

AGENDA

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

Tuesday, April 14, 2015

6:30 p.m.

Oakley City Council Chambers
3231 Main Street, Oakley, CA

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

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

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

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

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(Please keep cell phones/pagers turned off during the meeting.)

1.0 OPENING MATTERS

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

- 1.1 Call to Order and Roll Call of the Oakley City Council and Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency**
- 1.2 Pledge of Allegiance to the Flag**
- 1.3 Proclamations Honoring Eagle Scouts Kyle Scheer, Drake Sierra and Travis Karbowski**
- 1.4 Graduation Presentation for Entrepreneur Training Class (Dwayne Dalman, Economic Development Manager)**
- 1.5 Contra Costa Community College District Update (Dr. Bob Kratochvil, President of Los Medanos College and Timothy Leong, District Director of Communications and Community Relations)**
- 1.6 Contra Costa Transportation Authority Citizens Advisory Committee Update (Michael Dupray, Appointee)**

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

3.0 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 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 who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor remove the item. Members of the public should submit any Speaker Cards related to the Consent Calendar in advance of the Consent Calendar being considered.

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

- 3.1 Approve the Minutes of the Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Meeting held March 24, 2015 (Libby Vreonis, City Clerk)**

Oakley City Council

- 3.2 Report Out of Closed Session Memo (William Galstan, Special Counsel)**
- 3.3 Approve the Minutes of the Special Meeting of the Oakley City Council held March 30, 2015 (Libby Vreonis, City Clerk)**
- 3.4 Adopt a Resolution Awarding a Construction Contract to K. Dejesus Pump & Well Drilling, Inc. for the Cypress Grove Irrigation Well Project – Capital Improvement Project 148 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.5 Adopt a Resolution Authorizing the City Manager to Execute a Program Supplement Agreement Under the Master Agreement with the State of California Department of Transportation in Relation to Capital Improvement Project Number 163-West Cypress Road, Big Break Road, and Rose Avenue Pavement Rehabilitation Project, Federal Aid Project Number RSTPL 5477 (006) (Kevin Rohani, Public Works Director/City Engineer)**
- 3.6 Adopt a Resolution Approving Contract Amendment Number 1 to the Agreement with Cole Management & Engineering Inc. for Inspection Services Related to Private Development and Capital Improvement Projects (Kevin Rohani, Public Works Director/City Engineer)**
- 3.7 Agreement with Pavement Engineering, Inc. for Design Services Associated with Capital Improvement Project Number 167 – Fiscal Year 2015-2016 Street Repair and Resurfacing Project (Kevin Rohani, Public Works Director/City Engineer)**

4.0 PUBLIC HEARINGS-None

5.0 REGULAR CALENDAR

Oakley City Council

- 5.1 Adopt a Resolution Directing the City Manager to Notify Contra Costa County of the City's Intention to Form its own Municipal Police Department and Electing Not to Extend its Contract with Contra Costa County when it would Typically Extend on July 1, 2015, thus Terminating the Contract on June 30, 2016, unless the Parties Agree to an Earlier Termination Date (Bryan Montgomery, City Manager)**

5.2 Fiscal Year 2014-2015 Third Quarter Report on the Capital Improvement Program (Kevin Rohani, Public Works Director/City Engineer)

6.0 REPORTS

6.1 CITY MANAGER

(a) City Manager

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 Comments

(b) Requests for Future Agendas

7.0 WORK SESSIONS-None

8.0 CLOSED SESSIONS-None

9.0 ADJOURN

Proclamation

Honoring Kyle Scheer

Eagle Scout Recipient

WHEREAS, the City of Oakley, a place for families in the heart of the Delta, takes pride in its sense of community and citizen involvement; and

WHEREAS, the vision of the Boy Scouts of America is to prepare every eligible youth in America to become responsible, participating citizens and leaders, who are guided by the Scout Oath and Law; and

WHEREAS, the Boy Scouts of America encourage Eagle Scout candidates to complete worthy projects to improve their neighborhoods, their community and the region; and

WHEREAS, Kyle is a member of Boy Scout troop 152 serving East County; and

WHEREAS, Kyle received the rank of Eagle Scout on October 23, 2014; and

WHEREAS, this is the highest award a scout can receive; few boys move up through the ranks of scouting and only about 2% make it all the way to Eagle; and

WHEREAS, for his community service project, Kyle built two park benches for the East Bay Parks & Recreation Department along the Big Break Trail; and

WHEREAS, Kyle has grown into a well-respected young man that both scouts and adults look to as an example.

NOW, THEREFORE, BE IT RESOLVED that I, Doug Hardcastle, Mayor of the City of Oakley on behalf of the Oakley City Council hereby honor Kyle Scheer of Boy Scout Troop 152 on his achievement of attaining the rank of Eagle Scout, the highest rank in Boy Scouts.

Dated: April 14, 2015

Doug Hardcastle, Mayor

Proclamation

Honoring Drake Sierra

Eagle Scout Recipient

WHEREAS, the City of Oakley, a place for families in the heart of the Delta, takes pride in its sense of community and citizen involvement; and

WHEREAS, the vision of the Boy Scouts of America is to prepare every eligible youth in America to become responsible, participating citizens and leaders, who are guided by the Scout Oath and Law; and

WHEREAS, the Boy Scouts of America encourage Eagle Scout candidates to complete worthy projects to improve their neighborhoods, their community and the region; and

WHEREAS, Drake is a member of Boy Scout troop 152 serving East County; and

WHEREAS, Drake received the rank of Eagle Scout on October 23, 2014; and

WHEREAS, this is the highest award a scout can receive; few boys move up through the ranks of scouting and only about 2% make it all the way to Eagle; and

WHEREAS, for his community service project, Drake restored a fifty year old flagpole and also installed a new flagpole for the USS Hornet in Alameda, in time for the 45th anniversary of the Apollo 11 mission with Buzz Aldrin; and

WHEREAS, Drake has grown into a well-respected young man that both scouts and adults look to as an example.

