



## 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, October 10, 2023  
6:30 PM

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

**NOTE:** Vice Mayor Williams and Councilmember Shaw will join via teleconference. Their location is 11th Hour Business Center - Hyatt Regency Orlando, Convention Level - Tower 1 9801 International Drive, Orlando, FL 32819  
Public participation is welcome and available at both locations.

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

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

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A complete packet of information containing staff reports and exhibits related to each item is available for public review prior to an Oakley City Council and/or City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority meeting at Oakley City Hall, 3231 Main Street, Oakley, CA 94561. Any writings or documents provided to a majority of the Oakley City Council, Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency or Oakley Public Financing Authority regarding any item on this agenda will be made available for public inspection, during regular business hours, at the front counter in the Main Lobby of the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561. Agendas may be picked up at the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561 for no charge. To request information regarding placement on the City's agenda e-mail distribution list, please contact us at (925) 625-7000.

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### **Information Regarding Public Comment**

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

## **1.OPENING MATTERS**

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

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

### **1.2 Pledge of Allegiance to the Flag**

## **2.PUBLIC COMMENTS**

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

## **3.CONSENT CALENDAR**

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

purposes of public input may request the Mayor remove the item. The public may request to remove an item(s) to provide input by completing a public speaker card and submitting it to the City Clerk prior to the item(s) being called by the Mayor.

**3.1 Approve Minutes from the Regular Joint City Council/City Council Acting as the Successor Agency to the Redevelopment Agency and Special Public Financing Authority Meeting Held September 26, 2023 (Libby Vreonis, City Clerk)**

[Minutes 092623](#)

**3.2 Accept Report Out of Closed Session Memo (Derek Cole, City Attorney)**

[Memo](#)

**3.3 Award of Construction Contract to TNB Construction for the Main Street Rehabilitation Project at Contra Costa Canal Bridge - Capital Improvement Program (CIP) Number 187 (Kevin Rohani, P.E., Public Works Director/City Engineer)**

[Staff Report](#)

[1. Resolution](#)

[2. Bid Summary](#)

[3. Consor Proposal](#)

**3.4 Fiscal Year 2023/24 First Quarter Report on the Capital Improvement Program (Kevin Rohani, P.E., Public Works Director/City Engineer)**

[Staff Report](#)

**4.PUBLIC HEARINGS**

**5.REGULAR CALENDAR**

**5.1 Interview Applicants and Adopt a Resolution Appointing Three Members of the Public to the City of Oakley Affordable Housing Ad-Hoc Advisory Committee (Danielle Navarro, Assistant City Manager)**

[Staff Report](#)

[1. Proposed Resolution](#)

[2. Affordable Housing Ad-Hoc Advisory Committee Applications](#)

**6.REPORTS**

**6.1 CITY MANAGER  
(a) City Manager**

**(b) Business License Update**

**6.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY**

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

**(b) Requests for Future Agendas**

**7.WORK SESSIONS**

**7.1 Work Session to Discuss AB 1657 (Wicks), SB 555 (Wahab), the Association of Bay Area Governments (ABAG) and the Bay Area Housing Financing Authority (BAHFA) (Joshua McMurray, City Manager)**

**Staff Report**

1. July 11, 2023 Work Session Staff Report including the AB 1657 Text
2. AB 1657 (Wicks) Letter 7-25-23
3. AB 1657 (Wicks) Bill Analysis prepared by Townsend Public Affairs, Inc.
4. SB 555 (Wahab) Bill Analysis prepared by Townsend Public Affairs, Inc.
5. SB 555 (Wahab)
6. BAHFA Frequently Asked Questions

**8.CLOSED SESSION**

**8.1 CONFERENCE WITH LABOR NEGOTIATORS**

**Agency designated representatives: Mayor Aaron Meadows, Vice Mayor Anissa Williams, City Attorney Derek Cole**

**Unrepresented employee: City Manager Joshua McMurray**

**9.ADJOURN**



**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency and Special Meeting of the Oakley Public Financing Authority held  
September 26, 2023**

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

**1.2 Pledge of Allegiance to the Flag**

Councilmember Shaw led the Pledge of Allegiance to the Flag.

**1.3 Update from Contra Costa Animal Services (Beth Ward, Animal Services Director, Contra Costa Animal Services)**

Contra Costa Animal Services Director Beth Ward provided a PowerPoint presentation.

Vice Mayor Williams inquired if the City can do anything to promote events or help facilitate low cost spay/neuter programs.

Director Ward shared that resources are scarce and costly, and they are working with local vets to reduce costs, for example, by providing a voucher, and they have a proposal to use Measure X funds to offset costs and expand the voucher program. She mentioned local vets deserve the right to make money and keep their businesses open; this proposal would help supplement costs; for example, a veterinarian could offer a reduce price, the customer could pay a deductible, and the County could cover the remainder; not only for spay/neuter but also for vaccinations.

Dr. Fuller mentioned that the Kaua'i Humane Society has a program where people can rent a dog and then they can return or adopt the dog. He inquired if there is anything they can do to enhance that interaction.

Director Ward commented that Kaua'i is one of her favorite shelters. She mentioned Contra Costa Animal Services has a program where people can take a dog out, but they must sign up as a volunteer and they are working toward reducing barriers for adoptions.

#### **1.4 Update from BART Director Mark Foley**

BART Director Mark Foley provided a PowerPoint presentation and provided two handouts.

Dr. Fuller mentioned he likes the idea of being able to pay with a credit card. He commented that certain discounts are available when using the current Clipper card. He inquired how discounts will work when paying.

Mr. Foley commented that the Clipper card has the discount on it and can still be used, and moving forward they will be able to integrate more seamlessly with the Clipper pay system so the rider wouldn't need a regional discount card.

Vice Mayor Williams commented that she loves the new fare gates and believes they will make a huge difference. She inquired if there are talking points that the Council can use to advocate riding BART as there is a huge group of people who need this service, and she is fearful what happens to them should BART not survive.

Mr. Foley commented that transit is a social justice issue; everyone should have equal access to education, health care and jobs, and a barrier to employment should not be that someone doesn't have a car to get to work in San Francisco. He explained that BART ridership is transit dependent and needs to have support to have access to those things to break down barriers. He mentioned that every rider on BART is one less driver on Hwy 4; BART helps to get single car drivers off the road to help improve wear and tear on roadways and improve quality of life. He mentioned in regard to cleanliness and safety, ask people to come back and give it a try.

Mayor Meadows shared that he had perceptions of BART and recently heard that BART is a lot cleaner and safer which is positive. He mentioned he is glad they are installing new gates and sees that they are taking some steps to improve. He commented that Mr. Foley discussed revenue decrease, but cost cutting needs to be addressed.

Mr. Foley responded that BART is a fixed rail system meaning that the costs are structured to provide a number of vehicles on the system each day. He shared that they looked at whether they could lay off staff, but their budget director has indicated that if they reduce staff, they reduce service which reduces ridership which reduces revenue; therefore, it is a death spiral, and the challenge is to always find a balance. He mentioned the new schedule focuses on evening and weekends and trying to attract ridership that is not traditionally there. He mentioned trains go to SFO packed and return empty, so they want to capture those riders and one way they are trying to capture riders is to encourage businesses to open in the transit oriented district areas but they are struggling, even though they are willing to build to order as there is no interest in office space. He shared that BART offered early retirement and 200+ employees left the system early.

Mayor Meadows commented that it is not just BART that can't fill office buildings.

Dr. Fuller commented that Mr. Foley mentioned during his presentation that trains to SFO go out full and return empty. He mentioned that by the time travelers arriving on later flights at SFO at 9 p.m.-10 p.m. retrieve their luggage, BART trains are no longer running.

Mr. Foley responded that is a work in progress and he brought it up at a workshop; they are looking at how they can engage the opportunity to have late and early trains to accommodate travelers, an uncaptured audience, while balancing the time needed for maintenance which is currently 1 a.m.-4 a.m. He mentioned they are looking at opportunities and it would be easier at Oakland than SFO because of the distance.

**1.5 Update from Nonprofits Awarded American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Grant Funds (a) Eleonore Zwinger, Senior Staff Attorney/East Bay Regional Director, Immigration Institute of the Bay Area (b) Lauren Huffmaster, Founder, Adventure Therapy Foundation**

Eleonore Zwinger, Senior Staff Attorney/East Bay Regional Director, Immigration Institute of the Bay Area, thanked the City of Oakley for providing the grant. She shared that grant funds have been used for immigration legal consultations, legal services, removal defense on a limited basis, and community outreach and education. She mentioned they were able to provide 66 legal consultations for Oakley residents and legal services for 27 Oakley residents and provided presentation and legal consultations at St. Anthony Church in Oakley on April 30 and June 4. She explained they also provide service by phone and mentioned they reached 174 people.

Dan Torres, Board of Directors for Adventure Therapy, along with Melissa Anderson, Event/Community Coordinator for Adventure Therapy, provided a PowerPoint presentation and shared that grant funds have been used for emotional support, coaching, retreats, and providing meaningful experience for families. They mentioned a community event, "Your Greatest Adventure is Today", was held August 27 for a network of cancer survivors and resources at Big Break Marina and shared an impact story from that event.

Vice Mayor Williams commented that she appreciates what they do and inquired about their plans for continued funding.

Ms. Anderson shared that they will have a fundraiser hosted by Hannah Nicole Vineyards on October 21, that will include art, wine, food, silent auctions, raffles and sharing stories, and grants have been submitted.

Dr. Fuller inquired where they were able to find a pink fire engine.

Ms. Anderson shared that Project Pink Wheels is a retired fire engine that takes patients to their first and last chemotherapy appointments.

## **2) PUBLIC COMMENTS**

Two 'thank you' cards were submitted and circulated to the City Council.

Kristin Connelly, Contra Costa County Clerk-Recorder and Registrar of Voters, shared that they are performing outreach as part of California High School Voter Education Weeks and also non-partisan National Voter Registration Day (September 19) as they would like to increase engagement in the County. She mentioned in 161 days, the California Presidential Primary will be held and it will be the first time an all vote-by-mail ballot election will be held for a California Presidential Primary. She mentioned her office is actively engaged in everything that they can to register as many people as they can and to educate as many voters as they can so that

everyone can participate fully in the Presidential Primary and General Election. She invited any suggestions of the Council for residents of Oakley to ensure they are registered. She mentioned Oakley has a high concentration of Spanish speaking voters and election materials are provided in Spanish, Chinese and English to serve all residents. She shared that they intend to have Freedom High School be part of their Spring Voter Registration Weeks.

Carmen Lazo with the Carpenters Union spoke about labor standard in the U.S., apprenticeship programs, health care, local jobs, and labor wages.

Jackie Rider commented on a 10% rent increase, more for some, for The Oaks without anything being updated and no quality maintenance. She mentioned seniors' income doesn't increase 10% per year and the elderly can't afford it. She commented that people are afraid they won't be able to live there anymore, and they are wondering where the money is going as there are dirty trash chutes, and the garbage rooms are bacteria infested spaces. She shared that many people that are moving in are becoming ill. She shared that she read an article about garbage rooms and they harbor E. coli, salmonella, and legionnaire. She mentioned the former manager and bookkeeper are gone and she believes they need a complete audit.

Bonnie McCord submitted a written comment that was 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/Public Financing Authority Meeting Held September 12, 2023 (Libby Vreonis, City Clerk)**
- 3.2 Accept Report Out of Closed Session Memo (Derek Cole, City Attorney)**
- 3.3 Adoption of a Resolution to Establish Special Speed Zones for Specific City Streets (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 3.4 Acceptance of work with the City Hall Human Resources Department Remodeling Project - Capital Improvement Project Number 290 (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 3.5 Adopt a Resolution Authorizing the City Manager to Enter Into a One-Year Agreement with Townsend Public Affairs, Inc. for On-Call Grant Writing Services (Danielle Navarro, Assistant City Manager)**

It was moved by Dr. Fuller to approve the Consent Calendar.

Vice Mayor Williams requested to pull items 3.3 and 3.5 for discussion.

Dr. Fuller amended his motion to approve items 3.1, 3.2 and 3.4. It was seconded by Councilmember Shaw. Motion was unanimous and so ordered. (5-0)

#### **Item 3.3**

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

Vice Mayor Williams commented that speed limits are a contentious item for people and that people have expressed to her that speeders are being rewarded. She asked if staff could explain why the City is required to change the speed limit.

Mr. Rohani explained that the City is required by state law to set the speed limit at the infamous 85 percentile, the speed that 85% of vehicles travel at or below. He mentioned anywhere drivers will deviate from that, but Oakley's speed limits are set at the 85 percentile. He indicated that this is based on state law and the California Vehicle Code.

Vice Mayor Williams mentioned public feedback has been that speed keeps increasing because of lack of traffic enforcement.

Mr. Rohani explained that the Police Department is now fully staffed and has dedicated traffic officers to enforce speed limits which he has heard of late has been a major improvement. He mentioned when there is no enforcement, drivers tend to go faster, and the speed limit can increase the 85 percentile. He shared that he believes they have reached a turning point to stay in front of the speeding issue.

It was moved by Vice Mayor Williams and seconded by Dr. Fuller to adopt the resolution. Motion was unanimous and so ordered. (5-0)

### Item 3.5

Assistant City Manager Danielle Navarro presented the staff report.

Vice Mayor Williams requested a rough amount of the amount of funding they have been able to secure.

Mayor Meadows responded that it is \$2.9 million.

Vice Mayor Williams inquired if the City would have had the capacity to secure the funding without Townsend's assistance.

City Manager Joshua McMurray responded that he believes the amount would have been lower given the staffing numbers of the City and tapping into Townsend's experience helped.

Vice Mayor Williams inquired what things Townsend will be going after and what trends for grant funding are circulating in other cities.

Carly Shelby, Associate with Townsend, mentioned they are looking at state and federal earmark opportunities, they are preparing a grant for the boat launching facility for the Oakley Community Park, and they are having ongoing conversations with staff regarding big projects. In conjunction with grants, she mentioned they are also closely following legislation which includes upcoming bond proposals which includes housing affordability, parks, recreation facilities and others.

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

## 4) PUBLIC HEARINGS

### **4.1 Update to the Master Fee Schedule (Kitchen Fees) (Jeri Tejada, Administrative Services Director)**

Administrative Services Director Jeri Tejada presented the staff report.

Mayor Meadows called for Council questions; there being none, he opened the public hearing and called for public comments. There were none and Mayor Meadows closed the public hearing and called for Council deliberation.

Vice Mayor Williams thanked staff for their time to bring this revision forward. She explained it enables local businesses to get their start in Oakley; they do not have to go to Brentwood for kitchen use. She mentioned she likes that there is not an application fee or minimum hours required.

Dr. Fuller commented that he likes that there is not an hourly or minimum requirements and he would like to see it promoted so people are aware that the City is offering a service that seems like a good deal.

It was moved by Vice Mayor Williams and seconded by Dr. Fuller to adopt the resolution. Motion was unanimous and so ordered. (5-0)

## **5) REGULAR CALENDAR**

None.

## 6) REPORTS

### **6.1 CITY MANAGER (a) City Manager**

City Manager Joshua McMurray thanked Recreation and Public Works staff for their work at the Heart of Oakley Festival and mentioned it was well attended. He reported that the reorganization approved by the Council on August 22 has been implemented, the Administrative Services Department worked hard to post jobs and hired three new positions, HR Manager, Recreation Manager and Accountant, that will begin work mid-October, and they are on a great path to provide excellent service to the community and internal services. He announced the following upcoming community events:

- 10/6/23-Friday Night Bites with Maya Latin Roots band at Civic Center Plaza, 5pm-9pm
- 10/7/23-Oakley Recreation Center Movie, *Nightmare Before Christmas*
- 10/21/23-Oaktober Festival, Civic Center Plaza, 12pm-4pm

## **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**

Dr. Fuller reported he attended an event hosted by Senator Glazer for its Nonprofit of the Year that was awarded to St. Vincent de Paul. He also reported he attended District Day hosted by Assemblymember Lori Wilson and they agree on a lot of things such as holding cities accountable to their RHNA. He also reported he attended the Heart of Oakley Festival.

