & 3 inch)		$39.90
Asphalt Roller		$47.25
Oil Pot		$31.50
Viber Plate		$31.50
Cones & Signs (Traffic Control)		$15.00
Steel Plate	**(A Day)**	$84.00
Arrow Board	**(A Day)**	$97.00

Labor	**Price Per Hour**
Laborer	$75.00
Foreman	$95.00
Operator	$88.00
Teamster	$70.00

Trucks	**Price Per Hour**
5 yard Dump Truck	$65.00
10 yard Dump Truck	$89.00
Pick up	$36.00
Supertag Dump Truck	$115.00

RESOLUTION NO. - 20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE ON-CALL SERVICES AGREEMENT WITH JW BACKHOE & CONSTRUCTION, INC. FOR ON-CALL MAINTENANCE AND REPAIR SERVICES TO CITY UNDERGROUND INFRASTRUCTURE AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT

WHEREAS, the City of Oakley Public Works and Engineering Department frequently seeks repair and maintenance services for City owned facilities such as street infrastructure, storm drain basins, etc.; and

WHEREAS, the scope and magnitude for many of the maintenance needs are larger than what City staff can safely perform or have the expertise to do so; and

WHEREAS, JW Backhoe & Construction Inc. has performed these services competently at different times for the City since 2016; and

WHEREAS, the award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "*For maintenance and repair of buildings and facilities*"; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the On-Call Services Proposal attached hereto as **Exhibit A** with JW Backhoe & Construction Inc. for maintenance and repair services to City Underground Infrastructure for FY 2020/21 and 2021/22 for an amount not to exceed $50,000.00 per fiscal year is hereby approved and the City Manager is authorized to execute an agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on this 14th day of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Award of Contract with Dillon Electric, Inc. for On-Call Electrical Maintenance Services and Repair for FY 2020/21 and FY 2021/22

Background and Analysis

The City of Oakley has limited in-house resources to be able to address all of the on-going maintenance needs of the public infrastructure and facilities in the community. Outside contractors have been used to supplement City staff in performing maintenance and repair activities. These contract services are used to provide maintenance services, including the City's electrical infrastructure maintenance, troubleshooting and repairs.

With the geographic location of Oakley in the far eastern region of Contra Costa County, there are limited contractors available to perform various maintenance services for the agencies. Due to this contractor's familiarity with the City's operations and to the high demand on City staff, the Public Works Department did not feel that it was feasible or would be fruitful to complete the formal bidding process for this contract.

Staff has investigated the concept of having On-Call Maintenance Service Agreements that would provide the City with a wide range of maintenance services for various trades. With this approach, staff can supplement in-house resources with outside contractors to expeditiously and professionally provide these services to the community. The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "*For maintenance and repair of buildings and facilities*." Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per City's purchasing policy.

Staff has selected Dillon Electric, Inc. to be a part of the team of contract resources that would be utilized by staff in providing electrical infrastructure maintenance services for the community. Dillon Electric, Inc. is a local contractor that has been successfully working for the City of Oakley for many years. These services have included various electrical services at the Civic Center Campus, Oakley Plaza Center, Oakley

Recreation Buildings, Public Works Operations Building, as well as the City parks and street lights.

Dillon Electric, Inc. has been economical and effective in addressing various electrical repair and maintenance needs, and has performed very well and in a very professional manner for the City of Oakley. Staff will use Dillon Electric, Inc. on an on-call basis to address various electrical service needs in accordance with the unit prices that are proposed and agreed upon by the contractor and the City. The immediate accessibility of Dillon Electric, Inc. to provide on-call electrical maintenance service is very valuable to the organization and a factor in their selection as the vendor of choice to provide this maintenance service.

Staff recommends that the City Council approve the agreement for Dillon Electric, Inc. for FY 2020/21 and FY 2021/22 for a not to exceed amount of $50,000 for each year.

Fiscal Impact

Approval of this resolution will authorize the City Manager to execute the On-Call Services Agreement with a spending limit of $50,000 for Dillon Electric, Inc. each for FY 2020/21 and FY 2021/22. Funding will be included in the Public Works Operation Budget for the respective fiscal years.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving an On-Call Services Agreement with Dillon Electric, Inc. for $50,000 each for FY 2020/21 and FY 2021/22 and authorize the City Manager to execute an agreement.

Attachments

1. Dillon Electric, Inc. Proposal
2. Dillon Electric, Inc. Resolution

DILLON ELECTRIC INC

CA LICENSE # 757173

P. O. BOX 187 OAKLEY, CA 94561 (925) 679-3932 FAX (925) 679-3934

MARCH 4, 2020

TO: CITY OF OAKLEY
3231 Main Street
Oakley Ca. 94561

ATTN: Public Works Department

RE: Renewal of the On Call AGREEMENT for Maintenance and Electrical Repairs.
Beginning June 30, 2020.

Ladies and Gentleman,

As a resident and business owner here in the City of Oakley, I take great pride in the work we do. I enjoy working with your staff and the feeling I get of being a part of your team that strives to maintain the beauty of our City.

We have proudly worked for and with the "CITY OF OAKLEY" since its existence. Knowing the existing infrastructure helps us in all aspects of our work and in diagnostic repairs.

Our commitment is to continue our quick response time and competitive rates.

Thank You for the opportunity to serve The City of Oakley. I hope you will consider us to continue serving the needs of our ever growing City..

If you have any questions, I can be reached @. -------- *cell #* (925) 250-5912

Thanks For your Time

Sincerely,
Dave Dillon
Dave R. Dillon

Dillon Electric Inc

P.O. Box 187 Oakley, CA 94561 Ph. (925) 679-3932 Fax (925) 679-3934

CA LICENSE # 757173

March 4, 2020

City Of Oakley
Attn: Kevin Rohani
3231 Main Street
Oakley, CA 94561

PROPOSAL

PROJECT: Street Light Repairs, Service Calls and Maintenance

LABOR RATES------(Regular hours, 6:00am to 6pm)---------- $100.00 per manhour
LABOR RATES------(O.T. Calls considered an Emergency or after 6:00pm).----$120.00 per manhour
BUCKET TRUCK ---------- $ 40.00 per hour
WORK TRUCK ---------- $ 35.00 per hour
CRANE SERVICE TRUCK ---------- $ 40.00 per hour

ALL SERVICE CALLS ARE SUBJECT TO A ----------2hour minimum charge

MATERIALS USED ARE SUBJECT TO A MARKUP OF---------- 10% maximum
DISCOUNTS ARE APPLIED WHEN APPLICABLE
MINOR RESEARCH IS PROVIDED TO THE CITY AT---------- NO CHARGE

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, and any other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

AUTHORIZED SIGNATURE ----------

NOTE: This proposal may be withdrawn by us if not accepted within 30 days

Acceptance - The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the above work as specified. Payment will be made as outlined above.

Signature_____
Signature_____ Date of Acceptance:_____

Original

RESOLUTION NO. - 20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE ON-CALL SERVICES AGREEMENT WITH DILLON ELECTRIC, INC. FOR ON-CALL ELECTRICAL MAINTENANCE AND REPAIR SERVICES TO CITY OWNED FACILITIES AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT

WHEREAS, the City of Oakley Public Works and Engineering Department frequently seeks repair and maintenance services for City owned facilities; and

WHEREAS, the City of Oakley does not have in-house resources for providing electrical repair and maintenance of City facilities; and

WHEREAS, Dillon Electric, Inc. has provided satisfactory, economical and prompt electrical maintenance and repair services to the City of Oakley for many years, and now they have proposed to continue to provide these services; and

WHEREAS, the award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "*For maintenance and repair of buildings and facilities*"; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the On-Call Electrical Maintenance and Repair Services Proposal attached hereto as **Exhibit A** with Dillon Electric, Inc. for FY 2020/21 and 2021/22 for an amount not to exceed $50,000.00 per fiscal year is hereby approved and the City Manager is authorized to execute an agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on this 14th day of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Authorize the City Manager to execute an agreement for Tree Pruning and Removal Services with West Coast Arborists, Inc. for the City of Oakley from July 1, 2020 through June 30, 2022

Background and Analysis

The City of Oakley has limited in-house resources to be able to address all of the on-going maintenance needs of the public infrastructure and facilities in the community. Outside contractors have been used to supplement City staff in performing maintenance activities. The various types of public works maintenance activities that the City needs for outside contractor resources generally are: major street repair, crack filling of streets, storm drain pipe repair and rehabilitation, ditch cleaning, large scale brush removal from open ditches and drainage basins, Tree services, striping of streets and parking lots, guard rail repair and replacement and concrete repair and lighting repair and maintenance.

With the geographic location of Oakley in the far eastern region of Contra Costa County, there are limited contractors available to perform various maintenance services for the agencies.

West Coast Arborists, Inc. specializes in providing municipalities tree related services and work for many of the other agencies in the Bay Area. This firm recently performed the work for the City's annual tree pruning contract which was successfully completed.

Due to this contactor's familiarity with the City's operations and to the high demand on City staff, the Public Works Department did not feel that it was feasible or would be fruitful to complete the formal bidding process for this on-call maintenance contract.

The award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "For maintenance and repair of buildings and facilities."

Currently, for all such contract services above the $25,000 amount, the City Council must authorize the work by simple majority per the City's purchasing policy.

Fiscal Impact

Approval of the resolution will authorize the City Manager to execute the On-Call Tree Services agreement with West Coast Arborists, Inc. for Fiscal Year 2020/21 and FY 2021/22. The funding for this service is included in the Public Works Department operations budget for the respective fiscal years.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving the Tree Services Maintenance Agreement with West Coast Arborists, Inc. for a two year period and authorizing the City Manager to execute the agreement.

Attachments

1. Proposal from West Coast Arborists, Inc.
2. Resolution

April 2, 2020

City of Oakley
ATTN: Jesse De La Cruz
3231 Main Street
Oakley, CA 94561

RE: Tree Maintenance Services

Dear Mr. De La Cruz,

As we approach the end of the current fiscal year, West Coast Arborists, Inc. would like to take this opportunity to convey our sincere gratitude to you and your staff for another successful year. Together, we have worked diligently to maintain the integrity, health and preservation of the City's urban forest.

The purpose of this letter is to express our interest in continuing with the agreement for an additional year with a slight adjustment. The adjustment is a result of increased labor costs under the Prevailing Wage Classification: Tree Maintenance Laborer, as determined by the California Department of Industrial Relations.

Effective July 1, 2020, we respectfully request a cost adjustment of 2.90% based on the Consumer Price Index (CPI) for the San Francisco-Hayward-Oakland area for the previous calendar year, as published by the Department of Labor's Bureau of Labor Statistics.

As always, we are committed to providing superior service to you and to the residents of Oakley. We very much appreciate your business and continued support. Should you have any questions or require additional information, please do not hesitate to call me at (800) 521-3714.

Sincerely,

Victor M. Gonzalez
Vice President, Marketing

West Coast Arborists, Inc.
2200 E. Via Burton Street • Anaheim, CA 92806 • 714.991.1900 • 800.521.3714 • Fax 714.956.3745

CITY OF OAKLEY

Schedule of Compensation for Year 2020 - 2021

Tree Maintenance Services performed by WCA, Inc.

Item	Description	Unit	Proposed Prices
1	Svc Rqst Pruning 0-6 DSH	Each	$50.40
2	Svc Rqst Pruning 7-18 DSH	Each	$101.85
3	Svc Rqst Pruning 19-24 DSH	Each	$194.50
4	Svc Rqst Pruning 25-36 DSH	Each	$379.70
5	Svc Rqst Pruning >36 DSH	Each	$513.45
6	Tree & Stump Removal 0-24 DSH	Inch	$40.15
7	Tree & Stump Removal >24 DSH	Inch	$50.40
8	Tree Only Removal 0-24 DSH	Inch	$24.70
9	Tree Only Removal >24 DSH	Inch	$35.00
10	Stump Only Removal	Inch	$15.45
11	Plant 24" Box Tree	Each	$360.15
12	Plant 36" Box Tree	Each	$1,234.80
13	Plant 48" Box Tree	Each	$2,263.80
14	Plant 60" Box Tree	Each	$6,071.10
15	Root Pruning - 24" depth	Linear Foot	$24.70
16	Root Pruning - 36" depth	Linear Foot	$37.05
17	Pesticide Treatment 0-12 DSH	Each	$24.70
18	Pesticide Treatment >12 DSH	Each	$51.45
19	Watering	Each	$9.25
20	GPS Inventory	Each	$5.15
21	Arborist Report	Each	$514.50
22	Certified Arborist - 2 hour min	Man Hour	$128.60
23	Specialty Equipment Rental	Hour	$92.60
24	Crew Rental - per man	Man Hour	$92.60
25	Emergency Call Out - 3 hour min	Man Hour	$128.60
26	Grid Pruning	Each	$97.75

The current rates have remained the same since August 2017. The proposed rates reflect a 2.9% increase based on the Consumer Price Index for the San Francisco-Hayward-Oakland region for the previous 12 months. The increase helps offset the increase in prevailing wage as established by the state's Department of Industrial Relations. The new rates will be effective 7/1/20 and valid through 6/30/21.

RESOLUTION NO. ___-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AWARD OF CONTRACT WITH WEST COAST ARBORISTS, INC. FOR ON-CALL TREE MAINTENANCE SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR FY 2020/21-2021/22

WHEREAS, the City of Oakley Public Works and Engineering Department frequently seeks outside contractor maintenance services for City-owned infrastructure; and

WHEREAS, the continues growth of trees in the community necessitates professional tree pruning services to ensure the trees grow properly and stay vibrant and healthy; and

WHEREAS, West Coast Arborists, Inc. has performed this tree maintenance services competently for the term of the previous contract; and

WHEREAS, the award of the agreement is exempt from competitive bidding under Section 3.6.010 of the Oakley Municipal Code paragraph 8) which provides an exception for competitive bidding "*For maintenance and repair of buildings and facilities"*.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the On-Call Tree Maintenance Services agreement with West Coast Arborists, Inc. for each Fiscal Year 2020/21 and FY 2021/22 is hereby approved, and the City Manager is authorized to execute said agreement. The proposal is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED AND ORDERED, if at the end of the term, the services have been performed satisfactorily the City Manager has the discretion to approve an extension of the agreement to June 30, 2024 under the same terms as the original agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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 Capital Improvement Project No. 234 – Fiscal Year 2019/20 Street Restriping Project

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Background and Analysis

The City's CIP included Project Number 234 - FY 2019/20 Street Restriping Project. This project included the restriping of various City streets to help maintain visible stripes and delineations that are marked for usage by motorists and pedestrians. The work performed under this project focuses on the streets that are not in the plan for resurfacing in the next two years, and need the striping for lane delineation (centerline, edge line, crosswalk, pavement marking) to provide safer streets for the community.

This project was successfully completed and provided enhanced markings at crosswalks for pedestrians in addition to centerline and edge line markings that enhanced the safety for the travelers on City streets.

Fiscal Impact

This project was completed on time and under the budget for a total of $44,305.30

Staff Recommendation

Staff recommends that the City Council Adopt the Resolution accepting CIP No. 234– FY 2019/20 Street Restriping Project as constructed by Centerline Striping Company Inc. to be complete, and to direct the City Clerk to file a Notice of Completion for the project with the County Recorder.

Attachments

1) Resolution
2) Notice of Completion

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING AS COMPLETE THE WORK PERFORMED BY ANDERSON STRIPING & CONSTRUCTION, INC. FOR THE CONSTRUCTION OF CAPITAL IMPROVEMENT PROJECT NO. 234 – FISCAL YEAR 2019/20 STREET RESTRIPING PROJECT

WHEREAS, City staff, prepared plans, special provisions, and cost estimates related to CIP No. 234 – FY 2019/20 Street Restriping Project; and

WHEREAS, on October 22, 2019, by adopting Resolution No. 117-19, the City Council awarded a construction contract to ANDERSON Striping & Construction, Inc. for the construction of CIP No. 234 – FY 2019/20 Street Restriping Project; and

WHEREAS, ANDERSON Striping & Construction, Inc. has satisfied the contractual requirements necessary for the acceptance of CIP No. 234 as complete.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that CIP Project No. 234 – FY 2019/20 Street Restriping Project 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 CIP No. 234 with the County Recorder. The Notice of Completion is hereby attached as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, 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 No. 234 – FY 2019/20 Street Restriping Project

NOTICE IS HEREBY GIVEN THAT:

The CITY OF OAKLEY, a political subdivision of the State of California, located at 3231 Main Street Oakley, California 94561, did, on October 22, 2019, enter into an agreement with Anderson Striping & Construction, Inc. for construction of Capital Improvement Project Number 234 – FY 2019/20 Street Restriping Project located on the streets of: Sellers Avenue, Main Street, Laurel Road and East Cypress Road in Oakley, California 94561.

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 the CIP No. 234 – FY 2018/19 Street Restriping Project on the streets of: Sellers Avenue, Main Street, Laurel Road and East Cypress Road in Oakley, California 94561.

On April 14, 2020, said contract, as a whole was completed and the work was accepted by the City Council of the City of Oakley.

I hereby certify under penalty of perjury that the facts set forth in the foregoing Notice of Completion are true and correct.

Executed at Oakley, Contra Costa County, State of California, on April 14, 2020.

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

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 14th day of April 2020 at Oakley, California.

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

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Resolution of Intention to Establish Community Facilities District No. 2020-1 (Contra Costa Logistics Center)

Background and Analysis

On December 17, 2019, the City Council adopted a resolution approving the Vesting Tentative Map (TM 05-18) and Design Review (DR 12-18) for the project known as the Contra Costa Logistics Center project (the "project") located in the northwest portion of the City of Oakley (the "City"), adjacent to State Route 60, on Bridgehead Road, north of Main Street and the Burlington Northern Santa Fe railroad. At build-out, the project will consist of approximately 2 million square feet of Class A light industrial, warehousing, distribution, e-commerce fulfillment, and light manufacturing space.

The Conditions of Approval for the project require the property owner to form a financing mechanism to mitigate their project's financial impact on the City's park, street lighting, landscape, stormwater, and police services budgets. The Mello-Roos Community Facilities Act of 1982 allows for the formation of a Community Facilities District ("CFD") to fund the services above through a levy of an annual special tax. The property owner for the project has requested the City of Oakley assist with the formation of Community Facilities District No. 2020-1 (Contra Costa Logistics Center) ("CFD No. 2020-1") to satisfy this condition of development.

Proposed CFD No. 2020-1 will fund the services described in the attached Resolution of Intention Exhibit "A" (Description of Services) and will consist of APNs 037-020-008, 037-020-014, 037-020-015, 037-020-016, 037-020-018, 037-020-019, 037-020-020, 037-020-021, and 037-020-022 as shown on the attached Boundary Map.

The City has received a signed petition from NP Oakley, LLC requesting the formation of CFD No. 2020-1. The City is required to consider the formation of the CFD if a petition is filed with the City Clerk. The petition is attached for Council's reference.

Local Goals & Polices

On December 9, 2014, the City adopted Resolution No. 126-14 which updated the "City of Oakley's Statement of Local Goals and Policies Concerning the Use of the Mello-Roos Community Facilities Act of 1982". In the future, if it is determined that the proposed "Amended and Restated Local Goals and Policies and Appraisal Standards Concerning Use of Mello-Roos Community Facilities Act of 1982" need to be further amended, the Council has the authority to amend them at any time.

Fiscal Impact

There will be no financial impact to the City's General Fund. The property owner for the Contra Costa Logistics Center project has funded all costs associated with the formation of CFD No. 2020-1. The proposed FY 2020-21 CFD No. 2020-1 maximum special tax rates to mitigate the project's financial impact on the City's parks, street lighting, landscape, stormwater, and police services budgets are as follows:

Maintenance/Services Component	Proposed Maximum Tax Rate per Acre
Regional Parks	$436.34
Community Parks	$963.58
Street Lighting	$190.24
Localized Landscape Improvements	$271.83
Stormwater Inspections	$22.68
Police Services	$1,890.36
Total:	$3,775.03

The project is expected to consist of 132.25 acres of taxable property at build-out. Therefore, successful formation of CFD No. 2020-1 would provide approximately $499,248 (in FY 2020-21 dollars) in revenue annually at build-out. The special taxes for CFD No. 2020-1 can be collected on the property tax rolls commencing with FY 2020-21.

As specified in the attached Resolution of Intention Exhibit "B" (Rate and Method of Apportionment) of special tax, the annual maximum special tax shall be increased from the previous Fiscal Year by the Consumer Price Index – All Urban Consumers (San Francisco-Oakland-Hayward, CA) with a minimum annual increase of 3.00% and a maximum annual increase of 5.00% for any given year.

Staff Recommendation

Staff recommends that City Council adopt the Resolution of Intention to Establish CFD No. 2020-1, and set May 26, 2020 at 6:30 p.m., or as soon thereafter as possible, as the time and date for the Public Hearing for the formation of CFD No. 2020-1.

If the City Council adopts the Resolution of Intention to Establish CFD No. 2020-1, the remaining process (Council/Board meetings in bold) for the establishment of CFD No. 2020-1 will be as follows:

April 27, 2020	City Clerk to record Boundary Map (within 15 days of the adoption of the Resolution of Intention)
May 11, 2020	Election materials are sent to the property owner of the Contra Costa Logistics Center project
May 11, 2020	Community Facilities District Report filed with the City Clerk in advance of Public Hearing
May 18, 2020	City Clerk publishes Notice of Public Hearing (at least once a minimum of 7 days prior to the Public Hearing)
May 26, 2020	**City Council holds Public Hearing (at least 30, but not more than 60 days after adoption of the Resolution of Intention) and considers the following actions:** **1) Adopt Resolution of Formation of CFD;** **2) Adopt Resolution Calling Special Landowner Election for CFD;** **3) Conduct Election;** **4) Adopt Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien within CFD;** **5) Take First Reading of Ordinance Levying Special Tax within CFD.**
June 9, 2020	City Clerk files the Notice of Special Tax Lien with the County Recorder's Office (must be completed within 15 days of the adoption of the Resolution Confirming Results of Election and directing the recordation of the Notice of Special Tax Lien)
June 9, 2020	**Second Reading of Ordinance Levying Special Tax within CFD**
June 24, 2020	Publication of Ordinance (within 15 days after its passage)

Attachments

1) Signed Petition;
2) Resolution of Intention to Establish CFD No. 2020-1
    a. Exhibit A – Description of Services;
    b. Exhibit B – Rate and Method of Apportionment.
3) Proposed Boundary Map

CITY OF OAKLEY
Community Facilities District No. 2020-1
(Contra Costa Logistics Center)

PETITION
(With Waivers)

To Create a Community Facilities District and Related Matters

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

Members of the City Council:

This is a petition to create a Community Facilities District and related matters under the Mello-Roos Community Facilities Act of 1982 (the "Act") and it states as follows:

1. **Petitioner**. This Petition is submitted by the person (the "Petitioner") identified below as or for the record owner of the parcels of land identified below (the "Property"). The Petitioner warrants to the City of Oakley (the "City") that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner.

2. **Proceedings Requested**. This Petition asks that the City Council undertake proceedings under the Act to create a Community Facilities District to be designated "City of Oakley Community Facilities District No. 2020-1 (Contra Costa Logistics Center)" (the "Community Facilities District") to levy special taxes in the Community Facilities District.

3. **Purpose**. This Petition asks that the Community Facilities District be created and that the special taxes be levied to finance all or a part of the public services (the "Services") shown in Exhibit A attached hereto and made a part hereof.

4. **Special Tax.** The Petitioner agrees that the City will, subject to the approval of the Petitioner in the proceedings for the Community Facilities District, be authorized to levy a Special Tax in the Community Facilities District to pay for the Services, to be levied pursuant to the Rate and Method of Apportionment shown in Exhibit B attached hereto and made a part hereof, subject to the completion of all proceedings by the City under the Act.

5. Boundaries. The Petitioner hereby approves the proposed boundary map of the Community Facilities District shown in Exhibit C hereto, which shows the proposed parcels to be included in the Community Facilities District, which encompasses the Property.

6. Election. The Petitioner asks that the special property-owner election to be held under the Act to authorize the Special Tax and to establish any appropriations limits for the Community Facilities District be conducted by the City and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council as the public hearing on the Community Facilities District under the Act or as soon thereafter as possible.

7. Waivers. To expedite the completion of the proceedings for the Community Facilities District, the Petitioner waives all notices of hearing and all published notices regarding the establishment of the Community Facilities District, notices of election, applicable waiting periods under the Act for the holding of any public hearing and for election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

8. Authority Warranted. The Petitioner warrants to the City that the presentation of this Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City for the formation of the Community Facilities District 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 Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City, the Petitioner agrees, at its expense, to supply to the City current title evidence so that the City may supply any notice and ballot required under the Act for the establishment of the Community Facilities District.

9. Due-Diligence and Disclosures. The Petitioner agrees to cooperate with the City, its attorneys and consultants and to provide all information and disclosures required by the City about the Special Tax to purchasers of the Property or any part of it.

10. Agreements. The Petitioner 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 under this Petition, including any amount of cash deposit required to pay for the City's costs in establishing the Community Facilities District. Petitioner agrees that this Petition shall not be considered as filed with the City for purposes of commencing proceedings for the Community Facilities District under the Act unless and until deemed filed by the City in its absolute discretion.

The exact legal name of the Petitioner:	NP OAKLEY, LLC, a Delaware limited liability company
Mailing address for receiving ballots:	4825 NW 41st Street, Suite 500 Riverside, MO 64150 Attn: Evan Fitts
The Property that is the subject of this Petition is identified as:	As shown on Exhibit D hereto
The total acreage of the Property (to 3 decimal places):	246.501 acres

* * * * * * * * * * * * *

By executing this petition, the Petitioner agrees to all of the above.

Dated: April 7, 2020

NP OAKLEY, LLC,
a Delaware limited liability company

By: NPD Management, LLC, a Missouri limited liability company_____

Its: Manager _____

By: _____
Nathaniel Hagedorn_____

Its: Manager_____

EXHIBIT A

CITY OF OAKLEY
Community Facilities District No. 2020-1
(Contra Costa Logistics Center)

DESCRIPTION OF SERVICES

The City of Oakley (the "City") is establishing the captioned community facilities district (the "CFD") to 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, and related costs:

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. 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. 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. Maintenance also includes cleaning and removal of graffiti, and associated electric and other utility costs.

Localized Landscaping

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. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Police Protection Services

Services, including obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, paying the salaries and benefits of police protection personnel, and any other police protection service expenses deemed necessary by the City.

Administrative Expenses and Reserve Collection

In addition, the following costs will also be financed by the special taxes levied within the CFD and be allocated to each service 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. 2020-1
(Contra Costa Logistics Center)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

attached

EXHIBIT C

CITY OF OAKLEY
Community Facilities District No. 2020-1
(Contra Costa Logistics Center)

BOUNDARY MAP

attached

EXHIBIT D

CITY OF OAKLEY
Community Facilities District No. 2020-1
(Contra Costa Logistics Center)

PROPERTY SUBJECT OF THIS PETITION

Description of Parcel (APN)	Owner	Total Acreage
037-020-008	NP OAKLEY, LLC	4.726
037-020-014	NP OAKLEY, LLC	14.950
037-020-015	NP OAKLEY, LLC	30.950
037-020-016	NP OAKLEY, LLC	75.790
037-020-018	NP OAKLEY, LLC	8.060
037-020-019	NP OAKLEY, LLC	21.950
037-020-020	NP OAKLEY, LLC	16.350
037-020-021	NP OAKLEY, LLC	28.130
037-020-022	NP OAKLEY, LLC	45.595
		246.501

RESOLUTION NO. ____-20

**A RESOLUTION OF THE CITY COUNCIL
OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT**

**CITY OF OAKLEY
Community Facilities District No. 2020-1
(Contra Costa Logistics Center)**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"), the City Council (the "Council") of the City of Oakley (the "City") is authorized to establish a community facilities district and to act as its legislative body;

WHEREAS, in order to finance the costs of certain city services permitted under the Act, the Council desires to form a new community facilities district; and

NOW, THEREFORE, the City Council of the City of Oakley resolves as follows:

1. Authority. This Council proposes to conduct proceedings to establish a community facilities district pursuant to the Act.

2. Name of CFD. The name proposed for the community facilities district is "City of Oakley Community Facilities District No. 2020-1 (Contra Costa Logistics Center)" (the "CFD").

3. Boundaries Described. The proposed boundaries of the CFD Area are as shown on the map on file with the City Clerk. Those boundaries are hereby preliminarily approved and reference is hereby made to the boundary map for further particulars. The City Clerk is hereby directed to record, or cause to be recorded, the map of the boundaries of the CFD in the office of the Contra Costa County Recorder within 15 days after the date of adoption of this Resolution, but in any event no later than 15 days prior to the public hearing date specified below.

4. Services. The type of services (the "Services") proposed to be financed by the CFD pursuant to the Act shall consist of those listed in Exhibit A hereto and hereby incorporated herein.

This Council hereby finds and determines that the public interest will not be served by allowing the property owners in the CFD to enter into a contract in accordance with Section 53329.5(a) of the Act.

5. Special Tax. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in

the same manner as ordinary ad valorem property taxes, or in such other manner as this Council or its designee may determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached hereto and hereby incorporated herein (the "Rate and Method"). This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to ad valorem property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD.

6. Exempt Property. Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD, all lands owned by any public entity, including the United States, the State of California, the County and/or the City, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. If a portion of the property within the CFD becomes exempt for any reason, wholly or in part, from the levy of the Special Tax, this Council will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD that is not exempt in order to yield the annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax and the Act regarding limitations on maximum annual Special Tax rates and annual increases in the annual Special Tax levy.

7. Election and Unanimous Approval. The levy of the Special Tax shall be subject to the approval of the qualified electors within the CFD at a special election. The proposed voting procedure shall be by approval of the qualified landowner voters within the proposed CFD at a special election.

8. CFD Report. The City Manager (or deputy or designee thereof) is hereby directed to study the proposed Services and to make, or cause to be made, and file with the City Clerk a report in writing (the "CFD Report"), which shall be a part of the record of the public hearing hereinafter specified and which shall present the following:

(a) A description of the Services that will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Services and incidental expenses in connection therewith, and all other related costs.

9. Public Hearing. Tuesday, May 26, 2020, at 6:30 p.m. or as soon as possible thereafter, in the City Council Chambers, 3231 Main Street, Oakley, California, are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD, and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD and the levy of the Special Tax.

10. Notice of Hearing. The City Clerk is hereby directed to cause notice of the

public hearing to be given by publication one time in a newspaper published in the area of the CFD. The publication shall be completed at least 7 days before the date of the public hearing specified above.

The notice of the public hearing shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

11. Appointment of Legal Counsel and Special Tax Consultant. The Council hereby appoints (i) Jones Hall, A Professional Law Corporation, as legal counsel to the District in connection with formation of the CFD, and (ii) Francisco & Associates, Inc., as special tax consultant to the District in connection with formation of the CFD. The District Administrator is hereby authorized to execute a services agreement with each of these firms in substantially the form and substance of the agreement on file with the City Clerk.

12. 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 14th day of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

EXHIBIT A

CITY OF OAKLEY
Community Facilities District No. 2020-1
(Contra Costa Logistics Center)

DESCRIPTION OF SERVICES

The City of Oakley (the "City") is establishing the captioned community facilities district (the "CFD") to 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, and related costs:

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. 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. 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. Maintenance also includes cleaning and removal of graffiti, and associated electric and other utility costs.

Localized Landscaping

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. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Police Protection Services

Services, including obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, paying the salaries and benefits of police protection personnel, and any other police protection service expenses deemed necessary by the City.

Administrative Expenses and Reserve Collection

In addition, the following costs will also be financed by the special taxes levied within the CFD and be allocated to each service 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. 2020-1
(Contra Costa Logistics Center)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

Special Taxes in the City of Oakley Community Facilities District No. 2020-1 (Contra Costa Logistics Center) (the "CFD" or "CFD No. 2020-1") 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 of the property in CFD No. 2020-1, 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. 2020-1, unless a separate Rate and Method of Apportionment of Special Tax is adopted for such annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"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. 2020-1: 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. 2020-1, 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. 2020-1 for any other administrative purposes of CFD No. 2020-1, including attorney's fees, costs associated with annexations to CFD No. 2020-1, 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. 2020-1 as set forth in the documents adopted by the Council when CFD No. 2020-1 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, retaining walls, etc. are excluded.

"**CFD" or "CFD No. 2020-1"** means the City of Oakley Community Facilities District No. 2020-1 (Contra Costa Logistics Center).

"City" means the City of Oakley.

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

"Commercial" means an individual building structure for commercial uses as defined per the County Assessor (e.g., retail stores, Office Buildings, restaurants, etc.).

"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. 2020-1.

"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 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 Parcels.

"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.

"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.

"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. 2020-1 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. 2020-1 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

"Residential Parcel" means for each Fiscal Year, all Assessor Parcels designated by the County Assessor as a Condominium Parcel, Single-Family Parcel, or Multi-Family Parcel. 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.

"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. 2020-1 to pay the Special Tax Requirement for each Special Tax Component.

"Special Tax Component" means one of the following components of the Special Tax: Regional Parks Maintenance Tax, Community Parks Maintenance Tax, Street Lighting Maintenance Tax, Localized Landscaping Maintenance Tax, Stormwater Maintenance Tax, or Police Protection Services 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. 2020-1 that are not exempt from the Special Tax pursuant to law or Section E herein.

"Undeveloped Property" means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2020-1 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. 2020-1. 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 their 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. 2020-1 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 Taxable Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map or Parcel Map by determining the Special Tax that applies separately to each new Parcel that will be created by that Final Map or Parcel Map, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the Final Map or Parcel Map.

C. MAXIMUM SPECIAL TAXES

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

Table 1: Developed Property

Special Tax Component	Land Use Classification	FY 2020-21 Maximum Tax	
Regional Parks Maintenance Tax	Non-Residential Parcel	$436.34	per Acre
Community Parks Maintenance Tax	Non-Residential Parcel	$963.58	per Acre
Street Lighting Maintenance Tax	Non-Residential Parcel	$190.24	per Acre
Localized Landscaping Maintenance Tax	Non-Residential Parcel	$271.83	per Acre
Stormwater Maintenance Tax	Non-Residential Parcel	$22.68	per Acre
Police Protection Services Tax	Non-Residential Parcel	$1,890.36	per Acre

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

Table 2: Undeveloped Property

Special Tax Component	Land Use Classification	FY 2020-21 Maximum Tax	
Regional Parks Maintenance Tax	Non-Residential Parcel	$436.34	per Acre
Community Parks Maintenance Tax	Non-Residential Parcel	$963.58	per Acre
Street Lighting Maintenance Tax	Non-Residential Parcel	$190.24	per Acre
Localized Landscaping Maintenance Tax	Non-Residential Parcel	$271.83	per Acre
Stormwater Maintenance Tax	Non-Residential Parcel	$22.68	per Acre
Police Protection Services Tax	Non-Residential Parcel	$1,890.36	per Acre

3. Escalation of Maximum Special Tax

On July 1, 2021, and each July 1 thereafter, the Maximum Special Tax for each Special Tax Component for the current Fiscal Year for Developed Property and Undeveloped Property shall be increased from the Maximum Special Tax for the respective Special Tax Component for the previous Fiscal Year by Consumer Price Index – All Urban Consumers (San Francisco-Oakland-Hayward, 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. 2020-1 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. 2020-1, 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 Residential Parcels, Parcels of Public Property or any privately owned Parcels that are non-developable, such as wetlands, open space, and parks as determined by the Administrator 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. 2020-1 was established to levy Special Taxes to finance the Authorized Services as a condition of the entitlement to develop property within CFD No. 2020-1. 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. 2020-1, 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.

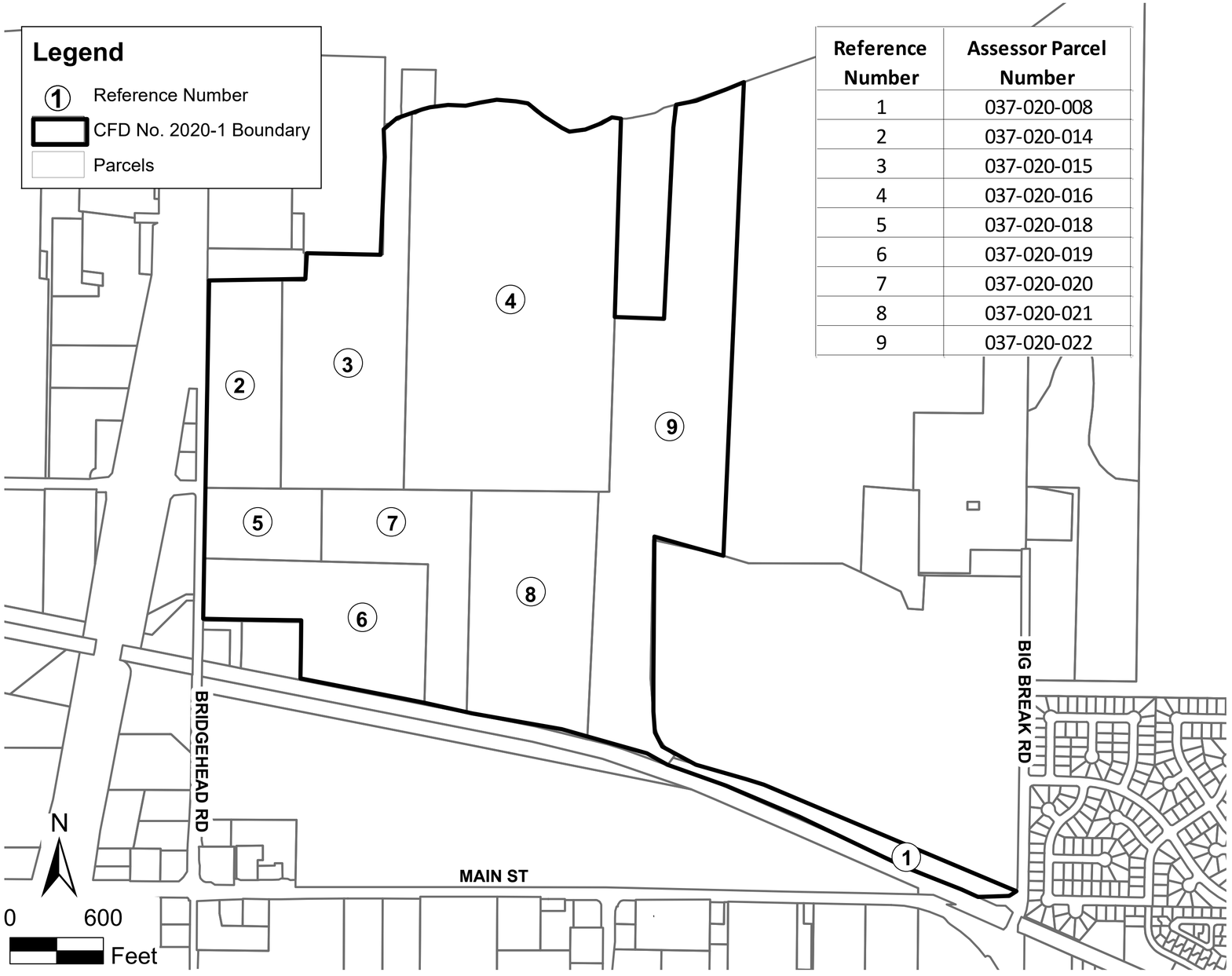
I. SEVERABILITY

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.

PROPOSED BOUNDARY MAP

CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2020-1
CONTRA COSTA LOGISTICS CENTER

CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA



Reference Number	Assessor Parcel Number
1	037-020-008
2	037-020-014
3	037-020-015
4	037-020-016
5	037-020-018
6	037-020-019
7	037-020-020
8	037-020-021
9	037-020-022

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF OAKLEY THIS _____ DAY OF _____, 2020.

_____
LIBBY VREONIS, CITY CLERK
CITY OF OAKLEY
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2020-1, CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF OAKLEY, AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF_____, 2020, BY ITS RESOLUTION No. _____.

_____
LIBBY VREONIS, CITY CLERK
CITY OF OAKLEY
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

FILED THIS _____ DAY OF _____, 2020, 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
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

ASSESSOR PARCELS WITHIN BOUNDARY: FOR PARTICULARS OF LINES AND DIMENSIONS OF PARCELS, REFERENCE IS MADE TO THE ASSESSOR PARCEL MAPS OF CONTRA COSTA COUNTY.

Prepared by Francisco & Associates, Inc.

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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 two agreements with Francisco & Associates, Inc. to provide Professional Assessment Engineering Services to the City of Oakley for Street Lighting and Landscape District No. 1 for FY 2020/21 as well as to provide Professional Special Tax Services for Cypress Grove Community Facilities District No. 1, Emerson Ranch Community Facilities District No. 2015-1, Parks, Street Lighting, Landscape & Stormwater Services CFD No. 2015-2, Fire Protection Services CFD No. 2018-1, and the Police Services Special Tax for FY 2020/21

Background and Analysis

STREET LIGHTING AND LANDSCAPE DISTRICT NO. 1:

On July 10, 2000, City Council approved a resolution ordering the formation of the City of Oakley Street Lighting and Landscape Assessment District No. 1 (LLAD) to fund the maintenance and operation of public parks, landscaping, and street lighting. For FY 2020-21, the LLAD is estimated to generate $4.23 million in revenue to provide funding for these City maintenance services.

The Landscaping and Lighting Act of 1972 requires that an annual review and updated Engineer's Report be prepared to set assessment rates each fiscal year. The Act also requires an Engineer's Report to be generated for any new assessment districts or any annexations into existing assessment districts. As in previous years, City staff is recommending that Francisco and Associates, Inc. (FAI) assist the City in preparing the LLAD Engineer's Report for FY 2020-21; annexations into the LLAD or formation of a new Landscaping and Lighting Assessment District if requested; placement of the approved LLAD assessments on the FY 2020-21 property tax roll; and fielding property owner inquiries throughout the fiscal year. In addition, FAI will assist the City with updating the current LLAD asset inventory and preparing a Capital Replacement Study to determine the appropriate capital reserve collection levels for each Benefit Zone of the LLAD.

COMMUNITY FACILITIES DISTRICTS AND POLICE SERVICES DISTRICT:

The City currently has four (4) Community Facilities Districts (CFDs) in place. These CFDs provide funding for the maintenance of City parks, landscaping, street lighting, and stormwater improvements as well as fire protection services currently provided by the East Contra Costa Fire Protection District (ECCFPD).

As in previous years, City staff is recommending that Francisco and Associates, Inc. (FAI) assist the City with determining the special tax requirement for FY 2020-21 based on the anticipated budgets for the various CFDs; calculating the FY 2020-21 special tax rates; placement of the approved CFD special taxes on the FY 2020-21 property tax roll; fielding property owner inquiries throughout the fiscal year; and complying with all annual reporting requirements. In addition, FAI will assist the City with updating the current CFD asset inventory and preparing a Capital Replacement Study for CFD No. 1, CFD No. 2015-1, and CFD No. 2015-2 to determine the appropriate capital reserve collection levels for each CFD. Below is a description of the City's CFDs.

- **Community Facilities District No. 1-** This District was formed in 2006 to fund the operations and maintenance of the levee system, stormwater pond, and the associated pump, force main, and outfall for the Cypress Grove development. For FY 2020-21, CFD No. 1 is estimated to generate $332,000 in revenue.

- **Community Facilities District No. 2015-1**- This District was formed in 2015 to fund the operations and maintenance of the City's Community and Regional Parks and the public neighborhood parks and landscaping, street lighting, and stormwater improvements associated with the Emerson Ranch development. For FY 2020-21, CFD No. 2015-1 is estimated to generate $850,000 in revenue.

- **Community Facilities District No. 2015-2**- This District was formed in 2015 to fund the operations and maintenance of the City's overall Community and Regional Parks and the public neighborhood parks and landscaping, street lighting, and stormwater improvements constructed with new developments. There are currently twenty-one (21) developments that comprise CFD No. 2015-2. The revenue for FY 2020/21 will depend on the number of new developments that annex into the District prior to the end of the current fiscal year and the timing of when improvements will be turned over to the City for maintenance. The revenue generated for FY 2019-20 was approximately $584,000. The projected revenue for CFD 2015-2 for FY 2020/21 is approximately $700-800K. This estimation won't be finalized until approximately June, based on the impact of the revenue (e.g., number of annexations, number of building permits issued, timing of turnover of improvements to the City for maintenance, etc.)

- **Community Facilities District No. 2018-1**- This District was formed in 2018 to fund fire protection services currently provided by ECCFPD. There

are currently two (2) developments that comprise CFD No. 2018-1. The revenue for FY 2020-21 will depend on the number of new developments that annex into the District and the number of building permits issued prior to the end of the current fiscal year. The revenue generated for FY 2019-20 was approximately $14,000.

The City of Oakley previously formed the Oakley Special Police Tax Area District (P-6) that authorizes the levy of an annual special tax on parcels in the City to mitigate their financial impact to the City's police services budget. The City generated approximately $5.26 million from P-6 in FY 2019-20. As in previous years, City staff is recommending that Francisco and Associates, Inc. (FAI) assist the City with calculating the FY 2020-21 special tax rates; placement of the approved P-6 special taxes on the FY 2020-21 property tax roll; fielding property owner inquiries throughout the fiscal year, and complying with all annual reporting requirements. Also, because Francisco & Associates has special knowledge and familiarity with these City of Oakley operations and handles all such professional services for the City, no competitive bidding process was necessary or completed for these contracts.

Fiscal Impact

Approval of the resolution will authorize the City Manager to execute both agreements with Francisco & Associates, Inc. for a cost not to exceed $28,000 for Professional Assessment Engineering Services related to the Street Lighting and Landscape District No. 1 and $27,000 for Professional Special Tax Services for the Cypress Grove Community Facilities District No. 1, Emerson Ranch Community Facilities District No. 2015-1, Parks, Street Lighting, Landscape & Stormwater Services CFD No. 2015-2, Fire Protection Services CFD No. 2018-1 and Police Services Special Tax for FY 2020/21. Each District will pay their share of cost associated with these contracts and will not be paid from the City's General Fund.

Staff Recommendation

City staff recommends the City enter into a contract with Francisco & Associates, Inc. to provide Professional Assessment Engineering Services for Street Lighting and Landscape District No. 1 for FY 2020/21 and a separate contract to provide Professional Special Tax Services for Cypress Grove Community Facilities District No. 1, Emerson Ranch Community Facilities District No. 2015-1, Parks, Street Lighting, Landscape & Stormwater Services CFD No. 2015-2, Fire Protection Services CFD No. 2018-1, and the Police Services Special Tax for FY 2020/21.

Attachments

1) Francisco & Associates – CFD Proposal
2) Francisco & Associates - LLD Proposal
3) Resolution

April 1, 2020

Kevin Rohani, P.E.
Public Works Director/City Engineer
City of Oakley
3231 Main Street
Oakley, CA 94561

Subject: Proposal to Provide Professional Special Tax Services to the City of Oakley for Cypress Grove Community Facilities District No. 1, Emerson Ranch Community Facilities District No. 2015-1, Parks, Street Light, Landscape & Stormwater Services CFD No. 2015-2, Fire Protection Services CFD No. 2018-1, and Police Services Special Tax for FY 2020-21

Dear Kevin:

Please find enclosed our proposal to administer the City of Oakley's Cypress Grove Community Facilities District No. 1, Emerson Ranch Community Facilities District No. 2015-1, Parks, Street Light, Landscape & Stormwater Services CFD No. 2015-2, Fire Protection Services CFD No. 2018-1, and Police Services Special Tax for FY 2020-21. The proposed services will include placement of the special taxes on the Contra Costa County secured property tax roll, preparation of a capital replacement study, and inclusion of an 800 number for property owner phone calls.

If you have any questions or comments regarding our proposal, please call me at 925-867-3400.

Sincerely
FRANCISCO & ASSOCIATES, INC.



Ed Espinoza, P.E.
Principal

SCOPE OF WORK

CYPRESS GROVE CFD No. 1

PHASE I

Francisco & Associates, Inc. will complete the tasks needed to place the ensuing year's special taxes on the County's secured property tax rolls.

Task 1 – Calculate FY 2020-21 Maximum Annual Special Parcel Tax Rates

Calculate the increase in the FY 2020-21 Maximum Special Tax Rates and confirm the new rates with City Staff.

Task 2 – Assist City staff to Develop the FY 2020-21 Services Budget

Coordinate with City staff to develop the FY 2020-21 services budget.

Task 3 – Update the FY 2020-21 Database

Based upon the closed property tax roll from the County (July 1, 2020), update the parcel database. This includes, if necessary, researching any parcel splits, usecode changes and changes in the number of units per parcel.

Task 4 – Calculate FY 2020-21 Special Parcel Tax Rates

Calculate the FY 2020-21 special tax rates that will be needed to generate sufficient revenues to fund the FY 2020-21 services budget.

Task 5 – Submit Special Taxes to the County

Francisco & Associates, Inc. will submit the FY 2020-21 special parcel tax roll to the County in their required electronic format for inclusion on the property tax roll. If there are any rejected parcels, we will research them and resubmit the corrected information to the County. In accordance with the County's annual submittal requirements, all information will be filed with the County Auditor's office, prior to August 10, 2020.

Task 6 – Final Special Tax Charge Verification

Coordinate with the County to verify that all of the special taxes have been levied on each taxable property owner's property tax bill for the ensuing fiscal year. Provide the City with a final copy of the Report identifying each Assessor parcel number, land use classification, special parcel tax amount, etc.

Task 7 – Assistance with Preparation of the CFD Annual Reports

Francisco & Associates will assist with preparation of the annual reporting requirements associated with the CFD. Annual reports include:

- Assist with preparation of the Annual Report if requested by a property owner as required per Section 53343.1 of the Government Code;
- Prepare California State Controller's Office required AB 2109 Parcel Tax Report for incorporation in the City's Financial Transaction Report; and
- Prepare the Special Tax Accountability Report that is to be filed with the legislative body annually.

Task 8 – Property Owner Assistance

Francisco & Associates, Inc. will provide a toll free number to be placed on the property tax bills to field property owner inquiries throughout the fiscal year. This could include researching property owner questions, providing responses to their questions, and if necessary, coordinate any changes with the County Auditor's office.

PHASE II

Francisco & Associates, Inc. will complete the tasks needed to prepare a capital replacement study for CFD No. 1.

Task 1 - Project Kickoff Meeting

Meet with City staff to review scope of work and collect project information which will be useful to conduct the capital replacement analysis. This information will include, but not be limited to City asset inventory and improvement plans.