NOW, THEREFORE, BE IT RESOLVED that I, Doug Hardcastle, Mayor of the City of Oakley on behalf of the Oakley City Council hereby honor Drake Sierra of Boy Scout Troop 152 on his achievement of attaining the rank of Eagle Scout, the highest rank in Boy Scouts.

Dated: April 14, 2015

Doug Hardcastle, Mayor

Proclamation
Honoring Travis Karbowski
Eagle Scout Recipient

WHEREAS, the City of Oakley, a place for families in the heart of the Delta, takes pride in its sense of community and citizen involvement; and

WHEREAS, the vision of the Boy Scouts of America is to prepare every eligible youth in America to become responsible, participating citizens and leaders, who are guided by the Scout Oath and Law; and

WHEREAS, the Boy Scouts of America encourage Eagle Scout candidates to complete worthy projects to improve their neighborhoods, their community and the region; and

WHEREAS, Travis is a member of Boy Scout troop 152 serving East County; and

WHEREAS, Travis received the rank of Eagle Scout on March 26, 2015; and

WHEREAS, this is the highest award a scout can receive; few boys move up through the ranks of scouting and only about 2% make it all the way to Eagle; and

WHEREAS, for his community service project, Travis constructed a covered sandbox with built in benches and filled it with sand at Oakley Elementary School; and

WHEREAS, Travis has grown into a well-respected young man that both scouts and adults look to as an example.

NOW, THEREFORE, BE IT RESOLVED that I, Doug Hardcastle, Mayor of the City of Oakley on behalf of the Oakley City Council hereby honor Travis Karbowski of Boy Scout Troop 152 on his achievement of attaining the rank of Eagle Scout, the highest rank in Boy Scouts.

Dated: April 14, 2015

Doug Hardcastle, Mayor

**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council acting as the Successor Agency to the Oakley Redevelopment Agency
March 24, 2015**

1.0 OPENING MATTERS

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

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

Mayor Hardcastle called the meeting to order at 6:30p.m in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Doug Hardcastle, Kevin Romick, Randy Pope, Sue Higgins and Vanessa Perry were present.

1.2 Pledge of Allegiance to the Flag

Fire Chief Hugh Henderson led the Pledge of Allegiance to the Flag.

1.3 Proclamation Recognizing March 2015 as American Red Cross Month in Oakley (Theresa Miller, Volunteer, External Relations Committee)

Mayor Hardcastle read the proclamation and shared his personal positive experience with the American Red Cross. He presented the proclamation to Theresa Miller. She thanked the City Council for being a community partner and for its support.

1.4 Contra Costa Mosquito Abatement and Vector Control District Update (Michael Krieg, Appointee)

Michael Krieg provided an update to the City Council including information on the District's budget, emergency fund, labor contract, Environmental Impact Report, West Nile Virus, mosquito abatement, monitoring of mosquitos, and specific mosquitos that are of greater concern. Specific to Oakley, he urged community cooperation to allow the District to place mosquito fish in unmaintained swimming pools to help prevent mosquitos, he encouraged water conservation to avoid yard water run-off into storm drains to prevent mosquitos, and he thanked the City for repairing storm water retention basins which alleviates standing water and mosquitos.

Mayor Hardcastle thanked Mr. Krieg and the District for their work.

1.5 East Contra Costa Fire Protection Board Update (Hugh Henderson, Fire Chief)

Councilmember (and Fire Board member) Pope provided a brief update in Fire Chief Hugh Henderson's absence (Chief Henderson had to leave the meeting to respond to a fire call). He explained that the number of calls in each district were previously tracked; however, the stations that actually responded to calls had not been tracked until recently. He encouraged the Council to view the handout provided which reflects this change. He

announced the Fire Benefits Assessment ballots had been mailed and he encouraged everyone to submit them by the deadline, April 27.

2.0 PUBLIC COMMENTS

Online Comment Forms

No online comment forms were submitted for Public Comments.

Public Comment Cards

No public comment cards were submitted for Public Comments.

3.0 CONSENT CALENDAR

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

- 3.1 Approve the Minutes of the Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Meeting held March 10, 2015 (Libby Vreonis, City Clerk)**

Oakley City Council

- 3.2 Approve the Minutes of the Special City Council Meeting held February 25, 2015 (Libby Vreonis, City Clerk)**
- 3.3 Approve the Minutes of the Special City Council Meeting held February 26, 2015 (Libby Vreonis, City Clerk)**
- 3.4 Report Out of Closed Sessions Memo (Derek Cole, City Attorney)**
- 3.5 Adopt a Resolution Approving the Annual Progress Report on Implementation of the 2007-2014 Housing Element with SB 341 Reporting Requirements (Joshua McMurray, Planning Manager)**
- 3.6 Adopt a Resolution Awarding a Construction Contract to Knife River Construction for the Main Street Rehabilitation and Resurfacing Project (Bridgehead Road to Big Break Road) – Capital Improvement Project 164 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.7 Adopt a Resolution Authorizing the Assignment and Subordination of a Housing Successor Affordable Housing Project Loan (Paul Abelson, Finance Director)**

3.8 Adopt a Resolution Establishing the Rate Per Equivalent Runoff Unit for Fiscal Year 2015/2016 and requesting the Contra Costa County Flood Control and Water Conservation District to Adopt an Annual Parcel Assessment for Drainage Maintenance and the National Pollutant Discharge Elimination System Program (Kevin Rohani, Public Works Director/City Engineer)

Item 3.6 was pulled from the Consent Calendar by Mayor Hardcastle.