Vice Mayor Williams reported she met with Assemblymember Lori Wilson to discuss Oakley's priorities, transportation and housing partnerships, jobs, small business economic development, and she has some good ideas who to connect Oakley with for these things. She also reported she attended the CalCities' Annual Conference and Expo last week and went to different sessions including, "From Conflict to Conversation," "California Cannabis: Seven Years After Legalization", a session on social media and public engagement, "Adapting Main Street for a Changing Retail Landscape," "How to Solve Big City Problems in Small Towns," and "Managing Difficult Conversations with Constituents" of which she shared key points. She also reported that she attended the Heart of Oakley in her role as President of a non-profit.

Councilmember Shaw reported she also attended District Day with Assemblymember Lori Wilson and stayed for different sessions including staff, special districts, local business, and non-profits which she thought was great to separate to allow groups to come together to listen and talk. She mentioned during her 1-1 meeting with Assemblymember Wilson they discussed E. Cypress, funding, transit and parks, and Assemblymember Wilson understands the limitations Oakley has. She also reported attending the CalCities' Annual Conference and Expo where she attended workshops on fees, staying ahead of news and monitoring social and news media, stop hate speech: freedom of speech versus hate speech, and having difficult conversations with constituents. She also reported attending the Heart of Oakley Festival.

Mayor Meadows reported he attended the Contra Costa Transportation Authority (CCTA) meeting a couple of weeks ago and CCTA appointed a member and alternate to the San Joaquin Joint Powers Authority (SJJPA); the member is Supervisor Diane Burgis and he is the alternate so he will be attending SJJPA meetings in relation to the Amtrak train platform. He mentioned during the Bengals v. Rams football game televised last night that two former Freedom High School students played, Joe Mixon for the Bengals and Ronnie Rivers for the Rams.

### **(b) Requests for Future Agendas**

Councilmember Shaw requested staff look into an early warning system for when train track barriers are down east of Sellers Avenue and reach out to BNSF to see what is being done. Vice Mayor Williams supported the request.

Dr. Fuller requested the City Clerk relay to the County Registrar that it is his understanding that all 18-year-olds of all genders must register for the draft, and they do this at the high school. He asked if they are doing this at the high school for students to receive a voter registration card at that time and the high school can return the registration card to the County Elections office.

Mayor Meadows called for a 5-minute break at 8:04 p.m. The City Council reconvened at 8:09 p.m.

## **7) WORK SESSION**

### **7.1 Review the results of the second online survey for the Oakley Regional Park and for City Council to provide recommendations on a preferred alternative to finalize the Master Plan for this park (Kevin Rohani, P.E., Public Works Director/City Engineer)**

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

Brian Fletcher of Callander Associates, the City's consultant, provided a PowerPoint presentation.

Mayor Meadows inquired about Proposition 68 which Mr. Fletcher explained is the state park grant that they have been going after but have not received.

Vice Mayor Williams shared that she was initially for all ball fields, however in talking to baseball moms, she understands it is customary for them to attend out of town tournaments where they often drive up to 30 minutes to get to a 4-field complex. She mentioned she spoke with a professional angler who is very excited about it. She mentioned she likes the third option where ball fields would be completely removed because down the street there will be ballfields and she would like alternative activities for kids to do if they are going camping there or if a fishing tournament is happening. She inquired how many different uses can be put into that space without cramming in too much.

Mr. Fletcher responded that they could include the pump track, disc golf, hiking/walking trails, shoreline access, fishing from the shore and destination and regular play, because they would have room if removing the ballfields and associated parking.

Mayor Meadows commented that less is more, and he doesn't want to load up just to load up. He shared that he is leaning toward option 3.

Councilmember Henderson agreed option 3 is the right direction. He mentioned they have opportunities at other parks to take care of other activities; this is the one property to showcase the Delta and Oakley's one access to the water and making that a priority is important.

Mayor Meadows inquired if the corporation yard shown in the presentation is an additional yard or if everything is going there. He inquired if it would be big enough for build-out.

Mr. Rohani responded that the current yard is located at the corner of Neroly Road and Main Street, but the property has sold and they will eventually have to move maintenance operations; the yard at 4th Street that currently exists will continue to provide inside office space, and the area proposed on Sellers would be an outdoor yard area.

Mayor Meadows commented that there is also a yard just outside near the City Hall parking lot.

Mr. Rohani mentioned it is more of a parking lot and eventually it will be used for a library.

Engineering Manager Billilee Saengchalern shared that she spoke with the City's Parks and Landscape Manager and they took measurements for the three existing yards and added them up for the footprint for the proposed yard on Sellers.

Mayor Meadows commented that they should do it once and do it right so they can put everything there or look at another location.

City Manager Joshua McMurray responded that staff can take a look at it and provide more detail when they present next.

Councilmember Shaw commented that she prefers option 3 if they are not going to go with all ballfields; they should go all water themed. She inquired how much nature would be included with nature play as some kids may want a traditional play structure.

Mayor Meadows commented that there are other playgrounds in the City that are not logs.

Mr. Fletcher responded that they could do both with smaller nature play elements throughout the trails. He gave the Presidio as an example. He mentioned logs can be wonderful and they want to provide destination play that is universally accessible.

Councilmember Shaw mentioned someone had mentioned a wheelchair accessible swing and she would love to see that brought forward.

Dr. Fuller inquired if option 3 is option 2 without the ball fields and Mr. Fletcher confirmed it is.

Dr. Fuller mentioned he also endorses option 3. He mentioned the Emerson house is still there and he keeps hearing the Gilbert house mentioned. He commented that the Emerson house strikes him more as a Delta house than the Gilbert house and he is not sure if the Emerson house can still be put in play. He mentioned someone made the comment that they could have wedding venues there, but he is hesitant that the City would be competing with existing privately-owned wedding venues in Oakley as the City might charge similar fees as others for security, maintenance, decoration, etc. He mentioned he is leaning toward the Emerson house. He shared that he likes option 3 for diversity, equity, and inclusion as they would be opening up the river to everybody for recreation use. He commented that people live here because of it and spend time on it but is currently privileged and not all currently have access. He mentioned this would allow access and it opens up the river to the entire community and for other outdoor uses through trails coming into the park and leaving the park that run to Sacramento and possibly Walnut Creek. He mentioned kids love splash parks and it is a good place for a family to have lunch. He mentioned the park would be open for everyone with the concept of incorporating the river and shoreline play like in the logo.

Mayor Meadows inquired if the Emerson house still exists, and Mr. McMurray confirmed that it is gone.

Dr. Fuller commented that he saw a beautiful white two-story house on Dutch Slough that looked well kept.

Mr. Rohani commented that he had not seen a two-story house on this campus. He explained that when the Emerson dairy business closed and the dairy was abandoned, the building was unsafe and silos falling down so the City cleared a lot of the old buildings and the only building that was kept is what they call the Gilbert house, a single-family house with a wraparound porch

and picket fence; the building will require some rehabilitation. He mentioned the river comes to this site and everything else on this campus was related to the dairy operation.

Dr. Fuller clarified that the house he is referring to was in the area but wasn't implying it was in the same campus; it was out on the levee before it was breached.

Mr. Rohani explained that if he was accessing the house he speaks of from Jersey Island, that is not in proximity to this site.

Mayor Meadows explained that the Emerson house was formerly Iron House School located at Sellers Avenue and Cypress Road, and when Stan Emerson came back to the dairy because his father started it, he moved it farther to the north and west but south of what was the Contra Costa Canal and remodeled the house and lived in it. He mentioned it is his understanding the house had issues and when it was converted, its historical value was gone so it was torn down. He mentioned the father also had a house west of that which was also torn down.

Councilmember Shaw commented that she would like to see a splash pad, pump track, and disc golf-but not a full course, but she is not sold on RV parking but if that is the direction they are going, to have picnic tables and barbeques. She added if there are no ball fields there will be no concession stand, but it should have some kind of store if there will be RVs, day or overnight.

Mayor Meadows commented that he would support a full disc golf course if there are no ball fields.

Vice Mayor Williams commented that there would still be amenities in two different places on the site where there is wine tasting, an incubator retail space that she imagines could have some sort of food, wine and different things, and also an earlier presentation showed something at the campground for option 2 that could service day use and overnight stay.

Mr. Fletcher reviewed the proposed site plan for option 2 and showed where there could be small stores, a check-in site, wine tasting incubators, restrooms/showers, a boat launch bait store, and restrooms and amenities throughout.

Vice Mayor Williams mentioned there are already 2 wedding venues in Oakley so that is saturated. She mentioned their neighboring cities do science camp and kids in Oakley don't have that opportunity. She commented that UC Davis studies the ecology of the water around here often and she would like to see if there might be a grant funding opportunity through that to encourage kids to get into science. She mentioned they could still rent out for something like corporate retreats, but also use it as a science camp area. She shared that UC Davis has a wine program that may also provide another grant opportunity. She mentioned the space could be used so it doesn't compete with local businesses.

Dr. Fuller inquired what Mr. McMurray's assessment would be of fields available if they go with option 3, if there will be two new fields at Dal Porto Ranch and with Creekside coming back.

Mr. McMurray commented that there is a fair share of fields in the City looking at the per capita rate and he believes they are doing a good job. He mentioned they are always going to run into the perspective of others that there is not enough space; this is only access to water for City-owned property, they have other fields coming online, and the complex at Dal Porto Ranch will be impressive.

## 8) CLOSED SESSIONS

### **8.1 CONFERENCE WITH LABOR NEGOTIATORS**

**Agency designated representatives: Jack Hughes, Legal Counsel, Liebert Cassidy Whitmore; Joshua McMurray, City Manager and Jeri Tejada, Administrative Services Director Employee organization: Oakley Peace Officers Association**

Mayor Meadows announced the closed session and mentioned thereafter the meeting will adjourn. He announced the next regular City Council meeting will be held October 10, 2023, in the Oakley City Council Chambers beginning at 6:30 p.m.

## 9) ADJOURN

There being no further business, the meeting was adjourned at 8:55p.m.

Respectively Submitted,

Libby Vreonis  
City Clerk

**Date:** September 27, 2023  
**To:** Mayor and City Councilmembers  
**From:** Derek P. Cole, City Attorney  
**CC:** Joshua McMurray, City Manager  
**Subject:** Closed Session Report-Out Memo

## For Consideration at the City Council Meeting of October 10, 2023

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### Background and Analysis

The City Council considered the following closed session item during its regular meeting held September 26, 2023:

### CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Jack Huges, Legal Counsel, Liebert Cassidy Whitmore; Joshua McMurray, City Manager and Jeri Tejada, Administrative Services Director

Employee organization: Oakley Police Officers Association

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

### Fiscal Impact

None.

### Recommendation

Receive and file this report.

### Attachments

None



**DATE:** October 10, 2023  
**TO:** Joshua McMurray, City Manager  
**FROM:** Kevin Rohani, P.E., Public Works Director/City Engineer  
**SUBJECT:** Award of Construction Contract to TNB Construction for the construction of the Main Street Bridge Rehabilitation Project at Contra Costa Canal – Capital Improvement Project Number 187

Approved and  
Forwarded to the  
City Council

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## Background and Analysis

The City's adopted FY 2023/24 Capital Improvement Program 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 existing Main Street Bridge that crosses the Contra Costa Canal needs rehabilitation to protect its structural integrity and longevity. The City of Oakley does not have a designated funding source for repairing, maintaining, and improving the City's bridges, and relies primarily on grant programs for major bridge improvement projects. Staff had applied for the Highway Bridge Replacement and Rehabilitation (HBRR) Federal grant funding for this project and secured partial funding in 2022 which will be supplemented by local funds.

The Main Street Bridge that crosses the Contra Costa Canal is currently on the Caltrans Structurally Deficient list. This list is provided to all municipalities by Caltrans so each municipality can address its bridge deficiencies. There is cracking in the south concrete barrier abutments exposing rebar that has begun to rust since being exposed to the environmental elements. The bridge deck is showing signs of deterioration, including cracking in the deck slab and in the soffit of the slab.

The City hired the consulting firm Consor, Inc. (formerly Quincy Engineering) to design the improvements needed on this bridge to address the deficiencies outlined in the Caltrans report. To repair the bridge, the contractor will drill and bond dowels into the cracks in the concrete barriers, fill cracks in soffit and treat the bridge deck per Caltrans recommendations with a methacrylate coating. A new chain-link fence and additional concrete barrier will be installed as a part of the construction. The final steps will be to install new striping on the bridge deck. The project design was completed by Consor, Inc. and the project was publicly bid.



On August 22, 2023, a total of three (3) bids were received and TNB Construction was the lowest responsible bidder for the project with a total base bid of \$213,780.50. The base bid was below the engineer's estimate, so staff are recommending the addition of the bid alternate to the project at a cost of \$81,200.00 for a total project cost of \$294,980.50. The bid alternate work would replace the aging concrete barrier on the east side of the bridge as it does not meet current State standards. The replacing of the concrete barrier would provide for a modern, crash compliant rail along with standard approach guard railing. The upcoming construction on the bridge provides a unique opportunity to replace this barrier with economies of scale while the contractor is mobilized and performing similar work.

The construction of CIP 187 is anticipated to start in November and be completed in early 2024.

Conсор Inc. will be assigned the task of providing Construction Support Services for this project along with their sub-consultants for an amount not to exceed \$18,950, as outlined in the attached proposal and scope of work. Staff recommends incorporating these proposed services into the existing design contract by way of amendment to said contract.

## Consistency with the Oakley Strategic Plan 27+

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

## Fiscal Impact

Federal grants are restrictive in nature and only specific contract bid items qualify for the Federal grant funding. With all Federal grants there is a local match component and the HBRR grant requires a 20% match from a local agency. For this project, the Federal grant eligible bid items equal \$140,225.50 of which the local match is \$28,045.10 reducing the total available Federal grant funds for construction of \$112,180.40.

The current available City budget for this project is \$82,000, along with the \$112,180.40 Federal grant, leaves a balance of \$100,800.10 needed to cover construction costs. The project will require additional funding for the construction costs, construction support of \$18,950, change orders in the amount of \$30,000, and grant local match of \$28,045.10. To fully fund the project staff are recommending the project budget be amended to add \$180,000 from the Public Facilities Impact Fee Fund to CIP 187 to fund the construction, construction support, and change orders.



### Staff Recommendation

Staff recommends that the City Council adopt the resolution approving the construction agreement with TNB Construction for both the base bid and alternate for an amount not to exceed \$294,980.50 and authorizing the City Manager to execute the agreement.

Staff are also recommending approval of an amendment to the Consor Inc. design agreement for construction support services for an amount not to exceed \$18,950.

Additionally, due to variables associated with construction projects, and to address unforeseen circumstances during construction; staff further recommends that the City Council authorize staff to execute future change orders to the construction contract as necessary in an amount not to exceed \$30,000 for work beyond what is defined in the base and alternate project bid. Staff also recommends project budget be amended to add \$180,000 from the Public Facilities Impact Fee Fund.