Task 2 - Identify Capital Replacement Improvements

Identify all major capital improvements with a useful life of five or more years. These capital improvements will include, but are not limited to, stormwater and landscape improvements associated with the Cypress Grove stormwater detention pond.

Task 3 - Capital Replacement Reserve Report and Recommendation

Prepare a capital replacement report that includes the major capital improvements, estimated date of construction, useful and remaining life, estimated replacement cost at the end of useful life, and recommended capital replacement reserve for FY 2020-21. This report should be updated periodically and will serve as the basis to determine the amount that should be collected each fiscal year going forward so there is sufficient funds available to replace improvements at the end of their useful life.

EMERSON RANCH CFD No. 2015-1

PHASE I

& Associates, Inc. will complete the tasks needed to place the ensuing year's special taxes on the County's secured property tax rolls.

Task 1 – Calculate FY 2020-21 Maximum Annual Special Parcel Tax Rate for each Special Tax Component

Calculate the increase in the FY 2020-21 Maximum Special Tax Rates for each Special Tax Component based upon the prior year's change in the Consumer Price Index and confirm the new rates with City Staff.

Task 2 – Assist to Develop the FY 2020-21 Services Budget for each Special Tax Component

Coordinate with City staff to develop the FY 2020-21 services budget for each Special Tax Component.

Task 3 – Update the Maintenance Improvement Diagram

Coordinate with City staff to update the maintenance improvement diagram which shows the type and location of improvements being maintained by the special tax revenues.

Task 4 – Update the FY 2020-21 Database

Based upon the closed property tax roll from the County (July 1, 2020) update the parcel database. This includes, if necessary, researching building permits, parcel splits, usecode changes, acreage calculations, and number of units per parcel.

Task 5 – Calculate FY 2020-21 Special Parcel Tax Rates for each Special Tax Component

Calculate the FY 2020-21 special tax rates that will be needed to generate sufficient revenues to fund the FY 2020-21 services budget for each Special Tax Component.

Task 6 – Submit Special Taxes to the County

Francisco & Associates, Inc. will submit the FY 2020-21 special tax roll to the County in their required electronic format for inclusion on the property tax roll. If there are any rejected parcels, we will research them and resubmit the corrected information to the County. In accordance with the County's annual submittal requirements, all information will be filed with the County Auditor's office, prior to August 10, 2020.

Task 7 – Final Special Tax Charge Verification

Coordinate with the County to verify that all of the special taxes have been levied on each taxable property owner's property tax bill for the ensuing fiscal year. Provide the City with a final copy of the Report identifying each Assessor parcel number, land use classification, special parcel tax amount, etc.

Task 8 – Assistance with Preparation of the CFD Annual Reports

Francisco & Associates will assist with preparation of the annual reporting requirements associated with the CFD. Annual reports include:

- Assist with preparation of the Annual Report if requested by a property owner as required per Section 53343.1 of the Government Code;
- Prepare California State Controller's Office required AB 2109 Parcel Tax Report for incorporation in the City's Financial Transaction Report; and
- Prepare the Special Tax Accountability Report that is to be filed with the legislative body annually.

Task 9 – Property Owner Assistance

Francisco & Associates, Inc. will provide a toll free number to be placed on the property tax bills to field property owner inquiries throughout the fiscal year. This could include researching property owner questions, providing responses to their questions, and if necessary, coordinate any changes with the County Auditor's office.

PHASE II

Francisco & Associates, Inc. will complete the tasks needed to prepare a capital replacement study for CFD No. 2015-1.

Task 1 - Project Kickoff Meeting

Meet with City staff to review scope of work and collect project information which will be useful to conduct the capital replacement analysis. This information will include, but not be limited to City asset inventory, PG&E street light GIS layer, and improvement plans.

Task 2 - Identify Capital Replacement Improvements

Identify all major capital improvements with a useful life of five or more years. These capital improvements will include, but are not limited to, street lighting, stormwater and landscape improvements associated with the Emerson Ranch development.

Task 3 - Capital Replacement Reserve Report and Recommendation

Prepare a capital replacement report that includes the major capital improvements, estimated date of construction, useful and remaining life, estimated replacement cost at the end of useful life, and recommended capital replacement reserve for FY 2020-21. This report should be updated periodically and will serve as the basis to determine the amount that should be collected each fiscal year going forward so there is sufficient funds available to replace improvements at the end of their useful life.

PARKS, STREET LIGHT, LANDSCAPE & STORMWATER SERVICES CFD No. 2015-2

PHASE I

Francisco & Associates, Inc. will complete the tasks needed to place the ensuing year's special taxes on the County's secured property tax rolls.

Task 1 – Calculate FY 2020-21 Maximum Annual Special Parcel Tax Rate for each Special Tax Component

Calculate the increase in the FY 2020-21 Maximum Special Tax Rates for each Special Tax Component and Tax Zone based upon the prior year's change in the Consumer Price Index and verify the new rates with City Staff.

Task 2 – Calculate FY 2020-21 Services Budget for each Special Tax Component

Coordinate with City staff to develop the FY 2020-21 services budget for each Special Tax Component.

Task 3 – Coordinate with Non-Residential Property Owners

Coordinate with non-residential property owners to obtain annual signed "in-compliance" letter pertaining to landscape maintenance per the approved rate and method of apportionment.

Task 4 – Create and Update Maintenance Improvement Diagrams

Coordinate with City staff to create and update maintenance improvement diagrams for each Tax Zone which shows the type and location of improvements being maintained by the special tax revenues.

Task 5 – Update the FY 2020-21 Database

Based upon the closed property tax roll from the County (July 1, 2020) update the parcel database. This includes, if necessary, researching building permits, parcel splits, use code changes, acreage calculations, number of units per parcel, etc.

Task 6 – Calculate FY 2020-21 Special Parcel Tax Rates for each Special Tax Component

Calculate the FY 2020-21 special tax rates for each Special Tax Component that will be needed to generate sufficient revenues to fund the FY 2020-21 services budget for each Special Tax Component.

Task 7 – Submit Special Taxes to the County

Francisco & Associates, Inc. will submit the FY 2020-21 special parcel tax roll to the County in their required electronic format for inclusion on the property tax roll. If there are any rejected parcels, we will research them and resubmit the corrected information to the County. In accordance with the County's annual submittal requirements, all information will be filed with the County Auditor's office, prior to August 10, 2020.

Task 8 – Final Special Tax Charge Verification

Coordinate with the County to verify that all of the special taxes have been levied on each taxable property owner's property tax bill for the ensuing fiscal year. Provide the City with a final copy of the Report identifying each Assessor parcel number, land use classification, special parcel tax amount, etc.

Task 9 – Assistance with Preparation of the CFD Annual Report

Francisco & Associates will assist with preparation of the annual reporting requirements associated with the CFD. Annual reports include:

- Assist with preparation of the Annual Report if requested by a property owner as required per Section 53343.1 of the Government Code;
- Prepare California State Controller's Office required AB 2109 Parcel Tax Report for incorporation in the City's Financial Transaction Report; and
- Prepare the Special Tax Accountability Report that is to be filed with the legislative body annually.

Task 10 – Property Owner Assistance

Francisco & Associates, Inc. will provide a toll free number to be placed on the property tax bills to field property owner inquiries throughout the fiscal year. This could include researching property owner questions, providing responses to their questions, and if necessary, coordinate any changes with the County Auditor's office.

PHASE II

Francisco & Associates, Inc. will complete the tasks needed to prepare a capital replacement study for CFD No. 2015-2.

Task 1 - Project Kickoff Meeting

Meet with City staff to review scope of work and collect project information which will be useful to conduct the capital replacement analysis. This information will include, but not be limited to City asset inventory, PG&E street light GIS layer, and improvement plans.

Task 2 - Identify Capital Replacement Improvements

Identify all major capital improvements with a useful life of five or more years for each Tax Zone. These capital improvements will include, but are not limited to, street lighting, stormwater and landscape improvements associated with the various Tax Zones associated with CFD No. 2015-2.

Task 3 - Capital Replacement Reserve Report and Recommendation

Prepare a capital replacement report that includes the major capital improvements, estimated date of construction, useful and remaining life, estimated replacement cost at the end of useful life, and recommended capital replacement reserves for FY 2020-21. This report should be updated periodically and will serve as the basis to determine the amount that should be collected each fiscal year going forward for each Tax Component so there is sufficient funds available to replace improvements at the end of their useful life.

FIRE PROTECTION SERVICES CFD No. 2018-1

Francisco & Associates, Inc. will complete the tasks needed to place the ensuing year's special taxes on the County's secured property tax rolls.

Task 1 – Calculate FY 2020-21 Maximum Annual Special Parcel Tax Rates for each Special Tax Zone

Calculate the increase in the FY 2020-21 Maximum Special Tax Rates for each Special Tax Zone based upon the prior year's change in the Consumer Price Index and verify the new rates with City Staff.

Task 2 – Determine the FY 2020-21 Special Tax Requirement for each Special Tax Zone

Coordinate with City staff to determine the FY 2020-21 special tax requirement for each Special Tax Zone.

Task 3 – Update the FY 2020-21 Database

Based upon the closed property tax roll from the County (July 1, 2020) update the parcel database. This includes, if necessary, researching building permits, parcel splits, use code changes, acreage calculations, number of units per parcel, etc.

Task 4 – Calculate the FY 2020-21 Special Parcel Tax Rates for each Special Tax Zone

Calculate the FY 2020-21 special tax rates for each Special Tax Zone that will be needed to generate sufficient revenues to meet the FY 2020-21 special tax requirement for each Special Tax Zone.

Task 5 – Submit Special Taxes to the County

Francisco & Associates, Inc. will submit the FY 2020-21 special parcel tax roll to the County in their required electronic format for inclusion on the property tax roll. If there are any rejected parcels, we will research them and resubmit the corrected information to the County. In accordance with the County's annual submittal requirements, all information will be filed with the County Auditor's office, prior to August 10, 2020.

Task 6 – Final Special Tax Charge Verification

Coordinate with the County to verify that all of the special taxes have been levied on each taxable property owner's property tax bill for the ensuing fiscal year. Provide the City with a final copy of the Report identifying each Assessor parcel number, land use classification, special parcel tax amount, etc.

Task 7 – Assistance with Preparation of the CFD Annual Report

Francisco & Associates will assist with preparation of the annual reporting requirements associated with the CFD. Annual reports include:

- Assist with preparation of the Annual Report if requested by a property owner as required per Section 53343.1 of the Government Code;
- Prepare California State Controller's Office required AB 2109 Parcel Tax Report for incorporation in the City's Financial Transaction Report; and
- Prepare the Special Tax Accountability Report that is to be filed with the legislative body annually.

Task 8 – Property Owner Assistance

Francisco & Associates, Inc. will provide a toll-free number to be placed on the property tax bills to field property owner inquiries throughout the fiscal year. This could include researching property owner questions, providing responses to their questions, and if necessary, coordinate any changes with the County Auditor's office.

POLICE SERVICES SPECIAL TAX DISTRICT (P-6)

Francisco & Associates, Inc. will complete the tasks needed to place the ensuing year's special taxes on the County's secured property tax rolls.

Task 1 – Calculate Annual Special Parcel Tax Rate

Calculate the annual increase in the Special Tax Rates based upon the applicable Consumer Price Index and confirm increased rates with City Staff.

Task 2 – Calculate Annual Special Parcel Tax

Based upon the closed property tax roll from the County (July 1, 2020) update the parcel database to ensure the correct Special Tax will be allocated to each parcel correctly. This includes, if necessary, researching any parcel splits, use code changes, changes in the number of units or changes in the size of the parcel, etc. Identify if there were any annexations or de-annexations to the special tax which may affect revenues.

Task 3 – Submit Special Taxes to the County

Francisco & Associates, Inc. will submit the special parcel tax to the County for inclusion on the property tax roll for FY 2020-21. If there are any rejected parcels, we will research them and resubmit the corrected information to the County. In accordance with the County's annual submittal requirements, all information will be filed with the County Auditor's office, prior to August 10, 2020.

Task 4 – Final Special Tax Charge Verification

Coordinate with the County to verify that all of the special parcel taxes have been levied on each assessable property owner's property tax bill for the fiscal year. Provide the City with a final copy of the Report identifying each Assessor parcel number, land use classification, special parcel tax amount, etc.

Task 5 – Final Special Parcel Tax Roll

Francisco & Associates, Inc. will provide the City of Oakley with a Final Special Parcel Tax Roll in electronic format for their records.

Task 6 – Property Owner Assistance

Francisco & Associates, Inc. will provide a toll-free number to be placed on the property tax bills to field property owner inquiries throughout the fiscal year. This could include researching property owner questions, providing responses to their questions, and if necessary, coordinate any changes with the County Auditor's office.

ANNEXATION FEE SCHEDULE

Developers/Property Owners requesting to be annexed into a CFD would be charged the following annexation fees to pay for Francisco & Associates services to annex them into the CFD:

Community Facilities District Annexation Fees		
Type of Property	**No. of Parcels at Buildout**	**Annexation Fee**
Residential	Up to 25	$4,500
	26 to 100	$4,750
	101 to 200	$5,000
	201 to 300	$5,250
	301 to 400	$5,500
	401 or more	$5,750
Commercial or Multifamily	Up to 5.0 acres	$4,500
	5.0 - 10 acres	$4,750
	10 acres or more	$5,000

Developers/Property Owners requesting to be annexed into CFD No. 2015-2 and CFD No. 2018-1 **simultaneously** would be charged the following annexation fees to pay for Francisco & Associates services to annex them into the CFDs:

Annexation Fees for both CFD No. 2015-2 and CFD No. 2018-1		
Type of Property	**No. of Parcels at Buildout**	**Annexation Fees**
Residential	Up to 25	$8,500
	26 to 100	$8,750
	101 to 200	$9,000
	201 to 300	$9,250
	301 to 400	$9,500
	401 or more	$9,750
Commercial or Multifamily	Up to 5.0 acres	$8,500
	5.0 - 10 acres	$8,750
	10 acres or more	$9,000

Developers/Property Owners requesting to be annexed into the Police Services District would be charged the following annexation fees to pay for Francisco & Associates services to annex them into the Police Services District:

P-6 Annexation Fees		
Type of Property	No. of Parcels at Buildout	Annexation Fee
Residential	Up to 5	$1,750
	6 to 100	$1,750
	101 to 200	$1,750
	201 to 300	$1,750
	301 to 400	$1,750
	401 or more	$1,750
Commercial or	Up to 5.0 acres	$1,750
Multifamily	5.0 - 10 acres	$1,750
	10 acres or more	$1,750

PROJECT SCHEDULE

Based upon discussions at the project kickoff meeting, we will develop a project schedule that is suitable to City staff. Once City staff has established the ensuing year's budget, we can prepare the FY 2020-21 Special Tax Rates. We are required to submit the special taxes to the County no later than August 10th of each year.

Project Kick-off Meeting	March
Determine FY 2020-21 Rates	June/July
Submit Auditor's Reports to County	July/August
Final Information to the City	September/October
Capital Replacement Analysis	September/October
Annual Reporting	November/December
Property Owner Assistance	August through March

RESPONSIBILITIES OF THE CITY

- Secure qualified legal counsel to provide legal advice to the City and Special Tax Consultant.
- Provide resolutions required by the City Council and all legal notices, and schedule and agendize City Council meetings and hearings as required.
- Provide access to records and data for land use data, including electronic map files and any other pertinent information.

FEE SCHEDULE

The following is a listing of our lump sum fee schedule by Phase.

Cypress Grove CFD No. 1	
PHASE I	$1,500 (Lump Sum)
PHASE II	$1,000 (Lump Sum)
Emerson Ranch CFD No. 2015-1	
PHASE I	$2,500 (Lump Sum)
PHASE II	$1,500 (Lump Sum)
Parks, Street Light, Land, Storm CFD No. 2015-2	
PHASE I (Multiple Tax Zones)	$12,000 (Lump Sum)
PHASE II	$2,500 (Lump Sum)
Fire Protection Services CFD No. 2018-1	$2,500 (Lump Sum)
Police Services Special Tax District	$3,500 (Lump Sum)

TOTAL $27,000

Reimbursable expenses such as mileage, County Assessor maps and data are included in the lump sum fees above.

HOURLY RATES

If the City would like to request additional services we could either negotiate a lump sum fee or use the hourly rates shown below.

Principal	$160/hr.
Project Engineer	$130/hr.
Senior Financial Analyst	$100/hr.
Financial Analyst	$90/hr.
GIS Operator	$90/hr.
Clerical	$60/hr.

April 1, 2020

Kevin Rohani, P.E.
Public Works Director/City Engineer
City of Oakley
3231 Main Street
Oakley, CA 94561

Subject: Proposal to Provide Professional Assessment Engineering Services to the City of Oakley for Street Lighting and Landscape District No. 1 for FY 2020-21

Dear Kevin:

Please find enclosed our proposal to administer the City of Oakley's Street Lighting and Landscape District No. 1 for FY 2020-21. The proposed services will include; preparation of the Engineer's Report for the Landscape & Lighting District, attendance at project team meetings, placement of the assessments on the Contra Costa County secured property tax roll, preparation of a capital replacement study, and inclusion of an 800 number for property owner phone calls.

If you have any questions or comments regarding our proposal, please call me at 925-867-3400.

Sincerely
FRANCISCO & ASSOCIATES, INC.



Ed Espinoza, P.E.
Principal

231 Market Place ~ Suite 543 ~ San Ramon, CA 94583
(925) 867-3400 ~ *fax* (925) 867-3415

SCOPE OF WORK

PHASE I - PREPARATION OF THE ENGINEER'S REPORT

Francisco & Associates, Inc. will prepare the ensuing year's Engineer's Report for the City of Oakley. This report will include; a description of improvements, the annual budget for each benefit zone, the benefit spread methodology, assessment district diagram, maintenance improvement diagrams, and a listing of individual assessments for each parcel within the assessment district. The specific tasks to complete the Engineer's Report are as follows:

Task 1 - Project Kickoff Meeting

Meet with City staff to review scope of work, project schedule, and any changes to the proposed assessment district from the previous year. Identify if there were any annexations or de-annexations to the assessment district which may affect revenues. Identify if there has been any changes in the number and types of improvements that the City of Oakley is maintaining for the ensuing year. Discuss methods used to update the assessment roll, review the assessment methodology and changes in any Codes affecting the assessment district.

Task 2 - Collect Available Data

Collect available data from the County Assessor's office and City staff that is pertinent to the annual administration of the assessment district. The ensuing year's data would include the secured closed property tax roll from the County, Consumer Price Index (to calculate the maximum assessment rates) and the estimated actual expenditures and proposed budgets for each benefit zone from City staff.

Task 3 - Update Parcel Database

Update the parcel database to include the most current parcel information such as: property owner name, mailing address, situs address, use code, benefit zone, acreage, units and any other pertinent parcel attributes that are needed to calculate assessments.

Task 4 - Update Maintenance Improvement Diagrams

Update the Maintenance Improvement Diagrams in GIS to show all the improvements being funded by Zones 3-1 through 3-26 assessments.

Task 5 - Assist to Develop Assessment District Budgets for each Zone

Obtain current fund balances, along with projected expenditures and budgets for the ensuing fiscal year for each benefit zone from City staff. Review each of these items, along with the projected revenue for each Zone with City staff prior to the preparation of the Engineer's Report. In addition, update and review the Capital Asset program with City Staff as shown in Appendix B of the Engineer's Report.

Task 6 - DRAFT Preliminary Engineer's Report

Based upon the information received at the project kick-off meeting and other team meetings, prepare the DRAFT Preliminary Engineer's Report for City approval. The DRAFT Preliminary Engineer's Report will include a description of improvements, the ensuing year's maintenance budget for each benefit zone, the benefit spread methodology, Assessment Diagram, Maintenance Improvement Diagrams, and a listing of individual assessments for the ensuing year.

Task 7 - Submit the DRAFT Preliminary Engineer's Report to City Staff

Submit the DRAFT Preliminary Engineer's Report to City staff for review, comment and approval. If requested, assist in preparing the Staff Report associated with the Preliminary Engineer's Report.

Task 8 - Preliminary Engineer's Report

Based upon the comments received from City staff on the DRAFT Preliminary Engineer's Report, prepare the Preliminary Engineer's Report and submit to City Staff for signature and City Council approval.

Task 9 - Final Engineer's Report

Based upon the comments received from City staff and City Council at the City Council meeting, prepare the Final Engineer's Report for City Council approval.

Task 10 - Filing of Engineer's Report, Assessment Diagram and Resolution Authorizing the Levy of Assessments

In accordance with the County's annual submittal requirements, file the Final Engineer's Report, Assessment Diagram, and Resolution Authorizing the Levy of Assessments with the County Auditor's office.

PHASE II – LLAD AUDITOR'S REPORT AND PROPERTY OWNER ASSISTANCE

Following the Public Hearing, Francisco & Associates will complete the tasks needed to place the ensuing year's assessments on the County's secured property tax rolls.

Task 1 - Calculate Annual Assessments

Based upon the closed property tax roll from the County (July 1, 2020), update the parcel database to ensure the correct assessments will be allocated to each parcel correctly. This includes, if necessary, researching any parcel splits, usecode changes, changes in the number of units or changes in the size of the parcel.

Task 2 - Submit Assessments to the County

Francisco & Associates, Inc. will submit the assessments to the County for inclusion on the property tax roll for FY 2020-21. If there are any rejected parcels, we will research them and resubmit the corrected information to the County. In accordance with the County's annual submittal requirements, file the Engineer's Report, Assessment Diagrams and Resolutions Authorizing the Levy of Assessments with the County Auditor's office, prior to August 10, 2020.

Task 3 - Final Assessment Verification

Coordinate with the County to verify that all of the assessments have been levied on each assessable property owner's property tax bill for the fiscal year. Provide the City with a final copy of the Report identifying each Assessor parcel number, land use classification, assessment amount, zone number, etc.

Task 4 - Final Assessment Roll

Francisco & Associates, Inc. will provide the City of Oakley with a Final Assessment Roll in electronic format for their records.

Task 5 - Property Owner Assistance

Francisco & Associates, Inc. will provide a toll free number to be placed on the property tax bills to field property owner inquiries throughout the fiscal year. This could include researching property owner questions, providing responses to their questions, and if necessary, coordinate any changes with the County Auditor's office.

PHASE III – CAPITAL REPLACMENT STUDY

Task 1 - Project Kickoff Meeting

Meet with City staff to review scope of work and collect project information which will be useful to conduct the capital replacement study. This information will include, but not be limited to, City asset inventory, PG&E street light GIS layer, and improvement plans.

Task 2 - Identify Capital Replacement Improvements

For each LLAD benefit zone, inventory all major capital improvements with a useful life of five or more years. These capital improvements will include, but are not limited to, street lights, playground equipment, park and landscape improvements which include, picnic benches, water fountains, trash cans, walkways, irrigation systems, etc.

Task 3 - Capital Replacement Reserve Report and Recommendation

Prepare a capital replacement report that includes the major capital improvements, estimated date of construction, useful and remaining life, estimated replacement cost at the end of useful life, and recommended capital replacement reserve for each LLAD Zone for FY 2020-21. This report should be updated periodically and will serve as the basis to determine the amount that should be collected each fiscal year going forward so there is sufficient funds available to replace improvements at the end of their useful life.

ANNEXATION FEE SCHEDULE

Developers/Property Owners requesting to be annexed into the Street Lighting and Landscape District No. 1 would be charged the following annexation fees to pay for Francisco & Associates services to annex them into the district.

Street Lighting and Landscape District No. 1 Annexation Fees		
Type of Property	**No. of Parcels at Buildout**	**Annexation Fee**
Residential	Up to 25	$4,500
	26 to 100	$4,750
	101 to 200	$5,000
	201 to 300	$5,250
	301 to 400	$5,500
	401 or more	$5,750
Commercial or Multifamily	Up to 5.0 acres	$4,500
	5.0 - 10 acres	$4,750
	10 acres or more	$5,000

PROJECT SCHEDULE

Based upon discussions at the project kickoff meeting, we will develop a project schedule that is suitable to City staff. Once City staff has established the ensuing year's budget, we can prepare the Engineer's Report and start the annual assessment process. We are required to submit the assessments to the County no later than August 10 of each year.

Project Kick-off Meeting	March 2020
Prepare Preliminary Engineer's Report	April 2020
Council Approves Preliminary Engineer's Report	May 12, 2020
Council Approves Final Engineer's Report & Public Hearing	June 9, 2020
Property Owner Assistance	August 2020 – March 2021
Capital Replacement Study	September 2020 – October 2020

RESPONSIBILITIES OF THE CITY

- Secure qualified legal counsel to provide legal advice to the City and Assessment Engineer;
- Provide resolutions required by the City Council and all legal notices, and schedule City Council meetings and hearings as required under the Act;
- Provide budgets for all improvements to be maintained;
- Provide access to records and data for land use data, including electronic map files and any other pertinent information; and
- Provide a Registered Engineer to review and sign the Engineer's Report.

FEE SCHEDULE

The following is a listing of our lump sum fee schedule by Phase. These fees do not include tasks associated with conducting a Proposition 218 balloting election should the City decide to increase assessments. If the City decides to increase assessments, we will prepare a supplemental proposal to cover the mailing and balloting services.

PHASE I	Preparation of Engineer's Report	$17,500 (Lump Sum)
PHASE II	LLAD Auditor's Report/Property Owner Assistance	$3,000 (Lump Sum)
PHASE III	Capital Replacement Study	$7,500 (Lump Sum)
	TOTAL	**$28,000**

Reimbursable expenses such as mileage, County Assessor maps and data are included in the lump sum fees above. If assessment rates are proposed to be increased within a benefit zone, the City will be required to pay for all mail house costs, including duplication of envelopes, letterhead, fact sheets, notices and ballots and postage for the mailing of notices, ballots and fact sheets.

HOURLY RATES

If the City would like to request additional services we could either negotiate a lump sum fee or use the hourly rates shown below.

Hourly Rates

Principal Engineer	$160/hr.
Project Engineer	$130/hr.
Senior Financial Analyst	$100/hr.
Financial Analyst	$90/hr.
GIS Operator	$90/hr.
Word Processor	$50/hr.

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AGREEMENT WITH FRANCISCO AND ASSOCIATES, INC. FOR PROFESSIONAL ASSESSMENT ENGINEERING SERVICES TO THE CITY OF OAKLEY FOR STREET LIGHTING AND LANDSCAPE DISTRICT, COMMUNITY FACILITY DISTRICT, AND THE POLICE SERVICES SPECIAL TAX FOR FISCAL YEAR 2020/21 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, On July 10, 2000, City Council approved a resolution ordering the formation of the City of Oakley Street Lighting and Landscape Assessment District to fund the maintenance and operation of public parks, landscaping ; and

WHEREAS, The Landscaping and Lighting Act of 1972 requires that requires an Engineer's Report to be generated for any new assessment districts or any annexations into existing assessment districts; and

WHEREAS, Francisco and Associates, Inc. has been preparing the financial and engineering reports for the City's Lighting and Landscape Assessment District, Community Facility District, and Police Services Special Tax for past years and have done so in an exemplary way; and

WHEREAS, Francisco & Associates also has special knowledge and familiarity with these City of Oakley operations and handles all such professional services for the City, no competitive bidding process was necessary or completed for these contracts.

WHEREAS, Francisco and Associates, Inc. has submitted a proposal to prepare the Fiscal Year 2020/21 financial and engineering reports for the City's Lighting and Landscape Assessment District, Community Facility District, and Police Services Special Tax; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Oakley hereby approves the proposals from Francisco and Associates, Inc. for the preparation of financial and engineering reports for the City's Lighting and Landscape Assessment District, Community Facility District, and Police Services Special Tax, in the form attached hereto as Exhibit A, and authorizes the City Manager to execute into the agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____

ATTEST: Kevin Romick, Mayor

_____ _____

Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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

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

SUBJECT: Award of Construction Contract to McGuire and Hester, Inc. for the construction of CIP Project Number 214 – Vintage Parkway Repair and Resurfacing Project (Main Street to Big Break Road)

Background and Analysis

The City's adopted FY 2019/20 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.

The City's annual street Repair and Resurfacing project includes a project for the improvement and rehabilitation of the local streets in the City of Oakley. The City uses this annual project to perform rehabilitative and preventative maintenance on the public street network through a series of dig-outs, crack sealing, slurry sealing, and pavement overlays. In past years the project has been used to slurry seal neighborhoods and to grind and overlay arterial and collector streets.

The City received a One Bay Area Government (OBAG) grant for one of Oakley's street resurfacing projects. The grant is specific in nature and can only be used for roads in Oakley that are on the National Highway System (NHS). The only road that satisfies this criteria is Vintage Parkway. Vintage Parkway is in poor condition and there are multiple areas where failures are occurring, large cracking, cupping or wearing in the tire lines, and significant weathering. Included with the project, are approximately 30 ADA ramps that will be upgraded along with replacement of any curb and gutter as needed.

McGuire and Hester, Inc. was the lowest bidder for the project at a cost of $1,152,847.25. Staff is proposing an appropriated contingency of $100,000, for a total project budget of $1,252,847.25.

Fiscal Impact

The current FY 2019/20 budget for this project is $1,269,000. The total funding for the Vintage Parkway Resurfacing project comes from the following:

Fund	Amount	Account Number
OBAG Grant	$969,000	202-75-214-0101
General Capital Projects	$200,000	201-75-214-0101
Measure J	$100,000	148-75-214-0101
Total Recommended	**$1,269,000**	

Staff Recommendation

On March 5, 2020, six (6) total bids were received for this project. Staff reviewed the bids and determined that McGuire and Hester, Inc. was the lowest responsible entity and is most responsive to the City's formal bid process.

Staff recommends that the City Council adopt the resolution approving the construction agreement with McGuire and Hester, Inc. for an amount not to exceed $1,152,847.25, and authorizing the City Manager to execute said agreement.

Due to variables associated with construction projects, and to address unforeseen circumstances during the course of construction; staff further recommends that the City Council authorize staff to execute future change orders to the construction contract as necessary in an amount not to exceed $100,000 for work beyond what is defined in the base project bid.

Attachments

1) Resolution
2) Bid Summary

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AGREEMENT WITH MCGUIRE AND HESTER, INC. FOR THE CONSTRUCTION OF CIP NO. 214 – VINTAGE PARKWAY REPAIR AND RESURFACING PROJECT (MAIN STREET TO BIG BREAK ROAD)

WHEREAS, Pavement Engineering Inc. prepared the plans, specifications, and estimates for the construction of the Vintage Parkway Repair and Resurfacing Project (Main Street to Big Break Road) – CIP 214, which will include rehabilitative and preventative maintenance on Vintage Parkway through a series of dig-outs, crack sealing, and pavement overlay, and

WHEREAS, the plans, specifications and special provisions were publicly advertised for bidding, with the bid period closing at 2:00 P.M. on Thursday, March 5, 2020; and

WHEREAS, six (6) total qualified bids were received prior to the close of the bidding process; and

WHEREAS, McGuire and Hester, Inc. submitted the lowest responsible bid for a total cost of $1,152,847.25 for the work, the bid summary is attached as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley that the Agreement with McGuire and Hester, Inc. for the Vintage Parkway Repair and Resurfacing Project (Main Street to Big Break Road) – CIP 214, for an amount not to exceed $1,152,847.25 is approved, and the City Manager is hereby authorized to execute said Agreement and change orders in an amount not to exceed $100,000 as necessary.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

City of Oakley Public Works Department
Vintage Parkway Repair and Resurfacing Project #214
Certified Bid Tabulation Bid opening: March 5, 2020 at 2:00 P.M. at the Civic Center

				Engineers Estimate		McGuire and Hester 2810 Harbor Bay Parkway Alameda, Ca 94502		Teichert Construction 5200 Franklin Dr. Pleasanton, Ca 94588		Ghilotti Bros. Inc. 525 Jacoby St. San Rafael, Ca 94901		MCK Services 865 Howe Rd. Martinez, Ca 94553		Granite Rock Company 5225 Hellyer Ave., Ste 220 San Jose, Ca 95138		R&R Pacific Construction 433 2nd Street, Suite 103 Woodland, Ca 95695	
Item No.	*Description*	*Quantity*	*Unit*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*	*Unit Price*	*Item Cost*
1	Mobilization, Bonds & Insurance (10% of Entire Project)	1	LS	146,100.91	146,100.91	16,200.00	16,200.00	82,770.00	82,770.00	83,000.00	83,000.00	45,000.00	45,000.00	58,000.00	58,000.00	95,000.00	95,000.00
2	Traffic Control & Construction Area Signs (Entire Project)	1	LS	54,710.13	54,710.13	61,400.00	61,400.00	100,000.00	100,000.00	46,000.00	46,000.00	75,000.00	75,000.00	53,800.00	53,800.00	75,000.00	75,000.00
3	Water Pollution Control Program (Entire Project)	1	LS	6,217.06	6,217.06	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	2,000.00	2,000.00	19,000.00	19,000.00	7,500.00	7,500.00
4	Remove Traffic Striping & Prepare Lead Compliance Plan	1	LS	10,569.00	10,569.00	26,500.00	26,500.00	28,000.00	28,000.00	25,000.00	25,000.00	25,030.00	25,030.00	25,029.00	25,029.00	25,500.00	25,500.00
5	3/8" HMA (Type A) PG 64-10	750	TN	130.00	97,500.00	162.00	121,500.00	126.00	94,500.00	142.00	106,500.00	196.65	147,487.50	140.00	105,000.00	145.00	108,750.00
6	3/8" RHMA-G	2,379	TN	150.00	356,850.00	149.00	354,471.00	126.00	299,754.00	162.00	385,398.00	183.00	435,357.00	175.00	416,325.00	205.00	487,695.00
7	Remove & Replace 4" HMA	46,345	SF	6.00	278,070.00	3.65	169,159.25	3.75	173,793.75	4.65	215,504.25	4.00	185,380.00	4.05	187,697.25	6.00	278,070.00
8	Remove & Replace 6" HMA	2,483	SF	8.00	19,864.00	6.00	14,898.00	6.40	15,891.20	6.75	16,760.25	7.60	18,870.80	5.70	14,153.10	8.50	21,105.50
9	6" Deep Lift Stabilization (Allowance)	2,441	SF	9.00	21,969.00	6.75	16,476.75	7.00	17,087.00	6.75	16,476.75	5.00	12,205.00	8.00	19,528.00	11.00	26,851.00
10	Cold Plane Roadway Center Line	905	LF	2.00	1,810.00	3.30	2,986.50	3.90	3,529.50	4.25	3,846.25	3.05	2,760.25	2.20	1,991.00	6.50	5,882.50
11	Keycut Type A1	13,226	LF	2.50	33,065.00	1.25	16,532.50	1.60	21,161.60	2.50	33,065.00	3.05	40,339.30	1.35	17,855.10	3.50	46,291.00
12	Keycut Type B1	168	LF	5.00	840.00	22.00	3,696.00	22.50	3,780.00	9.85	1,654.80	6.10	1,024.80	12.00	2,016.00	4.50	756.00
13	Curb Ramp Type A	4	EA	8,000.00	32,000.00	4,800.00	19,200.00	4,800.00	19,200.00	3,350.00	13,400.00	6,500.00	26,000.00	7,500.00	30,000.00	2,750.00	11,000.00
14	Curb Ramp Type B	5	EA	8,000.00	40,000.00	4,800.00	24,000.00	5,400.00	27,000.00	4,350.00	21,750.00	5,500.00	27,500.00	7,800.00	39,000.00	2,750.00	13,750.00
15	Curb Ramp Type C	18	EA	8,000.00	144,000.00	4,800.00	86,400.00	0.00	0.00	4,500.00	81,000.00	4,800.00	86,400.00	7,800.00	140,400.00	2,750.00	49,500.00
16	Remove & Replace PCC Sidewalk	2,309	SF	22.00	50,798.00	27.00	62,343.00	23.00	53,107.00	34.50	79,660.50	20.00	46,180.00	39.00	90,051.00	20.00	46,180.00
17	Remove PCC Sidewalk & Regrade	915	SF	7.50	6,862.50	28.00	25,620.00	23.00	21,045.00	20.00	18,300.00	10.00	9,150.00	23.00	21,045.00	15.00	13,725.00
18	Remove & Replace PCC Curb & Gutter	444	LF	100.00	44,400.00	75.00	33,300.00	130.00	57,720.00	117.00	51,948.00	85.00	37,740.00	107.00	47,508.00	75.00	33,300.00
19	Prune & Remove Tree Roots (Under PCC/HMA Repairs)	35	EA	500.00	17,500.00	260.00	9,100.00	224.00	7,840.00	635.00	22,225.00	500.00	17,500.00	380.00	13,300.00	550.00	19,250.00
20	Install Root Barrier	33	EA	500.00	16,500.00	275.00	9,075.00	310.00	10,230.00	1,725.00	56,925.00	1,600.00	52,800.00	580.00	19,140.00	950.00	31,350.00
21	Remove & Dispose Loop Detector Pullbox Cover	1	EA	308.33	308.33	300.00	300.00	80.00	80.00	450.00	450.00	300.00	300.00	300.00	300.00	12,950.00	12,950.00
22	Lower Storm Drain Manhole Cover	1	EA	366.67	366.67	425.00	425.00	500.00	500.00	400.00	400.00	400.00	400.00	400.00	400.00	450.00	450.00
23	Lower Survey Monument Cover	2	EA	308.33	616.66	320.00	640.00	300.00	600.00	300.00	600.00	300.00	600.00	300.00	600.00	275.00	550.00
24	Adjust Storm Drain Manhole Cover to Finish Grade	2	EA	733.33	1,466.66	700.00	1,400.00	725.00	1,450.00	700.00	1,400.00	700.00	1,400.00	700.00	1,400.00	775.00	1,550.00
25	Adjust Survey Monument Cover to Finish Grade	13	EA	566.67	7,366.71	500.00	6,500.00	500.00	6,500.00	500.00	6,500.00	500.00	6,500.00	500.00	6,500.00	550.00	7,150.00
26	Install Blue RPM at Fire Hydrant	7	EA	20.00	140.00	42.00	294.00	30.00	210.00	15.00	105.00	25.00	175.00	50.00	350.00	40.00	280.00
27	12" White Crosswalk/Limit Line (Thermo)	329	LF	3.00	987.00	4.50	1,480.50	5.00	1,645.00	4.50	1,480.50	4.50	1,480.50	4.50	1,480.50	4.50	1,480.50
28	12" Yellow Crosswalk/Limit Line (Thermo)	469	LF	5.00	2,345.00	4.50	2,110.50	5.00	2,345.00	4.50	2,110.50	4.50	2,110.50	4.50	2,110.50	4.50	2,110.50
29	Striping Detail #22 (Thermo & Markers)	4,785	LF	2.00	9,570.00	2.20	10,527.00	2.50	11,962.50	2.20	10,527.00	2.20	10,527.00	2.20	10,527.00	2.20	10,527.00
30	Striping Detail #25A (Thermo & Markers)	993	LF	2.00	1,986.00	1.25	1,241.25	1.50	1,489.50	1.25	1,241.25	1.25	1,241.25	1.25	1,241.25	1.25	1,241.25
31	Striping Detail #29 (Thermo & Markers)	121	LF	4.00	484.00	5.00	605.00	5.50	665.50	5.00	605.00	5.00	605.00	5.00	605.00	5.00	605.00
32	Striping Detail #38 (Thermo & Markers)	652	LF	2.00	1,304.00	2.00	1,304.00	2.25	1,467.00	2.00	1,304.00	2.00	1,304.00	2.00	1,304.00	2.00	1,304.00
33	Striping Detail #39 (Thermo)	8,993	LF	1.50	13,489.50	1.00	8,993.00	1.00	8,993.00	0.90	8,093.70	0.90	8,093.70	0.90	8,093.70	0.90	8,093.70
34	Striping Detail #39A (Thermo)	1,149	LF	1.50	1,723.50	1.00	1,149.00	1.00	1,149.00	0.90	1,034.10	0.90	1,034.10	0.90	1,034.10	0.90	1,034.10
35	Pavement Marking "AHEAD" Legend (Thermo)	2	EA	120.00	240.00	155.00	310.00	170.00	340.00	155.00	310.00	155.00	310.00	155.00	310.00	155.00	310.00
36	Pavement Marking "BIKE" Legend (Thermo)	10	EA	120.00	1,200.00	25.00	250.00	28.00	280.00	25.00	250.00	25.00	250.00	25.00	250.00	25.00	250.00
37	Pavement Marking "LANE" Legend (Thermo)	10	EA	120.00	1,200.00	30.00	300.00	34.00	340.00	30.00	300.00	30.00	300.00	30.00	300.00	30.00	300.00
38	Pavement Marking "SIGNAL" Legend (Thermo)	2	EA	140.00	280.00	160.00	320.00	180.00	360.00	160.00	320.00	160.00	320.00	160.00	320.00	160.00	320.00
39	Pavement Marking "STOP" Legend (Thermo)	7	EA	120.00	840.00	110.00	770.00	124.00	868.00	110.00	770.00	110.00	770.00	110.00	770.00	110.00	770.00
40	Bike Lane Arrow (Thermo)	10	EA	100.00	1,000.00	35.00	350.00	40.00	400.00	35.00	350.00	35.00	350.00	35.00	350.00	35.00	350.00
41	Type I (24'-0") Arrow (Thermo)	2	EA	350.00	700.00	155.00	310.00	175.00	350.00	155.00	310.00	155.00	310.00	155.00	310.00	155.00	310.00
42	Type II (L) Arrow (Thermo)	2	EA	450.00	900.00	225.00	450.00	250.00	500.00	225.00	450.00	225.00	450.00	225.00	450.00	225.00	450.00
43	Type III (L or R) Arrow (Thermo)	6	EA	350.00	2,100.00	210.00	1,260.00	240.00	1,440.00	210.00	1,260.00	210.00	1,260.00	210.00	1,260.00	210.00	1,260.00
	NON-PARTICIPATING (Big Break to Bridge Deck)																
44	Lower Sanitary Sewer Manhole Cover	1	EA	366.67	366.67	700.00	700.00	490.00	490.00	400.00	400.00	400.00	400.00	400.00	400.00	275.00	275.00
45	Lower Water Valve Cover	7	EA	308.33	2,158.31	300.00	2,100.00	320.00	2,240.00	300.00	2,100.00	300.00	2,100.00	300.00	2,100.00	300.00	2,100.00
46	Adjust Sanitary Sewer Manhole Cover to Finish Grade	17	EA	733.33	12,466.61	700.00	11,900.00	625.00	10,625.00	700.00	11,900.00	700.00	11,900.00	700.00	11,900.00	750.00	12,750.00
47	Adjust Water Valve Cover to Finish Grade	28	EA	566.67	15,866.76	500.00	14,000.00	370.00	10,360.00	500.00	14,000.00	500.00	14,000.00	500.00	14,000.00	750.00	21,000.00
							1,152,847.25		**1,114,058.55**		**1,356,984.85**		**1,362,215.70**		**1,389,504.50**		**1,486,227.05**

This certifies that all bids were received and opened on March 5, 2020, and that this is a copy of the bid tabulation with bids corrected for errors in addition and multiplication. By:

REGISTERED PROFESSIONAL ENGINEER
KOUROSH ROHANI
NO. 51738
EXPIRES 9-21
CIVIL
STATE OF CALIFORNIA

STAFF REPORT

Date: April 14, 2020

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 Subdivision Improvement Agreement, Subdivision Assessment and Annexation Authorization Deferral Agreement, and Final Map for Oakley Logistics Center Subdivision 9513 (6000 Bridgehead Road)

Background and Analysis

On December 17th, 2019, the City Council of the City of Oakley adopted Resolution No. 147-19 which conditionally approved the Vesting Tentative Map for Subdivision 9513 located east of Bridgehead Road and Wilbur Avenue at the current address of 6000 Bridgehead Road within the City of Oakley.

NP Oakley LLC, a Delaware Limited Liability Company ("Developer") has submitted the Final Map to the City Engineer for review. In order to satisfy all remaining conditions of approval, with the exception of annexing to create a project specific Community Facilities District (CFD) to cover the annual financial impact that the project has on police services, maintenance and operation costs associated with regional, community and neighborhood parks, street landscaping, street lights, stormwater facilities, street sweeping, street and sidewalk maintenance within the project.

The Developer has requested that the City enter into a Subdivision Improvement Agreement (SIA). The SIA requires Developer to complete the public improvements as required by the conditions of approval for Sub 9513. As part of this agreement, the Developer is required to provide securities for the total amount of the estimated cost of $1,378,000 for Grading Improvements, $1,814,000 for Frontage Improvements, and $1,291,000 for Offsite Improvements. A draft agreement has been prepared and attached as Attachment 4.

The final condition of approval that remains to be satisfied is related to the completion of the creation of the project specific CFD (Condition #80). This task is currently in progress and will need additional time to complete. Based on pass practices, the City

Council has been receptive to allowing the recording of a final map for financing purposes prior to completion of the new CFD, so long as there was an agreement guaranteeing the implementation for the establishment of a funding mechanism for the new CFD once it is in place. A draft agreement has been prepared and attached as Attachment 5.

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). A copy of the Final Map has been prepared by Carlson, Barbee, & Gibson and attached as Attachment 6.

The Oakley Logistics Center has been renamed as the "Contra Costa Logistics Center", which may be referenced on future documents related to this project.

Fiscal Impact
There is no fiscal impact associated with this action.

Staff Recommendation
Staff recommends that the City Council:

1) Adopt the attached resolution approving the Subdivision Improvement Agreement with NP Oakley LLC, A Delaware Limited Liability Company for Sub 9513 and authorizing the City Manager to sign the agreement.

2) Adopt the attached resolution approving the Subdivision Annexation and Assessment Authorization Deferral Agreement with NP Oakley LLC for Sub 9513 and authorizing the City Manager to sign the agreement.

3) Adopt the attached resolution approving the Final Map entitled "Oakley Logistics Center SUBDIVISION 9513".

The City Council should be aware that by approving the final map without approving the Subdivision Annexation and Assessment Authorization Deferral Agreement, it is possible that additional voters will be introduced into the assessment district formation process or that the applicant will not cooperate with the district formation. Staff recommends that if the Resolution approving the Subdivision Annexation and Assessment Authorization Deferral Agreement is not adopted, the Resolution approving the Final Map should not be adopted either.

Attachments
1) Resolution Approving the Subdivision Improvement Agreement (SIA)
2) Resolution Approving the Subdivision Annexation and Assessment Authorization Deferral Agreement (SAAADA)

3) Resolution Approving the Final Map for Subdivision 9513
4) Subdivision Improvement Agreement (SIA)
    Exhibit A – Vesting Tentative Map & City Council Resolution 86-16
    Exhibit B - Prevailing Wage
    Exhibit C - Insurance Requirements
    Exhibit D - Verification of Required Insurance
5) Subdivision Assessment and Annexation Authorization Deferral Agreement (SAAADA)
6) Reduced size copy of Sub 9513 Final Map

RESOLUTION NO. __-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT WITH NP OAKLEY LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR SUBDIVISION 9513 OAKLEY LOGISTICS CENTER 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 NP Oakley LLC, A Delaware Limited Liability Company, for the development of a residential subdivision known as Subdivision 9513 Oakley Logistics Center; and

WHEREAS, this agreement will require the developer to complete approximately $1,378,000 for Grading Improvements, $1,814,000 for Frontage Improvements, and $1,291,000 for Offsite Improvements 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 NP Oakley LLC, A Delaware Limited Liability Company is hereby approved and the City Manager is hereby authorized to execute the Subdivision Improvement Agreement for the development of Subdivision 9513 Oakley Logistics Center 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 14th day of April 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

RESOLUTION NO. 20-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING THE SUBDIVISION ANNEXATION AND ASSESSMENT AUTHORIZATION DEFERRAL AGREEMENT WITH NP OAKLEY LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR SUBDIVISION 9513 OAKLEY LOGISTICS CENTER AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT

WHEREAS, Condition of Approval 80 for Subdivision 9513 require the developer to establish a funding mechanism for a new Community Facilities District (CFD) specific to this project to cover the annual financial impact that the project has on police services, maintenance and operation costs associated with regional, community and neighborhood parks, street landscaping, street lights, stormwater facilities, street sweeping, street and sidewalk maintenance within the project; and

WHEREAS, NP Oakley LLC is requesting that the Final Map for Subdivision 9513 be filed, and is willing to enter into a Subdivision Annexation and Assessment Authorization Deferral Agreement that will allow the map to be filed.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the Subdivision Annexation and Assessment Authorization Deferral Agreement ("Deferral Agreement") with NP Oakley LLC is hereby approved and attached hereto as Exhibit A and the City Manager is hereby authorized to execute the Deferral Agreement for Subdivision 9513, subject to review and approval by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

RESOLUTION NO. 20-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY CALIFORNIA, APPROVING THE FINAL MAP TITLED "SUBDIVISION 9513" LOCATED AT 6000 BRIDGEHEAD ROAD.

WHEREAS, on December 17th, 2018, NP Oakley LLC ("Owner") submitted an application requesting approval of a Vesting Tentative Parcel Map (Sub 9513) to create eight parcels within the 375.7-acre subject property; and

WHEREAS, on December 17th, 2019, the City Council of the City of Oakley adopted Resolution 147-19 which conditionally approved the vesting tentative map for Subdivision 9513; and

WHEREAS, Owner has requested that the City Council approve the Final Map for the first phase of the development; and

WHEREAS, the City Engineer has determined that the Final Map is in substantial compliance with the approved Vesting Tentative Map and that the applicable conditions of approval have been satisfied; and

WHEREAS, the City Surveyor has determined that the map is technically correct.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the final map labeled "Oakley Logistics Center Subdivision 9513", as prepared by Carlson, Barbee, & Gibson, Inc. hereby is approved and attached hereto as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

CITY OF OAKLEY
SUBDIVISION IMPROVEMENT AGREEMENT
SUBDIVISION 9513

This agreement is made and entered into this 14th day of April, 2020 by and between the City of Oakley, a municipal corporation, hereinafter referred to as "CITY", and NP Oakley LLC, A Delaware Limited Liability Company, 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 9513, 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 Resolution Number 147-19 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 “Contra Costa Logistics Center Grading Plan – Phase 1 Subdivision 9513”, “Contra Costa Logistics Center Phase 1 Backbone Infrastructure Improvement Plans Subdivision 9513” as prepared by Carlson, Barbee, & Gibson, Inc. and “Contra Costa Logistics Center Subdivision 9513 Landscape Plans” as prepared by VanderToolen Associates, as 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 Resolution Number 147-19 have been satisfied, but nevertheless, DEVELOPER desires to file a final map. The satisfaction of all COA are the subject of this Agreement. DEVELOPER’s agreement to satisfy all COA including the aforementioned 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 install the road improvements (both public and private), sewer and drainage improvements, signs, street lights, fire hydrants, landscaping, and such other improvements (including appurtenant equipment) as required as conditions

of approval of Tentative Map 9513 as set forth in Exhibit A 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 identified in the COA's. In the event that any provision of this Agreement conflicts with the provisions of Exhibit A the provisions of Exhibit A shall prevail to the extent that the conflicting provision in Exhibit A requires 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 30 days following the date on which CITY executes this Agreement. DEVELOPER shall complete said work not later than 12 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 $1,378,000 for Grading Improvements, $1,814,000 for Frontage Improvements, and $1,291,000 for Offsite Improvements. 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. A minimum of one percent (1%) of the security shall be a cash deposit.