Online Comment Forms

No online comment forms were submitted for the Consent Calendar.

Public Comment Cards

No public comment cards were submitted for the Consent Calendar.

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

Item 3.6

Mayor Hardcastle announced he would recuse himself from voting on this item as he owns property near the project.

It was moved by Vice Mayor Romick and seconded by Councilmember Pope to approve Item 3.6. AYES: Higgins, Perry, Pope, Romick. ABSTENTIONS: Hardcastle.

4.0 PUBLIC HEARING

Oakley City Council

4.1 Consider an Urgency Ordinance Extending the Effectiveness of Ordinance No. 04-15, Prohibiting the Issuance of Permits, Licenses or Approvals for Construction, Establishment or Operation of Massage Parlors on an Interim Basis (Derek Cole, City Attorney)

City Attorney Derek Cole presented the staff report and explained that this urgency ordinance will extend urgency ordinance number 04-15 for a period of ten months and fifteen days for the immediate preservation of the public peace, health safety and welfare while City staff undertakes a comprehensive study of current massage establishment regulations and the City's options for improving the effectiveness of those regulations.

Online Comment Forms

No online comment forms were submitted for Item 4.1

Public Comment Cards

No public comment cards were submitted for Item 4.1

It was moved by Vice Mayor Romick and seconded by Councilmember Perry to adopt the urgency ordinance. Motion was unanimous and so ordered. (5-0)

5.0 REGULAR CALENDAR

Oakley City Council

5.1 Adopt a Resolution Supporting the Proposed "East County Emergency Fire and Prevention Assessment" for the East Contra Costa Fire Protection District, and Authorizing the City Manager to Vote in Favor of the Assessment for an City Properties Subject to the Assessment (Bryan Montgomery, City Manager)

City Manager Bryan Montgomery presented the staff report.

Vice Mayor Romick commented that there is great concern that there is a limited number of firefighters for the geographic area which will impact response times and place the District in a position of having to rely upon outside sources for backup; therefore, he believes it is a necessity that the Assessment passes. He expressed support for the resolution.

Councilmember Pope commented that the proposed level of staffing is not what he would envision as future staffing with the City's growth, higher density, and the community's expectation of level of service. He added that the Assessment will be temporary (five years) and approximately \$100 per year per property owner is worth the safety of this community. He shared that recently there were two fires which occurred almost simultaneously between Oakley and Brentwood and outside sources had to be called, reducing response times. He expressed support for the resolution and encouraged the City Council to approve the resolution.

Councilmember Perry also expressed support for the resolution. She commented that she voted in favor of the Assessment and believes community safety is important. She explained that if there had been a third fire during the situation Councilmember Pope shared, it would have resulted in either death or loss of property. She commented that she hopes everyone votes in favor of the Assessment.

Mayor Hardcastle also expressed support for the resolution. He shared that he looks at the situation personally-how reduced services might impact his loved-ones.

Online Comment Forms

No online comment forms were submitted for Item 5.1.

Public Comment Cards

No public comment cards were submitted for Item 5.1.

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

6.0 REPORTS

6.1 CITY MANAGER

(a) City Manager

City Manager Bryan Montgomery announced that the soft opening of Grocery Outlet would occur this week, followed by grand opening festivities in April. He also announced Mr. Pickles sandwich shop will open mid-late April. He invited everyone to attend the Strategic Plan meeting to be held Monday, March 30 at the Shea Sales Pavilion located at 4016 Summer Lake Drive in Oakley beginning at 5:30 p.m.

(b) Strategic Plan Update

City Manager Bryan Montgomery mentioned that staff reviewed the 2014-2016 Strategic Plan and provided an update on the progress of each item. He added that the update will be further discussed at the March 30 meeting, but staff hoped by providing this update that the City Council would have a chance to review it prior to that discussion.

Mayor Hardcastle inquired if the public will be allowed to comment at the March 30 meeting and Mr. Montgomery confirmed the public will be allowed to comment.

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 Comments

Councilmember Perry announced she attended the East County Little League opening day parade and it was a fun event. She also announced the Friends of the Oakley Library is hosting its annual "Book It" run April 11 which includes options of a 1k, 5k, 10k or kids fun run.

Councilmember Pope announced the next East Contra Costa County Fire Protection District Board meeting will be held April 6 and Community Emergency Response Team training will be held March 31 at the Brentwood Police Department.

Councilmember Higgins announced Oakley Relay for Life will be held May 16 and 17 at Freedom High School. She also announced she is involved in the "Book It" run and she attended the East County Little League opening day parade, the Network of Care fundraiser, a Library tour, and she threw the first pitch at a Delta Softball League game.

Mayor Hardcastle announced he threw the first pitch at a Delta Baseball League game. He commented with the number of Oakley youth involved in Oakley baseball leagues, it is important to keep the leagues going. He also announced he attended a retirement party for Tom Williams of Ironhouse Sanitary District.

(b) Requests for Future Agendas

Councilmember Higgins requested the City Council allow J.R. Wilson with the Delta Veterans group and Randy Smith with the Oakley Veterans group to present information at the City Council meeting to be held April 28 regarding the "Stand Down" event. The City Council agreed.

7.0 WORK SESSIONS-None

8.0 CLOSED SESSION

Oakley City Council

**8.1 CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6**

City Designated Representative: Bryan Montgomery, City Manager

Unrepresented Anticipated Employees: Police Chief, Police Lieutenants, Police Sergeants, and Police Officers.