### Attachments

- 1.Resolution
- 2.Bid Summary
- 3.Consor Inc. Construction Support Proposal



**RESOLUTION NO. XX-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING  
AN AGREEMENT WITH TNB CONSTRUCTION FOR THE CONSTRUCTION OF  
CAPITAL IMPROVEMENT PROJECT (CIP) NUMBER 187 – MAIN STREET BRIDGE  
REHABILITATION AT CONTRA COSTA CANAL PROJECT**

**WHEREAS**, Consor, Inc. (formerly Quincy Engineering) prepared the plans, specifications, and estimates for CIP No. 187 – Main Street Bridge Rehabilitation at Contra Costa Canal Project; and

**WHEREAS**, the plans, specifications and special provisions were publicly advertised for bidding, with the bid period closing at 2:00 P.M. on Tuesday, August 22, 2023; and

**WHEREAS**, three (3) bids were received prior to the close of the bidding process; and

**WHEREAS**, TNB Construction submitted the lowest responsible bid for a total cost of \$294,980.50 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 TNB Construction for the Main Street Bridge Rehabilitation at Contra Costa Canal Project – CIP 187, for an amount not to exceed \$294,980.50, plus change orders in an amount not to exceed \$30,000 as necessary, and \$18,950 for construction support are approved and the City Manager is hereby authorized to execute said Agreement. A \$180,000 budget amendment to appropriate additional funds from the Public Facilities Impact Fee Fund for the completion of CIP No. 187 is hereby approved.

**PASSED AND ADOPTED** by the City Council of the City of Oakley this 10<sup>th</sup> day of October 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
Aaron Meadows, Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

City of Oakley Public Works Department

Main Street Bridge Rehabilitation at Contra Costa Canal, CIP 187

Certified Bid Tabulation Bid opening: August 22, 2023 at 2:00 P.M. at the Civic Center

|          |                                                                 |          |      | Engineers Estimate |             | TNB Construction<br>2620 E. 18th Street<br>Antioch, Ca. 94509 |           | Fernando D. Lopez<br>370 Myrtle Lane<br>Oakley, Ca. 94561 |           | Valentine Corporation<br>111 Pelican Way<br>San Rafael, Ca. 94901 |            |
|----------|-----------------------------------------------------------------|----------|------|--------------------|-------------|---------------------------------------------------------------|-----------|-----------------------------------------------------------|-----------|-------------------------------------------------------------------|------------|
| Item No. | Description                                                     | Quantity | Unit | Unit Price         | Item Cost   | Unit Price                                                    | Item Cost | Unit Price                                                | Item Cost | Unit Price                                                        | Item Cost  |
| 1        | Traffic Control System                                          | 1        | LS   | 22,400.00          | \$22,400.00 | 21,500.00                                                     | 21,500.00 | 65,000.00                                                 | 65,000.00 | 77,000.00                                                         | 77,000.00  |
| 2        | Temporary Railing (Type K)                                      | 160      | LS   | 106.25             | \$17,000.00 | 81.25                                                         | 13,000.00 | 175.00                                                    | 28,000.00 | 175.00                                                            | 28,000.00  |
| 3        | Prepare Water Pollution Control Program                         | 1        | LS   | 12,000.00          | \$12,000.00 | 6,500.00                                                      | 6,500.00  | 5,000.00                                                  | 5,000.00  | 15,000.00                                                         | 15,000.00  |
| 4        | Clearing and Grubbing                                           | 1        | TN   | 1,000.00           | \$1,000.00  | 7,500.00                                                      | 7,500.00  | 6,500.00                                                  | 6,500.00  | 25,000.00                                                         | 25,000.00  |
| 5        | Inject Crack (Epoxy)                                            | 414      | TN   | 230.00             | \$95,220.00 | 37.00                                                         | 15,318.00 | 215.00                                                    | 89,010.00 | 300.00                                                            | 124,200.00 |
| 6        | Treat Bridge Deck                                               | 1,710    | SF   | 13.62              | \$23,290.20 | 12.00                                                         | 20,520.00 | 20.00                                                     | 34,200.00 | 12.00                                                             | 20,520.00  |
| 7        | Furnish Bridge Deck Treatment Material                          | 20       | SF   | 100.00             | \$2,000.00  | 12.00                                                         | 240.00    | 225.00                                                    | 4,500.00  | 122.00                                                            | 2,440.00   |
| 8        | Chain Link Railing (Type 7)                                     | 60       | SF   | 100.00             | \$6,000.00  | 260.00                                                        | 15,600.00 | 230.00                                                    | 13,800.00 | 319.00                                                            | 19,140.00  |
| 9        | Concrete Barrier (Type 732SW Modified)                          | 67       | SF   | 670.00             | \$44,890.00 | 865.00                                                        | 57,955.00 | 700.00                                                    | 46,900.00 | 1,950.00                                                          | 130,650.00 |
| 10       | 6" Thermoplastic Traffic Stripe (Enhanced Wet Night Visibility) | 1,355    | LF   | 10.81              | \$14,647.55 | 10.50                                                         | 14,227.50 | 14.00                                                     | 18,970.00 | 13.00                                                             | 17,615.00  |
| 11       | Remove Thermoplastic Traffic Stripe                             | 1,920    | LF   | 7.49               | \$14,380.80 | 13.50                                                         | 25,920.00 | 19.00                                                     | 36,480.00 | 23.00                                                             | 44,160.00  |
| 12       | Mobilization Bonds & Insurance                                  | 1        | LF   | 25,023.58          | \$25,023.58 | 15,500.00                                                     | 15,500.00 | 42,500.00                                                 | 42,500.00 | 43,644.00                                                         | 43,644.00  |
|          |                                                                 |          |      | 277,852.13         |             | 213,780.50                                                    |           | 390,860.00                                                |           | 547,369.00                                                        |            |

BID ALTERNATE

| Item No. | Description                          | Quantity | Unit | Unit Price | Item Cost | Unit Price | Item Cost | Unit Price | Item Cost | Unit Price | Item Cost |
|----------|--------------------------------------|----------|------|------------|-----------|------------|-----------|------------|-----------|------------|-----------|
| A1       | Concrete Barrier (Type 836 Modified) | 60       | LF   |            |           | 970.00     | 58,200.00 | 775.00     | 46,500.00 | 1,623.00   | 97,380.00 |
| A2       | Transition Railing (Type WB-31)      | 1        | EA   |            |           | 12,000.00  | 12,000.00 | 6,000.00   | 6,000.00  | 18,300.00  | 18,300.00 |
| A3       | Alternative In-Line Terminal System  | 1        | EA   |            |           | 11,000.00  | 11,000.00 | 6,000.00   | 6,000.00  | 13,895.00  | 13,895.00 |
|          |                                      |          |      |            |           | 81,200.00  |           | 58,500.00  |           | 129,575.00 |           |

Total Base + Alternate

294,980.50 449,360.00 676,944.00

This certifies that all bids were received and opened on August 22, 2023, and that this is a copy of the bid tabulation with bids corrected for errors in addition and multiplication. By:





Jason Kabalin, PE  
Capital Projects Engineer  
City of Oakley  
3231 Main Street  
Oakley, CA 94561

July 14, 2023

**Subject: Task Order Proposal for Bidding Assistance and Construction Support  
Main Street Bridge Rehabilitation over Contra Costa Canal (Bridge No. 28C0270) – Revision 1**

Thank you for the opportunity to continue to provide the City of Oakley with engineering design services for the Main Street Bridge Rehabilitation Project through construction. I appreciate our discussion today to find the level of effort required from Consor for this project in construction. The scope, deliverables list, schedule, and estimated fee were developed based on conversations with you and Kevin Rohani at the City, as well as the during development of the Plans, Specifications and Estimate Package for the project.

**Project Description**

The City of Oakley put out a construction bid for the rehabilitation of the existing bridge structure at Main Street over Contra Costa Canal (Bridge No. 28C0270) utilizing construction funding through the Federal HBP Program. Bid opening is set for August 22, 2023. The existing bridge is a single span, reinforced concrete slab bridge, built in 1977. The bridge is located on Main Street. Rehabilitation measures include reconstructing the bridge rail, epoxy injecting soffit cracks, applying a methacrylate treatment to the bridge deck, and other minor repairs. Work will be performed under traffic control along Main Street.

**Project Team**

Our team will consist of these members:

| Team Member     | Position                 | Role                                          |
|-----------------|--------------------------|-----------------------------------------------|
| Russ Moore      | Principal-in-Charge      | Oversight & Quality Assurance                 |
| Rob Ferguson    | Project Manager          | Task Lead/ Project Coordination               |
| Gavin Keating   | Bridge Project Engineer  | Respond to Bridge Related RFIs and Submittals |
| Andrew Mitchell | Roadway Project Engineer | Respond to Road Related RFIs and Submittals   |

**Fee**

Not to exceed \$18,950 based on hours per position and billing rates as shown on the attached exhibit.

We appreciate the opportunity to continue working with you on this assignment for the successful construction of this project for the City. If you have any questions about the scope and fee provided, please call me at (916) 368-9181 or email me any time.

Sincerely,

**Consor North America, Inc.**

Rob Ferguson, PE  
Project Manager

**Consor North America, Inc.**

Russ Moore, PE  
Bay Area Group Manager



## **SCOPE OF WORK – REVISION 1**

Consor North America, Inc. (Consor) has developed the following Scope of Work and Deliverables list for the development of the plans, specifications, and estimates (PS&E) package for the Main Street Bridge over Contra Costa Canal (Bridge No. 28C0270) – Rehabilitation Project (Project).

### **Task 1 – Meetings and Coordination**

#### **Task 1.1 – Meetings**

Consor will attend a preconstruction meeting with the City and the awarded contractor, and one progress meeting during construction to discuss questions, responses, decisions made and develop an action item list monthly. Consor will attend a field review meeting.

#### **Task 1.2 – Coordination**

Consor's project manager will communicate regularly with the Design Project Team and City staff. Monthly invoices will be reviewed and sent to the City with a progress report on that month's work.

### **Task 2 – Prepare Resident Engineer File**

Consor will prepare the Resident Engineer file including pertinent construction information, notes to the RE, and Quantity Packages.

### **Task 3 - Contract Bidding Assistance**

The individuals who were directly involved in the design will be available during the bid period to interpret the plans and specifications, prepare addenda if needed, and provide general consultation to the City to obtain bids. Consor anticipates providing up to 5 bidder RFI responses with an anticipated average effort of 3 hours per response.

### **Task 4 – Design Services During Construction**

After award of the construction contract, Consor will be available to review contractor submittals, review shop plans, review falsework plans and calculations, prepare and/or review change orders, and make other field observations, at the Resident Engineer's or City's request. The City will be the primary reviewer of RFIs and construction submittals. Consor will provide a secondary review and provide a recommendation whether to Authorize, Authorize with Comments, or Not Authorize submittals. Consor anticipates performing a secondary review of the following required submittals. The anticipated level of effort is shown below:

1. Traffic Control Plan and Contingency Plan (4 hours)
2. Temporary Structure Shop Drawings (16 hours)
3. Certifications for proposed epoxy materials (2 hours)
4. Methacrylate Public Safety Plan and Resin Treatment Application Work Plan (6 hours)
5. Bridge Removal Work Plan for Concrete Barrier (6 hours)
6. Certification and Installation Procedures for Drill and Bond Dowel Installation (2 hours)
7. Concrete Mix Design for Concrete Barrier (4 hours)

Consor anticipates providing up to 10 construction RFI responses with an anticipated average effort of 2 hours per response.

#### **Task 1 Deliverables**

- ◆ Attend Preconstruction Meeting
- ◆ Attend one progress meeting
- ◆ Attend one field review meeting
- ◆ Monthly Progress Reports and invoices

#### **Task 2 Deliverables**

- ◆ Resident Engineer File

#### **Task 3 Deliverables**

- ◆ Response to 5 Bidder RFIs

#### **Task 4 Deliverables**

- ◆ Review and Respond to 7 Contractor Submittals and Shop Drawings
- ◆ Respond to 10 Contractor RFIs



### Project Assumptions

- This scope of work is for design support during construction, not Construction Management
- Environmental Approval and Permitting is not within Consor's Scope of Work
- Travel time to the preconstruction and field review meetings is included in the hours estimate. The progress meeting is assumed to be virtual (phone, teleconference)
- It is assumed that there are no material discrepancies in the right of way or adjoining parcels.

### Schedule

| MILESTONE             | COMPLETION DATE           |
|-----------------------|---------------------------|
| E-76 FOR CONSTRUCTION | May 10,2023               |
| NTP FROM CITY         | July 21, 2023             |
| ADVERTISE BID         | July 14, 2023             |
| BID OPENING           | August 22, 2023           |
| BID AWARD             | August 29, 2023           |
| FIRST WORKING DAY     | August 30, 2023           |
| LAST WORKING DAY      | November 22, 2023 (60 WD) |

Cost Proposal

|                                                       |                                                                                                       |                    |                    |                       |                      |                 |                      |                     |                    |                  |           |            |     |                        |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------|--------------------|--------------------|-----------------------|----------------------|-----------------|----------------------|---------------------|--------------------|------------------|-----------|------------|-----|------------------------|
| Task No.                                              | Project Number: N223542.00Project Name: Main Street Bridge Rehabilitation - Construction Support - Re |                    |                    |                       |                      |                 |                      |                     |                    |                  |           |            |     |                        |
|                                                       | TASKS                                                                                                 | Principal Engineer | Principal Engineer | Professional Engineer | Engineering Designer | Senior Engineer | Engineering Designer | Senior CAD Designer | Consor Total Hours | NLF + Escalation | Task Cost | Task Hours |     | Subconsultant Subtotal |
|                                                       |                                                                                                       | RAM                | RGF                | GLK                   | AAZ                  | AKM             | BK                   | BRM                 |                    |                  |           |            |     |                        |
| No.                                                   | Initial Hourly Rate                                                                                   | \$98.07            | \$81.90            | \$66.55               | \$40.80              | \$78.65         | \$40.36              | \$57.00             |                    |                  |           |            |     |                        |
|                                                       | Key Personnel                                                                                         | No                 | No                 | No                    | No                   | No              | No                   | No                  |                    |                  |           |            |     |                        |
|                                                       | Prevailing Wage                                                                                       | No                 | No                 | No                    | No                   | No              | No                   | No                  |                    |                  |           |            |     |                        |
| Phase 2 - Bidding Assistance and Construction Support |                                                                                                       |                    |                    |                       |                      |                 |                      |                     |                    |                  |           |            |     |                        |
| 1.0                                                   | Meetings and Coordination                                                                             |                    |                    |                       |                      |                 |                      |                     | 0                  | \$0              | \$ 4,705  | 19         |     | \$0                    |
| 1.1                                                   | Meetings                                                                                              |                    | 4                  | 1                     |                      | 4               |                      |                     | 9                  | \$2,183          |           |            |     | \$0                    |
| 1.2                                                   | Coordination                                                                                          |                    | 10                 |                       |                      |                 |                      |                     | 10                 | \$2,523          |           |            |     | \$0                    |
| 2.0                                                   | Prepare Resident Engineer File                                                                        |                    |                    | 2                     | 4                    |                 |                      |                     | 6                  | \$913            | \$ 913    | 6          |     | \$0                    |
| 3.0                                                   | Contract Bidding Assistance                                                                           |                    | 1                  | 6                     | 6                    | 2               |                      |                     | 15                 | \$2,721          | \$ 2,721  | 15         |     | \$0                    |
| 4.0                                                   | Design Services During Construction                                                                   |                    | 6                  | 18                    | 30                   | 6               |                      |                     | 60                 | \$10,426         | \$ 10,426 | 60         |     | \$0                    |
|                                                       |                                                                                                       |                    |                    |                       |                      |                 |                      |                     | 0                  | \$0              |           |            |     | \$0                    |
|                                                       | Subtotal - Hours                                                                                      | 0                  | 21                 | 27                    | 40                   | 12              | 0                    | 0                   | 100                | \$18,765         | \$ 18,765 | 100        |     | 0                      |
|                                                       | Anticipated Salary Increases                                                                          |                    |                    |                       |                      |                 |                      |                     |                    |                  |           |            |     |                        |
|                                                       | Other Direct Costs                                                                                    |                    |                    |                       |                      |                 |                      |                     |                    |                  |           |            |     | 0                      |
|                                                       | Total Cost                                                                                            | \$0                | \$1,720            | \$1,797               | \$1,632              | \$944           | \$0                  | \$0                 | \$6,093            |                  |           |            | \$0 | \$0                    |