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. 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 with the provisions of Chapter 5 of the Subdivision Map Act. DEVELOPER may request that portions or all of the bonds may be substituted by other parties in the event that portions or all of the Subdivision is sold to other parties, and such substitution shall not be unreasonably withheld by CITY.

4. Prevailing Wage.

CITY has determined that construction of The Improvements falls within the definition of “public works” set forth in California Labor Code Section 1720. Subject to any amendments to Labor Code Section 1720 et seq., DEVELOPER shall comply with Labor Code Section 1720 et seq., shall comply with the provisions set forth in Exhibit B and shall ensure that any contractors and subcontractors comply with the provisions of Exhibit B. DEVELOPER shall waive, indemnify, hold harmless and defend CITY concerning any liability arising out of Labor Code Section 1720 et seq.

5. 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 C, 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 C, evidenced herein as Exhibit D, 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.

6. 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.

7. 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.

8. Agreement Assignment.

This Agreement shall not be assigned by DEVELOPER without the written consent of CITY.

9. 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:

NP Oakley LLC, A Delaware Limited Liability Company
c/o Evan Fitts
4825 NW 41st Street, Suite 500
Riverside, MO 64150

Notices required to be given surety of DEVELOPER shall be addressed as follows:

Berkley Insurance Company
475 Steamboat Road
Greenwich, CT 06830

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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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

By: _____
Nathaniel Hagedorn
Manager

NP Oakley, LLC, A Delaware Limited Liability Company

By: NPD Management, LLC, a Missouri limited liability company, its Manager

Exhibits: Exhibit A – Vesting Tentative Map Subdivision 9513
City of Oakley, City Council, Resolution 147-19

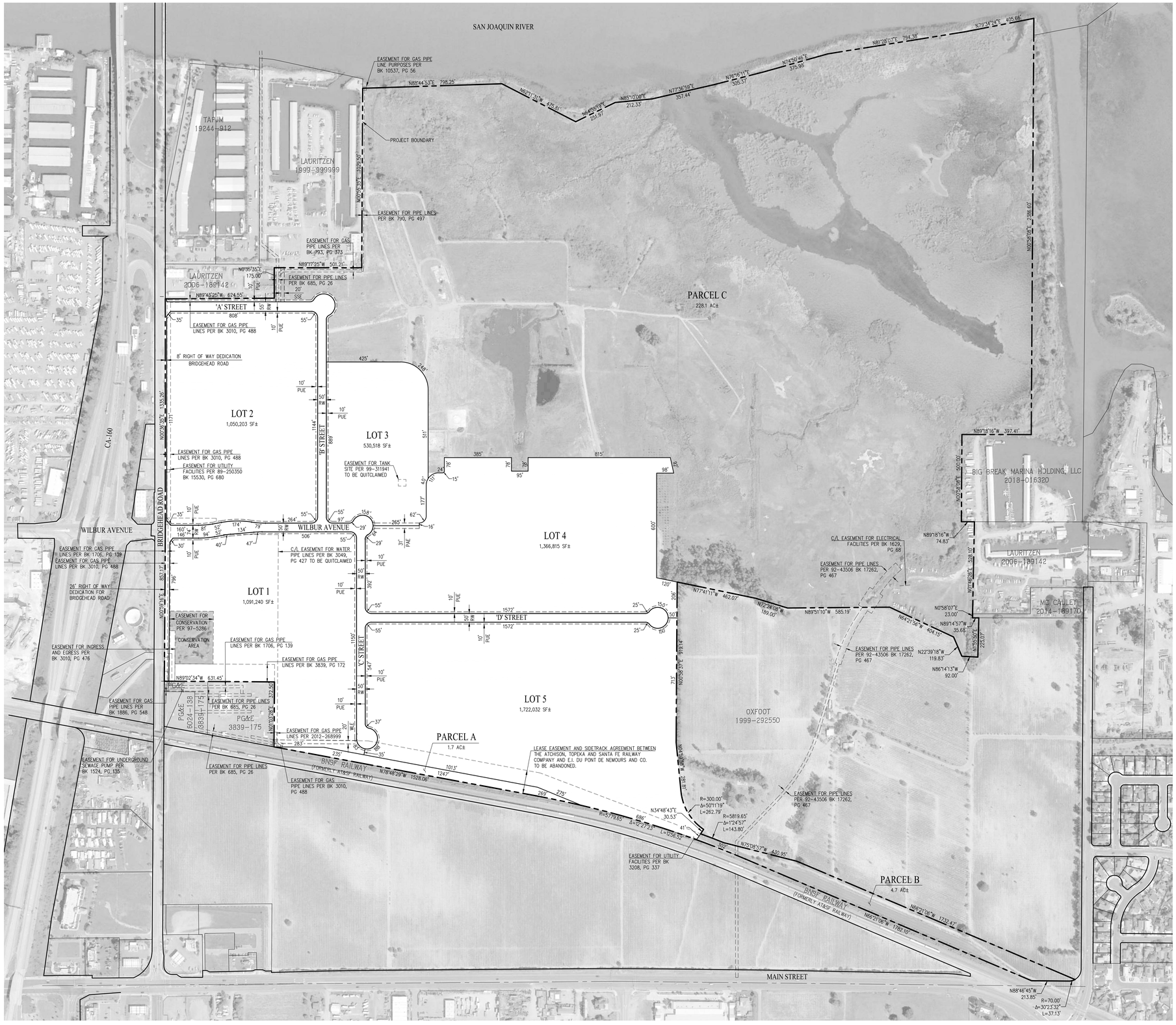
Exhibit B – Prevailing Wage

Exhibit C - Insurance Requirements

Exhibit D - Verification of Required Insurance

EXHIBIT A

(VTM SUB 9513 & RESOLUTION 147-19)



CONTACTS:

1. OWNER/DEVELOPER: NORTHPOINT DEVELOPMENT
   12977 NORTH FORTY DRIVE, SUITE 203
   ST. LOUIS, MO 63141
   (816) 384-2293
   JED MOMOT

2. ENGINEER: CARLSON, BARBEE & GIBSON, INC.
   2633 CAMINO RAMON, SUITE 350
   SAN RAMON, CALIFORNIA 94583
   (925) 866-0322
   JASON VOGAN, RCE 59299

GENERAL NOTES:

1. ASSESSORS PARCEL NO.: 037-020-008, 037-020-009, 037-020-010, 037-020-014, 037-020-015, 037-020-016, 037-020-017, 037-020-018, 037-020-019, 037-020-020, 037-020-021, 037-020-022
2. SITE AREA: GROSS: 375.7± ACRES
   DEVELOPMENT FOOTPRINT: 141.8± ACRES
3. LOTS: LIGHT INDUSTRIAL: 5
   OTHER: 3 (PARCELS A, B AND C)
4. BUILDING FOOTPRINT: BUILDING 1 – 150,000 SF± (134,474 SF± LIGHT INDUSTRIAL USE; 15,526 SF± STORAGE)
   BUILDING 2 – 439,920 SF±
   BUILDING 3 – 205,344 SF±
   BUILDING 4 – 547,080 SF±
   BUILDING 5 – 642,960 SF±
   TOTAL – 1,985,304 SF±
5. EXISTING GENERAL PLAN: BUSINESS PARK/LIGHT INDUSTRIAL/UTILITY ENERGY/DELTA RECREATION
   PROPOSED GENERAL PLAN: LIGHT INDUSTRIAL/DELTA RECREATION
6. EXISTING ZONING: SPECIFIC PLAN AREA 3 (PENDING)
   PROPOSED ZONING: LIGHT INDUSTRIAL/DELTA RECREATION
7. EXISTING LAND USE: ABANDONED INDUSTRIAL/DELTA RECREATION
   PROPOSED LAND USE: LIGHT INDUSTRIAL/DELTA RECREATION
8. BENCHMARK: BEING A BRASS DISK IN A MONUMENT WELL STAMPED 04-HK 1993, NGS DESIGNATION HPGN D CA 04 HK, PID AA3821, HAVING AN NAVD88 PUBLISHED ELEVATION OF 16.0 FEET.
9. BASIS OF BEARINGS: THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN FOUND NGS MONUMENTS, HAVING PID NO. AA3821 AND JS4835, EPOCH 2010, THE BEARING BEING N70°45'54"E (CALCULATED AND MEASURED)
10. FLOOD ZONE: ZONE AE: SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATIONS DETERMINED (9 FEET).
    ZONE X: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
    SOURCE: FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA),
    FLOOD INSURANCE RATE MAP, MAP NUMBER 06013C0163G AND 06013C0144G
    DATED: SEPTEMBER 30, 2015
11. UTILITIES:
    WATER: DIABLO WATER DISTRICT
    SEWER: IRONHOUSE SANITARY DISTRICT
    STORM DRAIN: CITY OF OAKLEY
    GAS & ELECTRIC: PG&E
    TELEPHONE: AT&T
12. DIMENSIONS: ALL DIMENSIONS ARE PRELIMINARY AND SUBJECT TO FINAL MAP
13. GRADING: GRADING SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN. PAD GRADES SHOWN ON SITE DEVELOPMENT PERMIT PLANS MUST BE IN SUBSTANTIAL CONFORMANCE WITH THOSE DEPICTED ON THE APPROVED TENTATIVE MAP.
14. PHASING: PROJECT IS ANTICIPATED TO BE CONSTRUCTED IN PHASES, AS SHOWN ON SHEET 3.
15. FINAL MAP: THIS PROJECT MAY BE PHASED. MULTIPLE FINAL MAPS MAY BE FILED UPON APPROVAL OF THE VESTING TENTATIVE MAP.
16. STREETS: A STREET, B STREET, C STREET, D STREET, WILBUR AVENUE, AND BRIDGEHEAD ROAD ARE PROPOSED TO BE DEDICATED TO THE CITY. ALL OTHER DRIVE AISLES AND PARKING AREAS WILL BE PRIVATELY OWNED.

LEGEND

- PROJECT BOUNDARY LINE
- RIGHT OF WAY LINE
- PROPOSED LOT LINE
- CENTERLINE
- PROPOSED EASEMENT LINE
- EXISTING EASEMENT LINE
- ADJACENT PROPERTY LINE

ABBREVIATIONS

EBRPD	EAST BAY REGIONAL PARKS DISTRICT
PAE	PUBLIC ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RW	RIGHT OF WAY
SSE	SANITARY SEWER EASEMENT
WLE	WATER LINE EASEMENT

SHEET INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET AND GENERAL NOTES
2	EXISTING CONDITIONS
3	DIMENSIONED SITE PLAN
4	PRELIMINARY GRADING PLAN
5	PRELIMINARY UTILITY PLAN
6	PRELIMINARY STORMWATER CONTROL PLAN
7	REMEDIATION CONSTRAINTS

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER
COVER SHEET AND GENERAL NOTES
VESTING TENTATIVE MAP

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

0' 200' 600' 800'

SCALE: 1" = 200'

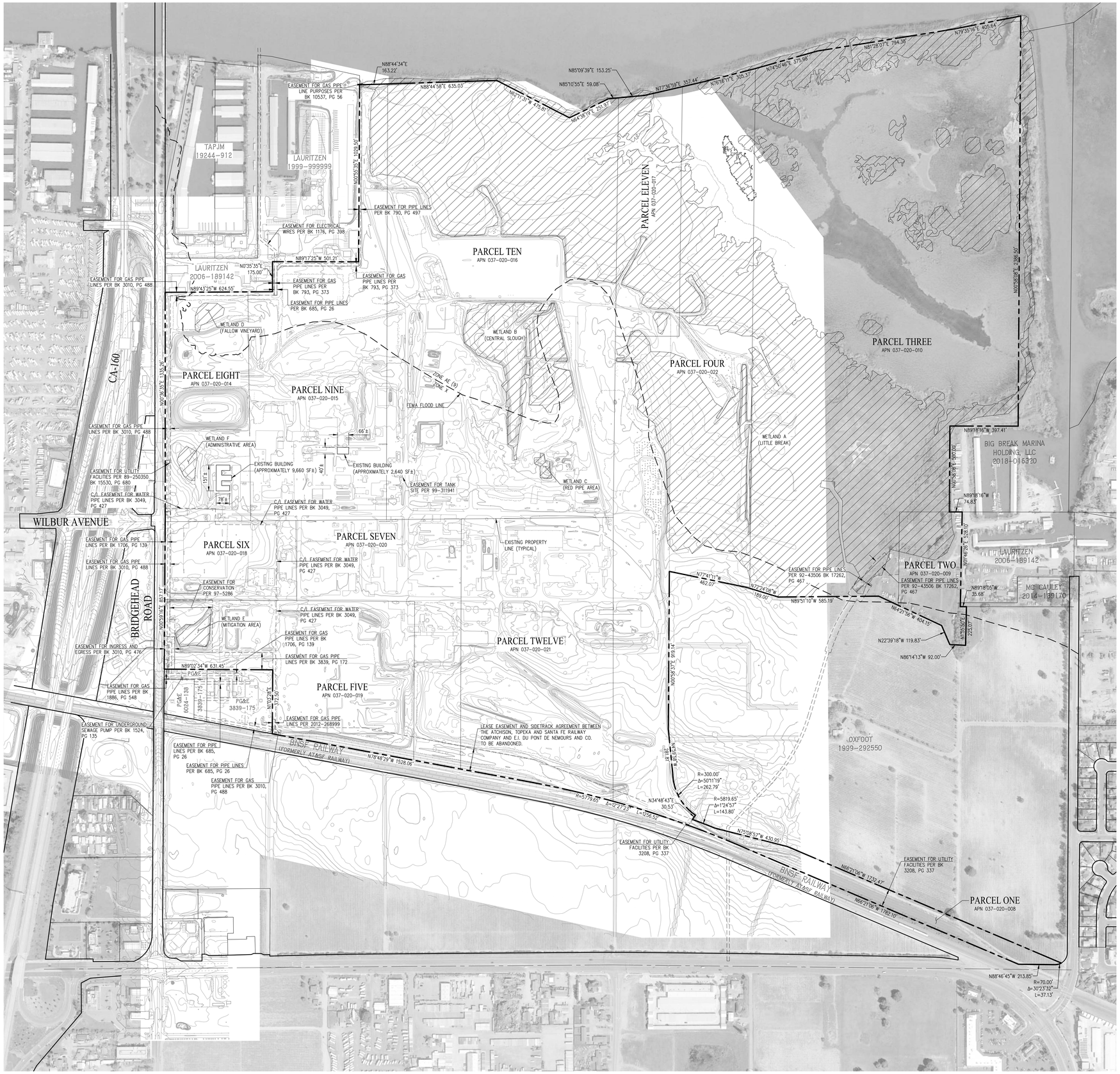
DATE: OCTOBER 9, 2019
JOB NO.: 1073-010

cbg CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON • (925) 866-0322
SACRAMENTO • (916) 375-1877
WWW.CBANDG.COM

SHEET NO. 1 OF 7 SHEETS

9/20/2019 2:14 PM

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LEGEND

- PROJECT BOUNDARY LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINE
- EXISTING CENTERLINE
- EXISTING EASEMENT LINE
- ADJACENT PROPERTY LINE
- APPROXIMATE FLOOD ZONE LIMIT
- EXISTING WETLANDS

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER
EXISTING CONDITIONS
VESTING TENTATIVE MAP

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

0' 200' 600' 800'

SCALE: 1" = 200'

DATE: OCTOBER 9, 2019
JOB NO.: 1073-010

cbg
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN RAMON • (925) 866-0322
SACRAMENTO • (916) 375-1877
WWW.CBANDG.COM

SHEET NO. 2 OF 7 SHEETS

©1073-010\ACAD\TMT\MOD.DWG

LAURITZEN
2006-189142

EASEMENT FOR PIPE LINES PER BK 685, PG 26

EASEMENT FOR GAS PIPE LINES PER BK 3010, PG 488

EASEMENT FOR GAS PIPE LINES PER BK 793, PG 373

EASEMENT FOR GAS PIPE LINES PER BK 793, PG 373

10' PUE TYPICAL

'A' STREET

WETLAND D
(FALLOW VINEYARD)

WETLAND B
(CENTRAL SLOUGH)

WETLAND A
(LITTLE BREAK)

LOT 2
BUILDING 2
439,920 SF±

LOT 3
BUILDING 3
205,344 SF±

'B' STREET

PHASING NOTE: PHASE I WILL INCLUDE LOT 1 AND THE ROADS AND UTILITIES NEEDED TO SERVE LOT 1. PHASE II WILL INCLUDE THE REMAINING LOTS, ROADS AND UTILITIES.

PHASE II

PHASE I

31' ACCESS EASEMENT

BIORETENTION (TYPICAL)

WETLAND C
(RED PIPE AREA)

LOT 4
BUILDING 4
547,080 SF±

FLOW-THROUGH PLANTER (TYPICAL)

LOT 1
BUILDING 1
150,000 SF±
(SEE NOTE 5 ON THIS SHEET)

LOT 5
BUILDING 5
642,960 SF±

'C' STREET

'D' STREET

WILBUR AVENUE

CA-160

BRIDGEHEAD ROAD

EASEMENT FOR GAS PIPE LINES PER BK 3010, PG 488

EASEMENT FOR UTILITY FACILITIES PER 89-250350 BK 15530, PG 680

EASEMENT FOR GAS PIPE LINES PER BK 1706, PG 139

EASEMENT FOR GAS PIPE LINES PER BK 3010, PG 488

EASEMENT FOR CONSERVATION PER 97-5286

CONSERVATION AREA

WETLAND E
(MITIGATION AREA)

EASEMENT FOR INGRESS AND EGRESS PER BK 3010, PG 476

EASEMENT FOR GAS PIPE LINES PER BK 3839, PG 172

PG&E 6024-138

PG&E 3839-175

PG&E 3839-175

ASSOCIATE PARKING (9' X 20')

VAN PARKING (11' X 27')

VAN LOADING

VAN STAGING

TRAILER LOADING

CITY STD DRIVEWAY

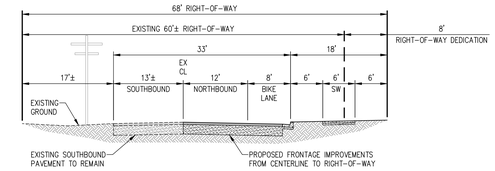
OXFOOT
1999-292550

BNSF RAILWAY
(FORMERLY AT&SF RAILWAY)

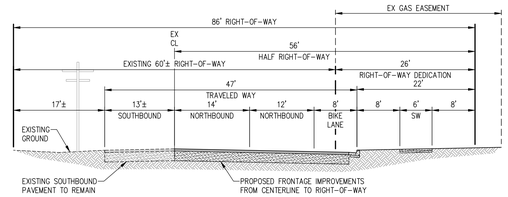
PARCEL A

PARKING SUMMARY			
BUILDING NO.	BUILDING FOOTPRINT	PARKING STALLS PROVIDED	PARKING RATIO
BUILDING 1	150,000 SF± (SEE NOTE 5 BELOW)	308	1:500 SF±
BUILDING 2	439,920 SF±	235	1:2,000 SF±
BUILDING 3	205,344 SF±	111	1:2,000 SF±
BUILDING 4	547,080 SF±	290	1:2,000 SF±
BUILDING 5	642,960 SF±	324	1:2,000 SF±
TOTAL	1,985,304 SF±	1,358	1:2,000 SF±

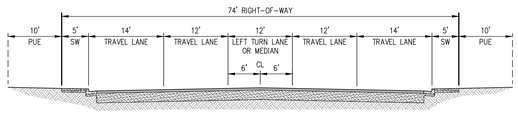
NOTES:
1. PERPENDICULAR PARKING STALLS ARE SHOWN AT 9' WIDE BY 20' DEEP. DIMENSIONS MAY BE REDUCED TO 9' WIDE BY 19' DEEP PER CITY OF OAKLEY MUNICIPAL CODE SECTION 9.1.1402 FOR FINAL DESIGN.
2. ANGLED PARKING STALLS ARE SHOWN AS 8' WIDE BY 19' DEEP MINIMUM PER CITY OF OAKLEY MUNICIPAL CODE SECTION 9.1.1402.
3. MANEUVERING AISLES BETWEEN PERPENDICULAR PARKING STALLS ARE SHOWN AT 25' WIDE. AISLES MAY BE REDUCED TO 24' WIDE PER CITY OF OAKLEY MUNICIPAL CODE SECTION 9.1.1402 FOR FINAL DESIGN.
4. MANEUVERING AISLES BETWEEN ANGLED PARKING STALLS ARE SHOWN AT 14' PER CITY OF OAKLEY MUNICIPAL CODE SECTION 9.1.1402.
5. BUILDING 1 WILL CONSIST OF 134,474 SF± LIGHT INDUSTRIAL USE AND 15,526 SF± OF STORAGE USE.



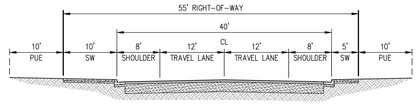
PROPOSED BRIDGEHEAD ROAD (NORTH OF WILBUR AVENUE)
HALF OF CITY STANDARD TWO LANE ARTERIAL PER STD. PLAN NO. X-01
PUBLIC STREET
NOT TO SCALE



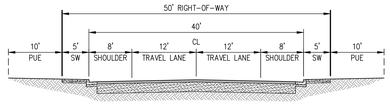
PROPOSED BRIDGEHEAD ROAD (SOUTH OF WILBUR AVENUE)
HALF OF CITY STANDARD FOUR LANE UNDIVIDED ROAD PER STD. PLAN NO. X-01
PUBLIC STREET
NOT TO SCALE



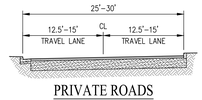
MAIN PROJECT ENTRY
(AT BRIDGEHEAD/WILBUR INTERSECTION)
PUBLIC STREET
NOT TO SCALE



TYPICAL 'A' STREET
MODIFIED CITY STANDARD TWO LANE COLLECTOR PER STD. PLAN NO. X-01
PUBLIC STREET
NOT TO SCALE



TYPICAL 'B' STREET, 'C' STREET & 'D' STREET
MODIFIED CITY STANDARD TWO LANE COLLECTOR PER STD. PLAN NO. X-01
PUBLIC STREET
NOT TO SCALE



PRIVATE ROADS
PRIVATE STREET
NOT TO SCALE

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER
DIMENSIONED SITE PLAN
VESTING TENTATIVE MAP

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

0' 100' 300' 400'
SCALE: 1" = 100'

DATE: OCTOBER 9, 2019
JOB NO.: 1073-010

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SHEET NO. 3 OF 7 SHEETS

G:\1073-010\ACAD\TMT\M03.DWG
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LAURITZEN
2006-189142

BUILDING 1
FF 22.2

BUILDING 2
FF 19.3

BUILDING 3
FF 18.7

BUILDING 4
FF 21.5

BUILDING 5
FF 22.3

CONSERVATION AREA

CENTRAL SLOUGH

BORROW AREA

FLOOD ZONE AE (9)
FLOOD ZONE X

WILBUR AVENUE

BRIDGEHEAD ROAD

CA-160

LAURITZEN

'A' STREET

PRIVATE ROAD

OXFOOT

PG&E 6024-138
PG&E 3839-175
PG&E 3839-175

BNSF RAILWAY
(FORMERLY AT&SF RAILWAY)

LEGEND

- OVERLAND DRAINAGE SWALE
- GRADE BREAK
- FLOOD ZONE DELINEATION
- STORM DRAIN PIPE
- BIORETENTION AREA
- FLOW-THROUGH PLANTER
- CURB CUT
- FIELD INLET
- STORM DRAIN MANHOLE
- CATCH BASIN
- TWIN PIPE MANHOLE STRUCTURE
- TWIN PIPE INLET STRUCTURE
- SLOPE
- SPOT ELEVATION
- OVERLAND RELEASE PATH

ABBREVIATIONS

BIO	BIOSOIL MIX (TOP ELEVATION)
FF	FINISHED FLOOR
FL	FLOW LINE
GR	GRATE (ELEVATION)
INV	INVERT
MIN	MINIMUM
SD	STORM DRAIN
TC	TOP OF CURB

LOADING DOCK FF 4' ABOVE PAVEMENT

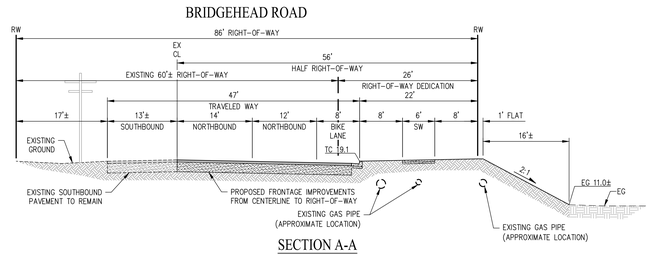
ROCK SLOPE PROTECTION
PIPE OUTFALL PER CONTRA COSTA COUNTY DETAIL C050
INV 6.0

BUBBLE-UP STRUCTURE WITH DEWATERING PUMP
GR 6.6 MIN.
INV 2.7

GRADE BREAK 16.6
GRADE BREAK 15.4
GRADE BREAK 16.2
GRADE BREAK 17.4
GRADE BREAK 14.4
GRADE BREAK 13.8
GRADE BREAK 21.2

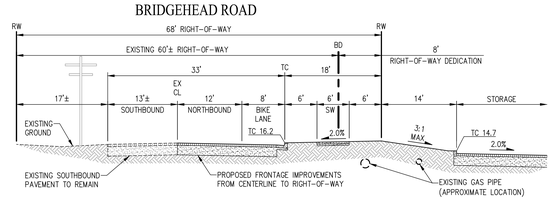
SEE SHEET 5 FOR ADDITIONAL GRADING SECTIONS.

BRIDGEHEAD ROAD



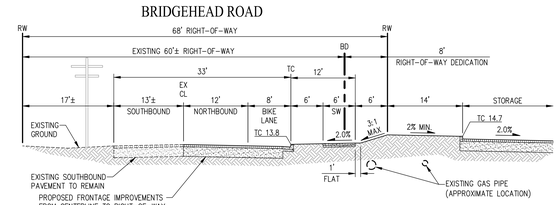
SECTION A-A
NOT TO SCALE

BRIDGEHEAD ROAD



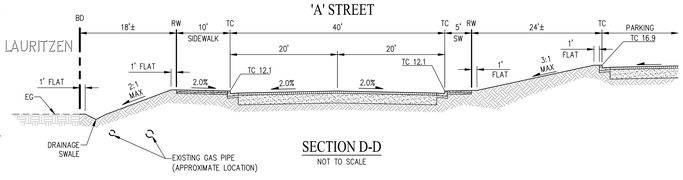
SECTION B-B
NOT TO SCALE

BRIDGEHEAD ROAD



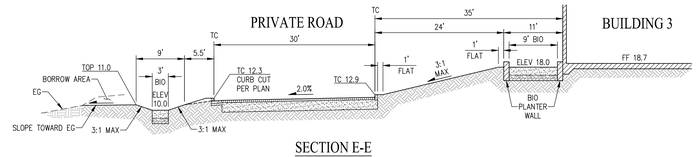
SECTION C-C
NOT TO SCALE

'A' STREET

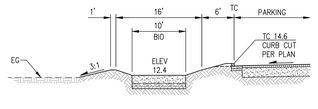


SECTION D-D
NOT TO SCALE

PRIVATE ROAD



SECTION E-E
NOT TO SCALE



SECTION F-F
NOT TO SCALE

PRELIMINARY EARTHWORK SUMMARY

	CUT (CY)	FILL (CY)
ROUGH GRADE	215,000	279,600
BORROW WEST OF CENTRAL SLOUGH	15,000	–
BORROW SOUTH OF BUILDING 5	30,400	–
ESTIMATED UTILITY SPOILS	19,200	–
TOTAL	279,600	279,600

EARTHWORK NOTE:
PRELIMINARY EARTHWORK CALCULATIONS ARE BASED ON THE TENTATIVE MAP GRADES SHOWN AND ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN.

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER
PRELIMINARY GRADING PLAN
VESTING TENTATIVE MAP

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

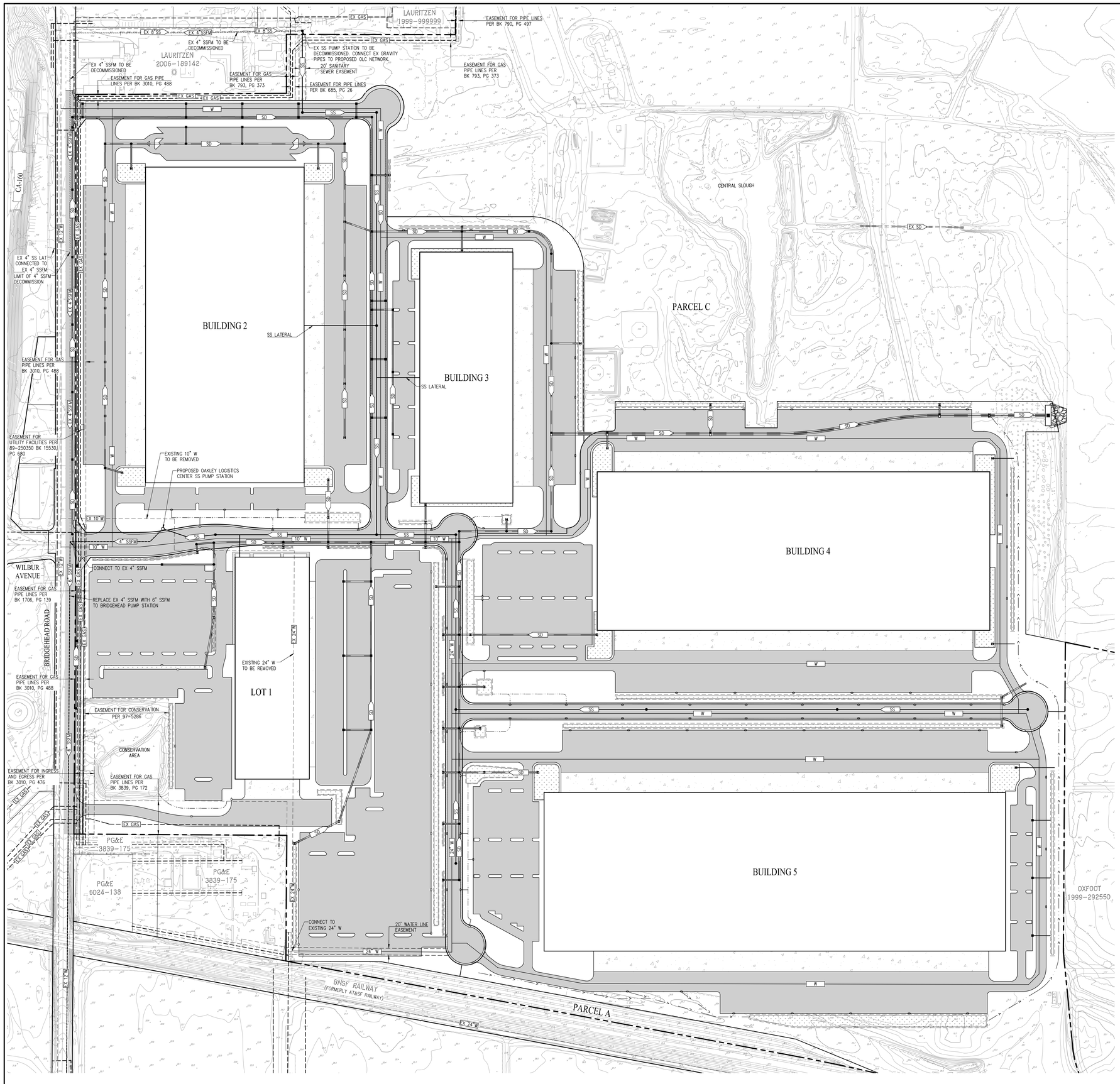
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SCALE: 1" = 100'

DATE: OCTOBER 9, 2019
JOB NO.: 1073-010

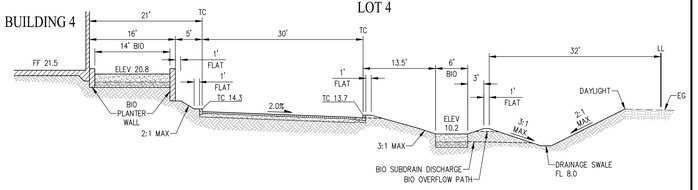
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SHEET NO.
4
OF 7 SHEETS

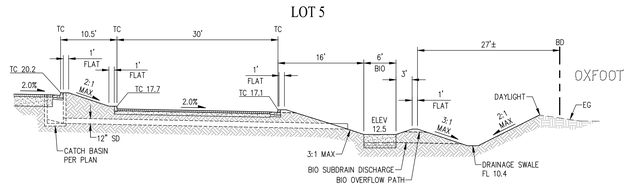
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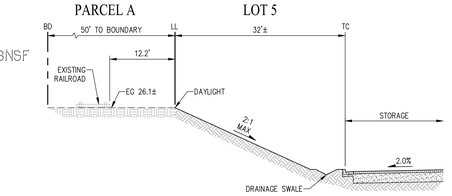
GRADING SECTIONS CORRESPOND TO LOCATION INDICATED ON SHEET 4.



SECTION G-G
NOT TO SCALE



SECTION H-H
NOT TO SCALE



SECTION I-I
NOT TO SCALE

UTILITY NOTES:

1. UTILITIES TO FOLLOW JURISDICTIONAL STANDARDS BELOW:

STORM DRAIN	CONTRA COSTA COUNTY FLOOD CONTROL DISTRICT/CITY OF OAKLEY
SANITARY SEWER	IRONHOUSE SANITARY DISTRICT
WATER	DIABLO WATER DISTRICT

2. STORM DRAIN SIZES AND INVERTS ARE PRELIMINARY AND SUBJECT TO CHANGE WITH FINAL DESIGN.
3. IN ADDITION TO THE SANITARY SEWER IMPROVEMENTS SHOWN, THE PROJECT PROPOSES TO:
   - 3.1. UPGRADE THE BRIDGEHEAD PUMP STATION LOCATED APPROXIMATELY 450 FEET NORTH OF THE INTERSECTION OF BRIDGEHEAD ROAD AND MAIN STREET.
   - 3.2. UPSIZE THE 4-INCH FORCE MAIN LEAVING THE BRIDGEHEAD PUMP STATION TO A 6-INCH DIAMETER MAIN ALL THE WAY TO THE GRAVITY SEWER CONNECTION (APPROXIMATELY 1,750 LF).

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER
PRELIMINARY UTILITY PLAN
VESTING TENTATIVE MAP

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

0' 100' 300' 400'

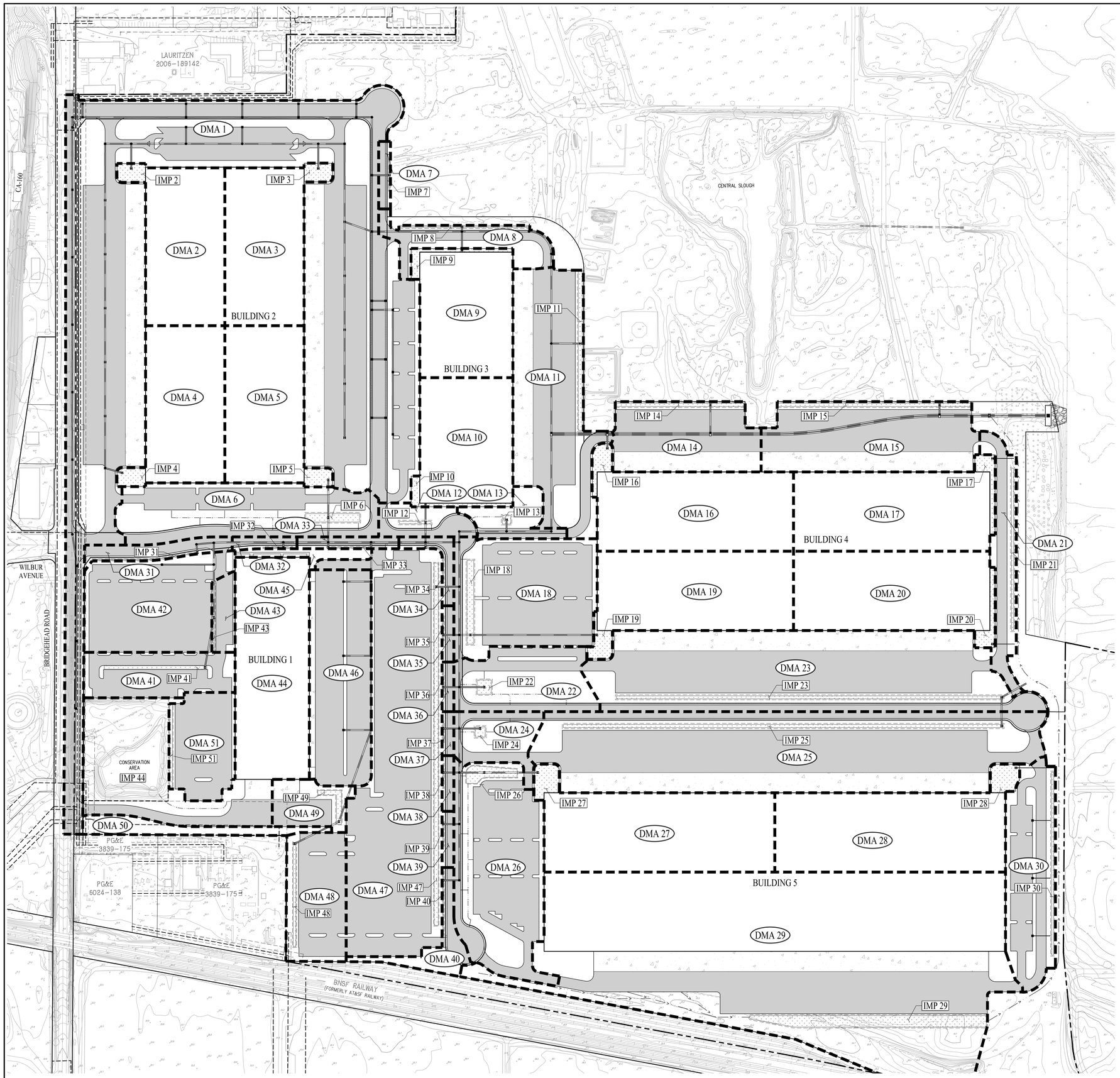
SCALE: 1" = 100'

DATE: OCTOBER 9, 2019
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SHEET NO. 5 OF 7 SHEETS

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LEGEND

- DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
- DMA 1 — DRAINAGE MANAGEMENT AREA (DMA) DESIGNATION
- IMP 1 — INTEGRATED MANAGEMENT PRACTICE (IMP) DESIGNATION
- LOW IMPACT DEVELOPMENT (LID) TREATMENT AREA (BIORETENTION OR FLOW-THROUGH PLANTER)

NOTES:

1. THE PROJECT IS DESIGNED TO COMPLY WITH THE REQUIREMENTS OUTLINED IN THE CONTRA COSTA CLEAN WATER PROGRAM'S (CCCWP) STORMWATER C.3 GUIDEBOOK, 7TH EDITION.
2. THE PROJECT IS EXEMPT FROM HYDROMODIFICATION REQUIREMENTS DUE TO TIDAL INFLUENCE.
3. LID TREATMENT SHALL BE SIZED USING THE CCCWP IMP SIZING CALCULATOR.
4. THE SITE SOIL IS CLASSIFIED AS HYDROLOGIC SOIL GROUP A PER THE USDA WEB SOIL SURVEY.
5. OFFSITE COMPLIANCE: AS DISCUSSED WITH CITY STAFF, THIS PROJECT WILL RECEIVE LID TREATMENT CREDIT FOR THE RETROFIT OF DEL ANTICO BASIN. THE RETROFIT WILL INSTALL 1 ACRE OF BIOTREATMENT AT THE BOTTOM OF THE EXISTING BASIN, EQUIVALENT TO TREATING 25 ACRES OF IMPERVIOUS AREA. THE 25-ACRE CREDIT WILL BE APPLIED TO OAKLEY LOGISTICS CENTER FOR AREAS NOT TREATED ONSITE.
6. DMA'S 1, 42 AND 46 WILL UTILIZE A PORTION OF THE 25-ACRE OFFSITE COMPLIANCE CREDIT FROM THE RETROFIT OF DEL ANTICO BASIN.

BIORETENTION AND FLOW-THROUGH PLANTER SIZING

DMA NO.	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	TREATMENT AREA REQUIRED, 4% METHOD (SF)	TREATMENT TYPE	TREATMENT AREA PROVIDED (SF)	TOTAL DMA AREA (SF)
2	110,250	0	4,410	FLOW-THROUGH PLANTER	4,440	114,690
3	110,250	0	4,410	FLOW-THROUGH PLANTER	4,440	114,690
4	109,780	0	4,391	FLOW-THROUGH PLANTER	4,440	114,220
5	109,780	0	4,391	FLOW-THROUGH PLANTER	4,440	114,220
6	65,060	52,690	2,813	BIORETENTION	4,000	121,750
7	4,990	1,780	206	BIORETENTION	230	7,000
8	22,280	19,870	971	BIORETENTION	1,150	43,300
9	103,460	0	4,138	FLOW-THROUGH PLANTER	4,630	108,090
10	103,460	0	4,138	FLOW-THROUGH PLANTER	4,630	108,090
11	135,610	22,670	5,515	BIORETENTION	5,660	163,940
12	13,420	11,200	581	BIORETENTION	660	25,280
13	8,300	18,560	406	BIORETENTION	630	27,490
14	78,250	5,460	3,151	BIORETENTION	3,780	87,490
15	114,420	8,470	4,610	BIORETENTION	5,700	128,590
16	137,180	0	5,487	FLOW-THROUGH PLANTER	5,500	142,680
17	137,360	0	5,494	FLOW-THROUGH PLANTER	5,510	142,870
18	107,450	26,750	4,405	BIORETENTION	4,980	139,180
19	137,190	0	5,487	FLOW-THROUGH PLANTER	5,500	142,690
20	137,360	0	5,494	FLOW-THROUGH PLANTER	5,510	142,870
21	26,400	19,250	1,133	BIORETENTION	2,890	48,540
22	34,350	37,510	1,524	BIORETENTION	1,760	73,620
23	237,760	40,990	9,674	BIORETENTION	10,320	289,070
24	18,590	19,700	822	BIORETENTION	900	39,190
25	285,620	44,990	11,604	BIORETENTION	11,740	342,350
26	103,060	47,490	4,312	BIORETENTION	4,790	155,340
27	161,090	0	6,443	FLOW-THROUGH PLANTER	6,590	167,680
28	161,060	0	6,442	FLOW-THROUGH PLANTER	6,570	167,630
29	520,750	141,470	21,396	BIORETENTION	22,200	684,420
30	54,980	33,260	2,332	BIORETENTION	3,250	91,490
31	16,860	3,160	687	BIORETENTION	780	20,800
32	5,010	1,710	207	BIORETENTION	210	6,930
33	7,540	2,710	312	BIORETENTION	320	10,570
34	8,810	2,570	362	BIORETENTION	380	11,760
35	4,160	1,490	172	BIORETENTION	180	5,830
36	3,680	1,310	152	BIORETENTION	160	5,150
37	3,260	1,150	135	BIORETENTION	150	4,560
38	4,120	1,470	170	BIORETENTION	180	5,770
39	4,160	1,490	172	BIORETENTION	180	5,830
40	10,370	13,600	469	BIORETENTION	470	24,440
41	46,230	8,630	1,883	BIORETENTION	3,340	58,200
43	14,740	0	589	BIORETENTION	788	15,530
47	281,100	0	11,244	BIORETENTION	12,890	293,990
48	52,130	13,330	2,138	BIORETENTION	2,160	67,620
49	19,220	9,280	805	BIORETENTION	2,220	30,720
51	53,250	2,430	2,139	BIORETENTION	2,470	58,150
TOTAL	3,884,150	616,440	157,816	–	173,718	4,674,310

INFILTRATION SIZING

DMA NO.	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	TREATMENT AREA AND VOLUME REQUIRED (SF / CF)	TREATMENT AREA AND VOLUME PROVIDED (SF / CF)	TOTAL DMA AREA (SF)
44	173,220	17,800	3,500 / 11,900	18,580 / 70,400	191,020

SELF-TREATING AND SELF-RETAINING AREAS

DMA NO.	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	TREATMENT TYPE	IMPERVIOUS : PERVIOUS RATIO REQUIRED	IMPERVIOUS : PERIOUS RATIO PROVIDED	TOTAL DMA AREA (SF)
45	1,460	10,500	SELF-RETAINING	2:1	4,440	11,960
50	0	24,700	SELF-TREATING	N/A	N/A	24,700
TOTAL	1,460	35,200	–	–	4,440	36,660

OFFSITE COMPLIANCE DMAS

DMA NO.	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	TREATMENT AREA REQUIRED, 4% METHOD (SF)	TREATMENT TYPE	TREATMENT AREA PROVIDED (SF)	TOTAL DMA AREA (SF)
1	629,770	145,070	25,771	OFFSITE BIORETENTION	N/A	774,840
42	97,620	12,100	3,953	OFFSITE BIORETENTION	N/A	109,720
46	116,740	0	4,670	OFFSITE BIORETENTION	N/A	116,740
TOTAL	844,130	157,170	34,394	–	43,560	1,001,300

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OAKLEY LOGISTICS CENTER
PRELIMINARY STORMWATER CONTROL PLAN
VESTING TENTATIVE MAP

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

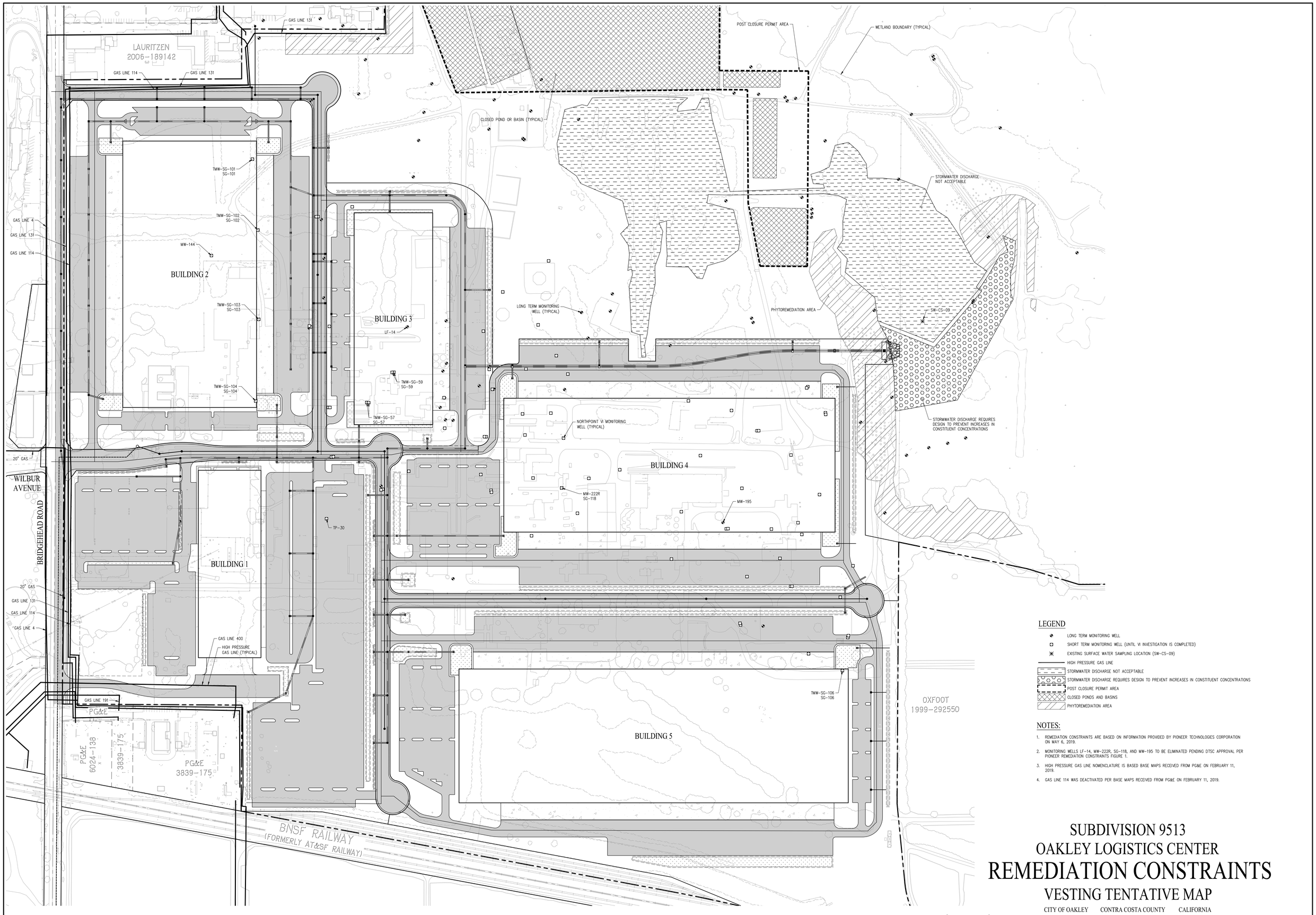
0' 100' 300' 400'

SCALE: 1" = 100'

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SHEET NO. 6 OF 7 SHEETS



LEGEND

- LONG TERM MONITORING WELL
- SHORT TERM MONITORING WELL (UNTIL VI INVESTIGATION IS COMPLETED)
- EXISTING SURFACE WATER SAMPLING LOCATION (SW-CS-09)
- HIGH PRESSURE GAS LINE
- STORMWATER DISCHARGE NOT ACCEPTABLE
- STORMWATER DISCHARGE REQUIRES DESIGN TO PREVENT INCREASES IN CONSTITUENT CONCENTRATIONS
- POST CLOSURE PERMIT AREA
- CLOSED PONDS AND BASINS
- PHYTOREMEDIATION AREA

NOTES:

1. REMEDIATION CONSTRAINTS ARE BASED ON INFORMATION PROVIDED BY PIONEER TECHNOLOGIES CORPORATION ON MAY 6, 2019.
2. MONITORING WELLS LF-14, MW-222R, SG-118, AND MW-195 TO BE ELIMINATED PENDING DTSC APPROVAL PER PIONEER REMEDIATION CONSTRAINTS FIGURE 1.
3. HIGH PRESSURE GAS LINE NOMENCLATURE IS BASED BASE MAPS RECEIVED FROM PG&E ON FEBRUARY 11, 2019.
4. GAS LINE 114 WAS DEACTIVATED PER BASE MAPS RECEIVED FROM PG&E ON FEBRUARY 11, 2019.