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

There was no reportable action.

9.0 ADJOURN

There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk



MEMORANDUM
Office of the City Attorney

Date: March 25, 2015
To: Mayor and Members of City Council
Cc: Bryan Montgomery, City Manager; William R. Galstan, Special Counsel
From: Derek P. Cole, City Attorney *WRB*
Subject: Closed Session; Report-Out Memo

FOR CONSIDERATION AT THE CITY COUNCIL MEETING OF APRIL 14, 2015

Background and Analysis

The City Council held a closed session at its meeting of March 24, 2015, for purposes of discussing unrepresented anticipated employees for Police services including Police Chief, Police Lieutenants, Police Sergeants and Police Officers. No reportable action was taken. Direction was provided to staff.

Fiscal Impact

None.

Recommendation:

Receive and file this report.

Attachments:

None.

Minutes of the Special Meeting of the Oakley City Council

March 30, 2015

5:30 PM

Shea Sales Pavilion

4016 Summer Lake Drive

Oakley, California 94561

AGENDA

1. Welcome

Mayor Doug Hardcastle called the special meeting to order at 5:43p.m in the Shea Sales Pavilion located at 4016 Summer Lake Drive, Oakley, California. He welcomed attendees and led them in the Pledge of Allegiance.

Attendees included City Councilmembers Doug Hardcastle, Kevin Romick, Randy Pope, Sue Higgins and Vanessa Perry, as well as City staff, including Bryan Montgomery, City Manager; Nancy Marquez, Assistant to the City Manager; William Galstan, Special Counsel; Dan Gomez, Chief of Police; Paul Abelson, Finance Director; Kevin Rohani, Director of Public Works / City Engineer; Billilee Saengchalern, Assistant Engineer; Troy Edgell, Code Enforcement Manager; Joshua McMurray, Planning Manager; Dwayne Dalman, Economic Development Manager; Lindsey Bruno, Recreation Manager; and Libby Vreonis, City Clerk / Paralegal.

2. Public Comments

No public comment cards and no online comment forms were submitted for the meeting. Mayor Hardcastle inquired if anyone would like to comment and there were no affirmative replies.

3. Review of Agenda

City Manager Bryan Montgomery explained the City Council received a written update of the 2014-2016 Strategic Plan from staff at its regular meeting held March 24, 2015. He briefly reviewed the focus goals and provided a visual aid to show how staff has ranked the progress of each goal on a scale of 1-10, with 10 being the greatest progress, and explained most of the items under each goal have either been accomplished or are in progress. He suggested the City Council may wish to discuss a few of the focus goals and provide feedback to staff. Before doing so, he asked Finance Director Paul Abelson to briefly discuss the General Fund budget.

4. General Overview of City's General Fund Budget for FY 2015-16

Finance Director Paul Abelson provided a general overview of the City's General Fund budget for the upcoming fiscal year and a handout. He mentioned projected numbers for building permits were lower than anticipated which could affect revenue estimates for this fiscal year. He suggested the City Council may wish to prioritize some of the one-time expenditures and capital projects in its discussion this evening and also discuss a plan for recurring costs that may be associated with such expenditures.

5. Review of 2014-16 Strategic Plan - Strategic Management Plan Concept, Vision Statement, Mission Statement, Areas of Strategic Focus & Goals, Action Items

The City Council and staff discussed the progress of the child care center and East Bay Work Wear building located at Neroly Road near Empire Avenue. They continued their discussion with attention on four Strategic Plan focus goals:

- (1) Business and Job Growth (outreach efforts, types of businesses, attracting businesses, and providing for existing business and future business growth);
- (2) Planned, Quality Growth;
- (3) Community Infrastructure and Traffic Safety (expand lanes of traffic to accommodate growth, traffic light at intersection of Laurel Avenue and Rose Avenue, explore parcel tax to fund infrastructure needed now, traffic calming measures and budget, curb, gutter and sidewalk program and Downtown Envisioning Project); and
- (4) Parks, Streetscapes and Recreational Opportunities (facilities/assembly space-library, recreation center, community center, senior center and sports fields).

Resident Angela Lowry commented that she is excited to hear the City Council is interested in exploring green options for the City's sustainability and encouraged the City Council to look for state funding as well as public/private partnerships.

Councilmember Perry shared an idea for an all-abilities recreation field at the Moura property and provided a handout including a diagram and potential funding sources. Staff will pass this along to the City's grant research consultants.

6. Closing Discussion & Comments

The City Council provided direction to staff to:

- (1) Explore unique business opportunities (distilleries, wineries, casino, ice rink, riverboat, water taxi / ferry, market hall, neighborhood service style businesses), specialty big box stores (Sam's Club, Bass Pro Shop, Cabella's), assisted and skilled nursing facilities, gas stations near arterial roads (i.e., Neroly Road and Laurel Avenue), increase foot traffic and improve parking in Downtown, inventory existing properties, and explore cost of purchasing properties for development and resale;
- (2) Maintain small town feel through design, offer green options for new construction, partner with Diablo Water District for water conservation infrastructure and landscaping, provide water conservation workshops, educational booths at City events, and maintain code enforcement efforts;
- (3) Continue planned expansion of lanes of traffic, work with Ironhouse Sanitary District and Diablo Water District to explore water conservation options, maintain small town feel in Downtown by attracting neighborhood businesses, maintain Code Enforcement efforts, and provide educational workshops and booths at events regarding water conservation ; and
- (4) Explore the cost and location of a future all-purpose community center (library, recreation center, community center and senior center), the cost of installing and

maintaining lights at the Laurel Ball Fields (including solar power), and grant funding for an all-abilities field that could also be utilized by baseball and soccer leagues.