**Exhibit 10-H1 Cost Proposal** Page 1 of 3**Cost-Plus-Fixed Fee or lump sum or Firm Fixed Price contracts**

(Design, Engineering and Environmental Studies)

Note: Mark-ups are Not Allowed

☒ Prime Consultant ☐ Subconsultant ☐ 2nd Tier SubconsultantProject: Main Street Bridge Rehabilitation - Construction Support - Rev 1Description: Phase 2 - Bidding Assistance and Construction SupportConsultant: Consort North America, Inc.Project No. N223542.00Contract No. Contract No

Date

7/14/2023**DIRECT LABOR**

| Classification/Title  | Name             | Initials | Hours | Actual Hourly Rate | Range        | Total       |
|-----------------------|------------------|----------|-------|--------------------|--------------|-------------|
| Principal Engineer    | Moore, Russell   | RAM      | 0     | \$ 98.07           | \$80 - \$135 | \$ -        |
| Principal Engineer    | Ferguson, Robert | RGF      | 21    | \$ 81.90           | \$80 - \$135 | \$ 1,719.90 |
| Professional Engineer | Keating, Gavin   | GLK      | 27    | \$ 66.55           | \$45 - \$100 | \$ 1,796.85 |
| Senior Engineer       | Mitchell, Andrew | AKM      | 12    | \$ 78.65           | \$55 - \$125 | \$ 943.80   |
| Student Intern        | Edgar, Mahala    | MAE      | 0     | \$ 22.00           | \$18 - \$31  | \$ -        |
| Engineering Designer  | Kotsyubuk, Boris | BK       | 0     | \$ 40.36           | \$35 - \$95  | \$ -        |
| Senior CAD Designer   | Maechler, Bob    | BRM      | 0     | \$ 57.00           | \$39 - \$75  | \$ -        |
| Subtotal:             |                  |          | 100   |                    |              | \$ 6,092.55 |

**LABOR COSTS**

a) Subtotal Direct Labor Costs

\$ 6,092.55

b) Anticipated Salary Increases (see page 2 for calculation)

\$ -

c) **Total Direct Labor Costs [(a) + (b)]** \$ 6,092.55**INDIRECT COSTS**

d) Fringe Benefits (Rate: 43.02%):

e) Total Fringe Benefits [(c) x (d)] \$ 2,621.02

f) Overhead (Rate: 136.98%):

g) Overhead [(c) x (f)] \$ 8,345.57

h) General and Administrative (Rate: 0.00%):

i) Gen &amp; Admin [(c) x (h)] \$ -

j) **Total Indirect Costs [(e) + (g) + (i)]** \$ 10,966.59**FIXED FEE**k) **TOTAL FIXED FEE [(c) + (j)] x fixed fee 10.00%** \$ 1,705.91**l) CONSULTANT'S OTHER DIRECT COSTS (ODC) – ITEMIZE (Add additional pages if necessary)**

| Description of Item | Quantity | Unit  | Unit Cost | Total     |
|---------------------|----------|-------|-----------|-----------|
| Mileage Costs       | 280      | Miles | \$ 0.655  | \$ 183.40 |
| Miscellaneous       | 1        |       | \$ 1.55   | \$ 1.55   |

l) **TOTAL OTHER DIRECT COSTS** \$ 184.95m) **SUBCONSULTANTS' COSTS (Add additional pages if necessary)**m) **TOTAL SUBCONSULTANTS' COSTS** \$ -n) **Total Other Direct Costs INCLUDING SUBCONSULTANTS [(l)+(m)]** \$ 184.95**TOTAL COST [(c) + (j) + (k) + (n)]** \$ 18,950.00**NOTES:**

- Key personnel **must** be marked with an asterisk (\*) and employees that are subject to prevailing wage requirements must be marked with two asterisks (\*\*). All costs must comply with the Federal cost principles. Subconsultants will provide their own cost proposals.
- The cost proposal format shall not be amended. Indirect cost rates shall be updated on an annual basis in accordance with the consultant's annual accounting period and established by a cognizant agency or accepted by Caltrans.
- Anticipated salary increases calculation (page 2) must accompany.

**DATE:** October 10, 2023  
**TO:** Joshua McMurray, City Manager  
**FROM:** Kevin Rohani, P.E., Public Works Director/City Engineer  
**SUBJECT:** Fiscal Year 2023/24 First Quarter Report on the Capital Improvement Program

Approved and  
Forwarded to the  
City Council

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## Background and Analysis

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

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

The following highlights some of the projects and their progress in the First Quarter of FY 2023/24 (July-September 2023):

### 1. Oakley Regional Community Park Project

Project # 176

Schedule: Project Master Planning is underway

Budget: \$3,547,859

Funding Source: Community Park Fund, and Park Impact Fee

This project transforms a 55-acre site at the end of Sellers Avenue that was given to the City as part of the development agreements with the Emerson, Gilbert, and Burroughs development projects. This site had several deteriorated structures related to a dairy farm that had been closed for decades. The first phase of this project was to demolish and remove the abandoned structures, which were a safety concern, and to clean up the site. This task was accomplished in the summer of 2019. In March of 2021, the City applied for a State Proposition 68 grant to fund the first phase of this project and did not qualify for the grant. The construction of the Oakley Regional Park will span several years as funding is secured through a combination of Grants and local funds. A Master Planning study of this site started in early 2023 and is expected to be concluded in early 2024. The study will outline the community and City Council preference on the features that this park would have. Upon completion of this process, staff will pursue grant funding for the implementation of this park master plan.



## **2. Downtown Gateway Plaza and Infrastructure Improvement Project**

Project # 205

Schedule: Construction is underway

Budget: \$6,500,000

Funding Source: General Capital Projects Fund, Measure J Fund, Gas Tax Fund

The Downtown Gateway Plaza and Infrastructure Improvement Project will compliment a new San Joaquin Joint Power Authorities train platform station located north of Main Street in the general area between 2nd Street and Norcross Lane. The San Joaquin Joint Power Authorities has secured the grant funding for the design and construction of the new platform station and will operate the train platform station after its construction. This train platform station is strategically located downtown, adjacent to the Main Street Gateway Plaza and its associated parking lot. The infrastructure improvements were designed and will be constructed by the City. The new parking lot is anticipated to provide over 270 parking spaces and is a big part of the future growth for Downtown Oakley. The construction of this project is anticipated to be completed by the end of 2023.

## **3. Downtown Parking Lot Construction Project**

Project # 215

Schedule: Construction is underway

Budget: \$3,979,000

Funding Source: Main Street Fund, General Capital Fund

This project, in continuing the implementation of the Strategic Goals of the City Council to improve and enhance Downtown Oakley; constructed a new parking lot and associated street infrastructure on the north side of Main Street and the Norcross Lane intersection. This new parking lot is located behind the Entrepreneur Center and the new Oakley Mercantile Building and will serve the greater downtown merchants and their customers. The construction is anticipated to be completed by end of 2023.

## **4. Oakley Civic Center Emergency Generator Project**

Project # 228

Schedule: Construction is underway

Budget: \$197,500

Funding Source: General Capital Fund

The Civic Center facility is the center of government in Oakley, which handles all critical functions for the community residents, including Police services. The current facility



does not have a standby emergency generator to address the frequent PG&E power outages that take place in this region. This project will install an emergency generator which will provide electricity to the entire Civic Center facility in times of power emergencies. The new generator has been delivered and installed and the City is currently working with PG&E to coordinate the power transfer to the new generator prior to the start-up of operations. Once this PG&E task has been completed, the generator will be on standby and ready to supply electricity during future power outages. It is anticipated that the construction work will be completed by fall 2023.

## **5. East Cypress Road Widening (Knightsen Avenue to Jersey Island Road) Project**

Project # 247

Schedule: Construction is underway

Budget: \$9,200,000

Funding Source: Traffic Impact Fee Fund and Gas Tax

The growth and development of new subdivision projects along the East Cypress Road corridor has necessitated various infrastructure improvements to accommodate the increased traffic volumes on this road. This project will widen and improve East Cypress Road to the east of Knightsen Avenue to Jersey Island Road. The improvements will include curb and gutter, sidewalk, and a median island. This project will construct East Cypress Road to the canal crossing and CIP No. 310, which will construct that part of the East Cypress Road improvements. The construction of this project is anticipated to be completed by the end of 2024.

## **6. Recreation Center Emergency Generator Project**

Project # 249

Schedule: Construction is underway

Budget: \$300,000

Funding Source: ARPA Fund

This project will install an emergency generator at the Oakley Recreation Center facility. The Recreation Center campus is the center of recreational activities for the Oakley community, and currently does not have a back-up power source. In periods of PG&E power outages, the operations at the Recreation Center that require electricity come to a halt. This project will install an Emergency Generator behind the Recreation Center building to provide stand-by power during periods of PG&E power outages to ensure that the Recreation Center operations will continue uninterrupted. It is anticipated that the construction work will be completed by early 2024.



**7. Cypress Grove Subdivision Pump Station Building Project**

Project # 255

Schedule: Construction is underway

Budget: \$1,100,000

Funding Source: CFD Fund

At the Cypress Grove Subdivision, the pump station, emergency generator, and its associated electrical components are housed in a building with only a half roof and are exposed to the environmental elements. The components degrade much quicker when exposed to the elements and require more frequent service and costly replacement. This project will construct a full roof and new walls on the existing building to enclose and protect the valuable mechanical components and promote their longevity. In addition, this project will upgrade the electrical and mechanical parts of this pump station. It is anticipated that the construction work will be completed by early 2024.

**8. Irrigation Well Installation at City's Freedom Basin Project**

Project # 265

Schedule: Construction is underway

Budget: \$400,000

Funding Source: Public Facilities and Park Impact Fee Fund

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

**9. Laurel Road Extension Project (Teton Road to Sellers Avenue)**

Project # 273

Schedule: Design is underway

Budget: \$300,000

Funding Source: Traffic Impact Fee Fund



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

#### **10. Laurel Road Widening Project (O'Hara Avenue to Cloverbrook Avenue)**

Project # 280

Schedule: Design is underway

Budget: \$2,500,000

Funding Source: Traffic Impact Fee Fund

Laurel Road from O'Hara Avenue to Cloverbrook Avenue is the last section of Laurel Road that needs to be widened and improved. Laurel Road is a major Arterial Road and the City's designated truck route with a direct connection to Highway 4. This section of Laurel Road has not been widened or improved due to the lack of Right of Way and is starting to deteriorate due to the large volume of vehicles that use Laurel Road every day. Staff are working with the property owners at the intersection of Laurel Road and O'Hara Avenue to obtain the necessary right of way for the roadway widening. The design of this project will begin promptly and will require major utility relocation of the Western Area Power Administration (WAPA) utility poles as a part of this project. This entire project will span over 2 to 3 years to complete, due to the complex nature of its various components.

#### **11. Enrico Cinquini Park Construction Project**

Project # 281

Schedule: Design is underway

Budget: \$3,500,000



Funding Source: Park Impact Fee Fund

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

## **12. City Hall Rooftop Solar Power Project**

Project # 286

Schedule: Construction is completed

Budget: \$550,000

Funding Source: Public Facility Impact Fee Fund

This project installed solar panels on the roof of the Civic Center facility to provide the electricity needed for the operation of the Civic Center facilities in a sustainable and environmentally friendly approach. The implementation of this project will reduce the carbon footprint of the Civic Center operations, which is a part of the new Strategic Goals for the City.

## **13. Koda Dog Park Shade Structure**

Project # 287

Schedule: Contract has been awarded

Budget: \$150,000

Funding Source: Park Impact Fee Fund

The Koda Dog Park has become a very popular destination for residents and visitors to bring their dogs to exercise and play. One of the frequent requests from the community has been for shade structure at this park, especially in the areas where people can sit on benches while their dogs play. This project will construct new shade structures that would complement this park and its facilities for the enjoyment of all visitors to the Koda Dog park. The materials for the construction of the shade structure



are in production and upon delivery to the site, the installation will take place. It is anticipated that the construction work will be completed by fall 2023.

**14. Pedestrian Crossing Lighting System Installation at O'Hara Avenue and trail crossing Project**

Project # 294

Schedule: Design is underway

Budget: \$75,000

Funding Source: Street Maintenance & Rehab Fund and State Grant

The City has been able to secure State grant funding to install new lighted crosswalk systems on O'Hara Avenue at the trail crossing. This project will improve the safety for pedestrians and bicyclists who ride on the trail as they cross O'Hara Avenue. It is anticipated that the construction work will start in spring 2024.

**15. Public Works Operations Building Remodeling Project**

Project # 303

Schedule: Design is underway

Budget: \$200,000

Funding Source: Public facility Fund

The Public Works Operation Building used to be the suite of the former ACE Hardware Store and since the purchase of the property by the City has not had any major improvements related to the office spaces in the building. With the growth of Public Works Department and increased demands for services from the community, this project will remodel the inside of the building to make a better functional workspace for the staff and operations. It is anticipated that the construction work will start in spring 2024.

**16. East Cypress Road Widening at CCWD Canal Crossing Project**

Project # 310

Schedule: Design is underway

Budget: \$9,500,000

Funding Source: Traffic Impact Fee, General Capital Project Fund, Streets Maintenance and Rehab Fund



CCWD has undertaken the process of replacing the open canal in Oakley from the canal crossing near Main Street and has extended eastwards behind Cypress Grove, Emerson, Delaney, and Burroughs subdivisions up to east Cypress Road. CCWD is currently working on undergrounding the remainder of this canal from East Cypress Road in a southerly direction to its connection point at Rock Slough. The existing canal crosses East Cypress Road and will have to be replaced as part of the City's East Cypress Road widening project. The City is collaborating with CCWD in all phases of the canal undergrounding project and at the East Cypress Road, the city will take the lead on undergrounding the canal and construction of the new and widened roadway. It is anticipated that the construction work will start in early 2024.

### Consistency with the Oakley Strategic Plan 27+

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

### Fiscal Impact

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

### Staff Recommendation

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



**DATE:** October 10, 2023  
**TO:** Joshua McMurray, City Manager  
**FROM:** Danielle Navarro, Assistant City Manager  
**SUBJECT:** Interview Applicants and Adopt a Resolution Appointing Three Members of the Public to the City of Oakley Affordable Housing Ad-Hoc Advisory Committee

Approved and  
Forwarded to the  
City Council

## Background and Analysis

At its September 12, 2023 meeting, the Oakley City Council established an Affordable Housing Ad-Hoc Advisory Committee (“Committee”) consisting of Mayor Meadows, Councilmember Shaw, two Oaks apartment residents, and one member of The Oaks management team with decision-making authority. The Committee’s purpose is to review and discuss resident issues at The Oaks apartment complex and advise the City Council on those issues.

The Council directed staff to advertise the recruitment and return to the City Council at its October 10, 2023 meeting with an item for the consideration and appointment of applicants to the remaining three committee vacancies.

Staff posted the recruitment notice and application on the City’s website on Monday, September 18, 2023, under “News and Announcements,” and in the September 21<sup>st</sup> and 28<sup>th</sup> *Oakley Outreach* e-newsletter, as well as on the City’s social media accounts on September 18<sup>th</sup>, 20<sup>th</sup>, 23<sup>rd</sup>, and 28<sup>th</sup>. The notice was also sent to The Oaks and the Oakley Senior Center for posting on their community bulletin boards as well as to a member of the press who has written two news stories on the complex and to a community member who recently posted a video about a residents’ issues at the complex and considers himself an advocate for the residents. The three employees in the City’s Code Enforcement Division were also each given a recruitment notice with a scannable QR code and a few copies of the paper applications to distribute to any residents they visited at The Oaks during the recruitment period.

Staff received eight applications by the September 29, 2023 5:00 p.m. deadline, four from Oaks residents, one from a member of The Oaks management team, and three from applicants who are neither Oaks residents nor members of the complex’s management team. Staff also received one application from an Oak residents after the application deadline.