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER
REMEDIATION CONSTRAINTS
VESTING TENTATIVE MAP

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

0' 100' 300' 400'

SCALE: 1" = 100'

DATE: OCTOBER 9, 2019
JOB NO.: 1073-010

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SHEET NO. 7 OF 7 SHEETS

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RESOLUTION NO. 147-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING VESTING TENTATIVE MAP (TM 05-18) AND DESIGN REVIEW (DR 12-18) ON A PROPERTY LOCATED AT 6000 BRIDGEHEAD ROAD (APN'S: 037-020-008, -009, -010, AND -014 THROUGH -022) FOR THE PROJECT KNOWN AS THE "OAKLEY LOGISTICS CENTER"

WHEREAS, on December 17, 2018, NP Oakley, LLC., ("Applicant") submitted an application requesting 1) Certification of the Environmental Impact Report, including adoption of Findings of Fact and a Statement of Overriding Considerations; 2) Adoption of the Mitigation Monitoring and Reporting Program; and approval of 3) a General Plan Amendment (GPA 04-18) to amend the land use designation of the 143.3-acre project site from Light Industrial (LI) /Business Park (BP) /Utility Energy (UE) to Light Industrial (LI)) with the remainder of the subject property being Delta Recreation (DR), and to remove the proposed extension of Live Oak Avenue from Figure 3-1, Circulation Diagram, of the General Plan; 4) a Rezone (RZ 08-18) to amend the zoning designation of the 375.7-acre subject property from Specific Plan (SP-3) to Planned Unit Development (P-1); 5) a Vesting Tentative Map (TM 05-18) to create eight parcels within the 375.7-acre subject property; 6) Design Review (DR 12-18), including the Final Development Plan, for the project's design, including site plans, architectural elevations, conceptual landscape plans, and other physical development; and 7) Development Agreement (DA 01-18) for the proposed development between the City of Oakley and the project applicant. The project site is located at 6000 Bridgehead Road (APN's: 037-020-008, -009, -010, and -014 through -022). ("Project"); and

WHEREAS, the project site is designated as *Light Industrial (LI) and Delta Recreation (DR)* in the Oakley 2020 General Plan per City Council Resolution No.146-19 and zoned Planned Development (P-1) District per Ordinance No. 02-20; and

WHEREAS, the "Project" was analyzed under the Oakley Logistics Center Project EIR (SCH # 2019029113); and

WHEREAS, on December 5, 2019, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On December 5, 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 and 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 December 17, 2019, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a

consists of 8 parcels. Construction and grading of the project are subject to building or grading permits, and violations of any such permits are subject to appropriate enforcement;

6. The design of the subdivision includes the construction of improvements within public right-of-way that are consistent with major subdivisions and the City's design standards. The improvements consist of widening Bridgehead Road, with additional roadway, sidewalks, curbs and gutters, and landscaping adjacent to the projects frontage. The remainder of the subdivision will be accessed through new roads with landscaping and lighting; and

7. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. The Vesting Tentative Map does not conflict with easements acquired by the public for access and utilities.

B. In regards to the application requesting Design Review approval for (DR 12-18) for the project, the City Council finds that:

1. The proposed Design Review plans are substantially consistent with the applicable General Plan designation and approved Vesting Tentative Map. The proposed use is allowed for by the approval of the projects General Plan Amendment and Rezone applications; and

2. The proposed Design Review plans comply with all applicable Planned Development (P-1) District regulations as set forth in the approval of the projects Rezone application; and

3. The proposed design and materials of the Oakley Logistics Center buildings are compatible with the applicable adopted City of Oakley Commercial and Industrial Design Guideline standards, subject to the approved Final Development Plan.

C. The project complies with Measure J Growth Management requirements.

D. The Environmental Impact Report (EIR) for the Oakley Logistics Center project was certified by the City of Oakley City Council on December 17, 2019. The

Vesting Tentative Map and Design Review applications were analyzed under the Oakley Logistics Center Project EIR (SCH # 2019029113).

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves of the Applicant's request for **Vesting Tentative Map (TM 05-18) and Design Review (DR 12-18)** subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application received by the Planning Division, dated **December 17, 2018**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE CONSTRUCTION OF THE BUILDING'S UNLESS OTHERWISE NOTED:

PLANNING DIVISION CONDITIONS

General:

1. This **Vesting Tentative Map (TM 05-18) and Design Review (DR 12-18)** is approved, as shown on the plans, date stamped by the Planning Division on **October 9, 2019**, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.

2. This approval for **Vesting Tentative Map (TM 05-18) and Design Review (DR 12-18)** shall be effectuated within a period of three (3) years from the effective date of this resolution by pulling a building permit and if not effectuated shall expire on **December 17, 2022**. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code.

3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on **December 17, 2019**.

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. If the remains are determined to be that of Native American origin, procedures will be guided by California PRC 5097 through California's Native American Heritage Commission.

7. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

Site Plan:

8. Parking stalls shall be 9 feet wide by 19 feet deep and all drive aisles shall be a minimum 24 feet in width as reviewed and approved by the Community Development Director.

9. A lighting and photometric plan shall be submitted prior to the issuance of building permits. The minimum requirement shall be one foot of candle light within public parking areas and pedestrian pathways.

10. Light poles shall be a maximum height of 30 feet within employee or public parking areas and shall provide glare shields where adjacent to existing residences per the review and approval of the Community Development Director. Light Poles within truck courts and outside storage areas may be taller depending on user needs and shall be approved by the Community Development Director.

11. Trash enclosures shall match Oakley Disposal and City standards and shall provide adequate space to accommodate both trash and recycling. Also, trash enclosures shall be constructed with a roof to match the building design and materials, have metal gates, and when appropriate be surrounded by landscaping with climbing vines on three sides per the review and approval of the Community Development Director.

12. Tenants may utilize trash receptacles such as compactors, trash containers, or recycling containers at their dock positions so long as they are completely enclosed and protected from the elements.

13. Any outdoor storage shall be kept neat and orderly at all times, per the review and approval of the Community Development Director.

Architecture:

14. Roof-mounted equipment shall not be visible when standing at grade level within 50' of the building. Should roof-mounted equipment be visible it much be architecturally screened from view per the review and approval of the Community Development Director.

15. The light fixtures on the buildings shall be decorative fixtures in line with the architecture per the review and approval of the Community Development Director.

Landscaping Requirements:

16. A landscaping and irrigation plan for all areas shown on the site plan shall be submitted for review and approval of the Community Development Director prior to the issuance of shell building permits. The landscaping plan shall include the project's frontage and side yards. Landscaping shall conform to the Oakley Water Efficient Landscape Ordinance 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.

17. California native drought tolerant plant or shall be used as much as possible. All trees shall be a mix of fifteen-gallon, 24-inch box and 36-inch box, all shrubs shall be a minimum five-gallon size, except as otherwise noted.

18. Parking lot trees, where feasible, shall achieve to provide shading of the parking areas at tree maturity.

19. Prior to occupancy, an on-site inspection shall be made of privately owned lands by a licensed landscape architect to determine compliance with the approved landscape plan. A signed certification of completion shall be submitted to the Community Development Director for review and approval.

20. If occupancy is requested prior to the installation of the landscape and irrigation improvements, then either a performance and payment bond, cash deposit or a letter of credit shall be delivered to the City for 125 percent of the estimated cost of the uncompleted portion of the landscape and irrigation improvements. If compliance is not achieved after six months of occupancy as determined by the Community Development Director, the City shall contract for the completion of the

landscaping and irrigation improvements to be paid for by the held sum. The City shall return the unused portion within one year of receipt or at the completion of all work.

21. Landscaping shall be maintained as shown on the landscape plan in perpetuity.

22. The applicant shall provide mitigation for the removal of any heritage and protected trees per OMC Section 9.1.1112(g)(11)(a).

Walls and Fences:

23. Anti-graffiti techniques shall be used on walls.

24. The applicant shall submit a wall and fence plan with each Building per the final review and approval of the Community Development Director. Walls and fences shall be decorative in nature, with a minimum level of vinyl coated chain link material.

Signage:

25. The proposed signage shall meet the requirements of the City's Zoning Ordinance. All proposed signage shall be reviewed by the Planning and Building Divisions.

26. A Sign Plan shall be provided for the site. Only the following signs shall be allowed, subject to final review and approval by the Community Development Director prior to the issuance of a building permit for signs:

    - To be determined with each Building.

27. The wall signs shall be constructed of individual channel letters.

28. All signs shall be on permanent structure and of design and material to compliment the proposed buildings. No signs on the premises shall be animated, rotating or flashing. No flags, pennants, banners, pinwheels or similar items shall be permitted on the premises, with the exception of a United States flag and California State flag.

29. Temporary signage for such things as special events and grand openings, shall require a Temporary Use Permit per the review and approval of the Community Development Director.

Design Review:

30. All aspects of the architecture and site design for each building within the campus must be consistent with style of architecture submitted with the project. Each building shall be of high quality and have 360 degree design incorporated therein.

The review and approval of each building's design will be handled at the Building Permit submittal per the review and approval of the Community Development Director.

Mitigation Measures

31. All mitigation measures addressed in the Oakley Logistic Center EIR shall be complied with and addressed as outlined in the Mitigation Monitoring and Reporting Plan, per the review and approval of the Community Development Director.

32. All measures contained within the HCP Planning Survey Report dated **September 27, 2019** shall be complied with, per the review and approval of the Community Development Director.

Waste Management Plan:

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

BUILDING DIVISION CONDITIONS

34. 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.

35. 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 stands and requirements found in the most recent version of the NFPA, Standard 13R.

36. Prior to requesting a Certificate of Occupancy from the Building Division all Conditions of Approval required to occupancy must be completed.

PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF AN ENCROACHMENT AND/OR GRADING PERMIT:

37. GENERAL. All public improvements shall be made according to the latest adopted City Standard Drawings and Specifications. All work shall conform to the applicable City ordinances. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be

washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense.

38. ENCROACHMENT PERMIT. All work in the public right-of-way, including any blockage or partial closure of sidewalks will require an Encroachment Permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.

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

40. PERMIT ISSUANCES. Improvements plans signed approval from Iron House Sewer District and Diablo Water Districted is required prior to City of Oakley release of any construction permit for Grading and Drainage.

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

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

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

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

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

44. EROSION CONTROL. Interim and final erosion control plans shall be prepared and submitted to the Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the State

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

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

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

47. TRAFFIC CONTROL PLAN. The project sponsor will be required to work with the Public Works Department to develop a traffic control plan per the current California MUTCD. This plan will include, but not be limited to, the following measures:

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

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

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

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

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

48. CONSTRUCTION MANAGEMENT PLAN. The Applicant shall submit a construction management plan that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, construction trailer, and proposed outhouse locations. The public street shall not be used for any construction related activities, including parking for workers and storage of vehicles.

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

50. SIDEWALK REPAIR. The developer shall repair and replace to existing City standards any sidewalk damaged now or during construction of this project. Sidewalk repair shall match existing color, texture and design, and shall be constructed per City Standard Details. The limits of sidewalk repair will be determined by the Public Works Inspector during the construction phase of the project.

51. CURB AND GUTTER. The developer shall repair and replace to existing City standards any curb and gutter damaged now or during construction of this project. New curb and gutter shall be constructed per City Standard Details. The limits of curb and gutter repair will be determined by the Public Works Inspector during the construction phase of the project.

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

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

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE GRADING PLAN:

54. ENVIRONMENTAL CLEAN UP. A Land Use Covenant approved by Department of Toxic Substances Control (DTSC) must be provided providing proof that the proposed use complies with land use restrictions placed by DTSC.

55. GEOLOGY AND SOIL MITIGATION MEASURES. A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. All recommendations of the investigation shall be incorporated into project plans. One copy of the geologic report shall be submitted with the grading permit and public improvement application. Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations. The applicant's soils engineer's approval shall then be conveyed to the City either by letter or by signing the plans.

56. GRADING.

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

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

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

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

e) Prior to commencement of any site work that will be result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent Letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.

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

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

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

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

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE IMPROVEMENT PLAN:

58. IMPROVEMENT PLAN APPROVAL. Improvements plans shall be signed approved from Iron House Sewer District and Diablo Water Districted, prior to approval of the City Engineer and release of any construction permit for grading and drainage improvements.

59. PUBLIC IMPROVEMENTS. Project streets within public right of way to must be designed 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.

60. ROADWAY IMPROVEMENTS. The following improvements shall be installed by the developer as shown on the Tentative Map. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the City.

a. Frontage Improvements. Bridgehead Road shall be constructed with curb, gutter, sidewalk, street lights, pavement widening, signing, striping, and storm drainage as required and shown in the Tentative Map. Frontage improvements shall include a 2 inch grind and overlay for the existing southbound lanes within the project limits.

b. Onsite Improvements - Wilbur Avenue, A Street, B Street, C Street, and D Street shall be constructed per City Standards for a public road with the modifications shown on the Tentative Map. All other streets shall be installed to private roadway standards to the satisfaction of the City Engineer and East Contra Costa Fire District. Submit a Geotechnical Report that recommends the pavement section necessary to accommodate the truck traffic anticipated for this roadway network.

c. Offsite Improvements – The following improvements shall be installed consistent with the mitigation measures outlined in the Traffic Impact Report for the project to the satisfaction of the City Engineer:

i. Wilbur Avenue & Bridgehead Road – Install a four-way traffic signal with crosswalks. Improvements must be constructed and operational prior to the release of the Certificate of Occupancy of the fifth building constructed on site. *(MM 4.4-8a)*

ii. Main Street at Bridgehead Road/Neroly Road –
1) Installation of a dual eastbound left turn lane and a dual northbound left turn lane,
2) Implementation of signal coordination with the adjacent traffic signal at the SR 160 Eastbound Ramps.
Improvements must be constructed and operational prior to the release of Certificate of Occupancy of the first building constructed on site. *(MM 4.4-7a)*

iii. Big Break Road at Main Street –
1) Widening of the southbound Big Break Road approach to the intersection to allow for an additional approach lane,
2) Construction of a dual left turn lane on the eastbound Main Street approach to the intersection,

3) Widening of the eastbound and westbound Main Street approaches to allow for three through lanes in each direction.
The fair share contribution for these improvements is due two weeks prior to the approval of the Traffic Impact Fee Update or issuance of the building second building permit, whichever comes first. *(MM 4.4-8b)*

iv. Oakley Road at Live Oak Avenue – Widening of the westbound Oakley Road approach to the intersection to allow for a separate right turn lane. The fair share contribution for these improvements is due two weeks prior to the approval of the Traffic Impact Fee Update or issuance of the building second building permit, whichever comes first. *(MM 4.4-2)*

v. Main Street at Empire Avenue– Installation of a dual westbound left turn lane. The fair share contribution for these improvements is due two weeks prior to the approval of the Traffic Impact Fee Update or issuance of the building second building permit, whichever comes first. *(MM 4.4-7b)*

vi. Bridgehead Road between the Planned River Oaks Crossing Entrance and the Main Street and Neroly Road Intersection – Widening of this segment of Bridgehead Road from a two lane to a four lane cross-section. Improvements must be constructed and operational prior to the release of Certificate of Occupancy of the first building constructed on site. *(MM 4.4-9)*

61. DRAINAGE IMPROVEMENTS.

a. Offsite Improvements – Design and construct the proposed Del Antico Basin modification, as described in the Stormwater Control Plan, concurrently with the Phase 1 Backbone Infrastructure. The design and construction is not to exceed a total contribution (construction cost) of two-hundred and fifty thousand dollars ($250,000.00). One acre of the basin bottom shall be excavated and replaced with an 18-inch layer of engineered biosoil over a 12-inch layer of drain rock to the satisfaction of the City Engineer. The basin modification shall be constructed prior to the issuance of certificate of occupancy for any buildings to the satisfaction of the City Engineer.

b. 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.

c. 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. The report shall includes study of the downstream stormdrain facilities to confirm its adequacy and mitigate on-site so that the peak flows of post-project conditions do not exceed the pre-project peak flows.

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

e. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

f. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.

g. On-site parking area and driveways shall not surface drain across public sidewalk or driveway aprons.

62. SIGHT DISTANCE EXHIBIT. For the project driveways' ingress and egress, provide an exhibit that will analyze the sight distance required for the appropriate speed limit identified with this project as required by the City Engineer.

63. DESIGN CHANGES. The Applicant's registered Engineer shall notify the City Engineer, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the plans. Any proposed changes shall be subject to the approval of the City before altered work is started. A plan revision must be submitted for approval by the City Engineer.

64. JOINT TRENCH PLANS. The applicant shall submit Joint Trench Composite Plans to the City for review prior to approval of improvement plans or recordation of the final map. 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. The joint trench plans shall include street and/or site lighting and associated photometrics. A letter shall be provided by PG&E stating that public streetlight billing will be per Rule LS2A, and that private lights shall be metered with billing to the owner. Pole numbers, assigned by PG&E, shall be clearly delineated on the plans.

65. UTILITIES & UNDERGROUNDING.
   a) Underground all new and existing utility distribution facilities per City of Oakley code section Title 6 Chapter 8 Underground Utility Districts.

b) 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.

c) Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

d) A written approval from Diablo Water District and Iron House Sanitary District must be provided that all underground utility improvements have passed all testing requirements prior to commencement of paving a street.

66. STREET LIGHTS. Install streetlights along all public streets as required by the City Engineer. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. Street lights shall be spun aluminum "cobra head" style as required by the City of Oakley Standard Plans.

67. LANDSCAPING IN PUBLIC RIGHT OF WAY.
   a) Install public right-of-way landscaping along the project's frontages as required by the City Engineer and Community Development Director.

   b) Maintain all landscaping within the public right-of-way until such time that the adjacent roadway improvements have been accepted for maintenance. Frontage landscaping shall be maintained by the owner.

   c) Prior to the issuance of certificate of occupancy, an inspection will be performed to verify the health and location of the street trees. Trees in poor health or those without adequate clearance from utilities will require replacement or relocation.

68. FENCING. Any proposed fencing and walls shall be located on private property and maintained by the property owner or owner.

THE FOLLOWING PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE FINAL MAP:

69. BONDS. The applicant shall supply suitable securities for all site improvements that are a part of the development in a form acceptable to the City in the amount of 100% (performance), 50% (labor and material) prior to issuance of any permit.

70. FINAL MAP. Submit a Final Map prepared by a Licensed Land Surveyor. The parcel map shall be recorded, and the Subdivision Agreement must be executed before any building permits are issued. Insurance shall be provided per the terms of the Subdivision Agreement. Exception may be granted if the applicant wishes to file for a lot line adjustment prior to the recordation of the Final Map prior to the

release of the building permit or secure a letter from the owner that no lots can be sold until the Final Map is recorded.

71. DEDICATIONS. The following shall be dedicated on the final map. The dedication shall be recorded before any permits are issued.

    a. Dedicate the required right-of-way along the project frontage as shown in the typical sections of the Tentative Map.
    b. Public Utility Easement (PUE): 5' PUE beyond Parcel A, B & C and as required.
    c. Ingress-egress, storm drainage easements, as required.

    Any 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 shall be furnished to the City. Prior to the issuance of building number 1 the applicant must provide the necessary documentation that all existing easement no longer necessary have been quitclaimed.

72. PRIVATE EASEMENTS. Agreements detailing rights, limitations, and responsibilities of involved parties shall accompany each private easement. The easements and associated agreements shall be recorded simultaneously with the final map.

73. EASEMENTS. All easements no longer in use shall be abandoned/quitclaim. Recorded quitclaim documents or a certificate of compliance letter that all easements are not in conflict, nor restricts the construction of the proposed improvements. Documentation shall be provided to the City prior to release of any building permits.

74. UTILITY SETBACKS. Building foundations shall be set back from utility lines a sufficient distance to allow excavation of the utility without undermining the house foundation. The City Engineer shall determine the appropriate setback based on the depth of the utility, input from the project soils engineer, and the type of foundation.

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT:

75. PAD CERTIFICATION. A letter from a licensed land surveyor stating that the building pad was constructed in accordance with the approved plans shall be provided prior to the issuance of the building permit.

76. SOILS ENGINEER CONSTRUCTION OBSERVATION. During construction, all excavations and grading shall be inspected by the applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend

appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing should be documented in an "as-built" letter/report prepared by the applicants' soils engineer and submitted to the City before any building permit is granted.

77. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS. The property owner shall enter into an agreement with the City for maintenance of the stormwater filtration devices required to be installed on this project. The agreement will specify that certain routine maintenance shall be performed by the property owner and will specify device maintenance reporting requirements. The agreement will also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded prior to release of any occupancy permits.

78. AS-BUILT PLANS. After completion of the construction of all work, the original plans shall have all changes (change orders and field changes) clearly marked. The "as-built" plans shall again be signed and "wet-stamped" by the civil engineer who prepared the plans, attesting to the changes. The original "as-built" plans shall be review and approved the Engineering Inspector. A Mylar and AutoCAD disk of the approved "as-built" plans shall be provided to the City before acceptance of improvements.

79. IMPACT FEES

Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00 and 08-03. The applicant shall pay the fees in the amounts specified in Section 8 of the Development Agreement prior to building permit issuance:

A. Pay to the City $3,000,000 (three million dollars) as full satisfaction of its obligation for City traffic impact fees as required by Ordinance No. 14-00, adopted by Resolution 49-03 as amended by 49-17.);

B. Developer shall voluntarily contribute to the City the amount of $850,000 (eight hundred and fifty thousand dollars) for the City, in its sole discretion, to utilize in a manner it believes best to serve and benefit its residents;

C. Regional Transportation Development Impact Mitigation Fee (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05).

D. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);

E. Fire Facilities Impact Fee (adopted by Resolution No. 09-01);

F. General Plan Fee (adopted by Resolution No. 53-03);

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

The applicant is required to fund the Traffic Impact Fee Update removing the Live Oak Extension and Live Oak Railroad Crossing on the existing project list pending approval of the General Plan Update to remove these projects in our roadway network.

80. ANNEXATIONS

Prior to the issuance of the first occupancy permit, the developer shall establish a funding mechanism to cover the annual financial impact that their project has on police services, maintenance and operation costs associated with regional, community, and neighborhood parks, street landscaping, street lights, stormwater facilities, street sweeping, streets and sidewalk maintenance within the project. Forming a new Community Facilities District (CFD) that includes tax components to address these financial impacts shall satisfy this requirement. All costs associated with meeting this requirement shall be paid for by the developer. Compliance with this requirement shall be to the satisfaction of the Public Works Director.

ADVISORY NOTES

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

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

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

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

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

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

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

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

development that may affect any fish and wildlife resources, per the Fish and Game Code.

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

PASSED, APPROVED AND ADOPTED this 17th day of December, 2019 by the following vote:

AYES: Alaura, Higgins, Krieg, Pope, Romick
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

Kevin Romick, Mayor

ATTEST:

Libby Vreonis, City Clerk

12-19-19
Date

EXHIBIT B

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.

EXHIBIT C

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 D

VERIFICATION OF INSURANCE

Recording Requested By:

NP Oakley LLC, A Delaware
Limited Liability Company
c/o Evan Fitts
4825 NW 41st Street, Suite 500
Riverside, MO 64150

When Recorded Mail To:

City Clerk
City of Oakley
3231 Main Street
Oakley CA 94561

SUBDIVISION ANNEXATION AND ASSESSMENT AUTHORIZATION DEFERRAL AGREEMENT SUBDIVISION 9513

This agreement ("Agreement") is made at Oakley, California, effective as the 14th of April, 2020, by and between the CITY OF OAKLEY, a municipal corporation ("City") and NP Oakley LLC, A Delaware Limited Liability Company (Owner").

Recitals

A. On the 17th of December, 2019 the City of Oakley adopted Resolution 147-19 which conditionally approved the Vesting Tentative Map for Subdivision 9513 ("Subdivision") located east of Bridgehead Road and Wilbur Avenue within the City of Oakley, which Subdivision is further described in the map and legal description attached hereto and incorporated herein as Exhibits A and B respectively.

B. Condition of Approval 80 requires that the developer shall establish a funding mechanism to cover the annual financial impact that the project has on police services, maintenance and operation costs associated with regional, community, and neighborhood parks, street landscaping, street lights, stormwater facilities, street sweeping, street and sidewalk maintenance within the project. This condition includes forming a new Community Facilities District (CFD) that includes tax components to address these financial impacts.

C. City and Owner, by this Agreement, are implementing Condition of Approval Number 80.

AGREEMENT

With reference to the foregoing Recitals and in consideration of the mutual provisions, obligations and covenants herein contained, City and Owner agree as follows:

1. Recitals.

The foregoing Recitals are true and correct and are made a part hereof.

2. Support for Annexation.

Owner shall support and take any and all actions necessary to annex the Subdivision into the CFD for the future maintenance and costs of police services, maintenance and operation costs associated with regional, community, and neighborhood parks, street landscaping, street lights, stormwater facilities, street sweeping, street and sidewalk maintenance within the project.

3. Submission of Assessment Ballots in Favor of Assessment, Special Tax Ballot in Favor of Special Tax.

Upon receipt of an assessment ballot regarding the assessments that shall be annually imposed by the CFD, Owner shall promptly indicate its support for such assessments and/or special taxes by marking the ballot(s) and submitting it as instructed in the ballot materials. Owner specifically understands that the current assessments levied by the CFD may increase due to inflation and Owner agrees to pay any such increase.

4. Restrictions on Conveyances and Transfers of Title.

Owner shall not convey or otherwise transfer title to any parcel within the Subdivision other than Lot 1 and Lot 2 until the annexation to CFD, approval of the Special Tax and formation of Funding Mechanism including the completion of the ballot proceedings is finalized, and the assessments and special taxes are authorized to be levied on all the parcels in the Subdivision. Owner may, however, enter into reservation contracts with potential purchasers of residential parcels within the Subdivision, provided that such contracts include a prominent warning that shall be reviewed by and acceptable to the City identifying the existence of this Agreement and summarizing its critical requirements.

5. Restrictions on Issuance and Processing of Building Permits.

Owner shall not request, and City shall neither issue nor process, any building permits for any parcel or structure in the Subdivision until the annexation to the CFD, approval of the Special Tax and formation of Funding Mechanism including the completion of the ballot proceedings is finalized and the

assessments and special taxes are authorized to be levied on all the parcels in the Subdivision.

6. Recordation of Agreement.

Prior to issuance of the Final Map, Owner shall record this Agreement in the chain of title for all the parcels in the Subdivision, such that this Agreement will be identified in any title report prepared for a potential purchaser of a residential parcel in the Subdivision.

7. Issuance of Final Map.

City shall not withhold approval of the final map for the Subdivision prior to completion of the annexation of the Subdivision to the CFD, approval of the Special Tax and formation of Funding Mechanism and authorization of the levy of the District assessment, authorization of the levy of the Special Tax and authorization of the levy of Funding Mechanism assessment on residential parcels in the Subdivision on account of failure to complete annexation to the CFD, and approval of the Special Tax and formation of Funding Mechanism provided that the Subdivision is in substantial compliance with all other conditions of approval and full compliance with applicable laws.

8. Severability and Integration of Agreement.

This Agreement is an integrated agreement containing the entire understanding of the Parties regarding the matters addressed herein. No amendment or variation of the terms of this Agreement shall be effective unless made in writing and executed by both parties. In the event that any provision of this agreement is finally held or determined to be illegal or void by a court having jurisdiction, the remaining portions of the Agreement remain in full force and effect unless the parts found to be void are wholly inseparable from the remaining portion of the Agreement.

9. Obligation to Complete Phase 1 Site Improvements.

Owner shall not be permitted to transfer any parcel subject to the Subdivision other than Lot 1 and Lot 2, as identified thereon, prior to the private drive to be constructed upon Parcel B of the Subdivision.

APPROVED AS TO FORM:

Derek P. Cole, City Attorney

CITY OF OAKLEY

Bryan H. Montgomery, City Manager

ATTEST:

Libby Vreonis, City Clerk

OWNER:

NP Oakley, LLC, a Delaware limited liability company

By: NPD Management, LLC, a Missouri limited liability company, its Manager

By:
Nathaniel Hagedorn, Manager

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 California
County of Contra Costa

On the _____, 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.

Signature_____
Signature of Notary Public

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 Missouri
County of Platte

On the _____, before me, _____, Notary Public, personally appeared Nathaniel Hagedorn, Manager of NPD Management, LLC, the Manager of NP Oakley, LLC, 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_____
Signature of Notary Public

EXHIBIT A

MAP OF SUBDIVISION

[THE COUNTY RECORDER WILL REQUIRE A VERY HIGH RESOLUTION COPY ON 8 ½ BY 11 INCH PAPER]

EXHIBIT B

LEGAL DESCRIPTION OF SUBDIVISION

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER

CONSISTING OF 7 SHEETS
BEING A SUBDIVISION OF THE LAND DESCRIBED IN THAT GRANT DEED RECORDED JANUARY 30, 2015 AS DOCUMENT NO. 2015-0016164, CONTRA COSTA COUNTY RECORDS
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, CALIFORNIA

cbg
CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM

APRIL 2020

OWNER'S STATEMENT

THE UNDERSIGNED, BEING A PARTY HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED 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 TO THE CITY OF OAKLEY IN FEE FOR PUBLIC STREET PURPOSES:

THE AREAS DESIGNATED "BRIDGEHEAD ROAD DEDICATION".

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

1) THE AREAS DESIGNATED "PUBLIC UTILITY EASEMENT" (PUE) FOR USE OF STORM DRAIN, UNDERGROUND ELECTRIC, GAS, CABLE TELEVISION, AND TELEPHONE FACILITIES AND APPURTENANCES THERETO, INCLUDING CONSTRUCTION, ACCESS, AND MAINTENANCE OF SAID FACILITIES AND APPURTENANCES.
2) THE AREAS DEDICATED AS "EMERGENCY VEHICLE ACCESS EASEMENT" (EVAE) FOR THE INGRESS AND EGRESS OF EMERGENCY VEHICLES.
3) THE AREAS DESIGNATED AS "STORM DRAIN EASEMENT" (SDE) FOR USE OF STORM DRAINAGE FACILITIES AND APPURTENANCES THERETO. MAINTENANCE OF SAID FACILITIES AND APPURTENANCES IS THE RESPONSIBILITY OF THE LAND OWNER IN ACCORDANCE WITH THE SUBDIVISION RESTRICTIONS GOVERNING THIS PROJECT.

THE REAL PROPERTY DESCRIBED BELOW IS NOT DEDICATED FOR PUBLIC PURPOSES:

THE AREAS DESIGNATED AS "WATER LINE EASEMENT" (WLE) ARE FOR USE OF WATER LINE FACILITIES AND APPURTENANCES THERETO, INCLUDING INSTALLATION AND MAINTENANCE OF SAID FACILITIES AND APPURTENANCES. SAID EASEMENTS TO BE CONVEYED TO DIABLO WATER DISTRICT BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREA DESIGNATED PARCEL A IS TO BE CONVEYED TO THE B.N.S.F. RAILWAY BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREA DESIGNATED PARCEL B (WILBUR AVENUE AND LOGISTICS CENTER DRIVE) IS A PRIVATE STREET(S) FOR THE USE OF, BUT NOT LIMITED TO, PURPOSES OF PRIVATE INGRESS AND EGRESS, PRIVATE UTILITIES, LANDSCAPING AND ALL THE APPURTENANCES TO THE ABOVE. MAINTENANCE OF SAID PRIVATE STREET(S) IS THE RESPONSIBILITY OF THE LAND OWNER IN ACCORDANCE WITH THE SUBDIVISION RESTRICTIONS GOVERNING THIS PROJECT.

THE AREA DESIGNATED LOT 3 IS TO BE CONVEYED TO PACIFIC GAS AND ELECTRIC COMPANY (PG&E) BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREA DESIGNATED "DESIGNATED REMAINDER" IS RESERVED BY THE OWNER FOR FUTURE SUBDIVISION.

AS OWNER: NP OAKLEY LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____

NAME: _____

TITLE: _____

DATE: _____

BY: _____

NAME: _____

TITLE: _____

DATE: _____

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: _____

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:

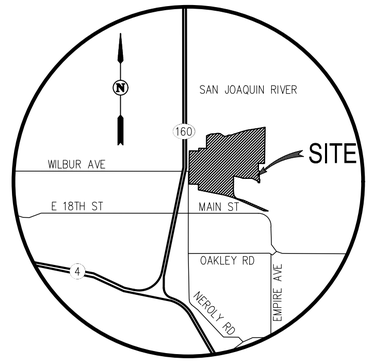
SIGNATURE: _____

NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

MY COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____



VICINITY MAP
NOT TO SCALE

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 NORTHPOINT DEVELOPMENT IN AUGUST OF 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, 2023, 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

COUNTY RECORDER'S STATEMENT

FILED THE_____ DAY OF_____, 2020, IN BOOK_____ OF MAPS, AT PAGE _____, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, AT THE REQUEST OF CHICAGO TITLE INSURANCE COMPANY.

JOSEPH E. CANCIAMILLA
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER

CONSISTING OF 7 SHEETS
BEING A SUBDIVISION OF THE LAND DESCRIBED IN THAT GRANT DEED RECORDED JANUARY 30, 2015 AS DOCUMENT NO. 2015-0016164, CONTRA COSTA COUNTY RECORDS
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, CALIFORNIA

cbg
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WWW.CBANDG.COM

APRIL 2020

TITLE NOTES:

THE LANDS INCLUDED WITHIN THIS SUBDIVISION ARE SUBJECT TO FOLLOWING TERMS AND PROVISIONS:

1. MATTERS CONTAINED IN THE DOCUMENT ENTITLED "COVENANT TO RESTRICT USE OF PROPERTY" RECORDED DECEMBER 1, 1999 AS DOCUMENT NUMBER 99-311941 OF OFFICIAL RECORDS.
2. THE LAND LIES WITHIN THE BOUNDARIES OF THE OAKLEY REDEVELOPMENT PROJECT AREA PER DOCUMENT RECORDED NOVEMBER 9, 2001 AS DOCUMENT NUMBER 2001-346473 OF OFFICIAL RECORDS.
3. THE FOLLOWING UNRECORDED DOCUMENTS HAVE BEEN DISCLOSED:
   A. EASEMENT DATED MARCH 17, 1958 IN FAVOR OF PG&E FOR PIPE LINE
   B. EASEMENT DATED MARCH 6, 1959 IN FAVOR OF PG&E FOR POLE LINE
   C. LEASE EASEMENT AND SIDETRACK AGREEMENT DATED MARCH 3, 1967 BETWEEN THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY AND E.I. DU PONT DE NEMOURS AND COMPANY
   D. EASEMENT DATED MARCH 24, 1980 IN FAVOR OF UNION CARBIDE CORPORATION FOR PIPE LINE
4. MATTERS CONTAINED IN THE GRANT DEED DATED JANUARY 30, 2015 AS DOCUMENT NUMBER 2015-16164 OF OFFICIAL RECORDS
5. MATTERS CONTAINED IN THE DOCUMENT ENTITLED "LAND USE AND COVENANT AND AGREEMENT, ENVIRONMENTAL RESTRICTIONS" RECORDED MAY 31, 2019 AS DOCUMENT NUMBER 2019-0080542 OF OFFICIAL RECORDS

SIGNATURE OMISSIONS:

PURSUANT TO GOVERNMENT CODE SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

1. PACIFIC GAS AND ELECTRIC COMPANY:
   A. EASEMENT FOR POLE LINE PER BOOK 220, PAGE 84 OF OFFICIAL RECORDS (GREAT WESTERN POWER COMPANY)
   B. EASEMENT FOR PIPE LINE PER BOOK 617, PAGE 318 OF OFFICIAL RECORDS (STANDARD PACIFIC GAS LINE INCORPORATED AND NATURAL GAS CORPORATION OF CALIFORNIA)
   C. EASEMENT FOR PIPE LINE PER BOOK 685, PAGE 26 OF OFFICIAL RECORDS
   D. EASEMENT FOR PIPE LINE PER BOOK 765, PAGE 104 OF OFFICIAL RECORDS (STANDARD PACIFIC GAS LINE INCORPORATED)
   E. EASEMENT FOR PIPE LINES PER BOOK 790, PAGE 497 OF OFFICIAL RECORDS
   F. EASEMENT FOR GAS PIPE LINES PER BOOK 793, PAGE 373 OF OFFICIAL RECORDS
   G. EASEMENT FOR ELECTRICAL FACILITIES PER BOOK 1629, PAGE 68 OF OFFICIAL RECORDS
   H. EASEMENT FOR GAS PIPE LINES PER BOOK 1706, PAGE 139 OF OFFICIAL RECORDS
   I. EASEMENT FOR GAS PIPE LINES PER BOOK 1886, PAGE 548 OF OFFICIAL RECORDS
   J. EASEMENT FOR INGRESS AND EGRESS PER BOOK 3010, PAGE 476 OF OFFICIAL RECORDS
   K. EASEMENT FOR GAS PIPE LINES PER BOOK 3010, PAGE 488 OF OFFICIAL RECORDS
   L. EASEMENT FOR GAS PIPE LINES PER BOOK 3839, PAGE 172 OF OFFICIAL RECORDS
   M. EASEMENT FOR GAS PIPE LINE SIGN PER BOOK 10537, PAGE 56 OF OFFICIAL RECORDS (81-135036)
   N. EASEMENT FOR GAS PIPE LINES PER DOCUMENT NUMBER 2012-268999 OF OFFICIAL RECORDS
2. AT&T:
   A. EASEMENT FOR UTILITY FACILITIES PER BOOK 598, PAGE 330 OF OFFICIAL RECORDS (THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY)
   B. EASEMENT FOR UTILITY FACILITIES PER BOOK 3208, PAGE 337 OF OFFICIAL RECORDS (THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY)
   C. EASEMENT FOR UTILITY FACILITIES PER BOOK 15530, PAGE 680 OF OFFICIAL RECORDS (89-250350) (PACIFIC BELL)
3. DIABLO WATER DISTRICT: EASEMENT FOR WATER PIPE LINES PER BOOK 3049, PAGE 427 OF OFFICIAL RECORDS. (OAKLEY COUNTY WATER DISTRICT)
4. CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT: EASEMENT FOR PIPE LINE PER BOOK 17262, PAGE 467 OF OFFICIAL RECORDS (92-43506)
5. CALIFORNIA DEPARTMENT OF FISH AND GAME: EASEMENT FOR CONSERVATION PER DOCUMENT NUMBER 97-5086 OF OFFICIAL RECORDS

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 9513, OAKLEY LOGISTICS CENTER" DATED OCTOBER 9, 2019, 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

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 9513, OAKLEY LOGISTICS CENTER" AND AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

_____ _____
FRANCIS JOSEPH KENNEDY DATE
CITY SURVEYOR, CITY OF OAKLEY,
CONTRA COSTA COUNTY, STATE OF CALIFORNIA
R.C.E. NO. 21771

REGISTERED PROFESSIONAL ENGINEER
FRANCIS J. KENNEDY
No. 21771
CIVIL
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 9513, OAKLEY LOGISTICS CENTER"; THAT SAID SUBDIVISION AS SHOWN IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP APPROVED BY THE CITY OF OAKLEY CITY COUNCIL ON _____, 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.

_____ DATE: _____
KOUROSH ROHANI
CITY ENGINEER, CITY OF OAKLEY,
CONTRA COSTA COUNTY, STATE OF CALIFORNIA
R.C.E. NO. 51138

REGISTERED PROFESSIONAL ENGINEER
KOUROSH ROHANI
No. 51138
CIVIL
STATE OF CALIFORNIA

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 9513, OAKLEY LOGISTICS CENTER", CONSISTING OF SEVEN (7) 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 STREETS, ROADS OR EASEMENTS SHOWN THEREON AS DEDICATED FOR PUBLIC USE.

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

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

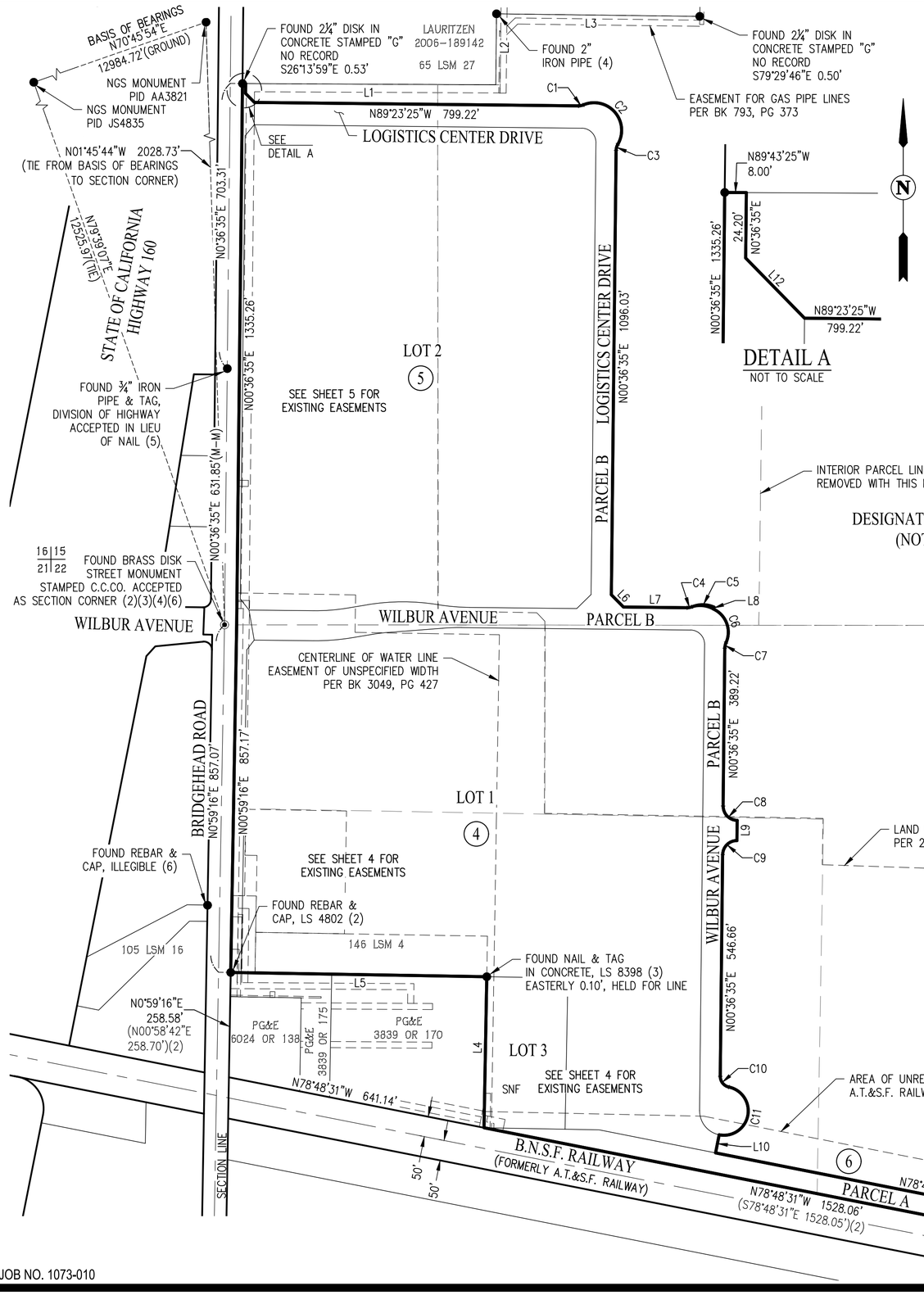
BY: _____
DEPUTY CLERK

SOILS REPORT

A GEOTECHNICAL EXPLORATION REPORT WAS PREPARED BY ENGEO INCORPORATED, DATED NOVEMBER, 2019, PROJECT NO. 15749.000.000, SIGNED BY STEVE HARRIS, GE AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.

CERTIFICATE OF DEDICATION FOR SAME PUBLIC PURPOSE

NORTHPOINT DEVELOPMENT LLC HAS DEDICATED HEREON CERTAIN PUBLIC RIGHTS OF WAY FOR BRIDGEHEAD ROAD DEDICATION AND EASEMENTS FOR PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS. THE CITY OF OAKLEY SHALL RECONVEY THE PROPERTY TO NORTHPOINT DEVELOPMENT LLC., 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.



EASEMENT NOTES:

THE LOCATION AND EXTENT OF THE FOLLOWING EASEMENTS COULD NOT BE DETERMINED FROM RECORD:

1. EASEMENT FOR POLE LINE PURPOSES TO GREAT WESTERN POWER COMPANY OF CALIFORNIA (PG&E) PER BOOK 220, PAGE 84 OF OFFICIAL RECORDS
2. EASEMENT FOR UTILITY FACILITIES TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY PER BOOK 598, PAGE 330 OF OFFICIAL RECORDS

EASEMENTS LOCATED PURELY WITHIN THE DESIGNATED REMAINDER WERE NOT LOCATED AND ARE NOT SHOWN HEREON.

NOTES:

1. DISTANCES SHOWN HEREON ARE FEET AND DECIMALS THEREOF AND ARE "GROUND" DISTANCES.
2. TIE LINES ARE PERPENDICULAR TO CENTERLINES AND MONUMENT LINES UNLESS OTHERWISE NOTED.
3. THE AREA WITHIN THE SUBDIVISION BOUNDARY IS 58.655± ACRES.
4. THE DESIGNATED REMAINDER DENOTED HEREON IS NOT A PART OF THIS SUBDIVISION AND PER SECTION 66424.6 OF THE SUBDIVISION MAP ACT, IS NOT SHOWN IN IT'S ENTIRETY.

LINE TABLE			
NO	BEARING	LENGTH	
L1	N89°43'25"W	624.55'	(S89°25'00"W 624.55')(4)
L2	N00°35'35"E	175.00'	(S00°16'00"E 175.00')(4)
L3	N89°17'25"W	501.21'	(N89°51'00"E 501.21')(4)
L4	N01°03'26"E	372.50'	(N01°03'26"E 372.50')(2)(3)
L5	N89°02'36"W	631.45'	(N89°01'18"E 631.45')(3)
L6	N44°23'25"W	42.43'	
L7	N89°23'25"W	157.22'	
L8	N24°31'42"E	5.00'	
L9	N00°36'35"E	50.00'	(R)
L10	N11°11'31"E	45.52'	(R)
L11	N66°59'16"W	274.60'	
L12	N44°23'25"W	31.11'	

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	30.00'	23°18'41"	12.21'
C2	68.00'	143°09'35"	169.91'
C3	30.00'	29°50'54"	15.63'
C4	30.00'	23°18'41"	12.21'
C5	68.00'	47°13'48"	56.05'
C6	63.00'	89°23'34"	98.29'
C7	35.00'	23°18'41"	14.24'
C8	35.00'	90°00'00"	54.98'
C9	35.00'	90°00'00"	54.98'
C10	27.00'	78°43'54"	37.10'
C11	60.00'	179°18'50"	187.78'
C12	5779.65'	2°39'56"	268.88'

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER

CONSISTING OF 7 SHEETS
BEING A SUBDIVISION OF THE LAND DESCRIBED IN THAT GRANT DEED RECORDED JANUARY 30, 2015 AS DOCUMENT NO. 2015-0016164, CONTRA COSTA COUNTY RECORDS
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, CALIFORNIA

cbg
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WWW.CBANDG.COM

SCALE: 1" = 500' APRIL 2020

200' 0' 100' 200' 400' 800'
GRAPHIC SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN FOUND NGS MONUMENTS, HAVING PID NO. AA3821 AND JS4835, EPOCH 2010, THE BEARING BEING N70°45'54"E (CALCULATED AND MEASURED).

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
- - - - -	EASEMENT LINE
——— — ———	CENTERLINE
-----------	TIE LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
◎	SET STANDARD STREET MONUMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SDE	STORM DRAIN EASEMENT
WLE	WATER LINE EASEMENT
SNF	SEARCHED, NOT FOUND
(#)	SHEET NUMBER

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) 7 LSM 4
(2) 114 LSM 40
(3) 146 LSM 4
(4) 65 LSM 27
(5) STATE HIGHWAY MONUMENT MAP S-173.23
(6) 105 LSM 16

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER

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BEING A SUBDIVISION OF THE LAND DESCRIBED IN THAT GRANT DEED RECORDED JANUARY 30, 2015 AS DOCUMENT NO. 2015-0016164, CONTRA COSTA COUNTY RECORDS
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SCALE: 1" = 100' APRIL 2020

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE

BASIS OF BEARINGS:

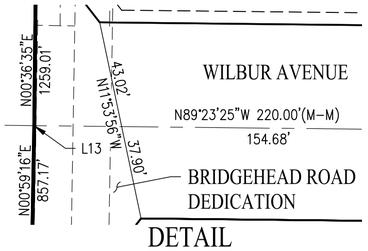
THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN FOUND NGS MONUMENTS, HAVING PID NO. AA3821 AND JS4835, EPOCH 2010, THE BEARING BEING N70°45'54"E (CALCULATED AND MEASURED).