Resident Angela Lowry expressed support for the City Council's direction to staff to explore green environmental options and encouraged them to keep it going.

Mayor Hardcastle thanked everyone for their time in attending the meeting.

7. Adjournment

There being no further business, the meeting was adjourned at 8:24 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk



STAFF REPORT

Date: Tuesday, April 14, 2015
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, P.E. Public Works Director/ City Engineer

Approved and Forwarded to City Council:

Bryan H. Montgomery, City Manager

SUBJECT: Award of Construction Contract to K. Dejesus Pump & Well Drilling, Inc. for the Cypress Grove Irrigation Well Project – CIP 148

Background and Analysis

The Cypress Grove project included the construction of the infrastructure needed to allow for the development of approximately 540 single family dwellings and an apartment complex adjacent to Cypress Road at Frank Hengel Way, Picasso Drive and Rubens Way. Part of the project was the construction of a four (4) acre storm water pond, which was also designed to provide irrigation water for parks and other public area landscaping. The pond was completed in late 2005 and irrigation water pumping commenced soon after.

Within a matter of weeks after the irrigation system was started, problems began to occur, primarily related to the water quality. Sprinkler heads and filter screens throughout the system were plugging up continually, requiring park maintenance personnel to constantly clean them during the irrigation season. The primary problem was the growth of organic materials in the pond which were taken in by the pumps into the irrigation system. The designers were consulted and several different attempts were made to try to correct the problems. Over time, filters and pumps were damaged and replaced, but the quality of the water never reached a point where it could be used reliably. In 2012, Staff installed a pipe connection between a fire hydrant and the irrigation system to provide clean water for irrigation while further options were reviewed.

As part of the evaluation process, and in exploring options to address the water quality issue for the irrigation system, Staff solicited input from a mechanical engineering firm who specializes in the design of a similar system. The final determination was to abandon the concept of providing irrigation water from the pond and to construct an irrigation well on the site. This approach would provide clean and clear water that can be used for the irrigation of the park and its landscaping.

The project plans and specifications were prepared and advertised for the construction of this irrigation well. On March 16, 2015, one (1) bid was received for this project in the amount of \$211,755.00. Staff reviewed the bid received and

determined that K. Dejesus Pump & Well Drilling, Inc. is a responsible entity and is responsive to the City's request for proposals. Staff followed up with a number of companies in the well drilling business and were all busy working on other projects, therefore they did not bid on this project. K. Dejesus Pump & Well Drilling, Inc. is a local company and knows the Oakley region very well and has performed a number of similar projects in Oakley.

It is anticipated that the construction of this project will start in May and its completion will eliminate any further need to use potable water from hydrants and reduce the monthly operational utility expenses.

Fiscal Impact

Approval of this item will obligate approximately \$211,755 in the CFD # 1 – Cypress funds for the construction agreement and Staff time to manage the project.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving the construction agreement with K. Dejesus Pump & Well Drilling, Inc. for an amount not to exceed \$211,755.00 and authorizing the City Manager to execute said agreement.

Additionally, due to variables associated with construction projects and to address unforeseen circumstances during the course of construction, Staff further recommends that the City Council authorize Staff to execute future change orders to the construction contract as necessary, in an amount not to exceed \$20,000 for work beyond what is defined in the base project bid.

Attachments

- 1) Resolution

RESOLUTION NO. __-15

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
APPROVING AN AGREEMENT WITH K. DEJESUS PUMP & WELL
DRILLING, INC. FOR THE CONSTRUCTION OF THE CYPRESS GROVE
IRRIGATION WELL PROJECT – CIP 148**

WHEREAS, the Cypress Grove subdivisions were constructed in 2004 and 2005 and included the construction of various infrastructure items including a four (4) acre storm water pond; and

WHEREAS, the designers of the storm water pond included in their plans, a pumping system to provide irrigation water drawn from the pond to be used for irrigation water to two (2) parks and other public area landscaping; and

WHEREAS, soon after the irrigation pumping system was put into service, various problems occurred resulting in plugged sprinkler heads and filter screens and damage to pumps; and

WHEREAS, after numerous attempts by staff, consultants and contractors to correct these problems it was decided that the best approach is to construct an irrigation well to provide water to the landscaping; and

WHEREAS, in early 2015 a request for proposals was prepared and released and one (1) proposal was received submitted by K. Dejesus Pump & Well Drilling, Inc. in the amount of \$211,755.00; and

WHEREAS, after review of the proposal, staff determined K. Dejesus Pump & Well Drilling, Inc. is a responsible entity and the proposal submitted is responsive to the City's request for proposals.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley that the Agreement with K. Dejesus Pump & Well Drilling, Inc. for the construction of the Cypress Grove Irrigation Well Project – CIP 148 for an amount not to exceed \$211,755.00 is approved, and the City Manager is authorized to execute said Agreement.

BE IT FURTHER RESOLVED AND ORDERED that funds from CFD # 1-Cypress be appropriated for CIP No. 148 and that the total construction budget for CIP No. 148 be set at \$211,755.00

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2015 by the following vote:

AYES:

NOES:

ABSENT:
ABSTENTIONS:

APPROVED:

Doug Hardcastle, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date



Agenda Date: 04/14/2015

Agenda Item: 3.5

STAFF REPORT

Date: Tuesday, April 14, 2015
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, P.E. Public Works Director/ City Engineer

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

SUBJECT: CIP Project No. 163 – West Cypress Road, Big Break Road, and Rose Avenue Pavement Rehabilitation Project, Federal Aid Project No. RSTPL 5477 (006) - Adopt Resolution authorizing the City Manager to execute the program supplement agreement under the master agreement with the State of California Department of Transportation

Background and Analysis

The State of California Department of Transportation (Caltrans) processes and administers Federal and State grants to municipalities. Prior to the use of such grants, Caltrans requires municipalities to execute agreements with the State for the purpose of these grants.