The five applications meeting both the Oaks resident or management team criteria *and* the application deadline are included in the agenda packet for this item. Staff invited the five applicants to attend the City Council meeting.

### Consistency with the Oakley Strategic Plan 27+

The creation of the Affordable Housing Ad-Hoc Committee is consistent with the Oakley Strategic Plan 27+ Community Health and Safety and Community and Collaborative Partnerships goals.

### Fiscal Impact

None

### Staff Recommendation

Staff recommends that the City Council review the applications, interview the applicants, adopt the proposed resolution appointing two Oaks residents and one member of The Oaks management team to the Affordable Housing Ad-Hoc Advisory Committee, and provide direction to staff on setting the first meeting date and time.

### Attachments

1. Proposed Resolution
2. Affordable Housing Ad-Hoc Advisory Committee Applications



**RESOLUTION NO. XX-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPOINTING  
THREE MEMBERS OF THE PUBLIC TO THE CITY OF OAKLEY AFFORDABLE  
HOUSING AD-HOC ADVISORY COMMITTEE**

**WHEREAS**, at its September 12, 2023 meeting, the Oakley City Council established an Affordable Housing Ad-Hoc Advisory Committee ("Committee") consisting of Mayor Meadows, Councilmember Shaw, two Oaks apartment residents, and one member of The Oaks management team with decision-making authority; and

**WHEREAS**, the Committee's purpose is to review and discuss resident issues at The Oaks apartment complex and advise the City Council on those issues.; and

**WHEREAS**, the Council directed staff to advertise the recruitment and return to the City Council at its October 10, 2023 meeting with an item for the consideration and appointment of three members of the public to the resident and manager vacancies; and

**WHEREAS**, staff advertised the recruitment and received five applications that met the established criteria by the application deadline, which were provided to the City Council and made available to the public; and

**WHEREAS**, the City Council conducted a public interview process at the October 10, 2023 City Council meeting and selected three members of the public for appointment to the Committee.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, that the City Council of the City of Oakley does hereby appoint \_\_\_\_\_ and \_\_\_\_\_ as the two Oaks Apartments resident members and \_\_\_\_\_ as the Oaks Apartments management team member of the Affordable Housing Ad-Hoc Advisory Committee.

**PASSED AND ADOPTED** by the City Council of the City of Oakley this 10<sup>th</sup> day of October, 2023 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

ATTEST:

\_\_\_\_\_  
Aaron Meadows, Mayor

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

## APPLICATIONS FOR THE AFFORDABLE HOUSING AD-HOC ADVISORY COMMITTEE

### **Residents:**

1. Barbara Bautista
2. Micheline Nicol
3. Doug Gamble
4. Jackie Rider

### **Management Team:**

1. Oke Johnson



APPLICATION FOR APPOINTMENT  
BY THE OAKLEY CITY COUNCIL  
TO THE  
AFFORDABLE HOUSING AD-HOC ADVISORY COMMITTEE\*  
(Please Type or Print Clearly)

Name: Barbara Bautista

Unit Address: Carol Lane #  
(If resident applicant) Oakley, CA 94561

Mailing Address: \_\_\_\_\_  
(Oaks Mgt. Team)

Home Phone: 925

Cell Phone:

Work Phone:

E-Mail:

**Statement of interest in the position:**

*(Please use no more than 200 words.)*

I have lived at The Oaks since July 2014. Between 2014 and present day, the complex has deteriorated to our present state, which is why I began getting involved and meeting with management on a regular basis since 2016.

I am very interested being part of the Ad Hoc Committee to hopefully continue working with management, the city and tenants on solutions to the ongoing problems we are experiencing.

I believe I have the skills, knowledge and problem-solving background to add value to the committee.



**Please describe educational, work and other experience which would make you a valuable addition to the Committee, if any. (Please use no more than 200 words.)**

My background has been somewhat diverse. Over the years, I have had the opportunity to work with small and large groups to analyze situations in order to create a plan to reach the desired goals.

Being able to see the big picture and break problems down to smaller pieces for the main goal is a strength that I believe would be beneficial and supportive of the Ad Hoc Committee.

While living in Sunnyvale, I was selected to serve as a Commissioner of Human Resources for the City of Sunnyvale. The experience I gained was listening to people from both sides to find a middle ground for all parties involved.

I was also called in by various companies to trouble-shoot problems and efficiencies within the workplace. By observing, interviewing workers and manager I was able to pinpoint the major issues, and along with staff and management find solutions to the issues they were having.

A group of tenants, meeting with management on a regular basis, developed a spreadsheet of issues for the community. We have been working on this list since 2019.



**Additional relevant comments:**

During COVID, I spent 3+ months delivering food boxes to 250+ seniors weekly. This project allowed me to meet tenants, not only to deliver much needed food, but to observe the conditions in the buildings and sometimes their apartments. I listened to their concerns and was able to help them report the issues to management.

I appreciate the opportunity to serve on the Ad Hoc Committee. Thank you for your consideration.

**Date:** 9-20-2023

Please return this application no later than 5 p.m. on Friday, September 29, 2023 to:

City of Oakley  
Danielle Navarro, Assistant City Manager  
3231 Main Street  
Oakley, CA 94561  
Phone: (925) 625-7162  
[navarro@ci.oakley.ca.us](mailto:navarro@ci.oakley.ca.us)

\*All information contained in this application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will therefore be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be needed to determine your suitability for appointment to the committee. By submitting this application, applicant understands that applicants will be considered by the Oakley City Council at its regular meeting on October 10, 2023.



APPLICATION FOR APPOINTMENT  
BY THE OAKLEY CITY COUNCIL TO  
THE AFFORDABLE HOUSING AD-HOC  
ADVISORY COMMITTEE

**Name:** Micheline Nicol

**Unit Address:** ████ Carol Lane # █████  
(If resident applicant) Oakley, CA 94561

**Mailing Address:** \_\_\_\_\_  
(Oaks Mgt. Team) \_\_\_\_\_

**Home Phone:** (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**Cell Phone:** 925 (\_\_\_\_\_) ████ - ████

**Work Phone:** (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**E-Mail:** ████████████████████████████████████████

**Statement of interest in the position:**

*(Please use no more than 200 words.)*

I have been a resident at the Oaks since March, 2018. Winn Companies has been the property manager since October, 2018. Over the last 4 years, I have seen a total disregard for the health and safety of the residents at the Oaks. What needs to happen to get the management company to do the basics that is needed to keep the property in good shape, the buildings free from cockroaches and vermin and apartments free from mold, holes in the wall and ceilings and general disrepair? I'd like to be part of the committee so I can help solve these issues and much more.

**Please describe educational, work and other experience which would make you a valuable addition to the Committee, if any. (Please use no more than 200 words.)**

I have experience working in corporate America for 54 years. My last position was Director of Care Management for an in home care company. I had 3 managers, 100 caregivers and 100+ clients that were under my care and supervision. I was responsible for in home assessments, caregiver hiring and training and scheduling. I held that position for 5 1/2 years.

**Additional relevant comments:**

**Date:** 9/25/23

Please return this application no later than 5 p.m. on Friday, September 29, 2023 to:

City of Oakley  
Danielle Navarro, Assistant City Manager  
3231 Main Street  
Oakley, CA 94561  
Phone: (925) 625-7162

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RECEIVED

2023 SEP 29 12:10

OAKLEY POLICE DEPARTMENT

APPLICATION FOR APPOINTMENT  
BY THE OAKLEY CITY COUNCIL  
TO THE  
AFFORDABLE HOUSING AD-HOC ADVISORY COMMITTEE\*  
(Please Type or Print Clearly)

Name:

DOUG GAMBLE

Unit Address:

(If resident  
applicant)[REDACTED] CAROL LANE # [REDACTED]  
Oakley, CA 94561

Mailing Address:

(Oaks Mgt. Team)

Home Phone:

( ) -

Cell Phone:

( ) -

Work Phone:

( ) -

E-Mail:

Statement of interest in the position:

(Please attach additional pages as needed. Please use no more than 200 words.)

See Attached Document



In the 15 months I have lived at The Oaks I have come to know both the tenants and management team quite well. My neighbors and I formed a leadership group for the building we all live in and began to look for ways to improve our living conditions. We arranged to have a monthly meeting with the senior property manager where we exchanged concerns over problems we identified and then worked on ideas for solutions to those issues. In doing so we both learned that neither side fully understood the full problems, it took both groups working together contributing their perspective on the issues to completely understand them. Once this happened solving the problems come easily, it was properly identifying and understanding the issues that was challenging.

It is my hope that this new Affordable Housing Ad-Hoc Advisory Committee will ultimately take on a similar role. There are countless issues and problems that continue to plague the tenants at The Oaks and while the Management has taken steps to address many of the outstanding issues many more remain unaddressed. While some issues are relatively new others have been outstanding for many months and have not been addressed by management despite abundant opportunities to do so. Hopefully this committee can start to change this.

Given a chance to participate in this committee I feel I could contribute a great deal and make a real difference for the community.

**Additional relevant comments:**

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**Date:** 9/28/23

Please return this application no later than 5 p.m. on Friday, September 29, 2023 to:

City of Oakley  
Danielle Navarro, Assistant City Manager  
3231 Main Street  
Oakley, CA 94561  
Phone: (925) 625-7162  
[navarro@ci.oakley.ca.us](mailto:navarro@ci.oakley.ca.us)

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APPLICATION FOR APPOINTMENT  
BY THE OAKLEY CITY COUNCIL

OCT 02 2023

TO THE  
AFFORDABLE HOUSING AD-HOC ADVISORY COMMITTEE  
(Please Type or Print Clearly)

Name:

Jackie Rider

Unit Address:

(If resident  
applicant)67 Carol Lane # [REDACTED] / Previous # [REDACTED]  
Oakley, CA 94561

59 Carol

Mailing Address:  
(Oaks Mgt. Team)

Same as above

Home Phone:

(925) [REDACTED]

Cell Phone:

(↓ 925) [REDACTED]

Work Phone:

[REDACTED]

E-Mail:

[REDACTED]

## Statement of interest in the position:

(Please attach additional pages as needed. Please use no more than 200 words.)

I have been in the forefront since we have had problems at the Oaks, Working with Mike Supray and ECHO Housing picketing against rent increases and



unfair practices. I've seen and see some much neglect and disregard for repairs and needs of individuals especially seniors.

The only rules enforced are the ~~easiest~~ easiest ones to enforce and make people more upset. We are not the police force and we aren't going to chase out homeless people.

Rents are so outrageous for this place. Where have our past rent increases gone. Certainly not here!

Garbage in hallways, floors and carpets are filthy dirty.

The "amenities" promised don't exist.



Please describe educational, work and other experience which would make you a valuable addition to the Committee, if any. (Please use no more than 200 words.)

I don't have a degree, however my experience in coordinating meetings and training for a non-profit Construction Trade Organization (ABC) as Executive Assistant for the Northern California Region, researching laws, legislative info and compliance issues.

I know what is legal and what is not legal. If I am unsure I will research until I find the answer.



**Additional relevant comments:**

I feel I have been working on  
issues affecting Health + Safety  
items since day one!

Thank you for your consideration  
Jackie Rider

Date: 9/29/23

Please return this application no later than 5 p.m. on Friday, September 29, 2023 to:

City of Oakley  
Danielle Navarro, Assistant City Manager  
3231 Main Street  
Oakley, CA 94561  
Phone: (925) 625-7162  
[navarro@ci.oakley.ca.us](mailto:navarro@ci.oakley.ca.us)

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**APPLICATION FOR APPOINTMENT  
BY THE OAKLEY CITY COUNCIL  
TO THE  
AFFORDABLE HOUSING AD-HOC ADVISORY COMMITTEE\***  
(Please Type or Print Clearly)

**Name:** Oke Johnson

**Unit Address:** N/A  
(If resident applicant) Oakley, CA 94561

**Mailing Address:** Executive Vice President, WinnResidential  
2499 W Shaw Ave, Suite 103  
Fresno, CA 93730  
(Oaks Mgt. Team)

**Home Phone:** ( ) -

**Cell Phone:** ( ) -

**Work Phone:**

**E-Mail:**

**Statement of interest in the position:**

*(Please attach additional pages as needed. Please use no more than 200 words.)*

I oversee the property management and maintenance team for The Oaks on behalf of the owner, who hired our company to operate the community on a day-to-day basis. Community support and partnership play an important role in the success of affordable housing properties and the quality of life for residents. I am interested in serving on this committee because I believe my experience and insights will help advance our shared goal of providing safe, well-maintained affordable housing to individuals and families who need it.



**Please describe educational, work and other experience which would make you a valuable addition to the Committee, if any. (Please use no more than 200 words.)**

I am the executive vice president for WinnResidential responsible for overseeing approximately 200 market rate and affordable housing apartment communities in California, serving more than 16,000 households. The properties I oversee are owned by 20 different non-profit and private entities.

I have more than a quarter century of experience in multifamily property management with a specialty in affordable housing programs, including Low Income Housing Tax Credits, Rural Development, Project Based Section 8 and Tax-Exempt Bonds.

Prior to joining WinnResidential in 2020, I worked for Envolve Client Services Group and Kettler Management.

I hold a Housing Credit Certified Professional (HCCP) designation through the National Association of Home Builders, and Certified Property Manager (CPM) designation through Institute of Real Estate Management (IREM). I also served as a past chair for the HCCP Board of Governors twice.

I earned my bachelor's degree in Sociology and Economics from the University of Virginia.

**Additional relevant comments:** None

**Date:** 9/27/23

Please return this application no later than 5 p.m. on Friday, September 29, 2023 to:

City of Oakley  
Danielle Navarro, Assistant City Manager  
3231 Main Street  
Oakley, CA 94561  
Phone: (925) 625-7162  
[navarro@ci.oakley.ca.us](mailto:navarro@ci.oakley.ca.us)



\*All information contained in this application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will therefore be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be needed to determine your suitability for appointment to the committee. By submitting this application, applicant understands that applicants will be considered by the Oakley City Council at its regular meeting on October 10, 2023.



**DATE:** October 10, 2023  
**TO:** City Council  
**FROM:** Joshua McMurray, City Manager  
**SUBJECT:** Work Session to Discuss AB 1657 (Wicks), SB 555 (Wahab), the Association of Bay Area Governments (ABAG) and the Bay Area Housing Financing Authority (BAHFA)

Approved and  
Forwarded to the  
City Council

## Background and Analysis

At the July 11<sup>th</sup> City Council meeting, at the request of Dr. Fuller, a work session was held to discuss AB 1657 (Wicks), The Affordable Housing Bond Act of 2024, and the City Council directed Staff to prepare a letter in response to the Assembly Bill that didn't take a Support or Oppose position, but rather stressed the City Council's position that protecting local control was at the forefront of any decision in the future when it comes to an official position. That letter is attached to this report.

Staff was later given direction to bring back a future work session with more detailed analysis of AB 1657 (Wicks) and to also include SB 555 (Wahab), Stable Affordable Housing Act of 2023, the Association of Bay Area Governments (ABAG) and the Bay Area Housing Financing Authority (BAHFA).

This Staff Report provides that analysis. It is recommended that the City Council discuss the items contained within this report and provide direction to Staff.

### AB 1657 (Wicks)

There is a bill analysis for AB 1657 (Wicks) prepared by Townsend Public Affairs, Inc. attached to this report.

### SB 555 (Wahab)

There is a bill analysis for SB 555 (Wahab) prepared by Townsend Public Affairs, Inc. attached to this report.

### Association of Bay Area Governments (ABAG)

The following information is taken directly from the ABAG website (<https://abag.ca.gov/about-abag/what-we-do/history>):



“The Association of Bay Area Governments, or ABAG, is the comprehensive regional planning agency and council of governments for the nine counties and 101 cities and towns of the San Francisco Bay region.