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
– – – – –	EASEMENT LINE
——— – ———	CENTERLINE
----------	TIE LINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
◎	SET STANDARD STREET MONUMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SDE	STORM DRAIN EASEMENT
WLE	WATER LINE EASEMENT
SNF	SEARCHED, NOT FOUND

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) 7 LSM 4
(2) 114 LSM 40
(3) 146 LSM 4
(4) 65 LSM 27
(5) STATE HIGHWAY MONUMENT MAP S–173.23
(6) 105 LSM 16



DETAIL
NOT TO SCALE

DESIGNATED REMAINER (NOT A PART)

LINE TABLE			
NO	BEARING	LENGTH	
L1	N37°21'04"E	29.97'	
L2	N89°23'25"W	146.47'	
L3	N80°36'35"E	51.91'	
L4	N85°35'50"E	134.32'	
L5	N11°11'31"E	45.52'	(R)
L6	N89°23'25"W	35.00'	(M–M)
L7	N00°36'35"E	50.00'	(R)
L8	N80°36'35"E	51.91'	(M–M)
L9	N89°23'25"W	60.00'	(M–PL)
L10	N89°02'36"W	26.00'	
L11	N00°36'35"E	37.00'	
L12	N11°52'41"E	60.00'	
L13	N00°36'35"E	0.10'	
L14	N24°31'42"E	5.00'	

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C1	537.00'	10°00'00"	93.72'	
C2	463.00'	4°59'15"	40.30'	
C3	532.00'	5°00'45"	46.54'	
C4	35.00'	90°00'00"	54.98'	
C5	60.00'	79°25'04"	83.16'	
C6	60.00'	179°18'50"	187.78'	
C7	27.00'	78°43'54"	37.10'	
C8	35.00'	90°00'00"	54.98'	
C9	35.00'	90°00'00"	54.98'	
C10	35.00'	23°18'41"	14.24'	
C11	63.00'	89°23'34"	98.29'	
C12	60.00'	258°43'54"	270.94'	
C13	500.00'	10°00'00"	87.27'	(M–M)
C14	500.00'	10°00'00"	87.27'	(M–M)
C15	30.00'	23°18'41"	12.21'	
C16	68.00'	47°13'48"	56.05'	

AREA OF UNRECORDED LEASE TO A.T.&S.F. RAILWAY

NOTES:

1. DISTANCES SHOWN HEREON ARE FEET AND DECIMALS THEREOF AND ARE "GROUND" DISTANCES.
2. TIE LINES ARE PERPENDICULAR TO CENTERLINES AND MONUMENT LINES UNLESS OTHERWISE NOTED.
3. THE AREA WITHIN THE SUBDIVISION BOUNDARY IS 58.655± ACRES.

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER

CONSISTING OF 7 SHEETS
BEING A SUBDIVISION OF THE LAND DESCRIBED IN THAT GRANT DEED RECORDED JANUARY 30, 2015 AS DOCUMENT NO. 2015-0016164, CONTRA COSTA COUNTY RECORDS
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, CALIFORNIA

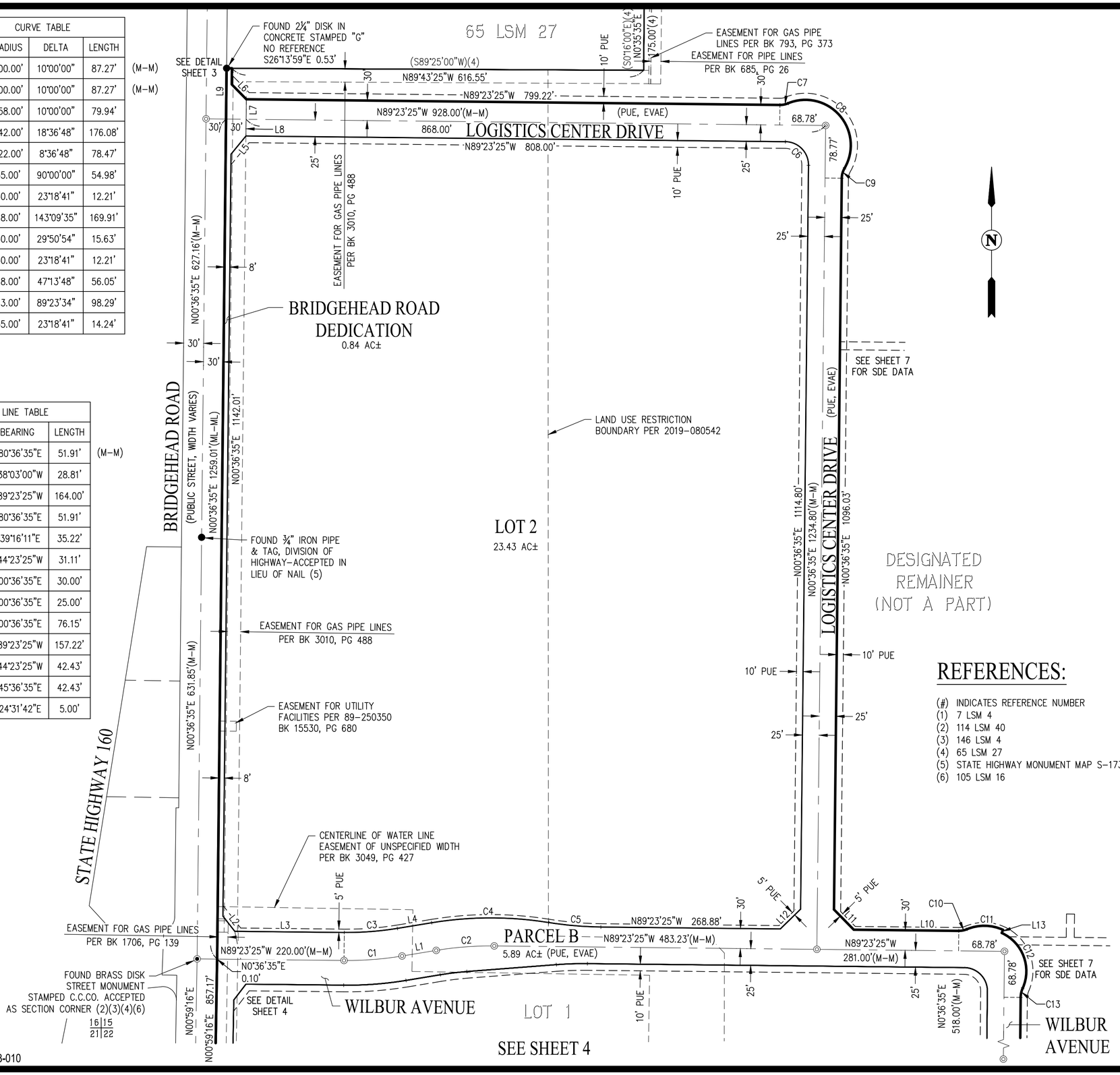
cbg
SAN RAMON ▪ (925) 866-0322
SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM
CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS

SCALE: 1" = 100' APRIL 2020

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C1	500.00'	10°00'00"	87.27'	(M–M)
C2	500.00'	10°00'00"	87.27'	(M–M)
C3	458.00'	10°00'00"	79.94'	
C4	542.00'	18°36'48"	176.08'	
C5	522.00'	8°36'48"	78.47'	
C6	35.00'	90°00'00"	54.98'	
C7	30.00'	23°18'41"	12.21'	
C8	68.00'	143°09'35"	169.91'	
C9	30.00'	29°50'54"	15.63'	
C10	30.00'	23°18'41"	12.21'	
C11	68.00'	47°13'48"	56.05'	
C12	63.00'	89°23'34"	98.29'	
C13	35.00'	23°18'41"	14.24'	

LINE TABLE			
NO	BEARING	LENGTH	
L1	N80°36'35"E	51.91'	(M–M)
L2	N38°03'00"W	28.81'	
L3	N89°23'25"W	164.00'	
L4	N80°36'35"E	51.91'	
L5	N39°16'11"E	35.22'	
L6	N44°23'25"W	31.11'	
L7	N00°36'35"E	30.00'	
L8	N00°36'35"E	25.00'	
L9	N00°36'35"E	76.15'	
L10	N89°23'25"W	157.22'	
L11	N44°23'25"W	42.43'	
L12	N45°36'35"E	42.43'	
L13	N24°31'42"E	5.00'	



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN FOUND NGS MONUMENTS, HAVING PID NO. AA3821 AND JS4835, EPOCH 2010, THE BEARING BEING N70°45'54"E (CALCULATED AND MEASURED).

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
——— · ———	CENTERLINE
- - - - - -	TIE LINE
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT
●	FOUND MONUMENT AS NOTED
◎	SET STANDARD STREET MONUMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SDE	STORM DRAIN EASEMENT
WLE	WATER LINE EASEMENT
SNF	SEARCHED, NOT FOUND

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) 7 LSM 4
(2) 114 LSM 40
(3) 146 LSM 4
(4) 65 LSM 27
(5) STATE HIGHWAY MONUMENT MAP S–173.23
(6) 105 LSM 16

NOTES:

1. DISTANCES SHOWN HEREON ARE FEET AND DECIMALS THEREOF AND ARE "GROUND" DISTANCES.
2. TIE LINES ARE PERPENDICULAR TO CENTERLINES AND MONUMENT LINES UNLESS OTHERWISE NOTED.
3. THE AREA WITHIN THE SUBDIVISION BOUNDARY IS 58.655± ACRES.

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER

CONSISTING OF 7 SHEETS
BEING A SUBDIVISION OF THE LAND DESCRIBED IN THAT GRANT DEED RECORDED JANUARY 30, 2015 AS DOCUMENT NO. 2015-0016164, CONTRA COSTA COUNTY RECORDS
CITY OF OAKLEY, COUNTY OF CONTRA COSTA, CALIFORNIA

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SCALE: 1" = 100' APRIL 2020

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN FOUND NGS MONUMENTS, HAVING PID NO. AA3821 AND JS4835, EPOCH 2010, THE BEARING BEING N70°45'54"E (CALCULATED AND MEASURED).

NOTES:

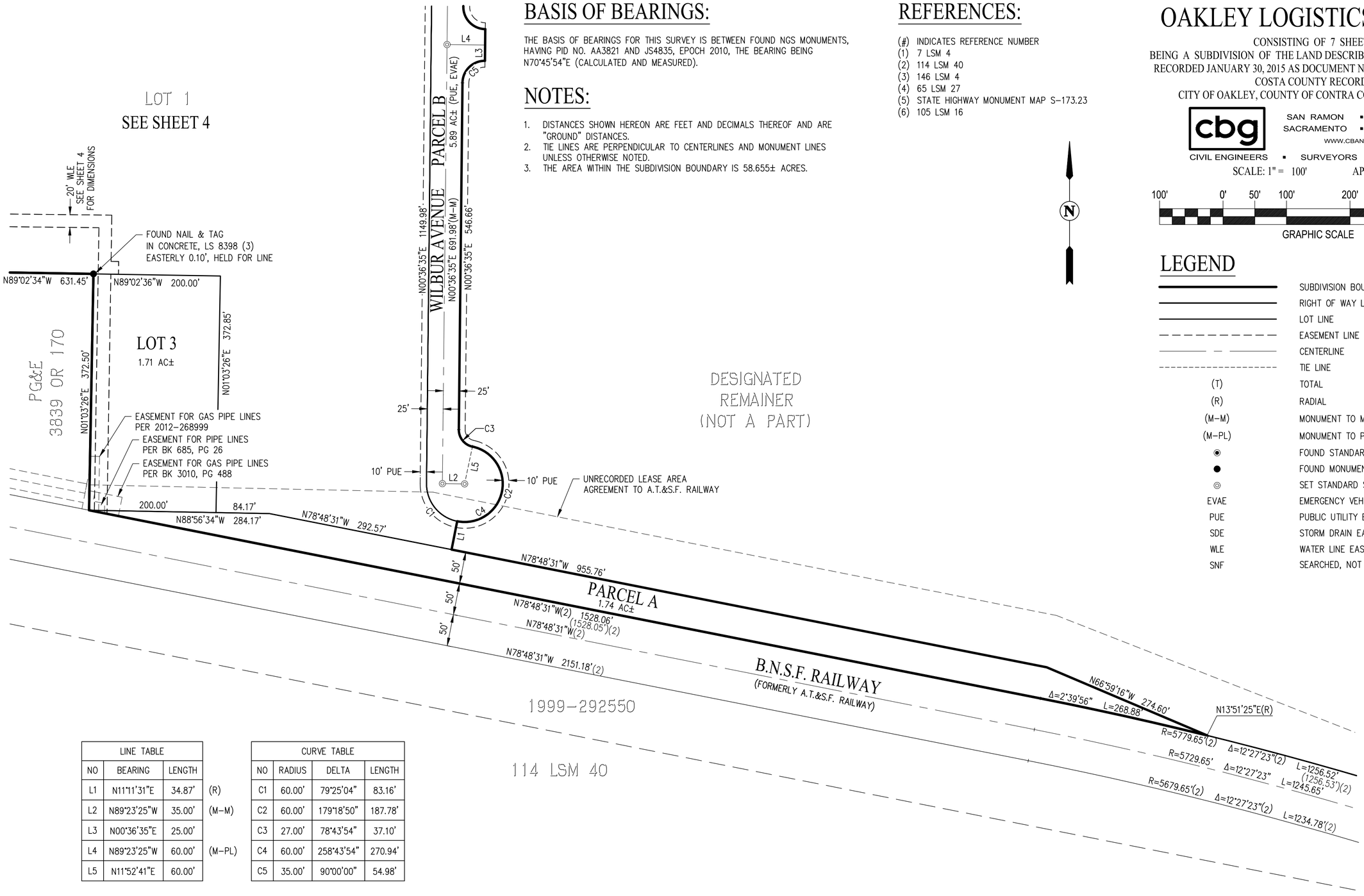
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REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) 7 LSM 4
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(4) 65 LSM 27
(5) STATE HIGHWAY MONUMENT MAP S-173.23
(6) 105 LSM 16

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
– – – –	EASEMENT LINE
——— – ———	CENTERLINE
-------	TIE LINE
(T)	TOTAL
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◉	FOUND STANDARD STREET MONUMENT
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◎	SET STANDARD STREET MONUMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SDE	STORM DRAIN EASEMENT
WLE	WATER LINE EASEMENT
SNF	SEARCHED, NOT FOUND



LINE TABLE			
NO	BEARING	LENGTH	
L1	N11°11'31"E	34.87'	(R)
L2	N89°23'25"W	35.00'	(M-M)
L3	N00°36'35"E	25.00'	
L4	N89°23'25"W	60.00'	(M-PL)
L5	N11°52'41"E	60.00'	

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	60.00'	79°25'04"	83.16'
C2	60.00'	179°18'50"	187.78'
C3	27.00'	78°43'54"	37.10'
C4	60.00'	258°43'54"	270.94'
C5	35.00'	90°00'00"	54.98'

SUBDIVISION 9513
OAKLEY LOGISTICS CENTER

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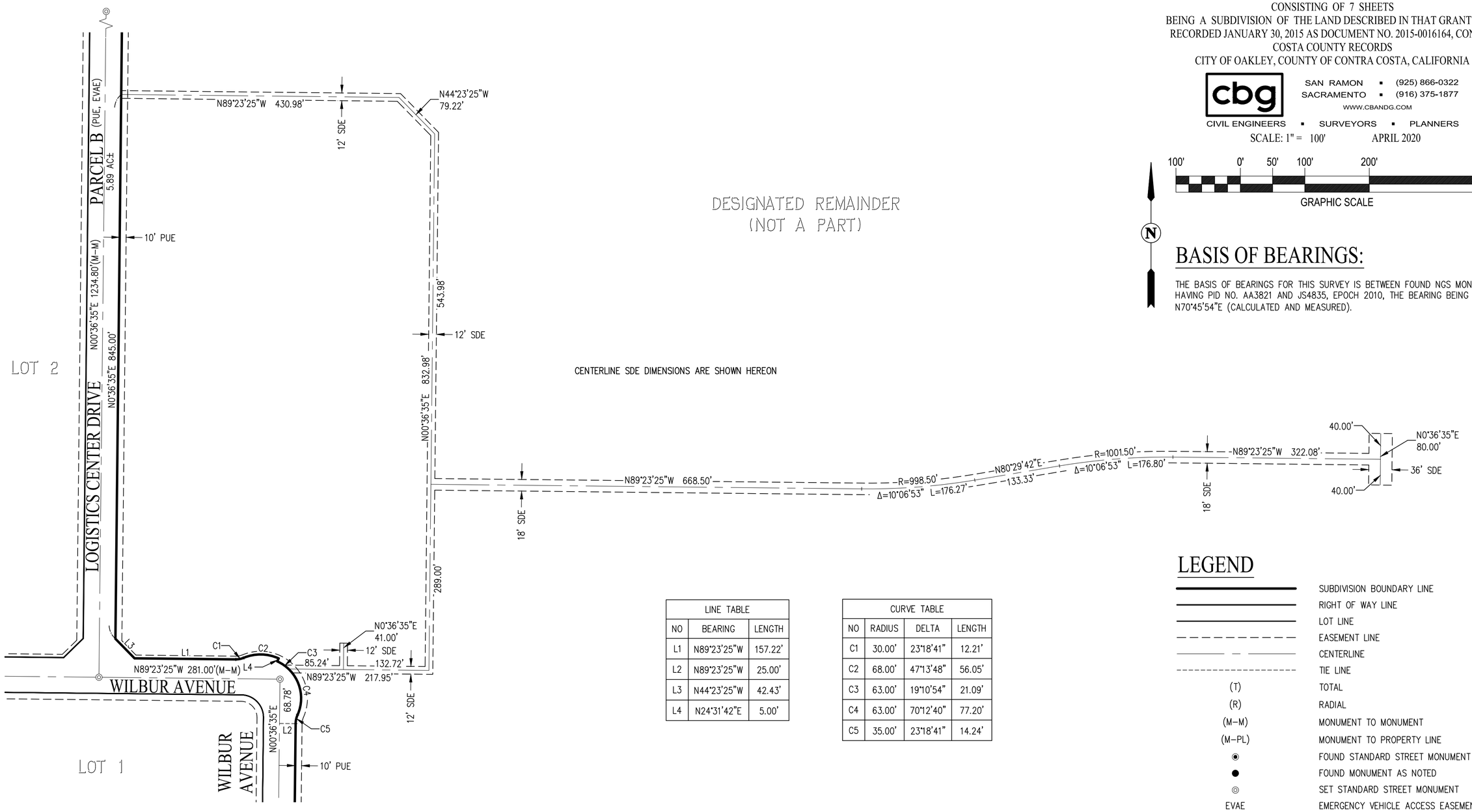
SCALE: 1" = 100' APRIL 2020

100' 0' 50' 100' 200' 400'
GRAPHIC SCALE

N

BASIS OF BEARINGS:

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LINE TABLE		
NO	BEARING	LENGTH
L1	N89°23'25"W	157.22'
L2	N89°23'25"W	25.00'
L3	N44°23'25"W	42.43'
L4	N24°31'42"E	5.00'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	30.00'	23°18'41"	12.21'
C2	68.00'	47°13'48"	56.05'
C3	63.00'	19°10'54"	21.09'
C4	63.00'	70°12'40"	77.20'
C5	35.00'	23°18'41"	14.24'

LEGEND

———	SUBDIVISION BOUNDARY LINE
———	RIGHT OF WAY LINE
———	LOT LINE
- - - - -	EASEMENT LINE
——— — ———	CENTERLINE
-----------	TIE LINE
(T)	TOTAL
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SNF	SEARCHED, NOT FOUND

NOTES:

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STORM DRAIN EASEMENT

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

TO: Bryan Montgomery, City Manager

Approved and Forwarded to the City Council

FROM: Eric Christensen, Chief of Police

SUBJECT: **Purchase of Police Department Patrol Vehicles**

Background and Analysis

In December 2018, the Police Department began a review of the vehicles that comprise the Police Department's Fleet. The Department established a Fleet Services Committee comprised of five members of the Department. The group was charged to develop a comprehensive Fleet Management Plan for the Department. Members of the committee were also asked to evaluate the various vehicles that are currently available for use as law enforcement vehicles. The purpose of the evaluation was to determine the vehicles that are best suited for the needs of the Department as we move into the future.

The members of the committee completed a report regarding their findings along with their recommendations for the composition of the fleet. I concur with their findings and this Staff Report follows their recommendations.

As part of the FY 19/20 budget cycle, the Police Department was scheduled to replace two vehicles from our fleet. In keeping with the guidelines of the Fleet Plan, we plan to add two vehicles to the fleet to replace vehicles that have previously been removed from service.

Unfortunately, there is currently a shortage of police vehicles in the United States. The manufacturers of police vehicles have stopped production of those vehicles and are all looking toward the 2021 model year. Our vendor has been able to locate two Chevrolet Tahoe's (Police Package) that are available for purchase. The purchase cost of these two vehicles is $ 88,489.12.

These two vehicles will need to be outfitted with emergency equipment. The purchase and installation of the equipment will be $ $ 40,255.50.

Because these vehicles are currently both used by the California Highway Patrol (CHP) we are able to purchase the vehicles under the guidelines of the current State

of California Fleet Purchasing Contract. The National Auto Fleet Group is a member of that program and we have purchased vehicles from them in the past.

Fiscal Impact

This Staff Report requests the expenditure of $ 128,744.62 for vehicle replacement, with $88,489.12 coming from account number 501-10-001-7500 (Vehicle Replacement) and $40,255.50 coming from account number 501-10-001-7510 (Vehicle Equipment Replacement).

As a part of the FY 19/20 Budget, the City Council authorized $105,000.00 in the Vehicles Replacement Account (501-10-001-7500) and $56,400 in the Vehicle Equipment Replacement Account (501-10-001-7510). These requested expenditures are within those budgets and funds there are sufficient budget balances available for these purchases.

Staff Recommendation

Staff recommends that the City Council authorizes the City Manager to enter into an agreement to purchase these vehicles and equipment.

Attachments

1. National Auto Group Tahoe Quote
2. LEHR Vehicle Quote

National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076

(855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax

Fleet@NationalAutoFleetGroup.com

April 7, 2020

Sargent Steve Perata
City of Oakley Police Department
3231 Main St
Oakley, Ca 94561
Delivery Via Email

Dear Sargent Perata,

In response to your inquiry, we are pleased to submit the following for your consideration:

National Auto Fleet Group will sell, service and deliver to Oakley new/unused 2020 Chevrolet Tahoe Police 4X2 PPV responding to your requirement with the attached specifications for $ 36,426.00 plus, Ballistics, State Sales Tax, and $8.75 tire tax (non-taxable). These vehicles are available under the Sourcewell (Formerly Known as NJPA) master vehicle contract# 120716-NAF.UNIT TO BE ALL BLACK WITH BALLISTICS

Selling Price	36,426.00
Ballistic Doors	3,996.00 (Level 3+ left and right door)
Sub Total	40,422.00
Sales Tax 8.25%	3,334.81
Tire Tax	8.75
Delver to Hollister	479.00
Total	44,244.56

Delivery Times 90-110 Days ARO
Terms are net 30 days.

National Auto Fleet Group welcomes the opportunity to assist you in your vehicle requirements.

Kevin Buzzard
National Law Enforcement Sales Manager
National Auto Fleet Group
Wondries Fleet Group
626-457-5590 O
714-264-1867 C
626-380-1174 F
Buzzard5150@gmail.com

Sales Quote

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 22251
Document Date: 2/12/2020
Terms: Net 30
Payment Method:

Sell To: Oakley Police Department
'Steve Perada
3231 Main Street
Oakley, CA 94561
Phone: 209-855-1560

Ship To: Oakley Police Department
Martina Hidalgo
3231 Main Street
Oakley, CA 94561
Phone:

Ship Via: Installation
Location: Lehr - Pittsburg
Blanket PO:

Customer ID: 54768
SalesPerson: Mike McGee

Vehicle Information:
2020 CHEVY TAHOE, Unit: PATROL 2

Item No.	Description	Category	Quantity	Unit Price	Total Price
	Front End Equipment				
BK2019TAH15	PB450L4 LIGHTED PUSH BUMPER TAHOE 15+	SETINALTP	1	873.05	873.05
FK0400TAH15	FENDER WRAP 15-20 TAHOE	SETINA	1	373.15	373.15
ETHTAHO-07	HEADLIGHT FLASHER	SOUNDOF	1	71.02	71.02
VTX609C	VERTEX SUPER-LED LIGHT WHT	WHELENPR	2	72.90	145.80
SA315P	SIREN SPEAKER 100W	WHELENPR	1	207.68	207.68
SAK1	SPEAKER BRACKET	WHELENPR	1	30.75	30.75
01-0215	WIRING HARNESS	PATROLPO	1	615.00	615.00
I	INSTALLATION	LABOR	8.5		
	Side Equipment				
IONSMR	SURFACE MT ION LT RED	WHELENPR	2	89.99	179.98
IONSMB	SURFACE MNT ION LT BLUE 1 RED 1 BLUE LEFT RUNNING BOARD 1 RED 1 BLUE RIGHT RUNNING BOARD	WHELENPR	2	89.99	179.98
MBCT15RB	ION MIRROR-BEAM TAHOE R/B	WHELEN	1	276.50	276.50
I	INSTALLATION	LABOR	6		
	Roof Equipment				
GB2DEDE	54" LEGACY DUO, RW & BW FRONT & CRNRS, RA/BA REAR	WHELENLB	1	2,099.00	2,099.00
STPKT93	STRAP KIT	WHELEN	1		
MB8U	CABLE 17' RG58U	RADIO	3	16.50	49.50
ETRAB1550	155-160MHZ PHANTOM ANTENNA-BLK	RADIO	1	95.00	95.00
ETRAB7603	760-872MHZ ANTENNA 3DB PHANTOM BLK	RADIO	1	48.61	48.61
AP-CWG-Q-S222-BL	AP-MULTIMAX ANTENNA CELL/LTE/WIFI/GPS BLK	ANTNAPLU	1	196.87	196.87
I	INSTALLATION	LABOR	3.5		
	Drivers Compartment				
C-VS-1013-TAH-1	CON,VS,23TMS,10	HAVIS	1	392.42	392.42
C-CUP2-I	CON,ACSY,CUP HOLDER 4"	HAVIS	1	36.34	36.34
C-AP-0625-L	ACCY POCKET 6" W/HINGED LID/LOCK	HAVIS	1	97.65	97.65
C-EB40-CCS-1P	FACE PLATE 1 PC 4"	HAVIS	1		
C-EB25-XTL-1P	FACE PLATE 1 PC 2.5"	HAVIS	1		

Sales Quote

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 22251
Document Date: 2/12/2020
Terms: Net 30
Payment Method:

Sell To: Oakley Police Department
'Steve Perada
3231 Main Street
Oakley, CA 94561
Phone: 209-855-1560

Ship To: Oakley Police Department
Martina Hidalgo
3231 Main Street
Oakley, CA 94561
Phone:

Ship Via: Installation
Location: Lehr - Pittsburg
Blanket PO:

Customer ID: 54768
SalesPerson: Mike McGee

Vehicle Information:
2020 CHEVY TAHOE, Unit: PATROL 2

Item No.	Description	Category	Quantity	Unit Price	Total Price
C-FP-05	FACE PLATE 1/2"	HAVIS	3		
C-FP-2	FACE PLATE 2"	HAVIS	1		
C-FP-1	FACE PLATE 1"	HAVIS	1		
MMSU-1	MAGNETIC MIC KIT	MAGMIC	2	34.95	69.90
C-MCB	MICLIP BRACKET	HAVIS	2	12.11	24.22
TM-5502-TAH-15	HINT TABLET & KEYBOARD MNT-DOUBLE POST	HINT	1	617.44	617.44
DH-UNIV	DISPLAY HOLDER FOR VESA 75MM, 100MM & 4 1/8	HINT	1		
7160-0987-03	GJ TRI PASS DOCK FOR F110	GAMBER	1	865.60	865.60
IK-TR-88-911-TP	TRANSFORMER RUGGED TACTILE KBD W/TOUCHPAD	IKEY	1	316.00	316.00
MDASHCPE	DASH MNT PREEMPTION EMITTER	ECCO	1	309.71	309.71
GK10271UXL	SINGLE T-RAIL GUN RACK W/UNIV XL LOCK	SETINA	1	271.15	271.15
I	INSTALLATION	LABOR	11.5		
	Prisoner Compartment				
PK0374TAH15	#6VS RP PARTITION	SETINA	1	639.20	639.20
QK0635TAH15	12VS REAR PARTITON & REPL SEAT CNTR PL BLT	SETINA	1	1,046.40	1,046.40
PK0316TAH152ND	#12VS POLY PARTITION	SETINA	1	398.65	398.65
1W0829TAH15	POLY WINDOW BARRIER P/S (STOCK/TPO DP) TAHOE 15-20	SETINA	1	131.32	131.32
DK0100TAH15	TPO DOOR PANEL COVERS-BLK	SETINA	1	220.15	220.15
I	INSTALLATION	LABOR	7.5		
	Back End Equipment				
NPN	C-CHTAHN1-15N-PP-Z2 Custom Height TruckVault 1 Drawer Int Height 12" Prisoner Cage / K9 Present Exterior Carpet Black Drawer Interior Carpet Gray Drawer Front(s) Black Composite 1 Dwr Push Button Lock w/Key Override	OTHER	1	2,135.00	2,135.00
IONR	ION SERIES LED LIGHTHEAD- RED	WHELENPR	1	89.99	89.99
IONB	ION SERIES LED LIGHTHEAD- BLUE	WHELENPR	1	89.99	89.99

Sales Quote

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 22251
Document Date: 2/12/2020
Terms: Net 30
Payment Method:

Sell To: Oakley Police Department
'Steve Perada
3231 Main Street
Oakley, CA 94561
Phone: 209-855-1560

Ship To: Oakley Police Department
Martina Hidalgo
3231 Main Street
Oakley, CA 94561
Phone:

Ship Via: Installation
Location: Lehr - Pittsburg
Blanket PO:

Customer ID: 54768
SalesPerson: Mike McGee

Vehicle Information:
2020 CHEVY TAHOE, Unit: PATROL 2

Item No.	Description	Category	Quantity	Unit Price	Total Price
IONGROM	ION GROMMET MOUNT REAR HATCH	WHELEN	6	5.60	33.60
VTX609R	VERTEX SUPER-LED LIGHT RED REAR TAIL LAMPS	WHELENPR	2	72.90	145.80
I2J	ION DUO SERIES LINEAR ION RED/BLU-BLK HOUSING REAR C PILLAR LEFT/RIGHT	WHELEN	2	99.50	199.00
CCSRNT5	CARBIDE SIREN AMP W/CANPOR/TA	WHELENPR	1	829.00	829.00
CANCTL6	ROTARY KNOB CONTROL HEAD	WHELENPR	1		
CC5K2	OBDII INSTALL KIT 16-18 TAHOE	WHELEN	1		
CANEM16	16 OUTPUT EXPANSION MODULE	WHELEN	1	162.40	162.40
I	INSTALLATION	LABOR	14		
INSTALL	INSTALL MATERIALS	OTHER	1	125.00	125.00
I	INSTALLATION CHARGES	LABOR	1	3,675.00	3,675.00
F	Shipping Charges	OTHER	1	250.00	250.00

Amount Subject to Sales Tax 18362.82
Amount Exempt from Sales Tax 250.00

Subtotal: **$18,612.82**
Total Sales Tax: $1,514.93
Total: **$20,127.75**

Sales Quote

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 22232
Document Date: 2/12/2020
Terms: Net 30
Payment Method:

Sell To: Oakley Police Department
Steve Perada
3231 Main Street
Oakley, CA 94561
Phone: 209-855-1560

Ship To: Oakley Police Department
Martina Hidalgo
3231 Main Street
Oakley, CA 94561
Phone:

Ship Via: Installation
Location: Lehr - Pittsburg
Blanket PO:

Customer ID: 54768
SalesPerson: Mike McGee

Vehicle Information:
2020 CHEVY TAHOE, Unit: PATROL

Item No.	Description	Category	Quantity	Unit Price	Total Price
	Front End Equipment				
BK2019TAH15	PB450L4 LIGHTED PUSH BUMPER TAHOE 15+	SETINALTP	1	873.05	873.05
FK0400TAH15	FENDER WRAP 15-20 TAHOE	SETINA	1	373.15	373.15
ETHTAHO-07	HEADLIGHT FLASHER	SOUNDOF	1	71.02	71.02
VTX609C	VERTEX SUPER-LED LIGHT WHT	WHELENPR	2	72.90	145.80
SA315P	SIREN SPEAKER 100W	WHELENPR	1	207.68	207.68
SAK1	SPEAKER BRACKET	WHELENPR	1	30.75	30.75
01-0215	WIRING HARNESS	PATROLPO	1	615.00	615.00
I	INSTALLATION	LABOR	8.5		
	Side Equipment				
IONSMR	SURFACE MT ION LT RED	WHELENPR	2	89.99	179.98
IONSMB	SURFACE MNT ION LT BLUE 1 RED 1 BLUE LEFT RUNNING BOARD 1 RED 1 BLUE RIGHT RUNNING BOARD	WHELENPR	2	89.99	179.98
MBCT15RB	ION MIRROR-BEAM TAHOE R/B	WHELEN	1	276.50	276.50
I	INSTALLATION	LABOR	6		
	Roof Equipment				
GB2DEDE	54" LEGACY DUO, RW & BW FRONT & CRNRS, RA/BA REAR	WHELENLB	1	2,099.00	2,099.00
STPKT93	STRAP KIT	WHELEN	1		
MB8U	CABLE 17' RG58U	RADIO	3	16.50	49.50
ETRAB1550	155-160MHZ PHANTOM ANTENNA-BLK	RADIO	1	95.00	95.00
ETRAB7603	760-872MHZ ANTENNA 3DB PHANTOM BLK	RADIO	1	48.61	48.61
AP-CWG-Q-S222-BL	AP-MULTIMAX ANTENNA CELL/LTE/WIFI/GPS BLK	ANTNAPLU	1	196.87	196.87
I	INSTALLATION	LABOR	3.5		
	Drivers Compartment				
C-VS-1013-TAH-1	CON,VS,23TMS,10	HAVIS	1	392.42	392.42
C-CUP2-I	CON,ACSY,CUP HOLDER 4"	HAVIS	1	36.34	36.34
C-AP-0625-L	ACCY POCKET 6" W/HINGED LID/LOCK	HAVIS	1	97.65	97.65
C-EB40-CCS-1P	FACE PLATE 1 PC 4"	HAVIS	1		
C-EB25-XTL-1P	FACE PLATE 1 PC 2.5"	HAVIS	1		

Sales Quote

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 22232
Document Date: 2/12/2020
Terms: Net 30
Payment Method:

Sell To: Oakley Police Department
Steve Perada
3231 Main Street
Oakley, CA 94561
Phone: 209-855-1560

Ship To: Oakley Police Department
Martina Hidalgo
3231 Main Street
Oakley, CA 94561
Phone:

Ship Via: Installation
Location: Lehr - Pittsburg
Blanket PO:

Customer ID: 54768
SalesPerson: Mike McGee

Vehicle Information:
2020 CHEVY TAHOE, Unit: PATROL

Item No.	Description	Category	Quantity	Unit Price	Total Price
C-FP-05	FACE PLATE 1/2"	HAVIS	3		
C-FP-2	FACE PLATE 2"	HAVIS	1		
C-FP-1	FACE PLATE 1"	HAVIS	1		
MMSU-1	MAGNETIC MIC KIT	MAGMIC	2	34.95	69.90
C-MCB	MICLIP BRACKET	HAVIS	2	12.11	24.22
TM-5502-TAH-15	HINT TABLET & KEYBOARD MNT-DOUBLE POST	HINT	1	617.44	617.44
DH-UNIV	DISPLAY HOLDER FOR VESA 75MM, 100MM & 4 1/8	HINT	1		
7160-0987-03	GJ TRI PASS DOCK FOR F110	GAMBER	1	865.60	865.60
IK-TR-88-911-TP	TRANSFORMER RUGGED TACTILE KBD W/TOUCHPAD	IKEY	1	316.00	316.00
MDASHCPE	DASH MNT PREEMPTION EMITTER	ECCO	1	309.71	309.71
GK10271UXL	SINGLE T-RAIL GUN RACK W/UNIV XL LOCK	SETINA	1	271.15	271.15
I	INSTALLATION	LABOR	11.5		
	Prisoner Compartment				
PK0374TAH15	#6VS RP PARTITION	SETINA	1	639.20	639.20
QK0635TAH15	12VS REAR PARTITON & REPL SEAT CNTR PL BLT	SETINA	1	1,046.40	1,046.40
PK0316TAH152ND	#12VS POLY PARTITION	SETINA	1	398.65	398.65
1W0829TAH15	POLY WINDOW BARRIER P/S (STOCK/TPO DP) TAHOE 15-20	SETINA	1	131.32	131.32
DK0100TAH15	TPO DOOR PANEL COVERS-BLK	SETINA	1	220.15	220.15
I	INSTALLATION	LABOR	7.5		
	Back End Equipment				
NPN	C-CHTAHN1-15N-PP-Z2 Custom Height TruckVault 1 Drawer Int Height 12" Prisoner Cage / K9 Present Exterior Carpet Black Drawer Interior Carpet Gray Drawer Front(s) Black Composite 1 Dwr Push Button Lock w/Key Override	OTHER	1	2,135.00	2,135.00
IONR	ION SERIES LED LIGHTHEAD- RED	WHELENPR	1	89.99	89.99
IONB	ION SERIES LED LIGHTHEAD- BLUE	WHELENPR	1	89.99	89.99

Sales Quote

661 Garcia Avenue Pittsburg, CA 94565
Phone: 925-370-2144 Fax: 925-370-2087

Quote Number: 22232
Document Date: 2/12/2020
Terms: Net 30
Payment Method:

Sell To: Oakley Police Department
'Steve Perada
3231 Main Street
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Phone: 209-855-1560

Ship To: Oakley Police Department
Martina Hidalgo
3231 Main Street
Oakley, CA 94561
Phone:

Ship Via Installation
Location: Lehr - Pittsburg
Blanket PO:

Customer ID 54768
SalesPerson Mike McGee

Vehicle Information:
2020 CHEVY TAHOE, Unit: PATROL

Item No.	Description	Category	Quantity	Unit Price	Total Price
IONGROM	ION GROMMET MOUNT REAR HATCH	WHELEN	6	5.60	33.60
VTX609R	VERTEX SUPER-LED LIGHT RED REAR TAIL LAMPS	WHELENPR	2	72.90	145.80
I2J	ION DUO SERIES LINEAR ION RED/BLU-BLK HOUSING REAR C PILLAR LEFT/RIGHT	WHELEN	2	99.50	199.00
CCSRNT5	CARBIDE SIREN AMP W/CANPOR/TA	WHELENPR	1	829.00	829.00
CANCTL6	ROTARY KNOB CONTROL HEAD	WHELENPR	1		
CC5K2	OBDII INSTALL KIT 16-18 TAHOE	WHELEN	1		
CANEM16	16 OUTPUT EXPANSION MODULE	WHELEN	1	162.40	162.40
I	INSTALLATION	LABOR	14		
INSTALL	INSTALL MATERIALS	OTHER	1	125.00	125.00
I	INSTALLATION CHARGES	LABOR	1	3,675.00	3,675.00
F	Shipping Charges	OTHER	1	250.00	250.00

Amount Subject to Sales Tax 18362.82
Amount Exempt from Sales Tax 250.00

Subtotal: **$18,612.82**
Total Sales Tax: $1,514.93
Total: **$20,127.75**

STAFF REPORT

DATE: April 14, 2020

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

FROM: Joshua McMurray, Community Development Director

SUBJECT: **An Ordinance Adding Chapter 14 of Title 5 of the Oakley Municipal Code regarding the Permitting of Short-Term Rentals within the City Limits**

Background and Recommendation

This is a City-initiated amendment to the Oakley Municipal Code dealing with the Permitting of Short-Term Rentals within the City Limits. Starting in 2018, there have been a number of inquiries from residents who live next to or near properties currently being advertised and rented out as a "short-term rental". At the time the item was first presented to the City Council, there were no regulations dealing with Short Term Rentals and ultimately no enforcement mechanism in regards to this type of rental.

When the item was first presented to the City Council in September of 2018, the City Council had several questions relating to the Ordinance itself and there was some pending court cases at the State level which had yet to be decided on. Those two items required the City to pass a moratorium on short term rentals, which was first adopted in October of 2018, and was extended twice in November 2018 and September 2019. With the current moratorium last through October 7, 2020. With the moratorium in place, Staff worked closely with the City Attorney's office to refine the original Ordinance that was presented back in 2018.

Staff recommends the City Council waive the first reading and introduce the attached Ordinance amending the Oakley Municipal Code by adding Title 5, Chapter 14, entitled "Short-Term Rentals".

Analysis

The purpose of this new Chapter (Title 5, Chapter 14, entitled "Short-Term Rentals") is to establish regulations for the use of a privately owned dwelling unit as short-term rentals in order to minimize the adverse effects of short-term rentals on the surrounding residential neighborhoods, to ensure that short-term rentals are consistent with the City's municipal code, and to preserve the residential character of the neighborhoods where short-term rentals are located.

As described in the "Purpose" section of the Draft Ordinance, this new Chapter is not intended to provide any person with the right or privilege to use a dwelling unit as a short-term rental where such use is not otherwise allowed by law, homeowner's association agreement, rental agreement, or any applicable conditions, covenants, and restrictions to the dwelling unit that may prohibit the use of such dwelling unit as a short-term rental.

The proposed amendment to the Oakley Municipal Code defines a "Short-term rental unit" as follows:

> "short-term rental unit" means an accessory use of a privately-owned residential dwelling, such as, but not limited to, a single-family dwelling or multiple family building, apartment unit, condominium, or duplex, for the purposes of providing temporary lodging, for compensation, for periods of 30 consecutive days of fewer. Any dwelling unit used as a short-term rental unit shall be considered a "hotel" for the purposes of Chapter 3.2 of this Code related to Uniform Transient Occupancy Tax."

The two changes to the Ordinance between 2018 and the one presented in this report are: 1) the ordinance now includes both a definition for "Vacation Rentals" while prohibiting vacation rentals outright, and 2) the number of guest permitted per bedrooms was adjusted down to cap the total number of overnight guests at 8 and daytime guests as 16 if you have a 4 bedroom or greater home as stated in Section 5.14.116(C).

The Ordinance also details when a short-term rental permit is required, the application process and approval requirements, the operational requirements and standard conditions placed on a permit, and procedures for violations of the Ordinance.

As currently written, the Ordinance does not require the rental to be owner occupied. If it is the desire of the City Council to include that requirement, Staff could adjust the Ordinance with that direction.

California Environmental Quality Act (CEQA): The amendments to the Zoning Code are exempt from CEQA pursuant to Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Fiscal Impact

Staff time and costs associated with drafting and adopting the ordinance are onetime costs. Once the ordinance is in place, the City will need to establish a Short Term Rental Permit Application Fee that will be charged to any property establishing a short-term rental as detailed within the attached Ordinance. Pending the adoption of a Fee, applications can be reviewed and approved based on a time and materials charge.

In addition to the application fee, the owner or operator of a short-term rental will be required to obtain a transient occupancy registration certificate for purpose of its obligation to pay transient occupancy taxes under Chapter 3.2 of this Oakley Municipal Code.

Recommendation

Staff recommends the City Council waive the first reading and introduce the attached Ordinance amending the Oakley Municipal Code by adding Title 5, Chapter 14, entitled "Short-Term Rentals".

Attachments

1. Proposed Ordinance Adding Chapter 14 to Title 5 of the Oakley Municipal Code
2. September 24, 2019 Staff Report with Attachments

ORDINANCE NO. XX-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY REGARDING REGULATION OF SHORT-TERM RENTALS

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

Section 1. The Oakley Municipal Code is hereby amended by adding Title 5, Chapter 14, entitled “Short-Term Rentals” to read as follows:

TITLE 5, CHAPTER 14
SHORT-TERM RENTALS

Section 5.14.102 Title of Ordinance

This Chapter shall be referred to as the "Short-Term Rental Ordinance."

Section 5.14.104 Purpose

A. The purpose of this Chapter is to establish regulations for the use of privately owned dwelling unit as short-term rentals in order to minimize the adverse effects of short-term rentals on the surrounding residential neighborhoods, ensure that short-term rentals are consistent with the City’s municipal code, and preserve the residential character of the neighborhoods where short-term rentals are located.

B. This Chapter is not intended to provide any person with the right or privilege to use a dwelling unit as a short-term rental where such use is not otherwise allowed by law, homeowner’s association agreement, rental agreement, or any applicable conditions, covenants, and restrictions to the dwelling unit that may prohibit the use of such dwelling unit as a short-term rental.

Section 5.14.106 Definitions

A. For purposes of this Chapter, the following words and phrases shall have the following meanings:

1. “Applicable laws, rules and regulations” means any laws, rules, regulations and codes (whether local, state or federal) pertaining to the use and occupancy of a privately owned dwelling unit as a short-term rental.

2. “Applicant” means the owner of the short-term rental unit or the owner's authorized agent or representative.

3. “City Manager” means that person acting in the capacity of the City

Manager of the City of Oakley or his or her designee.

4. “Good neighbor brochure” means a document prepared by the City that summarizes the general rules of conduct, consideration, and respect, including without limitation provisions of the Oakley Municipal Code and other applicable laws, rules, or regulations, pertaining to the use and occupancy of short-term rental units.

5. “Hosted Stay” means a short-term rental unit where the owner remains on-site throughout the guest’s stay (except during daytime and/or work hours).

6. “Owner” means the owner of a dwelling unit who rents their primary residence as a short-term rental unit and who is responsible for compliance with this Chapter. The owner shall be available 24 hours per day, seven days per week for the purpose of: (1) responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit; and (2) taking remedial action to resolve any such complaints.

7. “Primary Residence” means an owner’s permanent residence as documented by at least two of the following and in the owner’s name: motor vehicle registration, driver’s license, voter registration, tax documents showing the dwelling unit as the owner’s residence, or a utility bill. A person may only have one primary residence and must reside there for a minimum of 9 months per year.

8. “Property” means a residential legal lot on which the short-term rental unit is located.

9. “Responsible person” means a transient occupant of a short-term rental unit who is at least 21 years of age and who is legally responsible for ensuring that all transient occupants of the short-term renal and their guests comply with all applicable laws, rules, and regulations pertaining to the use and occupancy of a short term rental.

10. “Short-term rental permit” means a permit that allows the use of a privately-owned residential dwelling as a short-term rental unit pursuant to the provisions of this Chapter.

11. “Short-term rental unit” means an accessory use of a privately-owned residential dwelling, such as, but not limited to, a single-family dwelling or multiple family building, apartment unit, condominium, or duplex, for the purposes of providing temporary lodging, for compensation, for periods of 30 consecutive days of fewer. Any

dwelling unit used as a short-term rental unit shall be considered a "hotel" for the purposes of Chapter 3.2 of this Code related to Uniform Transient Occupancy Tax.

12. "Transient" for purposes of this Chapter means any person who seeks to rent or who does rent a short-term rental unit for a period of 30 consecutive days or fewer.

13. "Un-hosted Stay" means a short-term rental unit where the owner remains off-site during the guest's stay.

14 "Vacation Rental" means a short-term rental unit that is not an owner's primary residence. A vacation rental unit does not include a hotel or motel, as those terms are defined at Section 9.1.202 of this Code, or other business in which rooms are rented as the principal use of a building devoted to lodging.

Section 5.14.107 Vacation Rentals Prohibited

Vacation rentals, as defined in this Chapter, are a prohibited use and shall not be operated within the City of Oakley.

Section 5.14.108 Owner's Responsible

The owner shall be personally responsible for compliance with the requirements of this Chapter and shall be subject to any applicable remedies for noncompliance, regardless of whether such noncompliance was committed by the owner or the occupants of the short-term rental unit or their guests.

Section 5.14.110 Short-term Rental Permit Required

A. It shall be unlawful for an owner to rent any short-term rental unit to any transient without having a valid short-term rental permit issued by the City pursuant to the provisions of this Chapter.

B. A short-term rental permit shall be valid for a period of one (1) year from the date of issuance, and shall be renewed on or prior to the anniversary of the original permit issuance to remain valid.

C. A short-term rental permit may not be transferred to another owner, does not run with the land, and is valid only for the original location for which it is issued.

Section 5.14.112 Application

A. The owner must submit the following information on a short-term rental

permit application form provided by the City:

1. The name, address, and telephone number of the owner of the short-term rental unit;

2. The address of the proposed short-term rental unit;

3. The number of bedrooms and the applicable overnight and daytime occupancy limit of the proposed short-term rental unit;

4. Acknowledgement that the owner has received and reviewed the good neighbor brochure and will provide the brochure to all transients;

5. A copy of a transient occupancy registration permit issued under Section 3.2.006(d) of this Code;

6. Such other information as the City Manager deems reasonably necessary to administer this Chapter; and

7. Payment of the application fee established separately by resolution of the City Council.

B. A short-term rental permit application may be denied if the applicant has had a prior short- term rental permit for the same unit revoked within the 12 calendar months that preceded the effective date of the application.

C. Within 14 days of a change of property ownership or any other change in material facts pertaining to the information contained in the short-term rental permit application form, the owner shall submit an application and requisite application fee for a new short-term rental permit, which must be obtained prior to continuing to rent the short-term rental unit.

Section 5.14.114 Criteria for Approval and Renewal of a Short-term Rental Permit

A. The applicant has the burden of proof to demonstrate compliance with each applicable criterion for approval or renewal of the permit.

B. To receive permit approval, an applicant must demonstrate the following:

1. The owner shall demonstrate that it will comply with all the obligations and requirements of Sections 5.14.116 and 5.14.118.

2. A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) shall be required with

each annual permit application and renewal. It is the owner's responsibility to ensure that the short-term rental unit is and remains in substantial compliance with all applicable laws, rules and regulations including those regarding fire, building and safety, and health and safety.

3. At the time of application, the owner of a short-term rental shall not have been found to be in non-compliance of any provision of this Code for the subject short-term rental unit. A voluntary assurance of compliance or negotiated compliance agreement will satisfy the requirement that there be no pending actions or violations.

4. The owner shall have a current business license in accordance with the Chapter 3.5 of this Code.

5. The owner shall have obtained a transient occupancy registration certificate for purpose of its obligation to pay transient occupancy taxes under Chapter 3.2 of this Code.

Section 5.14.116 Operational Requirements and Standard Conditions

A. The owner shall use reasonably prudent business practices to ensure that the short-term rental unit is used in a manner that complies with all applicable laws, rules, and regulations pertaining to the use and occupancy of the subject short-term rental unit, including this Chapter.

B. The minimum number of days that a short-term rental unit shall be occupied is three days, two nights. Occupancy of a short-term rental unit by any transient for fewer than three days, two nights is prohibited.