The City has utilized State and Federal grants such as: Regional Surface Transportation Program (RSTP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Safe Route to School (SR2S) in the past, and the above referenced Caltrans agreements are very standard on these grant funded projects.

With each grant funded project, a Program Supplement Agreement specific to the project is required to engage the terms of the Master Agreement between the City of Oakley and the State of California that has been in effect for many years.

The release of State and Federal funds can only take place upon signing of the Program Supplement Agreement by an authorized official. The authorized official and the project must be clearly identified in the resolution approved by the City Council as required by Caltrans.

Funds will be released to municipalities after the official resolution is presented to Caltrans. This can be done for the: CIP 163 - West Cypress Road, Big Break Road, and Rose Avenue Pavement Rehabilitation Project, Federal Aid Project No. RSTPL 5477 (006).

This resurfacing project completes the street repairs on West Cypress Road, Big Break Road, and Rose Avenue and finishes the project with the addition of a new asphalt overlay.

Fiscal Impact

The City was awarded a \$1,031,000 grant for this project from Caltrans. The adoption of this resolution will authorize the acceptance of this grant funding.

Staff Recommendation

Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute the Program Supplement Agreement with the State of California Department of Transportation.

Attachments

- 1) Resolution
- 2) Program Supplemental Agreement

Distribution

Winton Emmett, Chief
Office of Project Implementation
Division of Local Assistance
P.O.Box 942874, MS #1
Sacramento, CA 94274

RESOLUTION NO. __-15

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
AUTHORIZING THE CITY MANAGER TO EXECUTE A PROGRAM SUPPLEMENT
AGREEMENT UNDER THE MASTER AGREEMENT WITH THE STATE OF
CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR CIP PROJECT NO. 163 –
WEST CYPRESS ROAD, BIG BREAK ROAD, AND ROSE AVENUE PAVEMENT
REHABILITATION PROJECT, FEDERAL AID PROJECT NO. RSTPL 5477 (006)**

WHEREAS, the City of Oakley is eligible to receive Federal and/or State funding for certain transportation projects, through the California Department of Transportation; and

WHEREAS, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, and /or Fund Transfer Agreements need to be executed with the State of California Department of Transportation before such funds can be claimed; and

WHEREAS, the City of Oakley wishes to delegate authorization to execute this program supplement agreement and any amendment thereto to Bryan Montgomery, City Manager; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that Bryan Montgomery is authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with the California Department of Transportation.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2015 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

Doug Hardcastle, Mayor

ATTEST:

Libby Vreonis, City Clerk

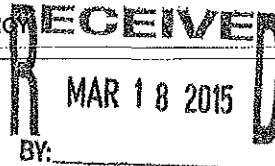
Date

STATE OF CALIFORNIA - CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

Division of Local Assistance
 1120 N STREET
 P.O. BOX 942874, MS# 1
 Sacramento, CA 94274-0001
 TTY 711
 (916) 654-3883
 Fax (916) 654-2408



March 16, 2015

File : 04-CC-0-OKLY

STPL-5477(006)

Big Break Rd from Main St to
 Vintage Pkwy; W.Cypress Rd from
 Empire Rd to Rose Ave; Rose Ave fi

Mr. Kevin Rohani, P.E.
 Director of Public Works / City Engineer
 City of Oakley
 3213 Main Street
 Oakley, CA 94561

Dear Mr. Rohani, P.E.:

Enclosed are two originals of the Program Supplement Agreement No. 004-N to Administering Agency-State Agreement No. 04-5477R.

Please note that federal funding will be lost if you proceed with future phase(s) of the project prior to getting the "Authorization to Proceed" with that phase.

Please review the covenants and sign both copies of this Agreement and return both to this office, Office of Project Implementation - MS1 within 90 days from the receipt of this letter. If the signed Agreements are not received back in this office within 90 days, funds will be disencumbered and/or deobligated. Alterations should not be made to the agreement language or funding. **ATTACH YOUR LOCAL AGENCY'S CERTIFIED AUTHORIZING RESOLUTION THAT CLEARLY IDENTIFIES THE PROJECT AND THE OFFICIAL AUTHORIZED TO EXECUTE THE AGREEMENT.** A fully executed copy of the agreement will be returned to you upon ratification by Caltrans. No invoices for reimbursement can be processed until the agreement is fully executed.

A copy of the State approved finance letter containing the fund encumbrance and reversion date information will be mailed to you with your copy of the executed agreement.

Your prompt action is requested. If you have questions, please contact your District Local Assistance Engineer.

Sincerely,

A handwritten signature in black ink, appearing to read "Winton Emmett".

WINTON EMMETT, Chief
 Office of Project Implementation - North
 Division of Local Assistance

Enclosure

c: DLA AE Project Files
 (04) DLAE - Sylvia Fung

PROGRAM SUPPLEMENT NO. N004
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 04-5477R

Adv Project ID **Date:** March 10, 2015
0415000050 **Location:** 04-CC-0-OKLY
Project Number: STPL-5477(006)
E.A. Number:
Locode: 5477

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 08/05/09 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the Administering Agency on _____ (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

Big Break Rd from Main St to Vintage Pkwy; W.Cypress Rd from Empire Rd to Rose Ave; Rose Ave from Laurel Rd to Main St.