ABAG was formed by local government leaders who recognized the need to address common issues from a regional perspective, and formed the first council of governments in California. From this perspective, ABAG continues to work in regional land use, environmental stewardship, energy efficiency and water resource protection.”

ABAG is a joint powers authority, and membership is comprised of the 101 cities and towns and the nine counties of the San Francisco Bay Area. Elected officials from each serve as governance for the organization. ABAG aims to provide members research and analysis, education and outreach, and regional coalition coordination.”

Staff has not provided additional information as it would first like to hear the discussion by the City Council and any direction that is given.

### **Bay Area Housing Finance Authority (BAHFA)**

The Bay Area Housing Finance Authority (BAHFA) was created by the state Legislature in 2019. They are mandated to create regional solutions that meet the Bay Area's affordable housing needs. BAHFA is the first regional housing finance authority in California and works together with the Metropolitan Transportation Commission (MTC) and ABAG.

One of items BAHFA is working on is a potential housing bond measure for the November 2024 ballot, which would, in their words, “invest in building and preserving a significant amount of affordable housing across the nine Bay Area counties.”

Staff has attached FAQs from BAHFA that speaks to their existence, how they are funded and the 2024 ballot measure. One important thing to note is that under State law, 80% of the funds raised through the bond will return to their county of origin (based on the jurisdiction's share of assessed property value), and in some cases specific cities, and 20% will be administered by BAHFA to fund critical affordable housing and services across all nine Bay Area counties. More than half of the 80% would need to be spent on new affordable housing projects.

There is much detail and information available about the 2024 ballot measure. Staff would like to understand better what position the City Council would like to take on this measure



and if there is more information needed to make that determination, Staff would also like to know that as well.

### Consistency with the Oakley Strategic Plan 27+

This item is consistent with all of the goals contained within the Strategic Plan 27+.

### Fiscal Impact

There is no fiscal impact associated with this Work Session.

### Staff Recommendation

Staff recommends that the City Council discuss AB 1657 (Wicks), SB 555 (Wahab), the Association of Bay Area Governments (ABAG) and the Bay Area Housing Financing Authority (BAHFA). The City Council may provide direction to Staff as a result of the discussion.

### Attachments

1. July 11, 2023 Work Session Staff Report including the AB 1657 Text
2. AB 1657 (Wicks) Letter 7-25-23
3. AB 1657 (Wicks) Bill Analysis prepared by Townsend Public Affairs, Inc.
4. SB 555 (Wahab) Bill Analysis prepared by Townsend Public Affairs, Inc.
5. SB 555 (Wahab)
6. BAHFA Frequently Asked Questions



**DATE:** July 11, 2023  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Derek P. Cole, City Attorney  
**SUBJECT:** Work Session to Discuss AB 1657 and Recent General Assembly of the Association of Bay Area Governments

Approved and  
Forwarded to the  
City Council

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## Background and Analysis

At the request of Dr. Fuller, Staff seeks input from the City Council concerning a bond measure pending in the Legislature, AB 1657, and certain initiatives that may be considered by the Association of Bay Area Governments (“ABAG”).

AB 1657 would enact the Affordable Bond Housing Act of 2024, which would authorize the issuance of \$10 billion in general obligation bonds to finance affordable housing and homeownership programs. The programs to be funded include those directed toward multifamily housing, housing rehabilitation, rental subsidies, energy efficiency and low-income weatherization, and affordability, among others. The bond measure would be submitted to California voters during the March 2024 Primary Election.

At ABAG’s General Assembly last month, issues concerning California affordable housing mandates were discussed. This raises concerns about the increasing role the state may take in pushing for the creation of more affordable housing. Concerns may exist as to how other Bay Area cities may respond to the calculation of Regional Housing Needs Assessment (“RHNA”) obligations, and resulting inequities.

The agenda from the last ABAG General Assembly meeting, along with links to each agenda item, is linked here: [Agenda](#)

A transcript of the General Assembly meeting is linked here: [Meeting Transcript](#)

Staff will request that the City Council provide direction for further action or follow up at the conclusion of this workshop.

## Attachments

1. AB 1657




[Home](#)
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### AB-1657 The Affordable Housing Bond Act of 2024. (2023-2024)

SHARE THIS:



Date Published: 04/17/2023 09:00 PM

AMENDED IN ASSEMBLY APRIL 17, 2023

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

## ASSEMBLY BILL

## NO. 1657

**Introduced by Assembly Member Wicks**  
**(Principal coauthors: Senators Becker and Wiener)**  
**(Coauthors: Assembly Members Friedman, Kalra, Robert Rivas, Schiavo, and Ward)**  
**(Coauthors: Senators Cortese, Dodd, and Smallwood-Cuevas)**

**February 17, 2023**

An act to add Part 16.1 (commencing with Section 54050) to Division 31 of the Health and Safety Code, relating to housing, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1657, as amended, Wicks. The Affordable Housing Bond Act of 2024.

Under existing law, there are programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, home ownership for very low and low-income households, and downpayment assistance for first-time home buyers. Existing law also authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law and requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks.

This bill would enact the Affordable Housing Bond Act of 2024, which, if adopted, would authorize the issuance of bonds in the amount of ~~—\$—~~ **\$10,000,000,000** pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to finance programs to fund affordable rental housing and homeownership programs, ~~as provided~~ **including, among others, the Multifamily Housing Program, the CalHome Program, and the Joe Serna, Jr. Farmworker Housing Grant Program.**

This bill would provide for submission of the bond act to the voters at the ~~November~~ **March** 5, 2024, statewide general election in accordance with specified law.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Part 16.1 (commencing with Section 54050) is added to Division 31 of the Health and Safety Code, to read:

### **PART 16.1. Affordable Housing Bond Act of 2024**

#### **CHAPTER 1. General Provisions**

**54050.** This part shall be known as the Affordable Housing Bond Act of 2024.

**54051.** This part shall only become operative upon adoption by the voters at the ~~November~~ *March* 5, 2024, statewide general election.

**54052.** For purposes of this part, "fund" means the Affordable Housing Bond Act Trust Fund of 2024 created pursuant to Section 54054.

#### **CHAPTER 2. Affordable Housing Bond Act Trust Fund of 2024 and Program**

**54054.** (a) The Affordable Housing Bond Act Trust Fund of 2024 is hereby created within the State Treasury. It is the intent of the Legislature that the proceeds of bonds, exclusive of refunding bonds issued pursuant to Section 54076, be deposited in the fund and used to fund affordable rental housing and homeownership programs.

~~(b) It is the intent of the Legislature to further determine the allocation of these funds to specific programs.~~

*(b) The proceeds of bonds issued and sold pursuant to this part for the purposes specified in this chapter shall be allocated in the following manner:*

*(1) Five billion two hundred fifty million dollars (\$5,250,000,000) to be deposited in the Housing Rehabilitation Loan Fund established pursuant to Section 50661 to be used for the Multifamily Housing Program authorized by Chapter 6.7 (commencing with Section 50675) of Part 2. At least 10 percent of assisted units in each development receiving these funds shall be affordable to extremely low income households.*

*(2) One billion seven hundred fifty million dollars (\$1,750,000,000) to be deposited in the Housing Rehabilitation Loan Fund established pursuant to Section 50661 to be used for supportive housing, as defined in Section 50675.14, pursuant to the Multifamily Housing Program authorized by Chapter 6.7 (commencing with Section 50675) of Part 2. The department shall offer capitalized operating subsidy reserves for supportive housing units in developments receiving these funds.*

*(3) One billion five hundred million dollars (\$1,500,000,000), to be appropriated by the Legislature, to preserve or rehabilitate existing subsidized or unsubsidized rental housing through the following programs:*

*(A) The program commonly known as the Portfolio Reinvestment Program established pursuant to Chapter 5.5 (commencing with Section 50606) of Part 2.*

*(B) The Energy Efficiency Low-Income Weatherization Program established pursuant to Section 12087.5 of the Government Code.*

*(C) A program, to be administered by the Department of Housing and Community Development, to fund the acquisition and rehabilitation of unrestricted housing units and attach long-term affordability restrictions on the housing units, while safeguarding against the displacement of current residents. It is the intent of the Legislature that the specific criteria establishing eligibility for and use of the funds shall be established in statute.*

*(4) One billion dollars (\$1,000,000,000), to be appropriated by the Legislature, to provide homeownership opportunities through the following programs:*

*(A) The CalHome Program established pursuant to Chapter 6 (commencing with Section 50650) of Part 2.*

*(B) The home purchase assistance program established pursuant to Chapter 6.8 (commencing with Section 51341) of Part 3.*

*(5) Five hundred million dollars (\$500,000,000), to be appropriated by the Legislature, for the following programs:*

*(A) The Joe Serna, Jr. Farmworker Housing Grant Program pursuant to Chapter 3.2 (commencing with Section 50515.2) of Part 2.*

*(B) A dedicated, flexible, and comprehensive state program designed for, and in consultation with, tribes, which shall be administered by the Department of Housing and Community Development, to finance housing and housing-related activities that will enable tribes to rebuild and reconstitute their communities. It is the intent of the Legislature that the specific criteria establishing eligibility for and use of the funds shall be established in statute.*

**54056.** (a) The Legislature may, from time to time, amend any law related to programs to which funds are, or have been, allocated pursuant to this chapter for the purposes of improving the efficiency and effectiveness of those programs or to further the goals of those programs.

(b) The Legislature may amend this chapter to reallocate the proceeds of bonds issued and sold pursuant to this part among the programs to which funds are to be allocated pursuant to this chapter as necessary to effectively promote the development of affordable housing in this state.

*(c) The Department of Housing and Community Development may disburse any funds made available to housing development projects pursuant to this chapter during the construction period.*

#### **CHAPTER 3. Fiscal Provisions**

**54060.** Bonds in the total amount of ~~ten billion~~ *ten billion* dollars ~~(\$10,000,000,000)~~, exclusive of refunding bonds issued pursuant to Section 54076, or so much thereof as is necessary as determined by the committee, are hereby authorized to be issued and sold for carrying out the purposes expressed in this part and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. All bonds herein authorized that have been duly issued, sold, and delivered as provided herein shall constitute valid and binding general obligations of the state, and the full faith and credit of the state is hereby pledged for the punctual payment of both principal of and interest on those bonds when due.

**54062.** The bonds authorized by this part shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), except subdivisions (a) and (b) of Section 16727 of the Government Code, and all of the provisions of that law as amended from time to time apply to the bonds and to this part, except as provided in Section 54078, and are hereby incorporated in this part as though set forth in full in this part.

**54064.** (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this part, the committee is continued in existence. For the purposes of this part, the Housing Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law.

(b) For the purposes of the State General Obligation Bond Law, the Department of Housing and Community Development is designated the "board" for programs administered by the department, and the California Housing Finance Agency is the "board" for programs administered by the agency.

**54066.** Upon request of the board stating that funds are needed for purposes of this part, the committee shall determine whether or not it is necessary or desirable to issue bonds, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and are not required to be sold at any one time. Bonds may bear interest subject to federal income tax.

**54068.** There shall be collected annually, in the same manner and at the same time as other state revenue is collected, a sum of money in addition to the ordinary revenues of the state, sufficient to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collections of state revenues to do or perform each and every act that is necessary to collect that additional sum.

**54070.** Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund in the State Treasury, for the purposes of this part, an amount that will equal the total of both of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this part, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out Section 54074, appropriated without regard to fiscal years.

**54072.** The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for purposes of this part. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold, excluding any refunding bonds authorized pursuant to Section 54076, for purposes of this part, less any amount loaned pursuant to this section and not yet repaid and any amount withdrawn from the General Fund pursuant to Section 54074 and not yet returned to the General Fund. The board shall execute any documents as required by the Pooled Money Investment Board to obtain and repay the loan. Any amount loaned shall be deposited in the fund to be allocated in accordance with this part.

**54074.** For purposes of carrying out this part, the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold, excluding any refunding bonds authorized pursuant to Section 54076, for purposes of this part, less any amount loaned pursuant to Section 54072 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this part. Any moneys made available under this section shall be returned to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from moneys received from the sale of bonds that would otherwise be deposited in that fund.

**54076.** The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code. Approval by the electors of this act shall constitute approval of any refunding bonds issued to refund bonds issued pursuant to this part, including any prior issued refunding bonds. A bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

**54078.** Notwithstanding any provisions in the State General Obligation Bond Law, the maturity date of bonds authorized by this part shall not be later than 35 years from the date of each bond. The maturity of each series shall be calculated from the date of issuance of each bond.

**54080.** The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this part are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

**54082.** Notwithstanding any provision of the State General Obligation Bond Law with regard to the proceeds from the sale of bonds authorized by this part that are subject to investment under Article 4 (commencing with Section 16470) of Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, the Treasurer may maintain a separate account for investment earnings, may order the payment of those earnings to comply with any rebate requirement applicable under federal law, and may otherwise direct the use and investment of those proceeds so as to maintain the tax-exempt status of tax-exempt bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

**54084.** (a) Subject to subdivision (b), all moneys derived from premiums and accrued interest on bonds sold pursuant to this part shall be transferred to the General Fund as a credit to expenditures for bond interest.

(b) Amounts derived from premiums may be reserved and used to pay the costs of bond issuance before transfer to the General Fund.

**SEC. 2.** Section 1 of this act shall become operative upon the adoption by the voters of the Affordable Housing Bond Act of 2024.

**SEC. 3.** Section 1 of this act shall be submitted to the voters at the ~~November~~ **March** 5, 2024, statewide election in accordance with provisions of the Government Code and the Elections Code governing the submission of a statewide measure to the voters.

**SEC. 4.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts

constituting the necessity are:

In order to maximize the time available for the analysis and preparation of the proposed issuance of bonds pursuant to this act, it is necessary that this act take effect immediately.

Aaron Meadows  
Mayor

July 25, 2023

Anissa Williams  
Vice Mayor

The Honorable Buffy Wicks  
Chair, Assembly Committee on Housing and Community Development  
1021 O Street, Room 4240  
Sacramento, CA 95814

Dr. George Fuller  
Councilmember

**RE: AB 1657 (Wicks) The Affordable Housing Bond Act of 2024**

Shannon Shaw  
Councilmember

Dear Assembly Member Wicks,

Hugh Henderson  
Councilmember

I am writing to you today on behalf of the City of Oakley to express our concerns about Assembly Bill 1657, The Affordable Housing Bond Act of 2024. While we do not officially oppose the bill, we believe that it is important to protect local control in this area.

AB 1657 would authorize \$10 billion in general obligation bonds to provide funding for affordable rental housing for lower income families, homeownership opportunities, and supportive housing for people experiencing homelessness. We support the goal of increasing the availability of affordable housing in California, but we believe that it is important for cities and counties to have the flexibility to use these funds in a way that is consistent with their local needs.

For example, in Oakley, we have a strong commitment to providing affordable housing for our residents. We have a number of programs in place to help low-income families and individuals find safe and affordable housing. We believe that AB 1657 would give us the resources to expand these programs and make a real difference in the lives of our residents.

In particular, we are concerned about the inequities of housing and jobs in the far western areas of the Bay Area. In Oakley, we do not have a housing issue, instead we are working to bring jobs into the City so our residents do not have to travel west. However, in some far west Bay Area cities, there are many more jobs than housing. This makes it difficult for people who work in these cities to find affordable housing.

However, we are concerned that AB 1657 would also take away our ability to make decisions about how these funds are spent. We believe that this is a



mistake, and we urge you to amend the bill to give cities and counties more flexibility in using these funds. We believe that the best way to ensure that the funds from AB 1657 are used effectively is to give cities and counties the flexibility to tailor their programs to the specific needs of their communities. We urge you to consider our concerns and amend the bill to give us more control over how these funds are spent.

Thank you for your time and consideration.