C. The maximum number of overnight guests for a short-term rental unit shall not exceed two persons per bedroom, except that children under the age of 4 shall not be counted for purposes of calculating this limitation so long as the children sleep in the same bedroom as at least one of their parents or legal guardians. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m., with the maximum daytime guests not to exceed two persons per bedroom with a maximum of 16 guests allowed for four bedrooms or more. The following table illustrates the maximum number of occupants:

Number of Bedrooms	Total of Overnight Occupants	Total Daytime Occupants (Including Number of Overnight Occupants)
0 - Studio	2	4
1	2	4
2	4	8

3	6	12
4+	8	16

D. A short-term rental unit shall not change the residential character of the outside appearance of the residence, either by the use of colors, materials, lighting, or any advertising mechanism.

E. All parking associated with a short-term rental unit shall be entirely on-site, in the garage, carport, and driveway or otherwise off of the public street.

F. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Title 4, Chapter 2 of this Code concerning noise.

G. The owner shall provide each occupant of the short-term rental unit with the following information prior to occupancy of the unit and shall post such information in a prominent location within the unit:

1. The contact information for the owner with 24-hour availability;

2. The maximum number of overnight occupants and the maximum number of daytime occupants as permitted under this Chapter;

3. Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property;

4. A copy of Title 4, Chapter 2 of this Code concerning noise; and

5. Notification that the occupant or owner may be cited or fined by the City in accordance with this Code.

Section 5.14.118 Operations

A. While a short-term rental unit is rented, the owner shall be available 24 hours per day, seven days per week for the purpose of responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit or their guests.

B. The owner shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental unit.

C. Prior to occupancy of a short-term rental unit, the owner shall obtain the name, address, and a copy of a valid government identification of a responsible person and require such responsible person to execute a formal

acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term rental unit and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the short-term rental unit.

D. Prior to occupancy of a short-term rental unit, the owner shall obtain from the responsible person the make, model and license of all vehicles of overnight occupants' vehicles to be parked at the property.

E. The owner shall, upon notification that the responsible person and/or any occupant and/or guest of the short-term rental unit has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term unit, promptly respond within 60 minutes and appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental unit within 60 minutes in an appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the City.

F. The owner shall report to the City Manager the name, violation, date, and time of disturbance of each person involved in three or more disorderly conduct activities, disturbances, or other violations of any applicable law, rule, or regulation pertaining to the use and occupancy of the subject short-term unit within 24 hours of the third violation or disturbance.

G. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. The owner shall use reasonably prudent business practices to ensure compliance with all the provisions of Title 4, Chapter 20 of this Code.

H. The owner shall post the current short-term rental permit number on or in any advertisement appearing in any newspaper, magazine, brochure, trade paper, website, etc., that promotes the availability or existence of a short-term rental unit.

I. The City Manager shall have the authority to impose additional conditions on the use of any short-term rental unit to ensure that any potential secondary effects unique to the subject short-term rental unit are avoided or adequately mitigated.

J. The standard conditions set forth herein may be modified by the City Manager, or designee, upon request of the owner based on site-specific

circumstances for the purpose of allowing reasonable accommodation of a short-term rental unit. All requests must be in writing and shall identify how the strict application of the standard conditions creates an unreasonable hardship to a property such that, if the requirement is not modified, reasonable use of the property for a short-term rental would not be allowed. Any hardships identified must relate to physical constraints to the subject site and shall not be self-induced or economic. Any modifications of the standard conditions shall not further exacerbate an already existing problem.

Section 5.14.120 Violations

A. A violation of any provision of this Chapter by any occupant or owner shall constitute grounds for modification, suspension, or revocation of the short-term rental permit. In addition, the failure of the owner to satisfy any of its obligations and requirements of Title 3, Chapter 2 of this Code concerning transient occupancy taxes shall be an independent basis for modification, suspension, or revocation of any permit issued under this Chapter.

B. Whenever any owner fails to comply with any provision of this Chapter, the City, after giving the owner ten days written notice specifying the time and place of a hearing before the City Council, and requiring him to show cause why the short- term rental permit should not be modified, suspended, or revoked, may modify, suspend, or revoke the permit held by the owner.

C. The City may enforce this Chapter, including the terms and conditions of any permit granted under this Chapter, by any means provided for in Title 1, Chapter 5 of this Code or by any other means authorized by law.

Section 5.14.122 Fees

The City Council may establish and set by resolution all fees and charges as may be necessary to effectuate the purpose of this Chapter.

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.

The City Council has analyzed this ordinance and determined it is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3), which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with

certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity 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.

PASSED, APPROVED AND ADOPTED, this 14th day of April, 2020 by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

_____
Kevin Romick, Mayor

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date

Agenda Date: 09/24/2019
Agenda Item: 4.1

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: September 24, 2019

TO: Bryan Montgomery, City Manager

Approved and Forwarded to the City Council

FROM: Joshua McMurray, Community Development Director

SUBJECT: **ADOPTION OF AN ORDINANCE OF THE CITY OF OAKLEY EXTENDING A MORATORIUM ON THE ISSUANCE OR RENEWAL OF USE PERMITS, VARIANCES, BUILDING PERMITS, BUSINESS LICENSES OR ANY OTHER ENTITLEMENTS OR PERMITS PROVIDING FOR THE USE, COMMENCEMENT, ESTABLISHMENT OR OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF OAKLEY**

Summary and Recommendation

The City has been exploring options to regulate short-term rentals over the past year. In doing so, on October 9, 2018 the City Council adopted an interim urgency ordinance, Ordinance No. 17-18, which imposed a temporary moratorium on establishing a short-term rental within the City of Oakley. That interim ordinance was good for 45-days. The City Council then extended that interim ordinance, on November 13, 2018, for an additional 10 months and 15 days beyond the initial 45 day period to October 7, 2019 through the adoption of Ordinance No. 21-18. Those two Ordinances are attached to this Staff Report.

Staff is recommending the City Council adopt another one (1) year extension of the existing moratorium as the matter is of City-wide importance, and the additional time is a reasonable and necessary measure designed for the immediate preservation and protection of the public health, safety or welfare of the community, and is in accord with the public purposes and provisions of applicable State and local laws and requirements. The additional time will allow Staff to fully examine the issue and bring back an ordinance that addresses the concerns stated by the City Council and the residents of Oakley. Staff does not anticipate needing the entire additional year.

Pursuant to Government Code Section 65858(a), the City Council may by a four-fifths vote, after notice pursuant to Government Code Section 65090 and a public hearing, extended the interim ordinance for up to another year, to October 7, 2020.

Staff recommends that the Council adopt the Ordinance of the City of Oakley extending a moratorium on the issuance or renewal of use permits, variances, building permits,

business licenses or any other entitlements or permits providing for the use, commencement, establishment or operation of short-term rentals within the City of Oakley. The attached ordinance is an urgency measure which requires approval by four-fifths of the City Council. It will become effective immediately upon adoption.

California Environmental Quality Act (CEQA)

The Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 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 prevents changes in the environment pending the completion of the contemplated municipal code review.

Fiscal Impact

There is no direct fiscal impact associated with the adoption of the attached ordinance; however, implementation of the ordinance may result in indirect costs arising out from the preparation of the additional studies and periodic reports to the City Council required by the ordinance.

Attachments

1. Proposed Ordinance
2. Ordinance No. 17-18
3. November 13, 2018 Staff Report regarding the Short Term Rental Moratorium
4. Ordinance No. 21-18
5. October 8, 2018 Staff Report regarding the Short Term Rental Moratorium (includes the September 25, 2018 Staff Report)

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF OAKLEY EXTENDING A MORATORIUM ON THE ISSUANCE OR RENEWAL OF USE PERMITS, VARIANCES, BUILDING PERMITS, BUSINESS LICENSES OR ANY OTHER ENTITLEMENTS OR PERMITS PROVIDING FOR THE USE, COMMENCEMENT, ESTABLISHMENT OR OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF OAKLEY.

WHEREAS, pursuant to the City of Oakley's police power, the City Council of the City of Oakley ("City Council") has the authority to enact and enforce ordinances and regulations for the public peace, morals and welfare of the City and its residents; and

WHEREAS, at a regular public meeting on September 25, 2018, the City Council considered an ordinance that would have amended the Oakley Municipal Code for the purpose of permitting owners of residential dwellings to rent, offer to rent, or advertise for rent said dwellings to a person or group of persons for occupancy, dwelling, lodging or sleeping purposes for a period of less than thirty (30) consecutive calendar days, i.e., "Short-Term Rentals;" and

WHEREAS, at the regular public meeting on September 25, 2018, the City Council receiving public testimony from residents living near locations where unpermitted Short-Term Rentals have operated that expressed significant concerns to the City Council of excessive noise, disorderly conduct, overcrowding, traffic congestion, illegal vehicle parking and the accumulation of refuse which required responses from police, Code Enforcement and other City services; and

WHEREAS, California Government Code Section 65858 provides that, without following the procedures otherwise required prior to the adoption of a zoning ordinance and for the purpose of protecting the public safety, health and welfare, the City Council may adopt, as an urgency measure, an interim ordinance prohibiting any uses which may be in conflict with "a contemplated general plan, specific plan, or zoning proposal that the City Council, planning commission or the planning department is considering or studying or intends to study within a reasonable time"; and

WHEREAS, the City Council is concerned that Short-Term Rentals, which are essentially commercial uses operating within residential zones, may be incompatible with residential uses without effective regulation, and the City Council believes that development standards and implementation regulations for Short-Term Rentals require careful consideration and thorough study; and

WHEREAS, to address these issues, as well as the community concerns regarding the proliferation and operation of Short-Term Rentals, it is necessary for the City to continue to study the potential impacts such uses may have on the public health, safety and welfare;

WHEREAS, based on the foregoing facts, and the facts presented to the City Council at the October 9, 2018 meeting including additional written and oral public testimony, the City Council found that issuing use permits, variances, building permits, business licenses, certificates of occupancy, or any other applicable entitlements or permits providing for the use, commencement, establishment and/or operation of Short-Term Rentals prior to the City's

completion of its study of the legality, potential impact and regulation of such Short-Term Rentals, would pose a current and immediate threat to the public health, safety or welfare, and that a temporary moratorium on the issuance of use permits, variances, building permits, business licenses, certificates of occupancy, and any other applicable entitlements was necessary; and

WHEREAS, on October 9, 2018, the City Council adopted an interim urgency ordinance, Ordinance No. 17-18, establishing a moratorium prohibiting the issuance or renewal of use permits, variances, building permits, business licenses or any other entitlements or permits providing for the use, commencement, establishment or operation of Short-Term Rentals within the City of Oakley; and

WHEREAS, on October 9, 2018, the City Council adopted an interim urgency ordinance, Ordinance No. 17-18, establishing a moratorium prohibiting the issuance or renewal of use permits, variances, building permits, business licenses or any other entitlements or permits providing for the use, commencement, establishment or operation of Short-Term Rentals within the City of Oakley; and

WHEREAS, pursuant to Government Code Section 65858(a), the interim urgency ordinance adopted by the City Council on October 9, 2018 was set to expire 45 days after approval, on November 23, 2018; and

WHEREAS, on November 18, 2018, pursuant to Government Code Section 65858(a), the City Council by a four-fifths vote, after notice pursuant to Government Code Section 65090 and a public hearing, extended the interim ordinance for 10 months and 15 days beyond the initial 45 day period to October 7, 2019; and

WHEREAS, pursuant to Government Code Section 65858(a), the City Council may by a four-fifths vote, after notice pursuant to Government Code Section 65090 and a public hearing, extended the interim ordinance for up to another year to October 7, 2020; and

WHEREAS, an extension of the interim urgency ordinance is necessary for the current and immediate preservation of the public health, safety and welfare. The facts constituting the need for an extension are:

1. The City has received a number of public nuisance complaints emanating from Short-Term Rentals, involving the following:

    a. Loud, unnecessary and unusual noises, which have disturbed the peace and quiet of neighborhoods and caused discomfort and annoyance to residents of those neighborhoods;

    b. Apparent over-occupancy of units, which may pose a public health and safety risk;

    c. Excessive on-street parking affecting the ability of residents to park their vehicles within a reasonable distance from their homes; and

d. Accumulation of trash and debris, including alcoholic beverage containers, in the front yards of Short-Term Rentals, neighboring properties, and rights-of-way.

2. After receiving complaints of this nature, the City has committed resources to investigate and study the impacts of Short-Term Rentals on the surrounding community; and

3. Absent the extension of the moratorium, unregulated Short-Term Rentals in the City will result in an even greater increase in nuisance conditions negatively affecting the well-being of the community, thereby diminishing property values and introducing incompatible land uses to existing neighborhoods or in close proximity thereto; and

4. Absent the extension of the moratorium, an increase in the number and location of Short-Term Rentals may increase the burden upon City services due to enforcement of the established standards and regulations relating to the issuance of permits for Short-Term Rentals; and

5. As a result, it is necessary to extend the moratorium for up to one (1) year and prohibiting the issuance or renewal of any use permits, variances, building permits, business licenses, certificates of occupancy, or any other applicable entitlements or permits providing for the use, commencement, establishment and/or operation of new Short-Term Rentals in the City, pending completion of the City's study of the potential impacts of Short-Term Rentals, and possible implementation regulations relating to the issuance of permits for Short-Term Rentals; and

6. In addition, it is necessary to prohibit, as a public nuisance, the use of property in any zone of the City for purposes of Short-Term Rental for the duration of this Ordinance, or any extension thereof; and

WHEREAS, the City Council determines, by at least a four-fifths (4/5) vote, that this extension is a matter of City-wide importance, is a reasonable and necessary measure designed for the immediate preservation and protection of the public health, safety or welfare of the community, and is in accord with the public purposes and provisions of applicable State and local laws and requirements.

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NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 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 prevents changes in the environment pending the completion of the contemplated municipal code review.

SECTION 2. INCORPORATION.

The recitals and statements of fact set forth in the preamble to this Ordinance are true and correct, constitute a substantive part of this Ordinance, and are incorporated herein by this reference. Based on those facts, the City Council finds, determines and declares that the extension of the moratorium for up to one (1) year is necessary for the immediate preservation of the public peace, health or safety pursuant to, and as authorized by, Section 65858(a) of the California Government Code.

SECTION 3. DIRECTION; DEFINITION.

It is necessary to extend the moratorium on the commencement, establishment and/or operation of Short-Term Rentals in the City for up to one (1) year pending completion of the City's study of the potential impacts and regulation of Short-Term Rentals, and possible amendments to the City's zoning ordinance and related provisions of the Oakley Municipal Code to ensure that adequate development standards and implementation regulations are in effect prior to permitting Short-Term Rentals within the City of Oakley. To that end, the City Manager, with the assistance of the City Attorney, or their designees, are directed to continue to analyze the appropriateness of Short- Term Rentals within the City limits of the City of Oakley, including but not limited to, the desirability of Short-Term Rentals, the appropriateness and effectiveness of separation requirements from adjacent sensitive land uses, and the extent of adequate development standards and regulatory controls, should Short-Term Rentals be deemed appropriate. For purposes of this Ordinance, "Short-Term Rentals" shall mean a privately owned residential dwelling, such as, but not limited to, a single family dwelling or multiple family building, apartment unit, condominium, duplex, as those terms are defined at Section 9.1.202 of this Code or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for any period of 30 consecutive days or fewer. A short-term rental unit does not include a hotel or motel, as those terms are defined at Section 9.1.202 of this Code, or other business in which rooms are rented as the principal use of a building devoted to lodging.

SECTION 4. MORATORIUM EXTENDED.

In accordance with the authority granted to the City of Oakley by California Government Code Section 65858 and for the reasons set forth herein above, the moratorium on Short-Term Rentals established by Ordinance No. 17-18, adopted by the City Council on October 9, 2018 is extended

for up to one (1) year from the expiration of the current 10 month 15 day period to and including October 7, 2020, and no approvals may be made or issued by the City, its officers or employees of any applications for a use permit, variance, building permit, business license or any other applicable entitlement or permit, for the use of any land within the City as a Short-Term Rental or the commencement, establishment or operation of a Short-Term Rental thereon. For the period of this Ordinance, or any extension thereof, a Short-Term Rental shall be considered a prohibited use in any zoning district of the City and neither the Planning Commission, the City Council nor City staff shall approve any use permit, license, certificate of occupancy, zoning code or general plan amendment authorizing the use of any land within the City as a Short-Term Rental.

SECTION 5. PROHIBITION.

No person shall commence or establish the operation of any Short-Term Rental, as defined in this Ordinance, within the City limits of the City of Oakley during the period the moratorium established by Ordinance No. 17-18 and extended by this Ordinance is in effect.

SECTION 6. VIOLATION A PUBLIC NUSIANCE.

The commencement, establishment or operation of any Short-Term Rental, as defined in this Ordinance, within the City limits of the City of Oakley during the period the moratorium is in effect is declared to be a public nuisance and poses a current and immediate threat to the public health, safety and welfare. No property in any zone of the City is to be used for purposes of a Short-Term Rental during the period this Ordinance is in effect. The use of any property for such purpose shall be a public nuisance. A violation of this Ordinance shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief as well as any other available civil remedies. Additionally, any person that violates this Ordinance may be subject to the City's applicable administrative remedies, including, but not limited to, the remedies provided in Title 1 of this Code.

SECTION 7. 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 8. REPORT.

The City Manager is authorized and directed to prepare the report required by paragraph (d) of California Government Code Section 65858 describing the measures taken to alleviate the

condition which led to adoption of this Ordinance for presentation to the City Council no later than ten (10) days prior to the expiration of this Ordinance.

SECTION 9. EFFECTIVE DATE; FOUR-FIFTHS VOTE REQUIRED.

This Ordinance shall become effective immediately upon adoption if adopted by at least a four-fifths (4/5) vote of the total members of the City Council and shall be in effect for up to one (1) year from the expiration of Ordinance No. 17-18, up to and including October 7, 2020.

SECTION 10. 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 ____ day of _____, 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

ORDINANCE NO. 17-18

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING AN INTERIM MEASURE IMPOSING A MORATORIUM ON THE ISSUANCE OR RENEWAL OF USE PERMITS, VARIANCES, BUILDING PERMITS, BUSINESS LICENSES OR ANY OTHER ENTITLEMENTS OR PERMITS PROVIDING FOR THE USE, COMMENCEMENT, ESTABLISHMENT OR OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF OAKLEY.

WHEREAS, pursuant to the City of Oakley's police power, the City Council of the City of Oakley ("City Council") has the authority to enact and enforce ordinances and regulations for the public peace, morals and welfare of the City and its residents; and

WHEREAS, at a regular public meeting on September 25, 2018, the City Council considered an ordinance that would have amended the Oakley Municipal Code for the purpose of permitting owners of residential dwellings to rent, offer to rent, or advertise for rent said dwellings to a person or group of persons for occupancy, dwelling, lodging or sleeping purposes for a period of less than thirty (30) consecutive calendar days, i.e., "Short-Term Rentals;" and

WHEREAS, at the regular public meeting on September 25, 2018, the City Council receiving public testimony from residents living near locations where unpermitted Short-Term Rentals have operated that expressed significant concerns to the City Council of excessive noise, disorderly conduct, overcrowding, traffic congestion, illegal vehicle parking and the accumulation of refuse which required responses from police, Code Enforcement and other City services; and

WHEREAS, California Government Code Section 65858 provides that, without following the procedures otherwise required prior to the adoption of a zoning ordinance and for the purpose of protecting the public safety, health and welfare, the City Council may adopt, as an urgency measure, an interim ordinance prohibiting any uses which may be in conflict with "a contemplated general plan, specific plan, or zoning proposal that the City Council, planning commission or the planning department is considering or studying or intends to study within a reasonable time"; and

WHEREAS, the City Council is concerned that Short-Term Rentals, which are essentially commercial uses operating within residential zones, may be incompatible with residential uses without effective regulation, and the City Council believes that development standards and implementation regulations for Short-Term Rentals require careful consideration and thorough study; and

WHEREAS, to address these issues, as well as the community concerns regarding the proliferation and operation of Short-Term Rentals, it is necessary for the City Council study the potential impacts such uses may have on the public health, safety and welfare;

WHEREAS, based on the foregoing facts and the facts presented to the City Council at the meeting at which this Ordinance is introduced and adopted, the City Council finds that issuing use permits, variances, building permits, business licenses, certificates of occupancy, or any other applicable entitlements or permits providing for the use, commencement, establishment and/or operation of Short-Term Rentals prior to the City's completion of its study of the legality, potential impact and regulation of such Short-Term Rentals, would pose a current and immediate threat to the public health, safety or welfare, and that a temporary moratorium on the issuance of use permits, variances, building permits, business licenses, certificates of occupancy, and any other applicable entitlements is thus necessary; and

WHEREAS, this Ordinance is an interim urgency ordinance adopted pursuant to the authority granted to the City by Government Code Section 65858 and is for the immediate preservation of the public health, safety and welfare. The facts constituting the urgency are:

1. The City has received a number of public nuisance complaints emanating from Short-Term Rentals, involving the following:

    a. Loud, unnecessary and unusual noises, which have disturbed the peace and quiet of neighborhoods and caused discomfort and annoyance to residents of those neighborhoods;

    b. Apparent over-occupancy of units, which may pose a public health and safety risk;

    c. Excessive on-street parking affecting the ability of residents to park their vehicles within a reasonable distance from their homes; and

    d. Accumulation of trash and debris, including alcoholic beverage containers, in the front yards of Short-Term Rentals, neighboring properties, and rights-of-way.

2. After receiving complaints of this nature, the City has committed resources to investigate and study the impacts of Short-Term Rentals on the surrounding community; and

3. Absent the adoption of this Ordinance, the continued existence of unpermitted Short-Term Rentals in the City and an increase in the number thereof may result in an even greater increase in nuisance conditions negatively affecting the well-being of the community,

thereby diminishing property values and introducing incompatible land uses to existing neighborhoods or in close proximity thereto; and

4. Absent the adoption of this Ordinance, an increase in the number and location of Short-Term Rentals may increase the burden upon City services due to enforcement of the established standards and regulations relating to the issuance of permits for Short-Term Rentals; and

5. As a result, it is necessary to establish a temporary, forty-five (45) day moratorium on the issuance or renewal of any use permits, variances, building permits, business licenses, certificates of occupancy, or any other applicable entitlements or permits providing for the use, commencement, establishment and/or operation of new Short-Term Rentals in the City, pending completion of the City's study of the potential impacts of Short-Term Rentals, and possible implementation regulations relating to the issuance of permits for Short-Term Rentals; and

6. In addition, it is necessary to prohibit, as a public nuisance, the use of property in any zone of the City for purposes of Short-Term Rental for the duration of this Ordinance, or any extension thereof; and

WHEREAS, the City Council determines, by at least a four-fifths (4/5) vote, that this urgency ordinance is a matter of City-wide importance, is a reasonable and necessary measure designed for the immediate preservation and protection of the public health, safety or welfare of the community, and is in accord with the public purposes and provisions of applicable State and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 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 prevents changes in the environment pending the completion of the contemplated municipal code review.

SECTION 2. INCORPORATION.

The recitals and statements of fact set forth in the preamble to this Ordinance are true and correct, constitute a substantive part of this Ordinance, and are incorporated herein by this reference. Based on those facts, the City Council finds, determines and declares that this Ordinance is necessary as an emergency measure for the immediate preservation of the public peace, health or safety pursuant to, and as authorized by, Section 65858(a) of the California Government Code. Accordingly, this Ordinance shall become effective immediately upon adoption.

SECTION 3. DIRECTION; DEFINITION.

It is necessary to establish a temporary, forty-five (45) day moratorium on the commencement, establishment and/or operation of new Short-Term Rentals in the City and on any applications for renewal of Short-Term Rental permits existing on the date this Ordinance is adopted, pending completion of the City's study of the potential impacts and regulation of Short-Term Rentals, and possible amendments to the City's zoning ordinance and related provisions of the Oakley Municipal Code to ensure that adequate development standards and implementation regulations are in effect prior to permitting Short-Term Rentals within the City of Oakley. To that end, the City Manager, with the assistance of the City Attorney, or their designees, are directed to analyze the appropriateness of Short- Term Rentals within the City limits of the City of Oakley, including but not limited to, the desirability of Short-Term Rentals, the appropriateness and effectiveness of separation requirements from adjacent sensitive land uses, and the extent of adequate development standards and regulatory controls, should Short-Term Rentals be deemed appropriate. For purposes of this Ordinance, "Short-Term Rentals" shall mean a privately owned residential dwelling, such as, but not limited to, a single family dwelling or multiple family building, apartment unit, condominium, duplex, as those terms are defined at Section 9.1.202 of this Code or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for any period of 30 consecutive days or fewer. A short-term rental unit does not include a hotel or motel, as those terms are defined at Section 9.1.202 of this Code, or other business in which rooms are rented as the principal use of a building devoted to lodging.

SECTION 4. MORATORIUM ESTABLISHED.

In accordance with the authority granted to the City of Oakley by California Government Code Section 65858 and for the reasons set forth herein above, commencing as of the effective date of this Ordinance and continuing thereafter for a period of forty-five (45) days to and including November 23, 2018, no approvals may be made or issued by the City, its officers or employees of any applications for a use permit, variance, building permit, business license or any other applicable entitlement or permit, for the use of any land within the City as a Short-Term Rental or the commencement, establishment or operation of a Short-Term Rental thereon. For the period of this Ordinance, or any extension thereof, a Short-Term Rental shall be considered a prohibited use in any zoning district of the City and neither the Planning Commission, the City Council nor City staff

shall approve any use permit, license, certificate of occupancy, zoning code or general plan amendment authorizing the use of any land within the City as a Short-Term Rental.

SECTION 5. PROHIBITION.

No person shall commence or establish the operation of any Short-Term Rental, as defined in this Ordinance, within the City limits of the City of Oakley during the period this Ordinance is in effect.

SECTION 6. VIOLATION A PUBLIC NUSIANCE.

The commencement, establishment or operation of any Short-Term Rental, as defined in this Ordinance, within the City limits of the City of Oakley during the period this Ordinance is in effect is declared to be a public nuisance and poses a current and immediate threat to the public health, safety and welfare. No property in any zone of the City is to be used for purposes of a Short-Term Rental during the period this Ordinance is in effect. The use of any property for such purpose shall be a public nuisance. A violation of this Ordinance shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief as well as any other available civil remedies. Additionally, any person that violates this Ordinance may be subject to the City's applicable administrative remedies, including, but not limited to, the remedies provided in Title 1 of this Code.

SECTION 7. 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 8. REPORT.

The City Manager is authorized and directed to prepare the report required by paragraph (d) of California Government Code Section 65858 describing the measures taken to alleviate the condition which led to adoption of this Ordinance for presentation to the City Council no later than ten (10) days prior to the expiration of this Ordinance.

SECTION 9. EFFECTIVE DATE; FOUR-FIFTHS VOTE REQUIRED.

This Ordinance shall become effective immediately upon adoption if adopted by at least a four-fifths (4/5) vote of the total members of the City Council and shall be in effect for forty-five (45) days from the date of adoption, unless extended by the City Council as provided in California Government Code Section 65858.

SECTION 10. 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.

PASSED, APPROVED AND ADOPTED this 9th day of October 2018 by the following vote:

AYES: Hardcastle, Higgins, Pope, Romick
NOES:
ABSTENTIONS:
ABSENT: Alaura

APPROVED:

Randy Pope, Mayor

ATTEST:

Kim Carnaby
for Libby Vreonis, City Clerk

10/25/18
Date

Agenda Date: 11/13/2018
Agenda Item: 4.3

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: November 13, 2018

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

FROM: Joshua McMurray, Planning Manager

SUBJECT: **ADOPTION OF AN ORDINANCE OF THE CITY OF OAKLEY EXTENDING A MORATORIUM ON THE ISSUANCE OR RENEWAL OF USE PERMITS, VARIANCES, BUILDING PERMITS, BUSINESS LICENSES OR ANY OTHER ENTITLEMENTS OR PERMITS PROVIDING FOR THE USE, COMMENCEMENT, ESTABLISHMENT OR OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF OAKLEY**

Summary and Recommendation

On October 9, 2018, the City Council adopted an interim urgency ordinance which imposed a temporary moratorium on establishing a short-term rental within the City of Oakley. Pursuant to Government Code Section 65858(a), the interim urgency ordinance adopted by the City Council expires 45 days after approval, or November 23, 2018. Government Code Section 65858(a), allows the City Council, with a four-fifths vote, after notice pursuant to Government Code Section 65090 and a public hearing, to extend the interim ordinance for 10 months and 15 days beyond the initial 45 day period to October 7, 2019. Staff is recommending this as the matter is of City-wide importance, and the additional time is a reasonable and necessary measure designed for the immediate preservation and protection of the public health, safety or welfare of the community, and is in accord with the public purposes and provisions of applicable State and local laws and requirements. The additional time will allow Staff to fully examine the issue and bring back an ordinance that addresses the concerns stated by the City Council and the residents of Oakley.

Staff recommends that the Council adopt the Ordinance of the City of Oakley extending a moratorium on the issuance or renewal of use permits, variances, building permits, business licenses or any other entitlements or permits providing for the use, commencement, establishment or operation of short-term rentals within the City of Oakley. The attached ordinance is an urgency measure which requires approval by four-fifths of the City Council. It will become effective immediately upon adoption.

California Environmental Quality Act (CEQA)

The Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 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 prevents changes in the environment pending the completion of the contemplated municipal code review.

Fiscal Impact

There is no direct fiscal impact associated with the adoption of the attached ordinance; however, implementation of the ordinance may result in indirect costs arising out from the preparation of the additional studies and periodic reports to the City Council required by the ordinance.

Recommendation

Staff recommends that the Council adopt the Ordinance of the City of Oakley extending a moratorium on the issuance or renewal of use permits, variances, building permits, business licenses or any other entitlements or permits providing for the use, commencement, establishment or operation of short-term rentals within the City of Oakley. The attached ordinance is an urgency measure which requires approval by four-fifths of the City Council. It will become effective immediately upon adoption.

Attachments

1. October 8, 2018 Staff Report regarding the Short Term Rental Moratorium
2. September 25, 2018 Staff Report regarding Short-Term Rentals
3. Proposed Ordinance

ORDINANCE NO. 21-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY EXTENDING A MORATORIUM ON THE ISSUANCE OR RENEWAL OF USE PERMITS, VARIANCES, BUILDING PERMITS, BUSINESS LICENSES OR ANY OTHER ENTITLEMENTS OR PERMITS PROVIDING FOR THE USE, COMMENCEMENT, ESTABLISHMENT OR OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF OAKLEY.

WHEREAS, pursuant to the City of Oakley's police power, the City Council of the City of Oakley ("City Council") has the authority to enact and enforce ordinances and regulations for the public peace, morals and welfare of the City and its residents; and

WHEREAS, at a regular public meeting on September 25, 2018, the City Council considered an ordinance that would have amended the Oakley Municipal Code for the purpose of permitting owners of residential dwellings to rent, offer to rent, or advertise for rent said dwellings to a person or group of persons for occupancy, dwelling, lodging or sleeping purposes for a period of less than thirty (30) consecutive calendar days, i.e., "Short-Term Rentals;" and

WHEREAS, at the regular public meeting on September 25, 2018, the City Council receiving public testimony from residents living near locations where unpermitted Short-Term Rentals have operated that expressed significant concerns to the City Council of excessive noise, disorderly conduct, overcrowding, traffic congestion, illegal vehicle parking and the accumulation of refuse which required responses from police, Code Enforcement and other City services; and

WHEREAS, California Government Code Section 65858 provides that, without following the procedures otherwise required prior to the adoption of a zoning ordinance and for the purpose of protecting the public safety, health and welfare, the City Council may adopt, as an urgency measure, an interim ordinance prohibiting any uses which may be in conflict with "a contemplated general plan, specific plan, or zoning proposal that the City Council, planning commission or the planning department is considering or studying or intends to study within a reasonable time"; and

WHEREAS, the City Council is concerned that Short-Term Rentals, which are essentially commercial uses operating within residential zones, may be incompatible with residential uses without effective regulation, and the City Council believes that development standards and implementation regulations for Short-Term Rentals require careful consideration and thorough study; and

WHEREAS, to address these issues, as well as the community concerns regarding the proliferation and operation of Short-Term Rentals, it is necessary for the City to continue to study the potential impacts such uses may have on the public health, safety and welfare;

WHEREAS, based on the foregoing facts, and the facts presented to the City Council at the October 9, 2018 meeting including additional written and oral public testimony, the City Council found that issuing use permits, variances, building permits, business licenses, certificates of occupancy, or any other applicable entitlements or permits providing for the use, commencement, establishment and/or operation of Short-Term Rentals prior to the City's completion of its study of the legality, potential impact and regulation of such Short-Term Rentals, would pose a current and immediate threat to the public health, safety or welfare, and that a temporary moratorium on the issuance of use permits, variances, building permits, business licenses, certificates of occupancy, and any other applicable entitlements was necessary; and

WHEREAS, on October 9, 2018, the City Council adopted an interim urgency ordinance, Ordinance No. 17-18, establishing a moratorium prohibiting the issuance or renewal of use permits, variances, building permits, business licenses or any other entitlements or permits providing for the use, commencement, establishment or operation of Short-Term Rentals within the City of Oakley; and

WHEREAS, pursuant to Government Code Section 65858(a), the interim urgency ordinance adopted by the City Council on October 9, 2018 expires 45 days after approval, or November 23, 2018; and

WHEREAS, pursuant to Government Code Section 65858(a), the City Council may by a four-fifths vote, after notice pursuant to Government Code Section 65090 and a public hearing, extend the interim ordinance for 10 months and 15 days beyond the initial 45 day period to October 7, 2019; and

WHEREAS, an extension of the interim urgency ordinance is necessary for the current and immediate preservation of the public health, safety and welfare. The facts constituting the need for an extension are:

1. The City has received a number of public nuisance complaints emanating from Short-Term Rentals, involving the following:

    a. Loud, unnecessary and unusual noises, which have disturbed the peace and quiet of neighborhoods and caused discomfort and annoyance to residents of those neighborhoods;

    b. Apparent over-occupancy of units, which may pose a public health and safety risk;

    c. Excessive on-street parking affecting the ability of residents to park their vehicles within a reasonable distance from their homes; and

d. Accumulation of trash and debris, including alcoholic beverage containers, in the front yards of Short-Term Rentals, neighboring properties, and rights-of-way.

2. After receiving complaints of this nature, the City has committed resources to investigate and study the impacts of Short-Term Rentals on the surrounding community; and

3. Absent the extension of the moratorium, unregulated Short-Term Rentals in the City will result in an even greater increase in nuisance conditions negatively affecting the well-being of the community, thereby diminishing property values and introducing incompatible land uses to existing neighborhoods or in close proximity thereto; and

4. Absent the extension of the moratorium, an increase in the number and location of Short-Term Rentals may increase the burden upon City services due to enforcement of the established standards and regulations relating to the issuance of permits for Short-Term Rentals; and

5. As a result, it is necessary to extend the moratorium for 10 months and 15 days prohibiting the issuance or renewal of any use permits, variances, building permits, business licenses, certificates of occupancy, or any other applicable entitlements or permits providing for the use, commencement, establishment and/or operation of new Short-Term Rentals in the City, pending completion of the City's study of the potential impacts of Short-Term Rentals, and possible implementation regulations relating to the issuance of permits for Short-Term Rentals; and

6. In addition, it is necessary to prohibit, as a public nuisance, the use of property in any zone of the City for purposes of Short-Term Rental for the duration of this Ordinance, or any extension thereof; and

WHEREAS, the City Council determines, by at least a four-fifths (4/5) vote, that this extension is a matter of City-wide importance, is a reasonable and necessary measure designed for the immediate preservation and protection of the public health, safety or welfare of the community, and is in accord with the public purposes and provisions of applicable State and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 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 prevents changes in the environment pending the completion of the contemplated municipal code review.

SECTION 2. INCORPORATION.

The recitals and statements of fact set forth in the preamble to this Ordinance are true and correct, constitute a substantive part of this Ordinance, and are incorporated herein by this reference. Based on those facts, the City Council finds, determines and declares that the extension of the moratorium for 10 months and 15 days is necessary for the immediate preservation of the public peace, health or safety pursuant to, and as authorized by, Section 65858(a) of the California Government Code.

SECTION 3. DIRECTION; DEFINITION.

It is necessary to extend the moratorium on the commencement, establishment and/or operation of Short-Term Rentals in the City for 10 months and 15 days pending completion of the City's study of the potential impacts and regulation of Short-Term Rentals, and possible amendments to the City's zoning ordinance and related provisions of the Oakley Municipal Code to ensure that adequate development standards and implementation regulations are in effect prior to permitting Short-Term Rentals within the City of Oakley. To that end, the City Manager, with the assistance of the City Attorney, or their designees, are directed to continue to analyze the appropriateness of Short- Term Rentals within the City limits of the City of Oakley, including but not limited to, the desirability of Short-Term Rentals, the appropriateness and effectiveness of separation requirements from adjacent sensitive land uses, and the extent of adequate development standards and regulatory controls, should Short-Term Rentals be deemed appropriate. For purposes of this Ordinance, "Short-Term Rentals" shall mean a privately owned residential dwelling, such as, but not limited to, a single family dwelling or multiple family building, apartment unit, condominium, duplex, as those terms are defined at Section 9.1.202 of this Code or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for any period of 30 consecutive days or fewer. A short-term rental unit does not include a hotel or motel, as those terms are defined at Section 9.1.202 of this Code, or other business in which rooms are rented as the principal use of a building devoted to lodging.

SECTION 4. MORATORIUM EXTENDED.

In accordance with the authority granted to the City of Oakley by California Government Code Section 65858 and for the reasons set forth herein above, the moratorium on Short-Term Rentals established by Ordinance No. 17-18, adopted by the City Council on October 9, 2018 is extended for 10 months and 15 days from the expiration of the initial 45 day period to and including October 7, 2019, and no approvals may be made or issued by the City, its officers or employees of any applications for a use permit, variance, building permit, business license or any other applicable entitlement or permit, for the use of any land within the City as a Short-Term Rental or the commencement, establishment or operation of a Short-Term Rental thereon. For the period of this Ordinance, or any extension thereof, a Short-Term Rental shall be considered a prohibited use in any zoning district of the City and neither the Planning Commission, the City Council nor City staff shall approve any use permit, license, certificate of occupancy, zoning code or general plan amendment authorizing the use of any land within the City as a Short-Term Rental.

SECTION 5. PROHIBITION.

No person shall commence or establish the operation of any Short-Term Rental, as defined in this Ordinance, within the City limits of the City of Oakley during the period the moratorium established by Ordinance No. 17-18 and extended by this Ordinance is in effect.

SECTION 6. VIOLATION A PUBLIC NUSIANCE.

The commencement, establishment or operation of any Short-Term Rental, as defined in this Ordinance, within the City limits of the City of Oakley during the period the moratorium is in effect is declared to be a public nuisance and poses a current and immediate threat to the public health, safety and welfare. No property in any zone of the City is to be used for purposes of a Short-Term Rental during the period this Ordinance is in effect. The use of any property for such purpose shall be a public nuisance. A violation of this Ordinance shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief as well as any other available civil remedies. Additionally, any person that violates this Ordinance may be subject to the City's applicable administrative remedies, including, but not limited to, the remedies provided in Title 1 of this Code.

SECTION 7. 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 8. REPORT.

The City Manager is authorized and directed to prepare the report required by paragraph (d) of California Government Code Section 65858 describing the measures taken to alleviate the condition which led to adoption of this Ordinance for presentation to the City Council no later than ten (10) days prior to the expiration of this Ordinance.

SECTION 9. EFFECTIVE DATE; FOUR-FIFTHS VOTE REQUIRED.

This Ordinance shall become effective immediately upon adoption if adopted by at least a four-fifths (4/5) vote of the total members of the City Council and shall be in effect for 10 months and 15 days from the expiration of Ordinance No. 17-18, to and including October 7, 2019, unless extended by the City Council as provided in California Government Code Section 65858.

SECTION 10. 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.

PASSED, APPROVED AND ADOPTED this 13th day of November, 2018 by the following vote:

AYES: Alaura, Hardcastle, Higgins, Pope, Romick
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

Randy Pope, Mayor

11/15/18

Date

ATTEST:

Libby Vreonis, City Clerk

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: October 9, 2018

TO: Bryan Montgomery, City Manager

Approved and Forwarded to the City Council

FROM: Joshua McMurray, Planning Manager

SUBJECT: **ADOPTION OF AN URGENCY ORDINANCE OF THE CITY OF OAKLEY ADOPTING AN INTERIM MEASURE IMPOSING A MORATORIUM ON THE ISSUANCE OR RENEWAL OF USE PERMITS, VARIANCES, BUILDING PERMITS, BUSINESS LICENSES OR ANY OTHER ENTITLEMENTS OR PERMITS PROVIDING FOR THE USE, COMMENCEMENT, ESTABLISHMENT OR OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF OAKLEY**

Summary and Recommendation

The Oakley Municipal Code does not define, enable or permit short term rentals of any kind and there are no enforcement provisions specific to short term rentals in the Municipal Code. This lack of specificity currently limits the City's enforcement efforts on short term rentals as a land use, and focuses instead on the related symptomatic or incidental problems, such as responding to noise complaints or the conduct of other unpermitted activities. It is also difficult to determine if and when a given private residence is being used as a short term rental. Without appropriate regulations, a short-term rental business could locate in the City of Oakley in a manner that is inconsistent with the City's goals and vision for our community.

Staff recommends that the Council adopt the attached interim emergency ordinance temporarily prohibiting the establishment and operation of a short-term rental businesses while the City completes further study and adopts an appropriate ordinance and regulations regarding the location, licensing and operation of such businesses. The attached ordinance is an urgency measure which requires approval by four-fifths of the City Council. It will become effective immediately upon adoption.

Background and Analysis

Staff brought forward an Ordinance to regulate short-term rentals at the September 25, 2018 City Council Meeting (Staff Report attached). The City Council has received complaints and public comments at its September 25, 2018 meeting indicating that the proliferation of non-hosted short-term rentals within the City adversely affects the

quality of life and the character of the City's residential neighborhoods. The City Council directed Staff to bring back an urgency moratorium that would allow the City to not allow short-term rentals as the City researches and drafts an appropriate Ordinance.

The City's Municipal Code does not expressly allow short-term rental land uses, but short-term rentals are currently taking place within the City. The unregulated expansion of short-term rentals would undermine the City's achievement of its long-term planning goals and investments. In addition, short-term rentals pose challenges for enforcement and tax collection because precise information on their locations, availability, revenues earned, and actual occupancy rates are difficult to obtain. In brief, short-term rentals pose an immediate threat to public health, safety, and welfare.

The City has an overriding interest in planning and regulating the use of property within the City because without stable, well-planned neighborhoods, the quality of life and the character of the City's neighborhoods can quickly deteriorate and suffer adverse social, environmental, and economic conditions. A moratorium on non-hosted short-term rentals would allow time for the City to revise its zoning code to provide for regulation of non-hosted short-term rentals in a manner that protects public health, safety, and welfare.

Government Code Section 65858 allows a local agency to adopt an interim ordinance prohibiting any uses which may be in conflict with a zoning proposal which the City is considering or intends to study within a reasonable period of time. The interim ordinance may be adopted as an urgency measure, without following the procedures otherwise required for a zoning ordinance, provided the City determines that the ordinance is necessary to protect the public health, safety and welfare. Staff believes there is ample evidence to support and justify such a finding in this case. The interim ordinance will be effective for an initial 45 day period and may be extended twice, in specified maximum increments, for a total period not to exceed 2 years.

Summary of Moratorium

The proposed moratorium on short-term rentals provides that any residential property owner in the City of Oakley will be prohibited from renting the residential property, or having an intermediary rent the property, for a term of less than 30 days.

The California Constitution vests the City with the authority to impose a moratorium on short-term rentals to protect the health, safety, and welfare of its citizens, and to regulate zoning. In addition, the California Government Code enables the City to immediately protect and preserve the public peace, health, and welfare by prohibiting any uses that may be in conflict with a contemplated general plan, specific plan or zoning proposal that the legislative body, planning commission or planning department is considering. Therefore, the City can impose a moratorium provided it can demonstrate the need for it.

California Environmental Quality Act (CEQA)

The Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 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 prevents changes in the environment pending the completion of the contemplated municipal code review.

Fiscal Impact

There is no direct fiscal impact associated with the adoption of the attached ordinance; however, implementation of the ordinance may result in indirect costs arising out from the preparation of the additional studies and periodic reports to the City Council required by the ordinance.

Recommendation

Staff recommends that the Council adopt the attached interim emergency ordinance temporarily prohibiting the establishment and operation of a short-term rental businesses while the City completes further study and adopts an appropriate ordinance and regulations regarding the location, licensing and operation of such businesses. The attached ordinance is an urgency measure which requires approval by four-fifths of the City Council. It will become effective immediately upon adoption.

Attachments

1. September 25, 2018 Staff Report regarding Short-Term Rentals
2. Proposed Interim Emergency Ordinance

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: September 25, 2018

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

FROM: Joshua McMurray, Planning Manager

SUBJECT: **An Ordinance Adding Chapter 14 of Title 5 of the Oakley Municipal Code regarding the Permitting of Short-Term Rentals within the City Limits**

Background and Analysis

This is a City-initiated amendment to the Oakley Municipal Code dealing with the Permitting of Short-Term Rentals within the City Limits. Within the past several months, there have been a handful of inquiries from residents who live next to or near properties currently being advertised and rented out as a "short-term rental". At the time this Staff Report was written, searching on Airbnb.com resulted in 10 properties being rented either on a nightly or weekly basis and searching vrbo.com resulted in 2 such properties. With the absence of any defined definitions and/or regulations on the subject matter, the City does not have an application process or an enforcement mechanism in regards to this type of rental.

The purpose of this new Chapter (Title 5, Chapter 14, entitled "Short-Term Rentals") is to establish regulations for the use of a privately owned dwelling unit as short-term rentals in order to minimize the adverse effects of short-term rentals on the surrounding residential neighborhoods, to ensure that short-term rentals are consistent with the City's municipal code, and to preserve the residential character of the neighborhoods where short-term rentals are located.

As described in the "Purpose" section of the Draft Ordinance, this new Chapter is not intended to provide any person with the right or privilege to use a dwelling unit as a short-term rental where such use is not otherwise allowed by law, homeowner's association agreement, rental agreement, or any applicable conditions, covenants, and restrictions to the dwelling unit that may prohibit the use of such dwelling unit as a short-term rental.

The proposed amendment to the Oakley Municipal Code define a "Short-term rental unit" as follows:

"Short-term rental unit" means a privately owned residential dwelling, such as, but not limited to, a single family dwelling or multiple family building, apartment unit, condominium, duplex, as those terms are defined at Section 9.1.202 of this Code or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for any period of 30 consecutive days or fewer. A short-term rental unit does not include a hotel or motel, as those terms are defined at Section 9.1.202 of this Code, or other business in which rooms are rented as the principal use of a building devoted to lodging. A short-term rental unit shall be considered a "hotel" for the purposes of Chapter 3.2 of this Code related to Uniform Transient Occupancy Tax."

The Ordinance also details when a short-term rental permit is required, the application process and approval requirements, the operational requirements and standard conditions placed on a permit, and procedures for violations of the Ordinance.

California Environmental Quality Act (CEQA): The amendments to the Zoning Code are exempt from CEQA pursuant to Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Fiscal Impact

Staff time and costs associated with drafting and adopting the ordinance are onetime costs. Once the ordinance is in place, the City will need to establish a Short Term Rental Permit Application Fee that will be charged to any property establishing a short-term rental as detailed within the attached Ordinance. Pending the adoption of a Fee, applications can be reviewed and approved based on a time and materials charge.

In addition to the application fee, the owner or operator of a short-term rental will be required to obtain a transient occupancy registration certificate for purpose of its obligation to pay transient occupancy taxes under Chapter 3.2 of this Oakley Municipal Code.

Recommendation

Staff recommends the City Council waive the first reading and introduce the attached Ordinance amending the Oakley Municipal Code by adding Title 5, Chapter 14, entitled "Short-Term Rentals".

Attachments

1. Proposed Ordinance Adding Chapter 14 to Title 5 of the Oakley Municipal Code

ORDINANCE NO.____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY REGARDING

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

Section 1. The Oakley Municipal Code is hereby amended by adding Title 5, Chapter 14, entitled "Short-Term Rentals" to read as follows:

TITLE 5, CHAPTER 14 SHORT-TERM RENTALS

Section 5.14.102 Title of Ordinance

This Chapter shall be referred to as the "Short-Term Rental Ordinance."

Section 5.14.104 Purpose

A. The purpose of this Chapter is to establish regulations for the use of privately owned dwelling unit as short-term rentals in order to minimize the adverse effects of short-term rentals on the surrounding residential neighborhoods, ensure that short-term rentals are consistent with the City's municipal code, and preserve the residential character of the neighborhoods where short-term rentals are located.

B. This Chapter is not intended to provide any person with the right or privilege to use a dwelling unit as a short-term rental where such use is not otherwise allowed by law, homeowner's association agreement, rental agreement, or any applicable conditions, covenants, and restrictions to the dwelling unit that may prohibit the use of such dwelling unit as a short-term rental.

Section 5.14.106 Definitions

A. For purposes of this Chapter, the following words and phrases shall have the following meanings:

1. "Applicable laws, rules and regulations" means any laws, rules, regulations and codes (whether local, state or federal) pertaining to the use and occupancy of a privately owned dwelling unit as a short-term rental.

2. "Applicant" means the owner of the short-term rental unit or the owner's authorized agent or representative, referred to within as an "operator."

3. "City Manager" means that person acting in the capacity of the City Manager of the City of Oakley or his or her designee.

4. "Good neighbor brochure" means a document prepared by the City that summarizes the general rules of conduct, consideration, and respect, including without limitation provisions of the Oakley Municipal Code and other applicable laws, rules, or regulations, pertaining to the use and occupancy of short-term rental units.

5. "Local contact person" means the person designated by the owner or the operator who shall be available 24 hours per day, seven days per week for the purpose of: (1) responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit; and (2) taking remedial action to resolve any such complaints. The local contact person may be the owner or operator.

6. "Owner" means the person(s) or entity(ies) that hold(s) legal and/or equitable title to a short-term rental.

7. "Operator" means the owner or the designated agent or representative of the owner who is responsible for compliance with this Chapter.

8. "Property" means a residential legal lot on which a short-term rental unit is located.

9. "Responsible person" means an occupant of a short-term rental unit who is at least 21 years of age and who is legally responsible for ensuring that all occupants of the short-term renal unit and their guests comply with all applicable laws, rules, and regulations pertaining to the use and occupancy of a short term rental unit.