TYPE OF WORK: Road Rehabilitation

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
	M23E		LOCAL	OTHER
\$1,415,723.00	\$1,031,000.00		\$384,723.00	\$0.00

CITY OF OAKLEY

STATE OF CALIFORNIA
Department of Transportation

By _____
Title _____
Date _____
Attest _____

By _____
Chief, Office of Project Implementation
Division of Local Assistance
Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer: _____

Date

3/11/15

\$1,031,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION
PROGRAM SUPPLEMENT AND CERTIFICATION FORM
 PSCF (REV. 01/2010)

TO: STATE CONTROLLER'S OFFICE Claims Audits 3301 "C" Street, Rm 404 Sacramento, CA 95816	DATE PREPARED: 3/10/2015	PROJECT NUMBER: 0415000050
REQUISITION NUMBER / CONTRACT NUMBER: RQS 04150000795		

FROM: DEPARTMENT OF TRANSPORTATION

SUBJECT: ENCUMBRANCE DOCUMENTS

VENDOR / CONTRACTOR: CITY OF OAKLEY

CONTRACT AMOUNT: \$1,031,000.00

PROCUREMENT TYPE: LOCAL ASSISTANCE

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT BUDGETED FUNDS ARE AVAILABLE FOR THIS ENCUMBRANCE AND PURPOSE OF THE EXPENDITURE STATED ABOVE.

CHAPTER	STATUTES	ITEM	YEAR	PEC / PECT	TASK / SUBTASK	AMOUNT
25	2014	2660-102-890	2015	20.30.010.810	2620/0400	\$1,031,000.00
					TOTAL	\$1,031,000.00

SPECIAL COVENANTS OR REMARKS

1. A. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

B. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

C. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Attention is directed to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

D. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

E. Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal

SPECIAL COVENANTS OR REMARKS

obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

F. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

G. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Exclusion List. Exclusions can be found at www.sam.gov.

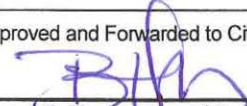


Agenda Date: 04/14/2015
Agenda Item: 3.6

STAFF REPORT

Date: Tuesday, April 14, 2015
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, Public Works Director/City Engineer

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

SUBJECT: Agreement with Cole Management & Engineering Inc. for providing Construction Inspection Services associated with Private Development and Capital Improvement Projects (CIP)

Background and Analysis

The improvements in the State and Regional economy has accelerated over the last year, and from all indications it is continuing through 2015. This economic growth is evident in Oakley by a surge of multiple new subdivision construction projects. Staff has performed an evaluation of the workload related to inspection services, for not only the private subdivision construction projects but also the upcoming street capital improvement project (CIP) construction. It was determined that the current staffing level for a single in-house public works inspector will not be sufficient enough to provide quality construction inspection services for all the current and upcoming project work load.

Staff has investigated possible options to supplement the in-house public works inspector, and the best option was to hire a public works inspector on a contract basis. This gives the City the most flexibility as to the level of inspection services needed without hiring a new inspector directly as a full time staff member.

There are a number of consulting firms that provide staffing augmentation to municipalities as part of a service contract. Staff reviewed qualification statements from three (3) firms and interviewed their inspection candidates. It was determined that Cole Management & Engineering Inc. would be best suited in providing the public works inspection services for the City of Oakley. Cole Management & Engineering Inc. would provide an experienced professional inspector with extensive construction inspection and management experience in both private and public projects.

A contract was executed between the City of Oakley and Cole Management & Engineering Inc. on March 23, 2015 under the City Manager's authority, in order for the critical inspection of the private development projects to continue. This report and authorization by the City Council extends the expenditure amount of the contract beyond the City Manager's authorization threshold of \$25,000. This will allow the City

staff to utilize this additional contract for inspection services as needed through June 30, 2016.

Fiscal Impact

The proposed cost for the inspection services that is provided by Cole Management & Engineering Inc. will be paid for from private development deposits that are collected by the City of Oakley for each development project, and is billed on a time and material basis for the actual cost of service. The cost of inspection services for CIP projects will be paid for from each project's funding source allocation.

Recommendation

Staff recommends that the City Council adopt the resolution amending the agreement with Cole Management & Engineering Inc. and authorizing the City Manager to execute the agreement.

Attachments

- 1) Resolution approving the agreement
- 2) Contract Amendment
- 3) Cole Management & Engineering Inc. proposal

RESOLUTION NO. __-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING CONTRACT AMENDMENT NUMBER 1 TO THE AGREEMENT WITH COLE MANAGEMENT & ENGINEERING INC. FOR INSPECTION SERVICES RELATED TO PRIVATE DEVELOPMENT AND CAPITAL IMPROVEMENT PROJECTS (CIP)

WHEREAS, after review of the current workload of the public works inspection staff, the decision was made to hire a professional construction management consultant to augment in-house staff and to provide continuous site inspection; and

WHEREAS, proposals from (3) three construction management and inspection firms were reviewed; and

WHEREAS, the Cole Management & Engineering Inc. proposal more closely fits the City's needs for inspection of both private and public projects at an hourly rate of \$130/hour; and

WHEREAS, On March 23, 2015 the City Manager under his authority approved an agreement with Cole Management & Engineering Inc.; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the contract amendment number 1 with Cole Management & Engineering Inc. related to inspection of private development and capital improvement projects at an hourly rate of \$130/hour is hereby approved. A copy of the Agreement is attached hereto as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2015 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTENTIONS:

APPROVED:

ATTEST:

Doug Hardcastle, Mayor

Libby Vreonis, City Clerk

Date

AMENDMENT NUMBER 1 TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF OAKLEY AND COLE MANAGEMENT & ENGINEERING INC. TO PROVIDE CONSTRUCTION INSPECTION SERVICES FOR PRIVATE DEVELOPMENT AND CAPITAL IMPROVEMENT PROJECTS (CIP)

This Amendment is entered into by and between the **City of Oakley**, a municipal corporation (hereinafter referred to as "City"), and **Cole Management & Engineering Inc.**, a California Corporation (hereinafter referred to as "Consultant"), effective as of the 14th day of April, 2015.