Sincerely,



Aaron Meadows  
Mayor, City of Oakley

cc: Honorable Lori D. Wilson, Assemblymember: [assemblymember.wilson@assembly.ca.gov](mailto:assemblymember.wilson@assembly.ca.gov)  
Honorable Steven M. Glazer, Senator: [senator.glazer@senate.ca.gov](mailto:senator.glazer@senate.ca.gov)  
Sam Caygill, East Bay Division, League of California Cities: [scaygill@cacities.org](mailto:scaygill@cacities.org)  
League of California Cities: [cityletters@calcities.org](mailto:cityletters@calcities.org)



**MEMO**

**To:** City of Oakley

**From:** Townsend Public Affairs, Inc.

**Date:** September 24, 2023

**Subject:** Bill Analysis: AB 1657 (Wicks)

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**AB 1657 (Wicks) The Affordable Housing Bond Act of 2024.**

Bill Information

The official text of AB 1657 can be found [here](#).

Summary

AB 1657 would enact the Affordable Housing Bond Act of 2024, which authorizes the sale of \$10 billion in general obligation bonds, upon approval by voters at an undetermined statewide election. The measure contains an urgency clause, giving it immediate effect if enacted. If approved, the measure directs proceeds of bonds to the following programs:

- \$5.25 billion deposited in the Housing Rehabilitation Loan Fund to be used for the Multifamily Housing Program (MHP). At least 10% of assisted units in each development receiving funding must be available for extremely low-income households.
- \$1.75 billion to be deposited in the Housing Rehabilitation Loan Fund to be used for supportive housing administered through the MHP program. The measure requires HCD to offer capitalized operating subsidy reserves for supportive housing developments receiving funding.
- \$1.5 billion to be appropriated by the Legislature to preserve or rehabilitate existing subsidized or unsubsidized rental housing through the following programs: the Portfolio Reinvestment Program, the Energy Efficiency Low-Income Weatherization Program, and a program to be created by the Legislature and administered by HCD that funds acquisition and rehabilitation of unrestricted housing units and attaches long-term affordability restrictions to the units.
- \$1 billion to be appropriated by the Legislature to provide homeownership opportunities through the CalHOME Program, which provide grants to local public agencies and non-profit developers to assist individuals and households through deferred-payment loans; and the My Home down payment assistance program administered by CalHFA.

- \$500 million to be appropriated by the Legislature for the Joe Serna, Jr. Farmworker Housing (Serna) Program and a dedicated program to be created by the Legislature, administered by HCD, and designed for, and in consultation with, tribes to finance housing and housing-related activities that will enable tribes to rebuild and reconstitute their communities.

AB 1657 provides the Legislature can amend any law related to programs funded by the bond for purposes of improving their efficiency and effectiveness of those programs. The bill also allows HCD to disburse any funds made available to housing development projects by the bill during the construction period.

### Background

Prior to 1974, the federal government invested heavily in affordable housing construction. When those units began to deteriorate, the Housing Community and Development Act ended most new construction of public housing and the Housing Choice Voucher Program (Section 8) was created in its place. This new program allowed eligible tenants to pay only a portion of their rent (based on their income) and shifted funds from public housing authorities to the private sector. The goal was to eliminate concentrations of low-income people in housing developments. In 1981, the Reagan Administration dismantled federal affordable housing funding. From 1978 to 1983, the funding for low- to moderate-income housing decreased by 77%. In 1970, there were 300,000 more low-cost rental units (6.5 million) than low-income renter households (6.2 million). By 1985, however, the number of low-cost units had fallen to 5.6 million, and the number of low-income renter households had grown to 8.9 million, a disparity of 3.3 million units. Federal investments have not gone back up to pre-1978 levels.

At the state level, California has invested significantly in affordable housing construction and rehabilitation in recent years through the passage of one-time discretionary actions in the budget and the passage of voter-approved bonds.

Only in the last few years have the Legislature and Governor allocated General Fund dollars to affordable housing programs. Beginning in 2019, an unprecedented \$8 billion from the General Fund has gone to a variety of affordable housing programs. Additionally, the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1), authorized \$3 billion to fund state affordable housing programs and \$1 billion for the CalVet program, which provides mortgages to veterans. All of the funding from the bond will be fully allocated by the end of 2023. Proposition 2 of 2018 authorized the state to issue \$2 billion in General Obligations bonds against revenues from the Mental Health Services Act for purposes of funding the No Place Like Home Program (NPLH). Those funds supported the construction of over 7,000 supportive housing units and the funds are now exhausted.

These investments, while critical, have not made up for decades of disinvestment at the federal level. Lawmakers argue that significant ongoing investments are necessary to meet the current undersupply of housing affordable to lower-income families.

### Status

AB 1657 was introduced in February of 2023, among a host of other proposed statewide bond measures addressing funding issues related to climate resiliency, school facilities, and housing affordability. The bill progressed through the first house policy committee, Appropriations Committee, and Assembly Floor before being held in the Senate Appropriations Committee.

The Legislature is currently on interim recess until January 3, 2024. Once the Legislature reconvenes, Assembly Member Wicks may choose to reintroduce a similar housing bond proposal or resurrect the AB 1657 vehicle.

### Support

*According to the author, “We cannot take our foot off the gas when it comes to our state’s affordable housing investments. Now is the time to double down on our commitment to solving California’s housing shortage. Even in a tight fiscal climate, the staggering need demands that we treat the crisis with the urgency it deserves. The Affordable Housing Bond Act of 2024 needs to be a priority among any bonds issued in the next year.”*

Entities in Support of AB 1657 include:

|                                                         |                                                                               |
|---------------------------------------------------------|-------------------------------------------------------------------------------|
| California Apartment Association                        | Habitat for Humanity California                                               |
| Friends Committee on Legislation of California          | Habitat for Humanity of Greater San Francisco                                 |
| Western Center on Law and Poverty                       | Many Mansions                                                                 |
| Abode Services                                          | Community Housing Improvement Systems and Planning Association, Inc. (CHISPA) |
| Valley Restart Shelter                                  | Mutual Housing California                                                     |
| Greenlining Institute                                   | Los Angeles County Department of Mental Health                                |
| City of Long Beach                                      | Turning Point Community Programs                                              |
| Metropolitan Transportation Commission                  | Corporation for Supportive Housing                                            |
| Self-Help Enterprises                                   | North Valley Housing Trust                                                    |
| Mercy Housing California                                | San Francisco Housing Development Corporation                                 |
| Non-Profit Housing Association of Northern California   | City of Foster City                                                           |
| Housing California                                      | Housing Trust of Silicon Valley                                               |
| California Housing Consortium                           | Association of Bay Area Governments                                           |
| EAH Housing                                             | Kennedy Commission                                                            |
| California Housing Partnership Corporation              | Bay Area Community Resources                                                  |
| Riverside                                               | Devine & Gong, Inc.                                                           |
| Congregations Organized for Prophetic Engagement (COPE) | Housing Authority of the County of Alameda                                    |
| City of Norwalk                                         | Community Land Trust Association of West Marin                                |
| California Faculty Association                          | Empowering Pacific Islander Communities                                       |
| City of Pleasanton                                      | Kitchens for Good                                                             |
| Catholic Charities of Santa Clara County                | Evolve California                                                             |
| City of Alameda                                         | Housing Alliance                                                              |
| City of Goleta                                          | American Institute of Architects, Los Angeles Chapter                         |
| Tenderloin Neighborhood Development Corporation         | Enterprise Community Investments, Inc.                                        |
| Legal Aid of Sonoma County                              | Wakeland Housing and Development Corporation                                  |
| Community HousingWorks                                  | Santa Clara Methodist Retirement Foundation                                   |
| LINC Housing                                            | Alta Housing                                                                  |
| Hollywood Community Housing Corporation                 | Bay Area Local Initiatives Support Corporation                                |
| MidPen Housing Corporation                              | Lift To Rise                                                                  |
| Council of Community Housing Organizations              |                                                                               |
| California Climate and Agriculture Network              |                                                                               |
| Resources for Community Development                     |                                                                               |
| East Bay Housing Organizations (EBHO)                   |                                                                               |

Housing Action Coalition  
ACLU California Action  
East Palo Alto Community Alliance and  
Neighborhood Development Organization  
The San Francisco Housing Accelerator  
Fund  
Ascencia  
Imagine LA  
People's Budget Orange County  
Housing Is a Human Right OC  
The Kelsey  
National Alliance to End Homelessness  
Inland SoCal Housing Collective  
CRP Affordable Housing and Community  
Development  
Jonathan Rose Companies  
City of Redlands  
Monterey County Renters United  
FSY Architects, INC  
CDR  
Housing Land Trust of the North Bay  
City Housing, INC.

A. Robbins Group  
Behavioral Health and Recovery Services  
Brighter Future Initiative  
California Association of Local Housing  
Finance Agencies (CAL-ALHPFA)  
Change and New Beginnings  
Colesworthy Real Estate Services  
Curtis Development  
Excelerate Housing Group  
Gunkel Architecture INC.  
Housing Authority of The City of San Luis  
Obispo  
Housing Claremont  
Housing El Dorado  
King and I Outreach Ministry  
Lived Experience Advisers  
Myall Consulting  
Orange County Housing Trust  
Strive Real Estate LLC  
The Armony Companies  
Ventura Social Services Task Force  
Zen Development Consultants LLC

#### Opposition

The California Association of Realtors is the only entity registered in opposition. The organization maintains an oppose unless amended position, unless projects containing 1-4 units are exempted.

**MEMO**

**To:** City of Oakley

**From:** Townsend Public Affairs, Inc.

**Date:** September 24, 2023

**Subject:** Bill Analysis: SB 555 (Wahab)

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**SB 555 (Wahab) Stable Affordable Housing Act of 2023**

Bill Information

The official text of SB 555 can be found [here](#).

Summary

SB 555 creates the Stable Affordable Housing Act of 2023 for the purposes of studying the development of social housing through a mix of acquisition and new production.

Specifically, this measure requires the Department of Housing and Community Development (HCD), no later than December 31, 2026, to develop, adopt, and submit to the Legislature a Social Housing Study for achieving the social housing unit goals set forth in the Act, to include all of the following:

- Available funding, public lands, and other resources and opportunities;
- Capacity and capacity building needs of public agencies and mission-driven nonprofits;
- Constraints and obstacles;
- Range of existing social housing models;
- Tenant protections to provide long-term stability;
- Federal funding, resources, and policy initiatives required to meet the housing needs projected by the sixth Regional Housing Needs Assessment cycle; and
- Job creation and local economic benefits of using a locally based, union-represented workforce for construction and maintenance of social housing.

Background

There is no widely shared consensus on how to define social housing. However, all definitions of social housing distinguish it in various ways from privately owned, for-profit housing provided through market mechanisms. The Assembly Select Committee on Social Housing held an informational hearing on October 20, 2021 and Rob Weiner from the California Coalition for Rural Housing shared the Organization for Economic Cooperation and Development (OECD) definition

of social housing as “the stock of residential rental accommodations provided at sub-market prices and allocated according to specific rules rather than according to market mechanisms.”

Under this definition, there are an estimated 480,000 subsidized housing units available for rent in California, or about 3.5 percent of the state’s housing stock. These deed-restricted affordable rental units are generally built using a mix of public and private financing and residency is restricted to low-income households that make no more than 80 percent of county area median income (AMI). Other versions of social housing specify permanent affordability requirements and ownership by the government or a non-profit entity. Most of California’s deed-restricted affordable housing is not publicly owned and the length of affordability requirements varies, though permanent affordability is not required in most cases.

Another variation of social housing involves making accommodations available to all individuals regardless of their household income. In particular, Vienna, Austria is often held up as an example of a large city with widespread mixed-income social housing—an estimated 40 percent of the city’s housing stock is social housing. In the Viennese model higher income households pay market rate rents which then subsidize the below-market rents for lower-income households. This mechanism is referred to as “cross-subsidization” and it is the same logic that underlies California’s density bonus law, a policy that allows residential developers to receive added density and other concessions and incentives from a local government in exchange for building a certain percentage of affordable units.

SB 555 is similar to AB 309 (Lee), which was introduced and passed during the 2023 Legislative Session. AB 309 creates the Social Housing Program within the Department of General Services (DGS) to identify and develop up to three social housing projects on state-owned surplus land deemed suitable for housing.

### Status

SB 555 was passed by the Legislature during the 2023 Legislative Session on September 14. As of September 24, the Governor has not yet acted on the measure. The Governor will have until October 14 to sign or veto bills passed out of the legislature and to his desk for final action.

The Legislature is currently on its interim recess until January 3, 2024.

### Support

*According to the author, “Stable affordable housing takes the profit motive out of a basic human need. It provides publicly-, community- or resident-owned housing that is permanently affordable to residents who cannot afford market rents. Stable affordable housing is sustainable in the long-term, prevents homelessness, allows families to grow their savings, and stabilizes communities. Today, more than one-quarter of California renters are severely rent burdened, spending over one-half of their income on rent. Rent burden hits lower-income residents hardest of all, and the unaffordability of rents is a major driver of homelessness. And middle-income residents are now the fastest-growing group of cost-burdened renters. SB 555 creates a ten-year plan to grow its nascent stable affordable housing sector to the scale needed. This bill would set 5- and 10-year goals for the creation of housing for the lowest income residents. SB 555 charges the Department of Housing and Community Development with developing a plan to achieve the state’s stable affordable housing goals, both through acquisition and preservation of existing housing and production of new stable affordable housing. California can ensure that residents have secure housing they can afford, by creating a thoughtful plan to achieve permanently- affordable housing at scale.”*

Entities in support of SB 555 include:

AIDS Healthcare Foundation  
California Federation of Teachers  
California Labor Federation  
Public Advocates, Inc.  
Public Counsel  
Western Center on Law and Poverty  
InnerCity Struggle  
National Association of Social Workers,  
California Chapter (NASW-CA)  
Housing California  
Tenants Together  
Children's Partnership  
Latino Health Access  
SEIU California  
Community Coalition  
PolicyLink  
Filipino Advocates for Justice  
National Housing Law Project  
East Bay Alliance for a Sustainable  
Economy  
Canal Alliance  
Asian Pacific Environmental Network  
Legal Aid of Sonoma County  
NRDC  
Los Angeles Neighborhood Land Trust  
Human Impact Partners  
Thai Community Development Center  
Strategic Actions for a Just Economy  
State Building and Construction Trades  
Council of California  
Congregations Organized for Prophetic  
Engagement (COPE)  
East Bay Housing Organizations (EBHO)  
Oakland Tenants Union  
Community Housing Improvement Systems  
and Planning Association, Inc. (CHISPA)  
United Auto Workers, Local 2865

Sacramento Regional Coalition to End  
Homelessness  
Berkeley Tenants Union  
Mi Familia Vota  
Affordable Housing Network of Santa Clara  
County  
TRUST South LA  
Beverly-Vermont Community Land Trust  
Faith in the Valley  
Long Beach Residents Empowered  
SF Council of Community Housing  
Organizations  
Starting Over  
Evolve California  
Resilience Orange County  
LA Forward  
CAUSE  
California Coalition of Land Trusts  
Central Valley Empowerment Alliance  
Sonoma Valley Housing Group  
CEJA Action  
Housing Now  
Community Power Collective  
Pasadena Tenant Union  
Bend the Arc: Jewish Action, Southern  
California  
Inland Equity Community Land Trusts  
San Luis Obispo County Democratic Party  
California Green New Deal Coalition  
Healing and Justice Center  
PowerCA Action  
Housing Land Trust of the North Bay  
Housing Rights Initiative  
Glad Tidings Community Development  
Alliance for Community Transit-Los Angeles  
American Federation of State, County and  
Municipal Employees AFL-CIO California

### Opposition

The California Association of Realtors is the only entity registered in opposition. The organization maintains an oppose position, *“unless it is amended to facilitate the construction of new housing unit development and to prohibit the Social Housing Act of 2023 from focusing on strategies to purchase existing housing units, which only serves to push homeownership further out of reach for our states working families.”*

ENROLLED SEPTEMBER 19, 2023  
PASSED IN SENATE SEPTEMBER 14, 2023  
PASSED IN ASSEMBLY SEPTEMBER 14, 2023  
AMENDED IN ASSEMBLY SEPTEMBER 11, 2023  
AMENDED IN SENATE MAY 22, 2023  
AMENDED IN SENATE APRIL 17, 2023

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE BILL

NO. 555

Introduced by Senator Wahab

February 15, 2023

An act to add Chapter 5.6 (commencing with Section 50610) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

## LEGISLATIVE COUNSEL'S DIGEST

SB 555, Wahab. Stable Affordable Housing Act of 2023.