10. "Short-term rental unit" means a privately owned residential dwelling, such as, but not limited to, a single family dwelling or multiple family building, apartment unit, condominium, duplex, as those terms are defined at Section 9.1.202 of this Code or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for any period of 30 consecutive days or fewer. A short-term rental unit does not include a hotel or motel, as those terms are defined at Section 9.1.202 of this Code, or other business in which rooms are rented as the principal use of a building devoted to lodging. A short-term rental unit shall be considered a "hotel" for the purposes of Chapter 3.2 of this Code related to Uniform Transient Occupancy Tax.

11. "Short-term rental permit" means a permit that allows the use of a privately owned residential dwelling as a short-term rental unit pursuant to the provisions of this Chapter.

12. "Transient" for purposes of this Chapter means any person who seeks to rent or who does rent a short-term rental unit for a period less than 30 consecutive days or fewer.

Section 5.14.108 Authorized agent or representative

A. Unless an owner intends to directly provide for the short-term occupancy of a short-term rental unit, the owner shall designate an operator who shall ensure compliance with the requirements of this Chapter on behalf of the owner.

B. Notwithstanding subsection (A), the owner shall not be relieved from any personal responsibility for compliance with the requirements of this Chapter and shall be subject to any applicable remedies for noncompliance, regardless of whether such noncompliance was committed by the operator or the occupants of the short-term rental unit or their guests.

Section 5.14.110 Short-term Rental Permit Required

A. It shall be unlawful for an owner or operator to rent any short-term rental unit to any transient without having a valid short-term rental permit issued by the City pursuant to the provisions of this Chapter.

B. A short-term rental permit shall be valid for a period of one (1) year from the date of issuance, and shall be renewed on or prior to the anniversary of the original permit issuance to remain valid.

C. A short-term rental permit may not be transferred to another owner or operator, does not run with the land, and is valid only for the original location for which it is issued.

Section 5.14.112 Application

A. The owner or operator must submit the following information on a short-term rental permit application form provided by the City:

1. The name, address, and telephone number of the owner of the short-term rental unit;

2. The name, address, and telephone number of the operator, if the owner will not directly provide for the short-term rental;

3. The name, address, and twenty-four hour telephone number of the local contact person;

4. The address of the proposed short-term rental unit;

5. The number of bedrooms and the applicable overnight and daytime occupancy limit of the proposed short-term rental unit;

6. Acknowledgement that the operator has received and reviewed the good neighbor brochure and will provide the brochure to all transients;

7. A copy of a transient occupancy registration permit issued under Section 3.2.006(d) of this Code;

8. Such other information as the City Manager deems reasonably necessary to administer this Chapter; and

9. Payment of the application fee established separately by resolution of the City Council.

B. A short-term rental permit application may be denied if the applicant has had a prior short-term rental permit for the same unit revoked within the 12 calendar months that preceded the effective date of the application.

C. Within 14 days of a change of property ownership, change of operator, or any other change in material facts pertaining to the information contained in the short-term rental permit application form, the owner or operator shall submit an application and requisite application

fee for a new short-term rental permit, which must be obtained prior to continuing to rent the short-term rental unit.

Section 5.14.114 Criteria for Approval and Renewal of a Short-term Rental Permit

A. The applicant has the burden of proof to demonstrate compliance with each applicable criterion for approval or renewal of the permit.

B. To receive permit approval, an applicant must demonstrate the following:

1. The owner or operator shall demonstrate that it will comply with all the obligations and requirements of Sections 5.14.116 and 5.14.118.

2. A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) shall be required with each annual permit application and renewal. It is the owner's responsibility to ensure that the short-term rental unit is and remains in substantial compliance with all applicable laws, rules and regulations including those regarding fire, building and safety, and health and safety.

3. At the time of application, the owner or operator of a short-term rental shall not have been found to be in non-compliance of any provision of this Code for the subject short-term rental unit. A voluntary assurance of compliance or negotiated compliance agreement will satisfy the requirement that there be no pending actions or violations.

4. The owner or operator shall have a current business license in accordance with the Chapter 3.5 of this Code.

5. The owner or operator shall have obtained a transient occupancy registration certificate for purpose of its obligation to pay transient occupancy taxes under Chapter 3.2 of this Code.

Section 5.14.116 Operational Requirements and Standard Conditions

A. The owner or operator shall use reasonably prudent business practices to ensure that the short-term rental unit is used in a manner that complies with all applicable laws, rules, and regulations pertaining to the use and occupancy of the subject short-term rental unit, including this Chapter.

B. The minimum number of days that a short-term rental unit shall be occupied is three days, two nights. Occupancy of a short-term rental unit by any transient for fewer than three days, two nights is prohibited.

C. The maximum number of overnight guests for a short-term rental unit shall not exceed two persons per bedroom, except that children under the age of 4 shall not be counted for purposes of calculating this limitation so long as the children sleep in the same bedroom as at least one of their parents or legal guardians. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m., with the maximum daytime guests not to exceed two persons per bedroom with a maximum of 20 guests allowed for five bedrooms or more. The following table illustrates the maximum number of occupants:

Number of Bedrooms	Total of Overnight Occupants	Total Daytime Occupants (Including Number of Overnight Occupants)
0 - Studio	2	4
1	2	4
2	4	8
3	6	12
4	8	16
5	10	20
6	12	20
7	14	20

D. A short-term rental unit shall not change the residential character of the outside appearance of the residence, either by the use of colors, materials, lighting, or any advertising mechanism.

E. All parking associated with a short-term rental unit shall be entirely on-site, in the garage, carport, and driveway or otherwise off of the public street.

F. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Title 4, Chapter 2 of this Code concerning noise.

G. The owner or operator shall provide each occupant of the short-term rental unit with the following information prior to occupancy of the unit and shall post such information in a prominent location within the unit:

1. The contact information for the operator, or if no operator then the contact information for the the owner, with 24-hour availability;

2. The maximum number of overnight occupants and the maximum number of daytime occupants as permitted under this Chapter;

3. Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property;

4. A copy of Title 4, Chapter 2 of this Code concerning noise; and

5. Notification that the occupant or owner may be cited or fined by the City in accordance with this Code.

Section 5.14.118 Operations

A. While a short-term rental unit is rented, the owner, operator, or local contact person shall be available 24 hours per day, seven days per week for the purpose of responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit or their guests.

B. The owner, operator, or local contact person shall use reasonably prudent business practices

to ensure that the occupants and/or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental unit.

C. Prior to occupancy of a short-term rental unit, the owner or operator shall obtain the name, address, and a copy of a valid government identification of a responsible person and require such responsible person to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term rental unit and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the short-term rental unit.

D. Prior to occupancy of a short-term rental unit, the owner or operator shall obtain from the responsible person the make, model and license of all vehicles of overnight occupants' vehicles to be parked at the property.

E. The owner, operator, or local contact person shall, upon notification that the responsible person and/or any occupant and/or guest of the short-term rental unit has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term unit, promptly respond within 60 minutes and appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner, and/or operator to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental unit within 60 minutes in an appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the City.

F. The owner, operator, or local contact person shall report to the City Manager the name, violation, date, and time of disturbance of each person involved in three or more disorderly conduct activities, disturbances, or other violations of any applicable law, rule, or regulation pertaining to the use and occupancy of the subject short-term unit within 24 hours of the third violation or disturbance.

G. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. The owner or operator shall use reasonably prudent business practices to ensure compliance with all the provisions of Title 4, Chapter 20 of this Code.

H. The owner or operator shall post the current short-term rental permit number on or in any advertisement appearing in any newspaper, magazine, brochure, trade paper, website, etc., that promotes the availability or existence of a short-term rental unit.

I. The City Manager shall have the authority to impose additional conditions on the use of any short-term rental unit to ensure that any potential secondary effects unique to the subject short-term rental unit are avoided or adequately mitigated.

J. The standard conditions set forth herein may be modified by the City Manager, or designee, upon request of the owner or operator based on site-specific circumstances for the purpose of allowing reasonable accommodation of a short-term rental unit. All requests must be in writing and shall identify how the strict application of the standard conditions creates an

unreasonable hardship to a property such that, if the requirement is not modified, reasonable use of the property for a short-term rental would not be allowed. Any hardships identified must relate to physical constraints to the subject site and shall not be self-induced or economic. Any modifications of the standard conditions shall not further exacerbate an already existing problem.

Section 5.14.120 Violations

A. A violation of any provision of this Chapter by any occupant, owner, or operator shall constitute grounds for modification, suspension, or revocation of the short-term rental permit. In addition, the failure of the owner or operator to satisfy any of its obligations and requirements of Title 3, Chapter 2 of this Code concerning transient occupancy taxes shall be an independent basis for modification, suspension, or revocation of any permit issued under this Chapter.

B. Whenever any owner or operator fails to comply with any provision of this Chapter, the City, after giving the operator or owner ten days written notice specifying the time and place of a hearing before the City Council, and requiring him to show cause why the short-term rental permit should not be modified, suspended, or revoked, may modify, suspend, or revoke the permit held by the operator or owner.

C. The City may enforce this Chapter, including the terms and conditions of any permit granted under this Chapter, by any means provided for in Title 1, Chapter 5 of this Code or by any other means authorized by law.

Section 5.14.122 Fees

A. The City Council may establish and set by resolution all fees and charges as may be necessary to effectuate the purpose of this Chapter.

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.

The City Council has analyzed this ordinance and determined it is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3), which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity 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 _____, 2018 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Randy Pope, Mayor

ATTEST:

_____
Libby Vreonis, City Clerk Date

ORDINANCE NO.

AN URGENCY ORDINANCE OF THE CITY OF OAKLEY ADOPTING AN INTERIM MEASURE IMPOSING A MORATORIUM ON THE ISSUANCE OR RENEWAL OF USE PERMITS, VARIANCES, BUILDING PERMITS, BUSINESS LICENSES OR ANY OTHER ENTITLEMENTS OR PERMITS PROVIDING FOR THE USE, COMMENCEMENT, ESTABLISHMENT OR OPERATION OF SHORT-TERM RENTALS WITHIN THE CITY OF OAKLEY.

WHEREAS, pursuant to the City of Oakley's police power, the City Council of the City of Oakley ("City Council") has the authority to enact and enforce ordinances and regulations for the public peace, morals and welfare of the City and its residents; and

WHEREAS, at a regular public meeting on September 25, 2018, the City Council considered an ordinance that would have amended the Oakley Municipal Code for the purpose of permitting owners of residential dwellings to rent, offer to rent, or advertise for rent said dwellings to a person or group of persons for occupancy, dwelling, lodging or sleeping purposes for a period of less than thirty (30) consecutive calendar days, i.e., "Short-Term Rentals;" and

WHEREAS, at the regular public meeting on September 25, 2018, the City Council receiving public testimony from residents living near locations where unpermitted Short-Term Rentals have operated that expressed significant concerns to the City Council of excessive noise, disorderly conduct, overcrowding, traffic congestion, illegal vehicle parking and the accumulation of refuse which required responses from police, Code Enforcement and other City services; and

WHEREAS, California Government Code Section 65858 provides that, without following the procedures otherwise required prior to the adoption of a zoning ordinance and for the purpose of protecting the public safety, health and welfare, the City Council may adopt, as an urgency measure, an interim ordinance prohibiting any uses which may be in conflict with "a contemplated general plan, specific plan, or zoning proposal that the City Council, planning commission or the planning department is considering or studying or intends to study within a reasonable time"; and

WHEREAS, the City Council is concerned that Short-Term Rentals, which are essentially commercial uses operating within residential zones, may be incompatible with residential uses without effective regulation, and the City Council believes that development standards and implementation regulations for Short-Term Rentals require careful consideration and thorough study; and

WHEREAS, to address these issues, as well as the community concerns regarding the proliferation and operation of Short-Term Rentals, it is necessary for the City Council study the potential impacts such uses may have on the public health, safety and welfare;

WHEREAS, based on the foregoing facts and the facts presented to the City Council at the meeting at which this Ordinance is introduced and adopted, the City Council finds that issuing use permits, variances, building permits, business licenses, certificates of occupancy, or any other applicable entitlements or permits providing for the use, commencement, establishment and/or

operation of Short-Term Rentals prior to the City's completion of its study of the legality, potential impact and regulation of such Short-Term Rentals, would pose a current and immediate threat to the public health, safety or welfare, and that a temporary moratorium on the issuance of use permits, variances, building permits, business licenses, certificates of occupancy, and any other applicable entitlements is thus necessary; and

WHEREAS, this Ordinance is an interim urgency ordinance adopted pursuant to the authority granted to the City by Government Code Section 65858 and is for the immediate preservation of the public health, safety and welfare. The facts constituting the urgency are:

1. The City has received a number of public nuisance complaints emanating from Short-Term Rentals, involving the following:

    a. Loud, unnecessary and unusual noises, which have disturbed the peace and quiet of neighborhoods and caused discomfort and annoyance to residents of those neighborhoods;

    b. Apparent over-occupancy of units, which may pose a public health and safety risk;

    c. Excessive on-street parking affecting the ability of residents to park their vehicles within a reasonable distance from their homes; and

    d. Accumulation of trash and debris, including alcoholic beverage containers, in the front yards of Short-Term Rentals, neighboring properties, and rights-of-way.

2. After receiving complaints of this nature, the City has committed resources to investigate and study the impacts of Short-Term Rentals on the surrounding community; and

3. Absent the adoption of this Ordinance, the continued existence of unpermitted Short-Term Rentals in the City and an increase in the number thereof may result in an even greater increase in nuisance conditions negatively affecting the well-being of the community, thereby diminishing property values and introducing incompatible land uses to existing neighborhoods or in close proximity thereto; and

4. Absent the adoption of this Ordinance, an increase in the number and location of Short-Term Rentals may increase the burden upon City services due to enforcement of the established standards and regulations relating to the issuance of permits for Short-Term Rentals; and

5. As a result, it is necessary to establish a temporary, forty-five (45) day moratorium on the issuance or renewal of any use permits, variances, building permits, business licenses, certificates of occupancy, or any other applicable entitlements or permits providing for the use, commencement, establishment and/or operation of new Short-Term Rentals in the City, pending completion of the City's study of the potential impacts of Short-Term Rentals, and possible implementation regulations relating to the issuance of permits for Short-Term Rentals; and

6. In addition, it is necessary to prohibit, as a public nuisance, the use of property in any zone of the City for purposes of Short-Term Rental for the duration of this Ordinance, or any extension thereof; and

WHEREAS, the City Council determines, by at least a four-fifths (4/5) vote, that this urgency ordinance is a matter of City-wide importance, is a reasonable and necessary measure designed for the immediate preservation and protection of the public health, safety or welfare of the community, and is in accord with the public purposes and provisions of applicable State and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 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 prevents changes in the environment pending the completion of the contemplated municipal code review.

SECTION 2. INCORPORATION.

The recitals and statements of fact set forth in the preamble to this Ordinance are true and correct, constitute a substantive part of this Ordinance, and are incorporated herein by this reference. Based on those facts, the City Council finds, determines and declares that this Ordinance is necessary as an emergency measure for the immediate preservation of the public peace, health or safety pursuant to, and as authorized by, Section 65858(a) of the California Government Code. Accordingly, this Ordinance shall become effective immediately upon adoption.

SECTION 3. DIRECTION; DEFINITION.

It is necessary to establish a temporary, forty-five (45) day moratorium on the commencement, establishment and/or operation of new Short-Term Rentals in the City and on any applications for renewal of Short-Term Rental permits existing on the date this Ordinance is adopted, pending completion of the City's study of the potential impacts and regulation of Short-Term Rentals, and

possible amendments to the City's zoning ordinance and related provisions of the Oakley Municipal Code to ensure that adequate development standards and implementation regulations are in effect prior to permitting Short-Term Rentals within the City of Oakley. To that end, the City Manager, with the assistance of the City Attorney, or their designees, are directed to analyze the appropriateness of Short- Term Rentals within the City limits of the City of Oakley, including but not limited to, the desirability of Short-Term Rentals, the appropriateness and effectiveness of separation requirements from adjacent sensitive land uses, and the extent of adequate development standards and regulatory controls, should Short-Term Rentals be deemed appropriate. For purposes of this Ordinance, "Short-Term Rentals" shall mean a privately owned residential dwelling, such as, but not limited to, a single family dwelling or multiple family building, apartment unit, condominium, duplex, as those terms are defined at Section 9.1.202 of this Code or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for any period of 30 consecutive days or fewer. A short-term rental unit does not include a hotel or motel, as those terms are defined at Section 9.1.202 of this Code, or other business in which rooms are rented as the principal use of a building devoted to lodging.

SECTION 4. MORATORIUM ESTABLISHED.

In accordance with the authority granted to the City of Oakley by California Government Code Section 65858 and for the reasons set forth herein above, commencing as of the effective date of this Ordinance and continuing thereafter for a period of forty-five (45) days to and including November 23, 2018, no approvals may be made or issued by the City, its officers or employees of any applications for a use permit, variance, building permit, business license or any other applicable entitlement or permit, for the use of any land within the City as a Short-Term Rental or the commencement, establishment or operation of a Short-Term Rental thereon. For the period of this Ordinance, or any extension thereof, a Short-Term Rental shall be considered a prohibited use in any zoning district of the City and neither the Planning Commission, the City Council nor City staff shall approve any use permit, license, certificate of occupancy, zoning code or general plan amendment authorizing the use of any land within the City as a Short-Term Rental.

SECTION 5. PROHIBITION.

No person shall commence or establish the operation of any Short-Term Rental, as defined in this Ordinance, within the City limits of the City of Oakley during the period this Ordinance is in effect.

SECTION 6. VIOLATION A PUBLIC NUSIANCE.

The commencement, establishment or operation of any Short-Term Rental, as defined in this Ordinance, within the City limits of the City of Oakley during the period this Ordinance is in effect is declared to be a public nuisance and poses a current and immediate threat to the public health, safety and welfare. No property in any zone of the City is to be used for purposes of a Short-Term Rental during the period this Ordinance is in effect. The use of any property for such purpose shall be a public nuisance. A violation of this Ordinance shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief as well as any other available civil remedies. Additionally, any person that violates this

Ordinance may be subject to the City's applicable administrative remedies, including, but not limited to, the remedies provided in Title 1 of this Code.

SECTION 7. 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 8. REPORT.

The City Manager is authorized and directed to prepare the report required by paragraph (d) of California Government Code Section 65858 describing the measures taken to alleviate the condition which led to adoption of this Ordinance for presentation to the City Council no later than ten (10) days prior to the expiration of this Ordinance.

SECTION 9. EFFECTIVE DATE; FOUR-FIFTHS VOTE REQUIRED.

This Ordinance shall become effective immediately upon adoption if adopted by at least a four-fifths (4/5) vote of the total members of the City Council and shall be in effect for forty-five (45) days from the date of adoption, unless extended by the City Council as provided in California Government Code Section 65858.

SECTION 10. 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 ____ day of _____, 2018, and passed and adopted as an urgency measure on that date, by the following roll call vote, and shall be and become effective immediately:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____

Randy Pope, Mayor

ATTEST:

_____

Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 14, 2020

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

FROM: Kenneth W. Strelo, Principal Planner

SUBJECT: **7 Mares Grill Restaurant with Full Bar Conditional Use Permit (CUP 03-19) – Conditional Use Permit to allow a restaurant with full bar, located at 200 W. Cypress Ave (APN: 035-282-048) – Continued from March 24, 2020**

Summary

This is a continued public hearing on an application by Ana L. Farias of the 7 Mares Grill ("Applicant") requesting the approval of a Conditional Use Permit (CUP 03-19) to allow a restaurant with full bar ("Project"). Currently, the 7 Mares restaurant offers beer and wine as options for alcoholic beverages. The approval of the application would allow the addition of distilled spirits to the list of alcoholic beverage options. The site is located at 200 W. Cypress Avenue and is zoned General Commercial (C) District. APN: 035-282-048.

Staff Recommendation

Staff recommends the City Council adopt the resolution approving 7 Mares Grill Restaurant with Full Bar Conditional Use Permit (CUP 03-19), as conditioned.

Background and Project Description

General Plan and Zoning

- The General Plan Land Use Designation for the project site is *Commercial* ("C") as depicted in the Oakley 2020 General Plan Figure 2-2 (Land Use Diagram).
- The site is zoned General Commercial (C) District.

Request for Restaurant with Full Bar

The owner/operator of 7 Mares Grill would like to offer their patrons a wider variety of alcohol beverage options. They are requesting approval of a restaurant with full bar. They have also applied with the Department of Alcohol Beverage Control (ABC) to upgrade their current Type 41 license of on-site beer and wine sales (without distilled spirits), issued through ABC to a Type 47 ABC license to allow on-site sales and

consumption of beer, wine, and distilled spirits for the on-site consumption in association with 7 Mares Grill, a full service restaurant located at 200 W. Cypress Avenue.

The property is located in the General Commercial (C) District. Section 9.1.502 of the Oakley Municipal Code (OMC) conditionally permits restaurants with full bar. The addition of distilled spirits would not require any modifications to the bar other than some minor shelving adjustments for display and storage. The applicant is not proposing any modifications to the existing layout of the restaurant. There is a sufficient amount of parking, with 21 spaces provided on-site.

The restaurant 7 Mares Grill is a casual dining restaurant that serves beer and wine. The restaurant will be offering distilled spirits, in addition to and as beverage options, with the patrons' meals. The restaurant is currently open seven days a week between the hours of 11:00 am and 9:00 pm Monday through Friday and between the hours of 9:00 am and 9:00 pm Saturday and Sunday. The Applicant has not proposed to expand the restaurants hours of operation. The restaurant will employ 9 daily employees, with the morning shift consisting of 4, and the afternoon/evening shift consisting of 5. The largest shift is expected to consist of 6 employees during the busiest hours of the day.

Analysis

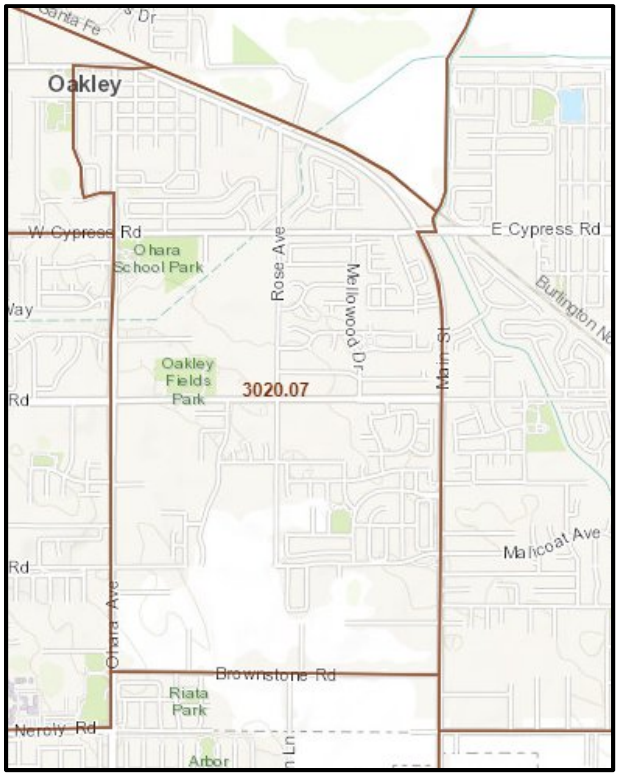
Type 47 License

A Type 47 License is defined by ABC as a license that authorizes the sale of beer, wine, and distilled spirits for on-site consumption on the licenses premises in conjunction with a bona-fide public eating place, per the Business and Professions Code Section 23038 et seq. ABC will not formally review an Alcohol License Application until the applicant has gone through the local agency process. ABC considers the City's approval as part of their application review, but it is at their sole discretion to approve or deny an Alcohol License Application.

Alcohol License Concentration

The 7 Mares Grill restaurant is located within Census Tract 3020.07, which extends approximately from Main Street to the north to Brownstone Road to the south and from O'Hara Avenue to the west and Main Street to the east (see Figure 1). There are currently four (4) active on-sale licenses within this Census Tract (see Active on-sale Licenses – Census Tract 3020.07, Attachment 3). Table 1 provides a breakdown of the different types of active on-sale license within Census Tract 3020.07.

Figure 1 - Census Tract Map



The City of Oakley Municipal Code does not contain a standard for appropriate concentration level of alcohol sales outlets. However, Section 23958.4 of the California State Business and Professions Code defines undue concentration for use by the State Department of Alcoholic Beverage Control (ABC) when reviewing applications for liquor licenses. According to Section 23958.4 of the Business and Professions Code, an undue concentration of on-sale outlets exists when either of the following is found to exist:

a. The ratio of on-sale retail licenses to population in the census tract in which the premises are located exceeds the ratio of on-sale retail license to population in the county; or

b. The Applicant's premises are located within a high crime reporting district that has 20 percent greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local enforcement agency.

Table 1 - Breakdown of Active On-Sale License Types within Census Tract 3020.07

Type 20 Beer & Wine (Off-Sale)	Type 21 General (Off-Sale)	Type 41 Beer & Wine (On-Sale)
1	1	2

The Department of ABC has set a maximum number of six (6) on-sale and three (3) off-sale licenses (see Table 2) of alcohol type for this tract. There are a total of two (2) on-sale licenses (Tu Jalisco, Type 41 and 7 Mares Grill, Type 41) and two (2) off-sale licenses (Type 20, ARCO AMPM; Type 21, Tower Mart) that have been approved by ABC thus far (see Attachment 4). With the upgrade of this Type 41 license, there would remain a total of two (2) on-sale licenses. Therefore, for the purpose of this application, it does not appear that the census tract would be considered over-saturated upon approval of this Type 47 license.

Table 2 - Number of Licenses Allowed

DEPARTMENT OF ALCHOLIC BEVERAGE CONTROL — August 2019
NUMBER OF LICENSES AUTHORIZED BY CENSUS TRACT

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
CONTRA COSTA	1,155,879	908	1,781	3020.07	6,347	6	3
CONTRA COSTA	1,155,879	908	1,781	3020.08	7,718	8	4

Oakley's Police Department has reviewed the applicant's request and has no issues with the proposed on-site sales of distilled spirits. However, in an effort to ensure that the applicant and their employees become familiar with ABC requirements, Staff has proposed a Condition of Approval that requires the applicant and their employees to attend the Department of Alcoholic Beverage Control's Licensee Education on Alcohol and Drugs ("LEAD") Program class - License Applicant Training, within 60 days of approval of the Conditional Use Permit. Documents on proof of attendance will be provided to the City upon completion of the LEAD training class. Another Condition of Approval requires that any new owners of the business attend the LEAD training class within three months of obtaining a business license or within three months of being hired. In addition, should concerns arise in the future from the alcohol sales, Staff has also included a Condition of Approval that requires changes to the operational characteristics of the business should alcohol -related crime becomes a security issue or nuisance. Lastly, Staff has also included a Condition of Approval to prohibit the drinking of alcohol outside of the restaurant establishment in order to prevent negative impacts on adjacent properties.

Environmental Review

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities of the State of California CEQA Guidelines. Section 15301 of the State CEQA Guidelines exempts projects when the proposed project involves negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Findings

Complete draft findings are included in the attached resolution.

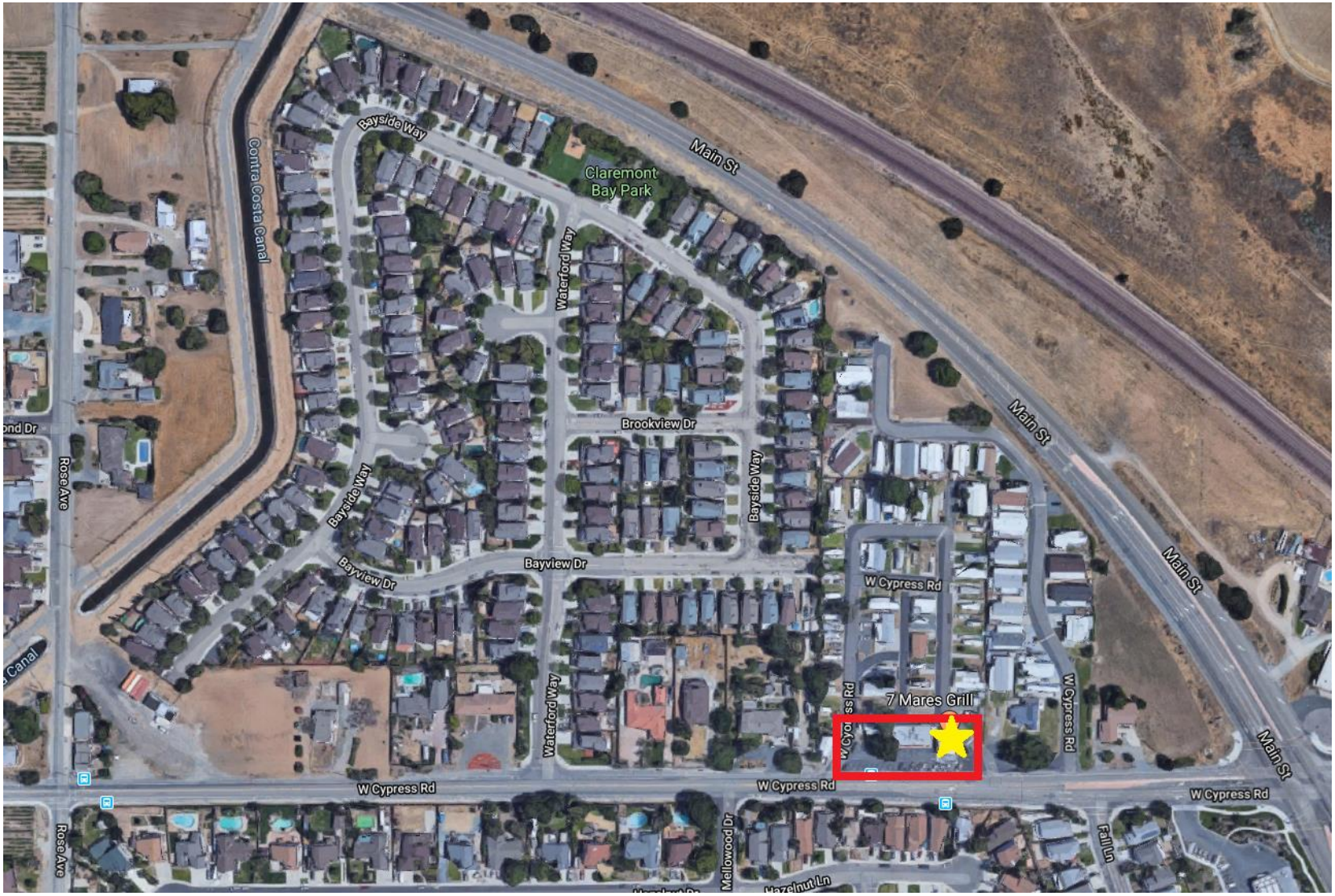
Recommendation

Staff recommends the City Council adopt the resolution approving 7 Mares Grill restaurant with full bar Conditional Use Permit 03-19, as conditioned.

Attachments

1. Vicinity Map
2. Public Hearing Notice
3. Active On-Sale License (Census Tract 3020.07)
4. Active Retail Licenses
5. Draft Resolution

Vicinity Map
7 Mares Grill Restaurant with Full Bar Conditional Use Permit (CUP 03-19)
200 W. Cypress Avenue, APN: 035-282-048



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

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **March 24, 2020** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for a **Conditional Use Permit**.

Project Name: 7 Mares Grill Restaurant with Full Bar Conditional Use Permit (CUP 03-19).

Project Location: 200 W. Cypress Avenue, Oakley, CA 94561. APN: 035-282-048.

Applicant: Ana L. Navarro Farias, 200 W. Cypress Avenue, Oakley, CA 94561.

Request: This is a public hearing on a request for the approval of a Conditional Use Permit (CUP 03-19) to allow a restaurant with a full bar. Currently, the 7 Mares restaurant offers beer and wine as options for alcoholic beverages. The approval of the application would allow the addition of distilled spirits to the list of alcoholic beverage options. The site is located at 200 W. Cypress Avenue and is zoned General Commercial (C) District. APN: 035-282-048.

How to Review: The Staff Report and its attachments will be available for public review, on or before **March 13, 2020** 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 **March 24 2020** 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.

License Report

Results for: Active On-Sale Retail Licenses

County: CONTRA COSTA County
Census Tract: 3020.07

Report Date: Thursday, February 27, 2020

Show 10 entries Search:

License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name	Geo Code
547360	ACTIVE	41	09/12/2014	08/31/2020	ANACLETO, JOSE ISRAEL	200 W CYPRESS RD, OAKLEY, CA 94561-3265 Census Tract: 3020.07	7 MARES GRILL	0719
589194	ACTIVE	41	03/16/2018	02/29/2020	SALDANA RODRIGUEZ, SALVADOR	3899 MAIN ST, OAKLEY, CA 94561-5712 Census Tract: 3020.07	TU JALISCO MEXICAN RESTAURANT	0719

Showing 1 to 2 of 2 entries

Previous 1 Next

License Report

Results for: Active Retail Licenses

County: CONTRA COSTA County
Census Tract: 3020.07

Report Date: Sunday, March 15, 2020

Show 10 entries Search:

License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name	Geo Code
547360	ACTIVE	41	09/12/2014	08/31/2020	ANACLETO, JOSE ISRAEL	200 W CYPRESS RD, OAKLEY, CA 94561-3265 Census Tract: 3020.07	7 MARES GRILL	0719
564026	ACTIVE	21	03/17/2016	02/29/2020	COLONIAL ENERGY, LLC	3481 MAIN ST, OAKLEY, CA 94561-3138 Census Tract: 3020.07	CE 50140	0719
589194	ACTIVE	41	03/16/2018	02/28/2021	SALDANA RODRIGUEZ, SALVADOR	3899 MAIN ST, OAKLEY, CA 94561-5712 Census Tract: 3020.07	TU JALISCO MEXICAN RESTAURANT	0719
590423	ACTIVE	20	05/03/2018	04/30/2020	BP WEST COAST PRODUCTS LLC	4501 MAIN ST, OAKLEY, CA 94561 Census Tract: 3020.07	ARCO AM/PM	0719

Showing 1 to 4 of 4 entries Previous 1 Next

RESOLUTION NO. XX-20

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING A CONDITIONAL USE PERMIT (CUP 03-19) TO ALLOW RESTAURANT WITH FULL BAR LOCATED AT 200 W. CYPRESS AVENUE FOR THE PROJECT KNOWN AS "7 MARES GRILL RESTAURANT WITH FULL BAR" APN 035-282-048

WHEREAS, on December 5, 2019, Ana L. Farias ("Applicant"), submitted an application for a Conditional Use Permit (CUP 03-19) to allow a restaurant with full bar. Currently, the 7 Mares restaurant offers beer and wine as options for alcoholic beverages. The approval of the application would allow the addition of distilled spirits to the list of alcoholic beverage options. The site is located at 200 W. Cypress Avenue. APN: 035-282-048 ("Project"); and

WHEREAS, on January 13, 2020, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project is designated as *Commercial ("C")* in the Oakley 2020 General Plan, and zoned General Commercial (C) District; and

WHEREAS, on March 13, 2020, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, the project is exempt from further environmental analysis under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301, "Class 1 - Existing Facilities"; and

WHEREAS, the project was originally scheduled to be heard on March 24, 2020; however, due to the Covid-19 virus, the entire meeting was canceled, and per the cancelation agenda, all public hearing items were continued to a date certain (April 14, 2020).

WHEREAS, on April 14, 2020, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as conditioned, and

WHEREAS, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent

jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

WHEREAS, these Findings are based upon the City's General Plan, the City's Zoning Ordinance, and the information submitted to the City Council at its April 14, 2020 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the project (hereinafter the "Record"); and

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above findings of fact and the entire Record, the City Council makes the following additional findings in support of the approvals:

A. Regarding the application requesting approval of a Conditional Use Permit (CUP 03-19) to establish 7 Mares Grill restaurant with full bar on a site located at 200 W. Cypress Avenue. APN: 035-282-048:

1. The site for the proposed use is adequate in size and shape to accommodate the use in a manner complementary with the land and uses in the area in that this proposed use will result in a minor modification to the existing use and the General Commercial (C) Zoning District allows for the proposed use with the approval of a Conditional Use Permit; and

2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use in that the site is accessible by public rights-of-way such as W. Cypress Road, which is designed to handle project generated traffic; and

3. The proposed use will be arranged, designed, constructed, operated, and maintained so as to be compatible with the intended character of the area and will not change the essential character of the area that is intended by the General Plan and the applicable zoning ordinances in that the proposed use is permitted in the General Commercial (C) Zoning District with the approval of a Conditional Use Permit; and

4. The proposed use provides for continued growth and orderly development of the community and is consistent with the various elements and objectives of the General Plan in that it is located in an existing commercial space. The use and site are a result of Oakley's zoning that allows for commercial lots that can accommodate this type of use; and

5. That the proposed use, including any conditions attached thereto, will be established in compliance with the applicable provisions of the California Environmental Quality Act.

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 of the Applicant's request for **Conditional Use Permit (CUP 03-19)**, subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application received by the Planning Division dated **December 5, 2019**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO ESTABLISHING THE USE UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. This **Conditional Use Permit (CUP 03-19)** is approved, as described in the application date stamped by the Planning Division on **December 5, 2019**, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.

2. This approval for **Conditional Use Permit (CUP 03-19)** shall be effectuated within a period of one (1) year from the effective date of this resolution by establishing the use, and if not effectuated shall expire on **April 14, 2021**. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code.

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 and times may be modified on prior written approval by the Community Development Director.

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).

6. Approval is granted for a restaurant with full bar, which allows for a Type 47 Alcoholic Beverage Control (ABC) license for the sale of beer, wine, and distilled spirits for on-site consumption as an accessory and incidental use to the full-service restaurant (bona fide public eating place as defined by the Business and Professions Code Section 23038 et seq.,).

7. This approval is for the on-site consumption of beer, wine, and distilled spirits for an approximately 2,516 square- foot restaurant. Any increase of floor area or other substantial changes in operation relating to alcoholic beverage sales shall require review and approval of a new Conditional Use Permit.

8. Change of the ABC license to a different license type may require review and approval of a new Conditional Use Permit Application.

9. The sale of beer, wine, and distilled spirits for consumption off the premises is strictly prohibited.

10. The sale of alcoholic beverages shall commence only within regular business hours, which shall be between the hours of 11:00 a.m. to 9:00 p.m. from Monday through Friday and between the hours of 9:00 am to 9:00 pm, Saturday and Sunday. Any expansion in hours shall require review and approval of a new Conditional Use Permit.

11. At all times when the restaurant is open for business, the sale and service of beer, wine and distilled spirits shall be made in conjunction with the sale and service of food in compliance with a bona fide eating place. The restaurant business is prohibited from serving alcohol when the kitchen is not in operation.

12. The premises shall be maintained as a bona fide restaurant and shall provide a full menu containing an assortment of food.

13. The Applicant shall be subject to, and shall comply with, all regulations of the ABC License regarding the sale of alcoholic beverages at the facility.

14. The applicant shall comply with all regulations of the ABC Act and shall comply with all licensing conditions imposed by the state.
15. The business owner and their employees shall attend the Department of Alcohol Beverage Control's Licensee Education on Alcohol and Drugs Program (“LEAD”) class- License Applicant Training, within 60 days of

approval. Documents on proof of attendance shall be provided to the City upon completion of LEAD training class.

16. Any new owners or employees of the business shall attend the LEAD training class within three months of obtaining a business license or within three months of hire.

17. There shall be no alcohol related signs on the premises displayed outside of the restaurant, except with a temporary use permit as allowed in the City's sign regulations, or as approved with a sign permit issued by the Community Development Director.

18. Installation of any signs must follow the regulations set forth within Oakley Municipal Code Title 9, Chapter 5 Regulation of Signs and Outdoor Advertising. All advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, included the area in which the cash registers are maintained.

19. There shall be sufficient interior light to make easily discernible the appearance and conduct of all persons on the premises. This is to assist in enforcement so far as minors and intoxicated persons are concerned and to discourage theft or other criminal activity.

20. The facilities management shall install a security program to provide for the safety of customers and employees and to control loitering, noise, public disturbances, criminal activity and incidents of violence on the premises. The security program shall include the use of video cameras, exterior lighting, employee training, and emergency response procedures and shall be reviewed and approved by the Chief of Police.

21. The security program shall be capable of producing a retrievable image on film or tape that can be made a permanent record and that can be enlarged through projection or other means. Cameras meeting the requirements of this section shall be maintained in proper working order.

22. This Conditional Use Permit may be periodically monitored to ensure that it is being operated in a manner consistent with City regulations, these conditions of approval and that the use is being operated in a manner which is not detrimental to the public health, safety or welfare.

23. If, at the discretion of the Community Development Director and/or Oakley's Police Department, alcohol-related crime becomes a security issue or nuisance as a result of the use then changes to the business operational characteristics shall be required. These modifications may

require a conditional use permit modification at the discretion of the Community Development Director.

24. Failure to comply with all of the above conditions will result in the matter being set for revocation of use hearing before the City Council in accordance with Section 2.4.014 of the Oakley Municipal Code.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
B. Comply with the requirements of the Ironhouse Sanitary District.
C. Comply with the requirements of the East Contra Costa Fire Protection District.
D. Comply with the requirements of the Diablo Water District.
E. Comply with the requirements of the Building Inspection Department. Building permits are required prior to the construction of most structures.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Kevin Romick, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

Agenda Date: _____

Agenda Item: _____

OAKLEY CALIFORNIA

STAFF REPORT

Date: April 14, 2020

To: Bryan H. Montgomery, City Manager *Approved and Forwarded to the City Council*

From: Kenneth W. Strelo, Principal Planner

Subject: **Zoning Ordinance Text Amendments to Section 9.1.1102 (Accessory Dwelling Units), Section 9.1.1110 (Fences and Other Structures), and Section 9.1.1122 (Yards) (RZ 02-20)**

Summary

This is a public hearing on a City-initiated request for approval of zoning text amendments to three sections of the Oakley Municipal Code ("OMC") Chapter 9.1. The three requested amendments relate to the following OMC sections:

- 9.1.1102 (Accessory Dwelling Units ("ADU")) – Amend section with an overhaul to bring it into compliance with the most recent state regulations found in Government Code Sections 65852.2 and 65852.22, which regulate the processing of ADUs, and includes special requirements for Junior ADUs.

- Section 9.1.1110 (Fences and Other Structures) – Clarify language in relation to standard lots and estate lots. Modify allowable fence heights allowed on certain lots in certain locations, notably increasing the allowable fence height of front yard fences on standard lots to a maximum four and one-half feet high when the portion above three feet high consist of an open fence. Related clean ups and minor modifications are also included.

- Section 9.1.1122 (Yards) – Allow pool equipment with a decibel level of 45 dB or less achieved through original design or sound dampening enclosures to encroach into rear, side, and corner side yard setbacks to the property line. Currently, pool equipment is required to be at least five feet from these property lines.

Staff recommends the City Council waive the first reading and introduce the ordinance approving Zoning Ordinance Text Amendments to Section 9.1.1102 (Accessory Dwelling Units), Section 9.1.1110 (Fences and Other Structures), and Section 9.1.1122 (Yards) (RZ 02-20).

Background

About once a year, or as needed, the Planning Division will initiate one or more zoning text amendments to either fine-tune specific sections, modify them, or respond to newly adopted state laws. Since zoning text amendments require public hearings and are adopted by ordinances, which must be published after adoption, combining amendments saves both Staff time and hard costs associated with the processing. For this proposal, three sections are proposed to be amended: the accessory dwelling units section to update the code to comply with state law; the fences and other structures section to clarify language and modify allowable fence heights in some front yards, and the yards section to adapt to changing technology related to pool equipment.

Narrative of Amendments

Section 9.1.1102 Accessory Dwelling Units

The amendments to this section result in an overhaul needed to comply with Government Code Sections 65852.2 and 65852.22 related to processing and ADUs and junior ADUs. In summary, the amendments include the following:

- Allowance of junior ADUs as a conversion of a single family home. A junior ADU is defined a unit that is no more than 500 square feet ("sf.") in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure," or as otherwise amended in Government Code Section 65852.22.

- Allowance of at least one ADU in a multiple-family building, up to 25 percent of the existing multiple-family dwelling units in that building. Plus, up to two detached ADUs on a multiple-family lot.

- Changes to ADU regulations and development standards, including:

    - Eliminate thresholds for maximum lot coverage and minimum lot size.

    - Allow ADUs of at least 850 sf. and up to 1,000 sf. (if more than one bedroom) on standard lots, and up to 1,200 sf. (if more than one bedroom) on estate lots.

    - Ministerially approve any ADU up to 800 sf in size so long as it is at least four (4) feet from side and rear property lines and no more than 16 feet in height.

    - Limit attached ADUs to the smaller of 800 sf. or 50% of the primary dwelling unit's floor area.

- Elimination of the owner occupancy requirements. This sunset January 1, 2025, except would still apply after sunset for units constructed between January 1, 2020 and the sunset date.

- Require all ADUs and junior ADUs be rented or offered for rent for a term no less than 30 days.

In essence, the state law is removing a majority of discretion from local agencies with the goal of providing a quicker and potentially less expensive path to the construction of ADUs with the main purpose of easing the housing crisis in the state of California. The City of Oakley is following the state's lead and developing pre-approved plans for certain ADUs. This work is being funded by $50,000 of a grant received in relation to SB 2 (Building Jobs and Homes Act).

Section 9.1.1110 Fences and Other Structures

Staff is proposing several amendments to this section in order to clarify language in relation to standard lots and estate lots, and modify allowable fence height. Most notably, increasing the allowable fence height of front yard fences on standard lots to a maximum four and one-half feet high when the portion above three feet high consist of an open fence. Related clean ups and minor modifications are also included. In summary, the amendments include the following:

- Define "Standard Lots" as those zoned R-6, R-7, R-10, and R-12, and P-1 with minimum lot sizes of less than 15,000 sf. and no specific fence regulations.

- Define "Estate Lots" as those zoned R-15, R-20, R-40, and AL, and P-1 with a

- Allow front yard fences on Standard Lots up to 4.5 feet in height so long as the portion above 3 feet in height is open fence (Currently front yard fences may only be 3 feet in height, whether open or closed).

- Require fences and gates that span between a structure and side property line to be at least 1 foot behind the face of the structure. (This is to improve aesthetics and avoid flat lines of houses/garages and fences).

- Increase total width of decorative entry features, which are allowed to be maximum 8 feet in height, from 4 feet to 8 feet in width for Estate Lots. (Remains at 4 feet for Standard Lots).

- Other amendments for internal consistency.

Section 9.1.1122 Yards

Allow pool equipment with a decibel level of 45 dB or less achieved through original design or sound dampening enclosures to encroach into rear, side, and corner side yard

setbacks to the property line. Currently, pool equipment is required to be at least five feet from these property lines. This amendment is in response to several comments received from property owners and pool contractors planning to build pools in back yards. With the advent of quieter pool pumps that can be similar to a whisper, and sound attenuating enclosures, this amendment will relive the current 5 foot minimum setback for pool equipment, only when those extremely low decibel levels can be reached. Otherwise, the 5 foot minimum would still apply.

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 Zoning Ordinance Text Amendments to Section 9.1.1102 (Accessory Dwelling Units), Section 9.1.1110 (Fences and Other Structures), and Section 9.1.1122 (Yards) (RZ 02-20).

Attachments

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

OAKLEY
CALIFORNIA

Due to safety precautions related to Covid-19, this meeting will be phone-in only. Changes in "How to Review" are found below.

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **April 14, 2020** 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 phone-in Public Hearing ~~at the Council Chambers located at 3231 Main Street, Oakley, CA 94561~~ for the purposes of considering an item for a **Zoning Ordinance Text Amendments.**

Project Name: Zoning Ordinance Text Amendments to Section 9.1.1102 (Accessory Dwelling Units), Section 9.1.1110 (Fences and Other Structures), and Section 9.1.1122 (Yards) (RZ 02-20).

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 City-initiated request for approval of zoning text amendments to three sections of the Oakley Municipal Code ("OMC") Chapter 9.1. The three requested amendments relate to the following OMC sections: a) 9.1.1102 (Accessory Dwelling Units ("ADU")) – Amend section with an overhaul to bring it into compliance with the most recent state regulations found in Government Code Sections 65852.2 and 65852.22, which regulate the processing of ADUs, and includes special requirements for Junior ADUs; b) Section 9.1.1110 (Fences and Other Structures) – Clarify language in relation to standard lots and estate lots. Modify allowable fence heights allowed on certain lots in certain locations, notably increasing the allowable fence height of front yard fences on standard lots to a maximum four and one-half feet high when the portion above three feet high consist of an open fence; and c) Section 9.1.1122 (Yards) – Allow pool equipment with a decibel level of 45 dB or less achieved through original design or sound dampening enclosures to encroach into rear, side, and corner side yard setbacks to the property line. Currently, pool equipment is required to be at least five feet from these property lines.

How to Review: The Staff Report and its attachments will be available for public review, on or before **April 9, 2020** online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **April 14, 2020** agenda and clicking the project title link. Interested persons are invited to submit written comments prior to 5:00 P.M. the day of the hearing **to** Ken Strelo, Principal Planner strelo@ci.oakley.ca.us. Those wishing to listen in and/or participate in the meeting may do so by calling: (925) 809-9201 and using ID# 205494. Callers are asked to mute phones unless speaking.

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.

Zoning Text Amendments Redlines (RZ 02-20)

9.1.1110 Fences and Other Structures.

A. Residential Fence Regulations:

1. Standard Lots. In Rresidential zZoning dDistricts R-6, R-7, R-10, and R-12, to R-15 and P-1 with minimum lot sizes of 15,000 square feet or less and no specific fence regulations, with a front setback of 15 to 20 feet, open and closed fences and solid forms of landscaping shall be subject to the following limitations:

   i.) Between the front property line and the front yard setback line (front yard setback), closed fences and solid forms of landscaping shall not exceed 3 feet in height. Open fences shall not exceed 4.5 feet in height. Fences may consist of a combination of closed and open materials so long as the portion above 3 feet in height is open fence, and the total height does not exceed 4.5 feet.;

   i.)ii.) In addition to part A.1.i of this section, fences or gates that span between a side yard fence and the house or garage shall be setback from the adjacent house or garage front facade a minimum of 1 foot on interior side yard lot lines, and 10 feet on corner side yard lot lines.

   ii.) Outside the front yard setback but within the front yard, fences and solid forms of landscaping shall not exceed 6 feet in height. Open forms of landscaping, including heavy growths of trees, may exceed 6 feet in height in the front yard;

   iii.) From the front yard setback line to the back property line (outside the front yard setback), open and/or closed fences and solid forms of landscaping shall not exceed 7 feet in height. Fences over 6 feet in height shall require a building permit;

   iv.) On lots located in a cul-de-sac, from the front yard setback to the front property line, fences and solid forms of landscaping shall not exceed 3 feet in height;

   v.)iv.) If a fence crosses a driveway located between the front of the residence and the front property line, any gate in the fence for vehicular access shall be located a minimum 20 feet from the front property line, regardless of the height of the fence and gate.; and

   vi.)v.) The addition of decorative entry features to a fence or solid landscaping form shall not result in a total height in excess of 8 feet. The combined width of all Ddecorative entry features shall not be wider thanexceed 4 feet.