Existing law establishes the Department of Housing and Community Development and sets forth its powers and duties. Existing law establishes various programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, homeownership for very low and low-income households, and downpayment assistance for first-time homebuyers. Existing law requires the department to, on or before December 31 of each year, submit an annual report to the Governor and both houses of the Legislature on the operations and accomplishments during the previous fiscal year of the housing programs administered by the department, as prescribed.

This bill, the Stable Affordable Housing Act of 2023, would require the department, no later than December 31, 2026, to complete a California Social Housing Study consisting of a comprehensive analysis of the opportunities, resources, obstacles, and recommendations for the creation of housing that is affordable, as defined, and social housing, as defined, at scale, to assist in meeting the need identified in the statewide projections for below market rate housing affordable to households with extremely low, very low, low, and moderate incomes in the 6th Regional Housing Needs Assessment cycle. The bill would require the study to include, among other things, an analysis of the funding, public lands, and other resources and opportunities that are, or can be made, available to achieve certain goals of the state related to housing supply. The bill would require the department to include the study in the annual report to the Governor and the Legislature described above.

### Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

### Bill Text

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Chapter 5.6 (commencing with Section 50610) is added to Part 2 of Division 31 of the Health and Safety Code, to read:

#### CHAPTER 5.6. Stable Affordable Housing Act of 2023

50610. This chapter shall be known, and may be cited, as the Stable Affordable Housing Act of 2023.

50611. (a) The Legislature finds and declares all of the following:

(1) The private housing market has failed to meet the needs of the vast majority of California residents, who are unable to afford market rents. Increasingly, housing speculation and financialization in the rental market is driving rents higher, even as new market-rate housing is produced. Today, more than one-quarter of California renters are severely rent burdened, meaning they spend over one-half of their income on rent alone, and the unaffordability of rents is a major driver of homelessness.

(2) It is the goal of the state, as reflected in its Regional Housing Need Determination for the sixth Regional Housing Needs Assessment (RHNA) cycle, to create 2,500,000 new housing units, of which at least 1,000,000 must be affordable to households with low, very low, and extremely low incomes and of which an additional 400,000 must be affordable to households of moderate incomes. Together, housing affordable to lower and moderate households accounts for 58 percent of the overall projected housing need.

(3) Affordable housing produced through the federal Low-Income Housing Tax Credit program is an essential part of California's housing stock, but is not sufficient to meet the need for housing affordable to those who cannot afford market rents. Moreover, the expiration of affordability covenants each year threatens to revert affordable units to market rents.

(4) The solution to the intertwined crises of rental unaffordability and homelessness must include a robust sector of social housing that offers below-market **73**nts affordable to households of all income levels who are unable to afford market rents and that is permanently shielded from the speculative market. This work can be

accomplished only through a robust partnership between the state and the federal government, including a significant infusion of federal funding resources and policy reforms at both the state and federal levels.

(5) California has a growing social housing sector, comprised of housing acquired, produced, and managed by public entities, public housing authorities, community land trusts, community development corporations, and nonprofit affordable housing developers. This bill will set California on a course to scale up its nascent social housing sector to meet the scale of the need, now and for future generations.

(b) It is the intent of the Legislature in enacting this chapter to define social housing, to identify tools to help achieve the state's goals for lower and moderate-income housing by creating social housing through both new production and preservation of existing units and to evaluate potential future legislation based on a comprehensive study of resources, constraints, and opportunities for creating below market rate housing that includes both affordable and social housing options.

50612. For purposes of this chapter:

- (a) "Afford" and "affordable" mean that a household pays no more than 30 percent of its household income on rent.
- (b) "Affordable rent" has the same meaning as defined in Section 50675.2.
- (c) "Department" means the Department of Housing and Community Development.
- (d) "Extremely low income" has the same meaning as the term "extremely low income households" is defined in Section 50106.
- (e) "Limited-equity housing cooperative" has the same meaning as the term is defined in Section 817 of the Civil Code.
- (f) "Low-income" has the same meaning as the term "lower income households" is defined in Section 50079.5.
- (g) "Mission-driven nonprofit entity" includes both of the following:
  - (1) "Eligible nonprofit corporation" as defined in subparagraph (D) of paragraph (3) of subdivision (a) of Section 2924m of the Civil Code.
  - (2) "Community land trust" as defined in Section 402.1 of the Revenue and Taxation Code.
- (h) "Moderate income" has the same meaning as the term "persons and families of moderate income" is defined in Section 50093.
- (i) "Public agency" means the state, any county, city, city and county, district, redevelopment agency, housing authority, or any other political subdivision of the state.
- (j) "Social housing" means housing that meets all of the following requirements:
  - (1) The housing units are owned and managed by a public agency, a local authority, a limited-equity housing cooperative, or a mission-driven nonprofit entity solely for the benefit of residents and households unable to afford market rent.
  - (2) Each social housing development contains housing units that accommodate a mix of household income ranges, including extremely low, very low, low-, and moderate-income households unable to afford market rent.
  - (3) Residents of the housing units enjoy full protection against termination without just cause or for any discriminatory, retaliatory, or other arbitrary reason, and shall be afforded due process prior to being subject to eviction procedures.
  - (4) The housing units are protected for the duration of their useful life, and the land associated with the housing units is protected permanently, from being sold or transferred to any private person or for-profit entity or a public-private partnership.
  - (5) Residents have the right to participate directly and meaningfully in decisionmaking affecting the operation and management of the housing units in which they reside.
- (k) "Social housing development" includes both newly constructed units of social housing and market units or other housing units preserved or rehabilitated as social housing.
- (l) "Study" means the California Social Housing Study required by Section 50613.
- (m) "Very low income" has the same meaning as the term "very low income households" is defined in Section 50105.

50613. (a) No later than December 31, 2026, the department shall complete a California Social Housing Study. The study shall consist of a comprehensive analysis of the opportunities, resources, obstacles, and recommendations for the creation of affordable and social housing at scale, to assist in meeting the need identified in the statewide projections for below market rate housing affordable to households with extremely low, very low, low, and moderate incomes in the sixth Regional Housing Needs Assessment cycle. The department shall enlist in the development of the study broad participation of residents unable to afford market rents and public agencies and mission-driven nonprofit entities. The study shall include both of the following:

- (1) An analysis of all of the following:
  - (A) Funding, public lands, and other resources and opportunities that are, or can be made, available to achieve the goals.
  - (B) The capacity and capacity building needs of public agencies and mission-driven nonprofit entities to achieve the goals.
  - (C) Constraints and obstacles to achieving the goals, including capital financing and long-term operations and maintenance needs.
  - (D) The range of models for creating social housing that are currently in practice, or that public agencies or mission-driven nonprofit entities plan to implement both inside and outside California, including the opportunities, needs, and potential for creating social housing at various income levels specific to each model.
  - (E) Tenant protections consistent with each model analyzed pursuant to subparagraph (D) that provide long-term stability, including the most protective provisions feasible.
  - (F) The impacts on job creation and local economies that could be achieved by using locally based, union-represented workforces for construction and maintenance of social housing.

(G) Federal funding, resources, and policy initiatives required to meet the housing needs projected by the sixth Regional Housing Needs Assessment cycle.

(H) Any other subjects the department identifies through the course of preparing this study that would contribute to meeting the housing needs projected by the sixth Regional Housing Needs Assessment cycle.

(2) Recommendations to the state based on the study for all of the following:

(A) Utilizing the funding, public lands, and other resources and opportunities to meet the housing needs projected by the sixth Regional Housing Needs Assessment cycle, to create housing affordable to households with moderate, low, very low, and extremely low incomes, including social housing, in collaboration between public agencies and mission-driven nonprofit entities, with a portion of the goal allocated to each model for creating social housing analyzed pursuant to subparagraph (D) of paragraph (1).

(B) Removing constraints and obstacles to achieving the goals, including constraints on the use of public land and public funding that do not require legislative action.

(C) Making additional resources available, including potential revenue sources for a social housing fund, including federal funding sources that are necessary.

(D) Removing constraints and obstacles to the goals.

(E) Creating new housing development and property management capacity at the state level, including a state Social Housing Authority.

(b) The department shall include the study completed pursuant to this section in the annual report for the 2027 calendar year required by Section 50408.



## Frequently Asked Questions

### **Q: What is the Bay Area Housing Finance Authority?**

A: The Bay Area Housing Finance Authority, or “BAHFA”, is a regional public agency that state legislators created in 2019 with the goal of finding better solutions for the Bay Area’s affordable housing needs. The Bay Area includes the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma as well as the 101 cities spread across their respective jurisdictions.

### **Q: Why does the Bay Area need a regional entity to focus on housing?**

A: Several conditions are driving the need for more housing resources:

- The state’s [“Regional Housing Needs Assessment”](#) (RHNA) calculates the need for about 180,000 new affordable homes to accommodate Bay Area residents’ existing needs and projected growth in the region between 2023 and 2031.
- Currently, there are approximately 37,000 unhoused residents in the Bay Area, which represents a 10% increase since 2019.
- About 47% of all Bay Area renters pay more than 30% of their income on rent.
- As of 2023, the median price of a home in the Bay Area is approximately \$1.3 million.
  - This requires an annual salary of about \$335,000 to afford housing payments.
  - \$335,000 is between 45% and 62% higher than the median income across each Bay Area County.
  - Among Bay Area residents between the age of 25-34 living in the San Francisco and San Jose metropolitan areas, only 23% can afford to own a home.

In creating BAHFA, the state Legislature found that the Bay Area’s housing challenges were too great for any one city or county to meaningfully address, and that a regional approach was necessary to support Bay Area communities in creating and preserving affordable housing opportunities and protecting tenants.

### **Q: How is BAHFA funded?**

A: BAHFA has received one-time grants from the State of California to hire initial staff and create pilot programs working across housing production, preservation, and protections. In addition, BAHFA can raise revenue across the region, through a parcel tax, a gross receipts business license tax, a special business tax or a general obligation bond, all of which require voter approval. BAHFA can also raise revenue through a commercial linkage fee, but only after Bay Area voters have approved a revenue option through ballot measure.

**Q: How can BAHFA spend its revenue?**

A: The rules for BAHFA's investments are included in its founding state legislation. BAHFA must use its revenue to invest in Bay Area communities to build new affordable housing; preserve housing where low-income households currently live as permanently affordable housing; and protect tenants, including vulnerable residents, like seniors living on fixed incomes.

**Q: How does BAHFA work with Bay Area cities and counties?**

A: Depending on what kind of revenue BAHFA raises, it would be required to give a certain portion of the funding to counties and cities. See below for more information on how proposed general obligation bond proceeds would be distributed around the region.

Besides directing funding to cities and counties, BAHFA works closely with the jurisdictions to, among other things, provide technical assistance; convene regional meetings to share information and best practices; and conduct advocacy and research that can help the entire Bay Area advance affordable housing goals.

**Q: What is BAHFA doing now for my community?**

A: BAHFA is working to bring immediate housing benefits to the region, including, among other things:

- [Doorway](https://housingbayarea.mtc.ca.gov), the Bay Area's first regional housing portal, where people seeking affordable living opportunities can browse listings and apply for housing online: <https://housingbayarea.mtc.ca.gov>
- A rental assistance subsidy program to protect extremely low-income seniors and people with disabilities from becoming homeless.
- New funding using one-time state grants for affordable housing preservation and construction projects.
- Creation of a full inventory of all affordable housing projects in some state of pre-development

See BAHFA's website for more information: <https://mtc.ca.gov/about-mtc/authorities/bay-area-housing-finance-authority-bahfa>

**Q: What does BAHFA plan to do in the future for my community?**

A: BAHFA is preparing to submit a \$10-\$20 billion general obligation affordable housing bond measure for voter approval at the November 2024 election. If the public votes "yes" on the measure, the bond will provide financial resources for the Bay Area, resulting in more affordable housing opportunities in cities and counties across the region.

**Q: If voters pass the affordable housing bond measure in November 2024, who gets the money?**

A: 80% of the money would go to the counties, according to the share each county carries paying the bonds back. Larger cities may receive their own direct allocations, and those cities include Oakland, San Jose, San Francisco, Napa and Santa Rosa. BAHFA would retain 20% of the money to invest around the Bay Area.

**Q: How would the affordable housing bond be paid back?**

A: Property owners will pay the bond back as part of their normal property tax bill. Estimates as of July 2023 indicate that the cost is \$10.62 per \$100,000 of the assessed value of the property. That means, for example, that the owner of a home with a \$1 million assessed value would pay about \$100 per year.

**Q: What kind of housing would be built with funds from the affordable housing bond?**

A: Affordable housing includes a wide range of styles, types and sizes, including small buildings, like duplexes and granny units or accessory dwelling units (ADU's), to midsize (5-6 story) and large (7+ stories) multifamily buildings. Affordable housing must comply with zoning codes, restrictions and design standards just like market-rate housing.

**Q: Who will get to live in newly built affordable housing?**

A: These new homes will be affordable to a wide range of people, from homeless residents to households earning up to 120% of area median income. This includes people working in essential service jobs, such as:

- Restaurant cooks (\$40,000 - \$60,000 per year)
- Teachers (\$50,000 - \$100,000 per year)
- Janitors (\$30,000 - \$55,000 per year)
- Day care teachers (\$30,000 - \$60,000 per year)
- Lab technicians (\$50,000 - \$90,000 per year)

The bonds are also expected to provide affordable housing for seniors living on fixed incomes, veterans and people living with disabilities.

**Q: Who else could benefit from the affordable housing bond?**

A: If voters pass a 2024 general obligation bond measure, a minimum of 15% must go to “preserve” affordable housing. Housing preservation investments can:

- Repair and restore the physical condition of existing buildings.
- Protect the households living in those buildings from displacement that often happens when rents go up year-over-year.
- Convert market-rate housing to new, permanently affordable housing.

Since most low-income Bay Area families live in unsubsidized, privately owned rental housing, these preservation actions work to stabilize communities and keep families living in safe, decent homes.

**Q: What is BAHFA's timeline for the affordable housing bond measure?**

A: The goal is to place the measure on the ballot in November 2024. BAHFA staff will be providing information to the public, elected officials and stakeholder groups throughout the fall of 2023. The formal decision-making process for approving the ballot measure by the BAHFA Board and the Association of Bay Area Governments Executive Board will begin in January 2024, with the BAHFA Advisory Committee making a recommendation, and continue with meetings and information sharing through June 2024.

**Q: Where can I learn more?**

A: Please see the following resources for additional information:

- [Public Virtual Workshops on August 16 and August 24, 2023: Learn about the Bay Area's proposed regional bond measure to invest in the production and preservation of affordable housing.](#)
- [Committee reports and presentations on the regional affordable housing bond measure:](#)  
<https://mtc.ca.gov/meetings-events>
- [Information about BAHFA's programs:](#) <https://mtc.ca.gov/planning/housing/bay-area-housing-finance-authority-bahfa-programs>
- The [BAHFA web page](#) has additional information on the regional bond measure:  
<https://mtc.ca.gov/about-mtc/authorities/bay-area-housing-finance-authority-bahfa>

If you have any additional questions, please email [BAHFA@bayareametro.gov](mailto:BAHFA@bayareametro.gov).

For the latest on what BAHFA is doing to serve your community, subscribe to our mailing list.