2. Estate LotsLarge lots. In Residential Zoning Districts (R-15, R-20, to R-40), and AL, and P-1 with minimum lot sizes greater than 15,000 square feet and no specific fence regulationswith a required front yard setback of at least 25 feet, fences and solid forms of landscaping shall be subject to the following limitations:

   i.) Between the front property line and the front yard setback line (front yard setback), closed fences and solid forms of landscaping shall not exceed 3 feet in height. Open fences in the same location shall not exceed 7 feet in height. Fences may consist of a combination of closed and open materials so long as the portion above 3 feet in height is open fence, and the total height does not exceed 7 feet. All fence and shall comply with fencing guidelines contained in the Residential Design Guidelines, Estate

Neighborhoods, and shall be subject to the review and approval of the Community Development Director.~~;~~

~~i.)~~ii.) In addition to part A.2.i of this section, fences or gates that span between a side yard fence and the house or garage shall be setback from the adjacent house or garage front facade a minimum of 1 foot on interior side yard lot lines, and 10 feet on corner side yard lot lines.

~~ii.) Outside the front yard setback but within the front yard, fences and solid landscaping forms shall not exceed 7 feet in height. Open forms of landscaping, including heavy growths of trees, may exceed 7 feet in height in the front yard;~~

iii.) From the front yard setback line to the back property line (outside the front yard setback), open and/or closed fences and solid forms of landscaping shall not exceed 7 feet in height. ~~Fences over 6 feet in height shall require a building permit;~~

~~iv.) On lots located in a cul-de-sac, from the front yard setback to the front property line, fences and solid forms of landscaping shall not exceed 3 feet in height;~~

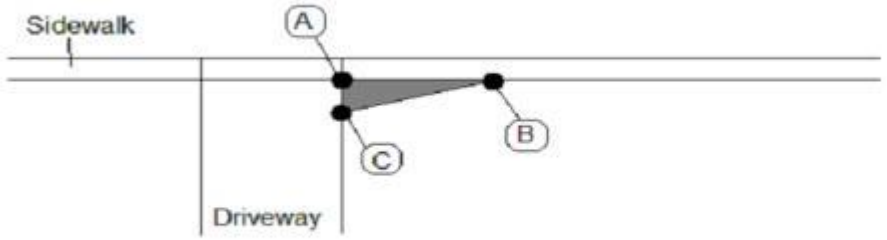
~~v.)~~iv.) If a fence crosses a driveway within the front setback adjacent to a public right of way, any gate in the fence for vehicular access shall not open outward toward the street, and the specific location of the gate shall be subject to review and approval by the Public Works and Engineering Department.~~; and~~

~~vi.)~~v.) The addition of decorative entry features to a fence or solid landscaping form shall not result in a total height in excess of 8 feet. The combined width of all ~~D~~decorative entry features shall not ~~be wider than~~ exceed ~~4~~ 8 feet.

3. Environmental Mitigation. The height of a fence may be established upon approval by the Planning Commission or City Council of the mitigation measures of a mitigated negative declaration or environmental impact report to mitigate adverse noise or visual impacts.

4. Driveway Visibility Triangle: The visibility triangle of a residential driveway crossing a residential street property line may not be blocked by a fence or solid form of landscaping above a height of three feet (3'). The visibility triangle is made up of the following three lines: 1) a 15 foot line along the back of sidewalk starting where the edge of driveway intersects the sidewalk (Line A-B in Figure 1); 2) a five foot line along the side of the driveway starting at the same point the sidewalk line starts (Line A-C in Figure 1); and 3) a line connecting the two end points of the sidewalk line and the driveway line (Line B-C in Figure 1). Where another street intersects the sidewalk less than 15 feet from the driveway, that point shall be used for the end point of the sidewalk line. Where there is no sidewalk, the edge of pavement shall be used as the appropriate measuring point.

Figure 1. – Driveway Visibility Triangle Diagram



5. Fence height measurement and variation. The height of fences and landscaping forms shall be measured from the highest adjoining grade. When a freestanding fence is constructed on top of a retaining wall because of a grade differential, and if building permits are issued for the combined freestanding fence/retaining wall, the fence height measurement shall not include the height of the retaining component. If a solid landscaping form is attached to a fence located in a residential front yard setback, its height may exceed the limits imposed by this ordinance by ten percent (10%).

6. Fence Materials.

   i.) Open fences in the front yards of Standard Lots (see part A.1 of this section) ~~properties smaller than one acre~~ may consist of wrought iron, split rails, wooden pickets, and similar designs and materials. On Estate Lots (see part A.2 of this section)~~properties one acre and larger~~, open front yard fences shall comply with Oakley's Residential Design Guidelines for Estate Neighborhoods.~~may additionally be made of chain link. If such a front yard chain link fence contains slats of vinyl or other materials, it shall be treated as a closed fence;~~

   ii.) On Standard Lots ~~properties smaller than one acre~~, chain link may be used in side and rear yard fences between the front of the residence and the rear property line, in front yards if it contains slats of vinyl or other materials, and in the construction of front yard gates. Chain link shall be considered an open fence material, unless it contains slats of vinyl or other materials, in which case it shall be treated as a closed fence;

   iii.) Fences on residential properties may not contain barbed wire or razor wire or any variation thereof;

   iv.) Fences adjacent to public right of way shall be constructed of materials that resist decay and deterioration; and

   v.) Any fences constructed after adoption of this section of the code shall comply with the fencing provisions in the Residential Design Guidelines.

Summary of Residential Fence Regulations					
~~Minimum Front Yard~~	Maximum Height of	Maximum Height of	Maximum Height of	Maximum Dimensions	Minimum Distances of

~~Setback~~Lot Type	Open Fences ~~Between Front Yard Setback Line and Front Property Line~~in Front Yard Setback	Closed Fences between Front Yard Setback Line and Front Property Line	Fences ~~between Front Yard Setback Line and Back Property Line~~Outside of Front Yard Setback	of Decorative Entry Features for All Fence Types	Fences from Front Property Line if Crossing Driveway
~~20 feet~~Standard Lot	~~3~~4.5 feet	3 feet	7 feet[1]	8 feet tall, combined ~~x~~ 4 feet wide	20 feet
~~25 feet~~Estate Lot	7 feet[2]	3 feet	7 feet[1]	8 feet tall, combined ~~x~~ 8 ~~4~~ feet wide	~~N/A~~Per Public Works and Engineering
~~[1] Fences higher than 6 feet require a building permit.~~					
[2] Materials and design require approval of the Community Development Director.					

(Sec. 2, Ordinance No. 13-08, adopted July 8, 2008)

9.1.1122 Yards.

Special Yard Requirements. Except as herein provided, every required yard shall be open and unobstructed and shall not be reduced or diminished in area so as to be smaller than prescribed by this ordinance. All uses shall be conducted indoors unless a use permit for outside storage has been approved.

d. Special Yards – Swimming Pools, Hot Tubs, Spas. In any R or residential P-1 District, swimming pools, hot tubs, and spas may be located in any yard other than the required front or side street yard, provided that no wall line of a pool, pool equipment, or water feature related to a pool shall be closer than 5 feet from any property line. Pool equipment with a decibel level of 45 dB or less achieved through original design or sound dampening enclosures may encroach into the rear, side, and corner side yard setbacks to the property line.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING ZONING TEXT AMENDMENTS TO SECTION 9.1.1102 (ACCESSORY DWELLING UNITS), SECTION 9.1.1110 (FENCES AND OTHER STRUCTURES), AND SECTION 9.1.1122 (YARDS) (RZ 02-20)

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

SECTION 1. Section 9.1.1102 of the Oakley Municipal Code titled, "Accessory Dwelling Units," is hereby amended in its entirety, as follows:

"**9.1.1102. Accessory Dwelling Units.**

A) Purpose and Intent. The purpose of this section is to increase the supply of smaller dwelling units and rental housing units by allowing accessory dwelling units and junior accessory dwelling units to be developed on certain lots which are zoned for single-family and multiple-family residential uses and to establish design and development standards for accessory dwelling units to ensure that they are compatible with existing neighborhoods in compliance with Government Code Section 65852.2, which requires local agencies to consider applications for accessory dwelling unit permits ministerially without discretionary review or public hearing.

B) Definitions.

1) "Accessory dwelling unit" has the meaning set forth in Government Code Section 65852.2.

2) "Attached accessory dwelling unit" means an accessory dwelling unit attached to a primary dwelling unit.

3) "Detached accessory dwelling unit" means an accessory dwelling unit detached from a primary dwelling unit.

4) "Internal conversion" means the establishment of an accessory dwelling unit or junior accessory dwelling unit within an existing or proposed primary welling unit or within an existing accessory building.

5) "Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure," or as otherwise amended in Government Code Section 65852.22.

C) Permissible Locations. Accessory dwelling units and junior accessory dwelling units are permitted on lots zoned to allow single-family or multiple-family dwelling residential

uses. No subdivision rights are authorized that would result in the accessory dwelling unit being located on a separate lot.

D) Permitting Procedure.

1) Except as otherwise provided in this section, an application for a permit to establish an accessory dwelling unit will be approved ministerially without discretionary review or public hearing if the accessory dwelling unit meets the location requirements and development standards of this section, and all applicable building code standards and water and sewage requirements.

2) An application for a permit to establish an accessory dwelling unit that meets at least one of the following descriptions shall be ministerially approved without a public hearing, and is not subject to the location requirements and development standards of this section.

i) One internal conversion that is either an accessory dwelling unit or a junior accessory dwelling unit on a lot with a proposed or existing single-family dwelling, if: the internal conversion has independent exterior access not visible from a public or private street; the side and rear setbacks are sufficient for fire safety; and the internal conversion meets all applicable building code standards and all applicable sewage and water requirements. If the internal conversion is a junior accessory dwelling unit, it must comply with the requirements of Government Code section 65852.22. An internal conversion under this subsection may include an expansion of not more than 150 square feet beyond the physical dimensions of an existing building only if the expansion is limited to accommodating ingress and egress.

ii) One detached, new construction, accessory dwelling unit on a lot with a proposed or existing single-family dwelling, if: the side and rear setbacks are a minimum of four feet as measured to the closest portion of the building; the detached accessory dwelling unit does not exceed 800 square feet in floor area; the detached accessory dwelling unit does not exceed 16 feet in height from adjacent grade at its highest point; and the detached accessory dwelling unit meets all applicable building code standards and all applicable sewage and water requirements. The detached accessory dwelling unit may be combined with a junior accessory dwelling unit permitted in subsection (D)(2)(i).

iii) One or more accessory dwelling units that are internal conversions within the non-livable space of an existing multiple-family dwelling, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages. Each internal conversion under this subsection must meet all applicable building code standards and all applicable sewage and water requirements. The number of internal conversions permitted within an existing multiple-family dwelling under this subsection may not exceed 25% of the number of existing multiple-family dwelling units in the dwelling being converted.

iv) One or two detached accessory dwelling units on a lot with an existing multiple-family dwelling, if: the side and rear setbacks are a minimum four feet as measured to the closest portion of the building; the detached accessory dwelling unit does not exceed 800 square feet in floor area; the detached accessory dwelling unit does not exceed 16 feet in height from adjacent grade at its highest point; and the detached accessory dwelling unit meets all applicable building code standards and all applicable sewage and water requirements.

E) Application Contents. An application for a permit approving an accessory dwelling unit or junior accessory dwelling unit must be made in writing to the Community Development Department prior to the submittal of an application for a building permit and contain the following information:

1) The name(s) and address(es) of applicant(s) and property owner(s).

2) The address and assessor's parcel number for the property.

3) The manner in which the accessory dwelling unit will be established, including conversion of a portion of the existing primary residence, conversion of an existing accessory structure, addition of an attached accessory dwelling unit to the existing residence, or creation of a detached accessory dwelling unit.

4) Size, indicating dimensions and square footage of the primary dwelling unit and the proposed accessory dwelling unit.

5) Floor plans and elevations for the primary residence and accessory dwelling unit. The floor plans shall identify the resulting total floor area square footage of each structure. The size and location of all windows and doors shall be clearly depicted. The application shall also include elevations that show all architectural features, openings, exterior finishes, original and finish grades, stepped footing outline, roof pitch, materials, and color board for the existing residence and the proposed accessory dwelling unit.

6) A legible site plan, drawn to scale and showing:

i) A north arrow to indicate parcel orientation.

ii) Lot dimensions and labels for all property lines.

iii) The location of the primary residence and the accessory dwelling unit on the lot.

iv) The setbacks of all existing and proposed structures on the project site and all structures and improvements located on adjacent lots. For new structures,

provide setbacks to the portion of the structure that project furthest towards the property line. All structures shall be identified.

v) All other existing improvements, including driveways and parking areas.

vi) All easements, building envelopes, and special requirements of the subdivision as shown on the final map and improvement plans.

vii) A grading plan, indicating how the property is to be graded and drained, if applicable.

7) The location and description of utility, water, and sanitary services for both the primary residence and the accessory dwelling unit.

8) The property owner's consent to physical inspection of the premises.

9) Color photographs of the site and adjacent properties. The photos shall be taken from each of the property lines of the project site to show the project site and adjacent sites. Each photograph shall be labeled and reference to the site.

10) A written legal description of the property.

11) A letter from water, natural gas, electricity, and sewer service providers that they have adequate capacity to serve the accessory dwelling unit. If the applicant intends to use a private water or sewage disposal service, pursuant to subsection (F)(4) of this section, a letter from the water or sewer service provider shall not be required.

F) Development Standards. All accessory dwelling units shall comply with the following development standards:

1) Accessory Dwelling Unit Size.

i) A detached accessory dwelling unit may not exceed the following size:

a) 800 square feet in compliance with subsection (D)(2)(ii) when the detached accessory dwelling unit is proposed to result 50% or greater total lot coverage when combined with all existing and proposed onsite structures.

b) 850 square feet for units with only one bedroom.

c) 1,000 square feet for units with more than one bedroom.

d) 1,200 square feet for units that have more than one bedroom and are located on Estates Lots (zoned P-1, R-15, R-20, R-40 or AL and at least 15,000 square feet in size).

ii) An attached accessory dwelling unit may not exceed the smaller of the following sizes:

a) The size limitations specific in subsection (F)(1)(i) for detached accessory dwelling units.

b) 50 percent of the living area of an existing primary dwelling unit.

c) 800 square feet.

2) Living Provisions. An accessory dwelling unit must provide complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

3) Permanent Foundation. A permanent foundation is required for all accessory dwelling units.

4) Sewer and Water. If the applicant proposes to use a private sewage disposal system, water system, or both for the accessory dwelling unit, the system must meet all applicable regulations of the City and Contra Costa County, and the County Health Officer must approve the system. Any such private sewage or water system must be designed by a licensed civil engineer to meet the increased load of the accessory dwelling unit and in accordance with the requirements of the most recent version of the California Plumbing Code. The design of the private sewage disposal or water system must be approved prior to the issuance of any permits for the accessory dwelling unit.

5) Architecture. An accessory dwelling unit must have independent exterior access separate from that of the primary dwelling unit. The independent exterior access must not be visible from the public or private street.

6) Types of Accessory Dwelling Units. An accessory dwelling unit may be attached to a primary dwelling unit or detached from a primary dwelling unit.

i) If an accessory dwelling unit is attached to a primary dwelling unit, the accessory dwelling unit must be an internal conversion of an area within the primary dwelling unit, or an addition to the primary dwelling unit.

ii) If an accessory dwelling unit is detached from a primary dwelling unit, the accessory dwelling unit must be an internal conversion of an accessory structure, or new construction. A detached accessory dwelling unit must be located on the same lot as a primary unit.

7) Garage Attached to a Detached Accessory Dwelling Unit. If a garage is attached to a detached accessory dwelling unit, the garage may not exceed the following sizes:

i) Up to 225 square feet on a lot in in any zoning district where an accessory dwelling unit is permitted.

ii) Up to 450 square feet on Estates Lots (zoned R-15, R-20, R-40 or AL and at least 15,000 square feet in size) where an accessory dwelling unit is allowed.

8) Yards and Building Height.

i) An accessory dwelling unit must comply with all requirements relating to required yard setbacks, required yard coverage, projections into yards, and building height, that are generally applicable to residential construction in the applicable zoning district, except as otherwise provided in this subsection.

ii) A setback is not required for an accessory dwelling unit that is an internal conversion or that is constructed in the same location and to the same dimensions as an existing building.

iii) A setback of four feet from the side and rear property lines is required for an accessory dwelling unit that is not an internal conversion and is not constructed in the same location and to the same dimensions as an existing building.

iv) An accessory dwelling unit may not exceed 16 feet in height to the highest portion of the structure.

9) Off-Street Parking.

i) A lot containing an accessory dwelling unit must provide an additional off-street parking space to serve the accessory dwelling unit, except as otherwise provided in this subsection. The additional space may be within a setback area, such as an existing legal driveway, or in tandem, unless specific findings are made that parking in a setback area or in tandem is not feasible based on site or regional topographical or fire and life safety conditions.

ii) Replacement parking spaces are not required if a garage, carport, or covered parking structure that provides off-street parking is demolished or converted in conjunction with the construction of the accessory dwelling unit.

iii) No additional off-street parking is required for an accessory dwelling unit in any of the following instances:

a) The accessory dwelling unit is located within one-half mile walking distance of public transit.

b) The accessory dwelling unit is located within an architecturally and historically significant historic district.

c) The accessory dwelling unit is an internal conversion.

d) The accessory dwelling unit is located within a permit-parking area, but an on-street parking permit is not available to the resident of the accessory dwelling unit.

e) A car share vehicle pick-up location is within one block of the accessory dwelling unit. A “car share vehicle” has the same meaning as in California Code, Vehicle Code Section 22507.1.

G) Occupancy. No accessory dwelling unit or junior accessory dwelling unit may be rented or offered for rent for a term of less than 30 days.

H) Deed Restrictions. Before obtaining a building permit for an accessory dwelling unit or junior accessory dwelling unit, the property owner(s) shall file with the County Recorder a declaration or agreement of restrictions, which has been approved by the City Attorney as to its form and content, containing a reference to the deed under which the property was acquired by the owner and stating that:

1) The accessory dwelling unit shall not be sold separately.

2) The accessory dwelling unit is restricted to the maximum size allowed per the development standards in this section.

3) The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall result in legal action against the property owner.

4) The property owner shall also prepare a disclosure statement that shall be provided to any potential purchaser of the property on which the accessory dwelling unit is located. The disclosure shall indicate the requirements associated with an accessory dwelling unit permit and provide the following information in substantially the same form:

i) You are purchasing a property with a permit for a residential (junior) accessory dwelling unit. The permit carries with it certain restrictions that must be met by the owner of the property. You are prohibited from selling the (junior) accessory dwelling unit separately. The (junior) accessory dwelling unit is restricted to the maximum size allowed under the permit. The (junior) accessory dwelling unit may not be rented or offered for rent for a term of less than 30 days. The permit is available from the current owner or the City of Oakley Community Development Department.

I) Nonconforming Units. Notwithstanding any other provision of the zoning ordinance, if an existing primary residence constitutes a legal nonconforming structure, an accessory dwelling unit or junior accessory dwelling unit may be constructed only if the nonconformity is not expanded and the accessory dwelling unit or junior accessory dwelling unit meets all current applicable zoning district standards.

J) Variances. Variance permits to modify pertinent applicable zoning district provisions regulating accessory dwelling units may be granted as allowed by and in accordance with the involved district's regulations.

K) Timing of Permit Issuance. A building permit final shall not be issued for an accessory dwelling unit before final inspection of the primary dwelling unit passes.

L) Building and Similar Permits. Receipt of a permit for an accessory dwelling unit under this section shall not relieve the applicant from the burden of obtaining all other applicable permits, including but not limited to building and similar permits.

M) Fees. Fees for accessory dwelling unit and junior accessory dwelling unit permits will be in amounts established by the Oakley City Council fee schedule."

SECTION 2. Section 9.1.1110 of the Oakley Municipal Code titled, "Fences and Other Structures," is hereby amended in its entirety, as follows:

"9.1.1110 Fences and Other Structures.

A. Residential Fence Regulations:

1. Standard Lots. In Residential Zoning Districts R-6, R-7, R-10, and R-12, and P-1 with minimum lot sizes of 15,000 square feet or less and no specific fence regulations, open and closed fences and solid forms of landscaping shall be subject to the following limitations:

i.) Between the front property line and the front yard setback line (front yard setback), closed fences and solid forms of landscaping shall not exceed 3 feet in height. Open fences shall not exceed 4.5 feet in height. Fences may consist of a combination of closed and open materials so long as the portion above 3 feet in height is open fence, and the total height does not exceed 4.5 feet.

ii.) In addition to part A.1.i of this section, fences or gates that span between a side yard fence and the house or garage shall be setback from the adjacent house or garage front facade a minimum of 1 foot on interior side yard lot lines, and 10 feet on corner side yard lot lines.

iii.) From the front yard setback line to the back property line (outside the front yard setback), open and/or closed fences and solid forms of landscaping shall not exceed 7 feet in height.;

iv.) If a fence crosses a driveway located between the front of the residence and the front property line, any gate in the fence for vehicular access

shall be located a minimum 20 feet from the front property line, regardless of the height of the fence and gate.

v.) The addition of decorative entry features to a fence or solid landscaping form shall not result in a total height in excess of 8 feet. The combined width of all decorative entry features shall not exceed 4 feet.

2. Estate Lots. In Residential Zoning Districts R-15, R-20, R-40, and AL, and P-1 with minimum lot sizes greater than 15,000 square feet and no specific fence regulations, fences and solid forms of landscaping shall be subject to the following limitations:

   i.) Between the front property line and the front yard setback line (front yard setback), closed fences and solid forms of landscaping shall not exceed 3 feet in height. Open fences in the same location shall not exceed 7 feet in height. Fences may consist of a combination of closed and open materials so long as the portion above 3 feet in height is open fence, and the total height does not exceed 7 feet. All fence shall comply with fencing guidelines contained in the Residential Design Guidelines, Estate Neighborhoods, and shall be subject to the review and approval of the Community Development Director.

   ii.) In addition to part A.2.i of this section, fences or gates that span between a side yard fence and the house or garage shall be setback from the adjacent house or garage front facade a minimum of 1 foot on interior side yard lot lines, and 10 feet on corner side yard lot lines.

   iii.) From the front yard setback line to the back property line (outside the front yard setback), open and/or closed fences and solid forms of landscaping shall not exceed 7 feet in height.

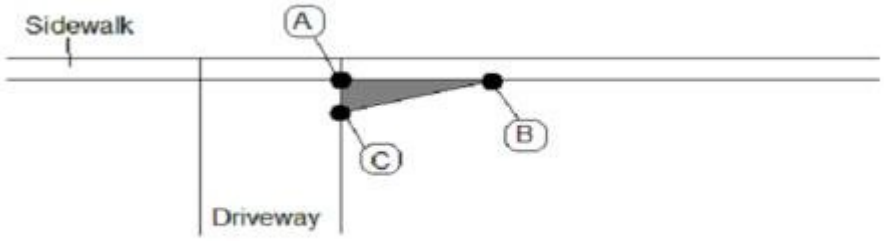
   iv.) If a fence crosses a driveway within the front setback adjacent to a public right of way, any gate in the fence for vehicular access shall not open outward toward the street, and the specific location of the gate shall be subject to review and approval by the Public Works and Engineering Department.

   v.) The addition of decorative entry features to a fence or solid landscaping form shall not result in a total height in excess of 8 feet. The combined width of all decorative entry features shall not exceed 8 feet.

3. Environmental Mitigation. The height of a fence may be established upon approval by the Planning Commission or City Council of the mitigation measures of a mitigated negative declaration or environmental impact report to mitigate adverse noise or visual impacts.

4. Driveway Visibility Triangle: The visibility triangle of a residential driveway crossing a residential street property line may not be blocked by a fence or solid form of landscaping above a height of three feet (3'). The visibility triangle is made up of the following three lines: 1) a 15 foot line along the back of sidewalk starting where the edge of driveway intersects the sidewalk (Line A-B in Figure 1); 2) a five foot line along the side of the driveway starting at the same point the sidewalk line starts (Line A-C in Figure 1); and 3) a line connecting the two end points of the sidewalk line and the driveway line (Line B-C in Figure 1). Where another street intersects the sidewalk less than 15 feet from the driveway, that point shall be used for the end point of the sidewalk line. Where there is no sidewalk, the edge of pavement shall be used as the appropriate measuring point.

Figure 1. – Driveway Visibility Triangle Diagram



5. Fence height measurement and variation. The height of fences and landscaping forms shall be measured from the highest adjoining grade. When a freestanding fence is constructed on top of a retaining wall because of a grade differential, and if building permits are issued for the combined freestanding fence/retaining wall, the fence height measurement shall not include the height of the retaining component. If a solid landscaping form is attached to a fence located in a residential front yard setback, its height may exceed the limits imposed by this ordinance by ten percent (10%).

6. Fence Materials.

   i.) Open fences in the front yards of Standard Lots (see part A.1 of this section) may consist of wrought iron, split rails, wooden pickets, and similar designs and materials. On Estate Lots (see part A.2 of this section), open front yard fences shall comply with Oakley's Residential Design Guidelines for Estate Neighborhoods.

   ii.) On Standard Lots, chain link may be used in side and rear yard fences between the front of the residence and the rear property line, in front yards if it contains slats of vinyl or other materials, and in the construction of front yard gates. Chain link shall be considered an open fence

material, unless it contains slats of vinyl or other materials, in which case it shall be treated as a closed fence;

iii.) Fences on residential properties may not contain barbed wire or razor wire or any variation thereof;

iv.) Fences adjacent to public right of way shall be constructed of materials that resist decay and deterioration; and

v.) Any fences constructed after adoption of this section of the code shall comply with the fencing provisions in the Residential Design Guidelines.

Summary of Residential Fence Regulations

Lot Type	Maximum Height of Open Fences in Front Yard Setback	Maximum Height of Closed Fences between Front Yard Setback Line and Front Property Line	Maximum Height of Fences Outside of Front Yard Setback	Maximum Dimensions of Decorative Entry Features for All Fence Types	Minimum Distances of Fences from Front Property Line if Crossing Driveway
Standard Lot	4.5 feet	3 feet	7 feet	8 feet tall, combined 4 feet wide	20 feet
Estate Lot	7 feet[1]	3 feet	7 feet	8 feet tall, combined 8 feet wide	Per Public Works and Engineering

[1] Materials and design require approval of the Community Development Director.

"

SECTION 3. Subsection (d) of Section 9.1.1122 of the Oakley Municipal Code titled "Yards," is hereby amended, as follows:

"d. Special Yards – Swimming Pools, Hot Tubs, Spas. In any R or residential P-1 District, swimming pools, hot tubs, and spas may be located in any yard other than the required front or side street yard, provided that no wall line of a pool, pool equipment, or water feature related to a pool shall be closer than 5 feet from any property line. Pool equipment with a decibel level of 45 dB or less achieved through original design or sound dampening enclosures may encroach into the rear, side, and corner side yard setbacks to the property line."

SECTION 4. 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 5. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2020 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

_____
Kevin Romick, Mayor Date

ATTEST:

_____
Libby Vreonis, City Clerk Date

OAKLEY
CALIFORNIA

STAFF REPORT

DATE: April 6, 2020

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

FROM: Derek P. Cole, City Attorney

SUBJECT: **Update Regarding Governor's Executive Orders and Related Developments Concerning Evictions During the COVID-19 Public-Health Emergency**

Introduction

This staff report is intended to brief the City Council on legal developments concerning evictions during the COVID-19 public-health emergency.

Discussion

On March 27, 2020, Governor Newsom issued an executive order (**Attachment 1**) imposing a moratorium on residential evictions through May 31, 2020. The key features of this executive order are as follows:

- It applies only to residential leases. The executive order leaves in place the ability of commercial landlords to seek and enforce evictions of commercial tenants. (Some cities have enacted emergency resolutions or ordinances to prohibit commercial evictions in light of the COVID-19 emergency.)
- The moratorium applies only to evictions for failure to pay rent. Evictions for other reasons, such as breaches of non-monetary lease terms, are still allowed.
- The moratorium also applies to the enforcement of writs of possession, which are the legal orders given to sheriff departments to actually remove tenants from their dwelling units.
- To qualify for the moratorium, tenants must advise their landlords before their rent is due, or no later than 7 days after the due date, that they are unable to pay all or a portion of their rent. Their failure to pay must be for "reasons related to COVID-19," which can include (1) inability to work because they or a family member they care for are suspected or confirmed to have a COVID-19 illness; (2) they are laid off from or lose hours at work

due to the emergency; or (3) they need to miss hours from work to care for a child who cannot attend schools closed in response to COVID-19.

- Technically, the moratorium does not stop landlords from filing eviction lawsuits, known as "unlawful detainer" actions. Tenants are instead given an extra 60 days beyond the usual 5 days they have to file answers in these proceedings. Thus, the 60-day period is more accurately described as a "stay" of the lawsuits than a moratorium. Tenant advocates have stated that this feature of the executive order does not adequately protect tenants who may not understand or have the means to contest a landlord's filing and who could thus be "defaulted" in their court proceedings, allowing the evictions to proceed.

This latest executive order states that it supersedes a prior executive order the Governor Issued (**Attachment 2**) "to the extent there is an conflict" with that order. This language is important as it, in our opinion, keeps intact the language of the prior order that allows cities to impose their own eviction moratoria. Thus, cities that have already adopted eviction moratoria, or those that wish to adopt their own moratoria, may still adopt or enforce their own measures.

As a practical matter, however, landlords will not be able to file unlawful detainer (eviction) actions for the foreseeable future due to a recent order of the Contra Costa Superior Court. (**Attachment 3**.) The Court's order does not state an end date for its prohibition on acceptance of unlawful detainer actions, but presumably the order will extend for as long as the state and local stay-at-home orders are in effect.

Further, on April 6, 2020, shortly before the deadline for submitting this staff report, the Judicial Council of California—the supervising agency for all state courts—issued its own eviction moratorium. This order goes much farther than the Governor's and Superior Court's orders in that it would be in effect for 90 days until after the Governor declares the current public-health emergency to have concluded. During this time, although an unlawful detainer action could be filed, a court could not issue a summons (which is the document that compels a tenant to respond) unless necessary to protect health and safety. The order also postpones for 60 days all unlawful detainer trials in matters that had been filed before the effective date of the order. The order applies in all eviction cases, not just those filed for failure to timely pay rent.

Fiscal Impact

There is no fiscal impact associated with the matters discussed in this Staff Report.

Staff Recommendation

In light of the Governor's, Contra Costa Superior Court's, and Judicial Council's orders, no City action appears necessary to prevent evictions within City limits during the current emergency. However, should the Council desire that some action be taken, this Office requests that the City Council provide appropriate direction.

Attachments

1. California Governor, March 27, 2020, Executive Order No. N-37-20.
2. California Governor, March 16, 2020, Executive Order No. N-28-20.
3. Order of the Contra Costa Superior Court, April 1, 2020.

EXECUTIVE ORDER N-37-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS in a short period of time, COVID-19 has rapidly spread throughout California, necessitating stringent public health emergency orders as well as guidance from federal, state, and local public health officials; and

WHEREAS on March 16, 2020, I issued Executive Order N-28-20, suspending state law limitations on local jurisdictions that impose restrictions on evictions; and

WHEREAS on March 19, 2020, I issued Executive Order N-33-20, ordering all residents to immediately heed the Order of the State Public Health Officer for all residents, unless exempted, to stay home or at their place of residence; and

WHEREAS many Californians are experiencing or will experience substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rent, and leaving them vulnerable to eviction; and

WHEREAS minimizing evictions during this period is critical to reducing the spread of COVID-19 in vulnerable populations by allowing all residents to stay home or at their place of residence in compliance with Executive Order N-33-20; and

WHEREAS Chief Justice Tani Cantil-Sakauye issued advisory guidance on March 20, 2020 for superior courts to suspend most civil trials and hearings for at least 60 days, and on March 23, 2020, suspended all jury trials for a period of 60 days, and extended by 60 days the time period for the holding of a civil trial; and

WHEREAS on March 25, 2020 the Department of Business Oversight secured support from national banks, state banks and credit unions for temporary delays in mortgage payments and foreclosure sales and evictions for homeowners who have economic impacts from COVID-19 with the objective of maximizing consistency and minimizing hurdles potentially faced by borrowers.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) The deadline specified in Code of Civil Procedure section 1167 shall be extended for a period of 60 days for any tenant who is served, while

this Order is in effect, with a complaint that seeks to evict the tenant from a residence or dwelling unit for nonpayment of rent and who satisfies all of the following requirements:

a. Prior to the date of this Order, the tenant paid rent due to the landlord pursuant to an agreement.

b. The tenant notifies the landlord in writing before the rent is due, or within a reasonable period of time afterwards not to exceed 7 days, that the tenant needs to delay all or some payment of rent because of an inability to pay the full amount due to reasons related to COVID-19, including but not limited to the following:

(i) The tenant was unavailable to work because the tenant was sick with a suspected or confirmed case of COVID-19 or caring for a household or family member who was sick with a suspected or confirmed case of COVID-19;
(ii) The tenant experienced a lay-off, loss of hours, or other income reduction resulting from COVID-19, the state of emergency, or related government response; or
(iii) The tenant needed to miss work to care for a child whose school was closed in response to COVID-19.

c. The tenant retains verifiable documentation, such as termination notices, payroll checks, pay stubs, bank statements, medical bills, or signed letters or statements from an employer or supervisor explaining the tenant's changed financial circumstances, to support the tenant's assertion of an inability to pay. This documentation may be provided to the landlord no later than the time upon payment of back-due rent.

2) No writ may be enforced while this Order is in effect to evict a tenant from a residence or dwelling unit for nonpayment of rent who satisfies the requirements of subparagraphs (a)-(c) of paragraph 1.

3) The protections in paragraphs 1 and 2 shall be in effect through May 31, 2020.

Nothing in this Order shall prevent a tenant who is able to pay all or some of the rent due from paying that rent in a timely manner or relieve a tenant of liability for unpaid rent.

Nothing in this Order shall in any way restrict state or local governmental authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential property.

IT IS FURTHER ORDERED that this Order supersedes Executive Order N-28-20 to the extent that there is any conflict with that Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

_____

GAVIN NEWSOM
Governor of California

ATTEST:

_____

ALEX PADILLA
Secretary of State

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-28-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection and otherwise mitigate the effects of COVID-19 are needed; and

WHEREAS the economic impacts of COVID-19 have been significant, and could threaten to undermine Californians' housing security and the stability of California businesses; and

WHEREAS many Californians are experiencing substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rents, mortgages, and utility bills; and

WHEREAS Californians who are most vulnerable to COVID-19, those 65 years and older, and those with underlying health issues, are advised to self-quarantine, self-isolate, or otherwise remain in their homes to reduce the transmission of COVID-19; and

WHEREAS because homelessness can exacerbate vulnerability to COVID-19, California must take measures to preserve and increase housing security for Californians to protect public health; and

WHEREAS local jurisdictions, based on their particular needs, may therefore determine that additional measures to promote housing security and stability are necessary to protect public health or to mitigate the economic impacts of COVID-19; and

WHEREAS local jurisdictions may also determine, based on their particular needs, that promoting stability amongst commercial tenancies is also conducive to public health, such as by allowing commercial establishments to decide whether and how to remain open based on public health concerns rather than economic pressures, or to mitigate the economic impacts of COVID-19; and

WHEREAS in addition to these public health benefits, state and local policies to promote social distancing, self-quarantine, and self-isolation require that people be able to access basic utilities—including water, gas, electricity, and telecommunications—at their homes, so that Californians can work from home, receive public health information, and otherwise adhere to policies of social distancing, self-quarantine, and self-isolation, if needed; and

WHEREAS many utility providers, public and private, covering electricity, gas, water, and sewer, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19; and

WHEREAS many telecommunication companies, including internet and cell phone providers, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19;

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) The time limitation set forth in Penal Code section 396, subdivision (f), concerning protections against residential eviction, is hereby waived. Those protections shall be in effect through May 31, 2020.

2) Any provision of state law that would preempt or otherwise restrict a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions as described in subparagraphs (i) and (ii) below—including, but not limited to, any such provision of Civil Code sections 1940 et seq. or 1954.25 et seq.—is hereby suspended to the extent that it would preempt or otherwise restrict such exercise. This paragraph 2 shall only apply to the imposition of limitations on evictions when:

    (i) The basis for the eviction is nonpayment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and

    (ii) The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (i) was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented.

The statutory cause of action for judicial foreclosure, Code of Civil Procedure section 725a et seq.; the statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential or commercial tenant or occupant of residential real property after foreclosure is suspended only as applied to any tenancy, or residential real property and any

occupation thereof, to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government.

Nothing in this Order shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

The protections in this paragraph 2 shall be in effect through May 31, 2020, unless extended.

3) All public housing authorities are requested to extend deadlines for housing assistance recipients or applicants to deliver records or documents related to their eligibility for programs, to the extent that those deadlines are within the discretion of the housing authority.

4) The Department of Business Oversight, in consultation with the Business, Consumer Services, and Housing Agency, shall engage with financial institutions to identify tools to be used to afford Californians relief from the threat of residential foreclosure and displacement, and to otherwise promote housing security and stability during this state of emergency, in furtherance of the objectives of this Order.

5) Financial institutions holding home or commercial mortgages, including banks, credit unions, government-sponsored enterprises, and institutional investors, are requested to implement an immediate moratorium on foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out-of-pocket medical expenses, which were caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19.

6) The California Public Utilities Commission is requested to monitor measures undertaken by public and private utility providers to implement customer service protections for critical utilities, including but not limited to electric, gas, water, internet, landline telephone, and cell phone service, in response to COVID-19, and on a weekly basis publicly report these measures.

Nothing in this Order shall be construed to invalidate any limitation on eviction enacted by a local jurisdiction between March 4, 2020 and this date.

Nothing in this Order shall in any way restrict state or local authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential real property.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

SUPERIOR COURT OF CALIFORNIA, COUNTY OF CONTRA COSTA
Public Information Office

mediainfo@contracosta.courts.ca.gov
925-608-2607

FOR IMMEDIATE RELEASE
Contact: Matt J. Malone, Public Information Officer
April 1, 2020

URGENT RELEASE: COURT CLOSURE

THIS NOTICE SUPERSEDES ALL OTHERS PREVIOUSLY ISSUED

The Court is **closed to the public** until at least April 28, 2020.

- **Restraining Orders.** The Court will accept applications for domestic violence, civil harassment, and gun violence restraining orders beginning **April 6, 2020**. The process will be set forth in Emergency Local Rules.

- **Jury Service.** Jurors who were participating in an active matter that the time of the Court's initial closure on March 16, 2020, will be contacted by the department. All others who have jury duty during this period will have service postponed. Notice of the rescheduled date will be mailed to you.

- **Hearings.** The Court will not schedule hearings or reset hearings that were scheduled during the closure period until the Court reopens, with the exception of urgent matters described below and those to be set forth in Emergency Local Rules. **The Court will inform you of the rescheduled hearing date. Please do not call the Court asking for a date.**

- **Traffic matters**. Traffic matters will not be heard at this time. No Court penalties or fines will accrue during the closure. Please contact the Court upon reopening.

- **Unlawful Detainer matters**. No new unlawful detainer filings will be accepted. For those unlawful detainer matters involving violence, threats of violence, and/or health and safety issues, parties should seek a restraining order first, and then seek permission from the hearing judge to file an unlawful detainer action.

- **Ex Parte Applications**. Ex parte applications will only be accepted in urgent matters described below, or in accordance with specific Emergency Local Rules.

During the closure, the Court **will accept certain urgent filings** as follows:

- **Emergency Criminal and Juvenile Matters**. As of **March 30, 2020**, the Court is accepting filings for emergency criminal and juvenile matters only.
    - Criminal filings will be accepted via a drop box placed at the Main Street entrance of the Wakefield Taylor Courthouse in Martinez.
    - Juvenile filings will be accepted via a drop box at the Walnut Creek Courthouse.
    - "Emergency matters" are specifically defined in the Emergency Local Rules – Criminal and Juvenile available on the Court's website.
- **All other matters.** The Court will begin accepting certain filings for these matters on **April 6, 2020** which will be subject to Emergency Local Rules described below.
    - Civil and Probate filings will be accepted at a drop box placed at the Main Street entrance of the Wakefield Taylor Courthouse in Martinez. Unlawful detainer matters that do not involve violence, threats of violence, or health and safety issues **may not be filed**.
    - Family filings only will be accepted via a drop box at the front of the Family Law building in Martinez.
- **Additional drop boxes available at branch courts.** Beginning **April 6, 2020**, drop boxes will also be made available at both the Pittsburg and Richmond branch courts **only** for filings in case types heard at those locations.
- **Acceptance of filings by mail/delivery.** The Court will accept approved filings, as defined by the case-type Emergency Local Rules, by mail or other delivery such as FedEx. Couriers will not have access to Court facilities, only to the drop boxes.

- **Rejection of Filings.** Any filing deposited in a drop box that does not meet the requirements above will not be filed.

Finally, the Court will adopt **Emergency Local Rules** which will govern filings and hearings of specific matters. The Court website and the online version of this press release will be updated with active links to all rules as soon as they are available.

- **Emergency Local Rules – Criminal and Juvenile**

- **Emergency Local Rules – Civil** (including civil harassment restraining orders)

- **Emergency Local Rules – Probate**

- **Emergency Local Rules – Family** (including domestic violence restraining orders and emergency protective orders)

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VIA CERTIFIED MAIL

March 13, 2020

Libby Vreonis, City Clerk
City of Oakley
3231 Main Street
Oakley, CA 94561

Re: Violation of California Voting Rights Act

I write on behalf of our client, Southwest Voter Registration Education Project and its members residing in Oakley. The City of Oakley ("Oakley" or "City") relies upon an at-large election system for electing candidates to its City Council. Moreover, voting within the City is racially polarized, resulting in minority vote dilution, and therefore Oakley's at-large elections violate the California Voting Rights Act of 2001 ("CVRA").

The CVRA disfavors the use of so-called "at-large" voting – an election method that permits voters of an entire jurisdiction to elect candidates to each open seat. *See generally Sanchez v. City of Modesto* (2006) 145 Cal.App.4th 660, 667 ("*Sanchez*"). For example, if the U.S. Congress were elected through a nationwide at-large election, rather than through typical single-member districts, each voter could cast up to 435 votes and vote for any candidate in the country, not just the candidates in the voter's district, and the 435 candidates receiving the most nationwide votes would be elected. At-large elections thus allow a bare majority of voters to control *every* seat, not just the seats in a particular district or a proportional majority of seats.

Voting rights advocates have targeted "at-large" election schemes for decades, because they often result in "vote dilution," or the impairment of minority groups' ability to elect their preferred candidates or influence the outcome of elections, which occurs when the electorate votes in a racially polarized manner. *See Thornburg v. Gingles,* 478 U.S. 30, 46 (1986) ("*Gingles*"). The U.S. Supreme Court "has long recognized that multi-member districts and at-large voting schemes may operate to minimize or cancel out the voting strength" of minorities. *Id.* at 47; *see also id.* at 48, fn. 14 (at-large elections may also cause elected officials to "ignore [minority] interests without fear of political consequences"), citing *Rogers v. Lodge*, 458 U.S.

613, 623 (1982); *White v. Register*, 412 U.S. 755, 769 (1973). "[T]he majority, by virtue of its numerical superiority, will regularly defeat the choices of minority voters." *Gingles*, at 47. When racially polarized voting occurs, dividing the political unit into single-member districts, or some other appropriate remedy, may facilitate a minority group's ability to elect its preferred representatives. *Rogers*, at 616.

Section 2 of the federal Voting Rights Act ("FVRA"), 42 U.S.C. § 1973, which Congress enacted in 1965 and amended in 1982, targets, among other things, at-large election schemes. *Gingles* at 37; *see also* Boyd & Markman, *The 1982 Amendments to the Voting Rights Act: A Legislative History* (1983) 40 Wash. & Lee L. Rev. 1347, 1402. Although enforcement of the FVRA was successful in many states, California was an exception. By enacting the CVRA, "[t]he Legislature intended to expand protections against vote dilution over those provided by the federal Voting Rights Act of 1965." *Jauregui v. City of Palmdale* (2014) 226 Cal. App. 4th 781, 808. Thus, while the CVRA is similar to the FVRA in several respects, it is also different in several key respects, as the Legislature sought to remedy what it considered "restrictive interpretations given to the federal act." Assem. Com. on Judiciary, Analysis of Sen. Bill No. 976 (2001-2002 Reg. Sess.) as amended Apr. 9, 2002, p. 2.

The California Legislature dispensed with the requirement in *Gingles* that a minority group demonstrate that it is sufficiently large and geographically compact to constitute a "majority-minority district." *Sanchez,* at 669. Rather, the CVRA requires only that a plaintiff show the existence of racially polarized voting to establish that an at-large method of election violates the CVRA, not the desirability of any particular remedy. *See* Cal. Elec. Code § 14028 ("A violation of Section 14027 ***is established*** if it is shown that racially polarized voting occurs …") (emphasis added); *also see* Assem. Com. on Judiciary, Analysis of Sen. Bill No. 976 (2001–2002 Reg. Sess.) as amended Apr. 9, 2002, p. 3 ("Thus, this bill puts the voting rights horse (the discrimination issue) back where it sensibly belongs in front of the cart (what type of remedy is appropriate once racially polarized voting has been shown).")

To establish a violation of the CVRA, a plaintiff must generally show that "racially polarized voting occurs in elections for members of the governing body of the political subdivision or in elections incorporating other electoral choices by the voters of the political subdivision." Elec. Code § 14028(a). The CVRA specifies the elections that are most probative: "elections in which at least one candidate is a member of a protected class or elections involving ballot measures, or other electoral choices that affect the rights and privileges of members of a protected class." Elec. Code § 14028(a). The CVRA also makes clear that "[e]lections conducted prior to the filing of an action … are more probative to establish the existence of racially polarized voting than elections conducted after the filing of the action." *Id.*

Factors other than "racially polarized voting" that are required to make out a claim under the FVRA – under the "totality of the circumstances" test – "are probative, but not necessary factors to establish a violation of" the CVRA. Elec. Code § 14028(e). These "other factors" include "the history of discrimination, the use of electoral devices or other voting practices or procedures that may enhance the dilutive effects of at-large elections, denial of access to those processes determining which groups of candidates will receive financial or other support in a given election, the extent to which members of a protected class bear the effects of past discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process, and the use of overt or subtle racial appeals in political campaigns." *Id.*

The City of Oakley's at-large system dilutes the ability of Latinos (a "protected class") – to elect candidates of their choice or otherwise influence the outcome of the City's council elections.

As of the 2010 Census, Oakley had a population of 35,432. This data shows that Latinos comprise 35% of the City's population as of 2010, and likely a greater proportion today. However, Latinos have never been represented on the Oakley City Council in that proportion has been virtually non-existent. The contrast between the significant Latino proportion of the electorate and the historical underrepresentation of Latinos to be elected to the Oakley City Council is outwardly disturbing and fundamentally hostile towards participation from members of this protected class.

In light of the City's underrepresentation of Latinos, it is no wonder why Latino residents do not emerge as candidates, feel marginalized, and have historically been excluded from meaningful participation in the City's governance. During the City's history, there have been only a few Latinos to emerge as candidates for the Oakley City Council. Opponents of fair, district-based elections may attempt to attribute the glaring lack of candidates within protected classes to a lack of interest from their respective communities within the City. On the contrary, the virtual absence of protected class candidates to seek election to the Oakley City Council reveals vote dilution. *See Westwego Citizens for Better Government v. City of Westwego*, 872 F. 2d 1201, 1208-1209, n. 9 (5th Cir. 1989).

The City of Oakley's election history is additionally illustrative. In 2016, for example, Dezi Pina emerged as a candidate for a seat on the City's council. Notwithstanding the fact that Mr. Pina received significant support from the City's Latino community, Mr. Pina lost that election. Similarly, in 2018, Mr. Pina launched his second campaign

for City Council and again he lost that election. These elections evidence vote dilution which is directly attributable to the City's unlawful at-large election system.

As you may be aware, in 2012, we sued the City of Palmdale for violating the CVRA. After an eight-day trial, we prevailed. After spending millions of dollars, a district-based remedy was ultimately imposed upon the Palmdale City Council, with districts that combine all incumbents into one of the four districts.

More recently, after a 7-week trial, we also prevailed against the City of Santa Monica, after that city needlessly spent millions of dollars defending its illegal election system – far in excess of what was spent in the Palmdale litigation - taxpayer dollars which could have been more appropriately spent on indispensable municipal services and critical infrastructure improvements. Just prior to the trial in that case, counsel for the City of Santa Monica – Kahn Scolnick, a partner at Gibson Dunn & Crutcher LLP proclaimed that, "the reality is that if Santa Monica fails the CVRA test, then no city could pass, because Santa Monica is doing really well in terms of full representation and success of minority candidates." ("In Rare California Voting Rights Trial, Gibson Dunn Steps Up for Santa Monica", Law.com, August 1, 2018). Notwithstanding Mr. Scolnick's prediction, Plaintiffs succeeded in proving that Santa Monica's election system was in violation of the CVRA and the Equal Protection Clause of the California Constitution.

Given the historical lack of representation of those from this protected class on the Oakley City Council in the context of racially polarized elections, we urge the City of Oakley to voluntarily change its at-large system of electing city council members. Otherwise, on behalf of residents within the jurisdiction, we will be forced to seek judicial relief. Please advise us no later than May 1, 2020 as to whether you would like to discuss a voluntary change to your current at-large system.

We look forward to your response.

Very truly yours,



Kevin I. Shenkman