RECITALS

- A. On March 23, 2015, the City and Consultant executed an Agreement for Construction Inspection Services (hereinafter referred to as the "Agreement") related to the City's private development and capital improvement projects (CIP) at a rate of \$130/hr.
- B. The City and Consultant now desire that the following amendments be made to the Consultant's services to include:
 - 1. Consultant to continue to provide construction inspection services through June 30, 2016 on an as need basis as requested by the City at rate of \$130/hr.
- C. City and Consultant now wish to amend the Agreement to include the scope of services and to include appropriate payment provisions for the additional services beyond the original \$25,000 limit authorized by the City Manager.

AGREEMENT

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

- 1. Except as provided herein, the terms used in this Amendment shall have the same meaning as the same terms have in the Agreement.

IN WITNESS WHEREOF, the City of Oakley, a municipal corporation, has authorized the execution of this Amendment in duplicate by its City Manager and attestation by its City Clerk as authorized by the City's Purchasing Ordinance and the parties have caused this Amendment to be executed in duplicate.

City

Consultant

City of Oakley, a municipal corporation

Cole Management & Engineering Inc., a California Corporation

By: _____
Bryan H. Montgomery, City Manager

By: _____
Name, Title

ATTEST:

Libby Vreonis, City Clerk

APPROVED AS TO FORM:

Derek P. Cole, City Attorney

April 1st, 2015

Kevin Rohani, PE
Public Works Director, City Engineer
Oakley, CA 94561
3231 Main Street
Oakley, CA 94561



RE: Statement of Qualifications - Inspection Services

Mr. Rohani:

Cole Management & Engineering (CME) is pleased to submit the Statement of Qualifications for Cole Management & Engineering to the City of Oakley to assist with inspection services.

Since 1995, CME has provided project coordination, project management, construction management, and inspection services of public agency Capital Improvements Program projects, land development, and encroachment permit construction projects throughout the Bay Area, including the cities of Concord, Walnut Creek, El Cerrito, Pinole, San Bruno, and San Mateo. Projects we have worked on in the past include pavement rehabilitation, sanitary sewer improvements, storm drains, traffic signals, bikes lanes and pedestrian improvements such as crosswalks, sidewalks, lighting, trails, grading, and emergency repair projects.

CME has a successful history of inspection construction projects funded by state and federal sources, including Caltrans, FEMA, and ARRA. CME has extensive knowledge of the Caltrans Local Assistance Procedures Manual and have previously worked with local agencies in ensuring all guidelines are met, including documentation of all work and labor compliance. Along with the regulations local agencies must follow for federally funded projects, CME is familiar with the requirements that must be met during construction for projects operating under permits from the California Department of Fish and Game, U.S. Fish and Wildlife, and the U.S. Army Corps of Engineers.

Our experience includes work similar to anticipated projects for the City of Oakley. Our most recently completed series of projects were Phase 1 & 2 of the Downtown Sewer and Streetscape Improvements. Other pedestrian improvement projects included the Galindo Creek Trail Gap Closure project for the City of Concord and San Pablo Avenue Streetscape project for the City of El Cerrito. CME's experience in roadway improvement projects include the Clayton Road Pavement Rehabilitation, Grant Street Pavement Rehabilitation, and Whitman Road Pavement Rehabilitation projects for the City of Concord. The Whitman Road project involved repaving a roadway with rubberized hot mix asphalt, new traffic stripping configuration, and bike lanes with traffic loops.

In the past five years, CME has provided inspections services for the City of Walnut Creek. Projects include encroachment permitting, development projects, PG&E gas lateral replacements and BART construction.

CME is a qualified and committed professional engineering firm based in downtown Concord. Our staff is technically proficient and well-suited to provide inspection services for the City. We treat each of our clients' projects as if we are the "owner" with ultimate responsibility for delivering results. Pam will be billed at a rate of \$130/hr, plus expenses.

We look forward to meeting with you to go over Pam's resume. Please contact me directly at (925) 788-6688, or by email at ccole@cole-mgtandeng.com if I can be of further assistance.

Thank you for your consideration.

Sincerely,

Chris Cole, PE
Vice President/Principal

BACKGROUND

Cole Management and Engineering (CME) has staff available to local agencies for project management and construction management services, who have over 100 years combined experience in civil construction work. CME specializes in Projects/Programs involving complex funding issues, including funding from state and federal sources. Staff include the Principal-in-Charge, Project Managers, Resident Engineers, Construction Inspectors, Project Engineers, as well as administrative and technical support. For all projects CME proposes to its clients, a list of tasks are provided, along with hours specified for each task and who they will be assigned to. Most tasks take place in CME's office in Concord, with the exception of construction projects where inspectors will be on the project site full-time and the Resident Engineer at the project site part-time or full-time, and when CME serves as an extension of staff.

CME provides services to our clients in the Bay Area by seeking grants from state and local agencies for civil construction work. Once the client decides to seek the grant, CME sends out a proposal and level of effort estimate for the grant writing services, which includes the listed base tasks, proposed staff, hours allocated to each staff per task, and other expenses. Services for grant writing include: brief summary statement, cost estimate of the project, site plan and project location map, project schedule, site photos, draft authorizing resolution, letters of support, grant application assembly and post grant award services.

CME has experience coordinating with utility companies such as AT&T, Contra Costa Water District (CCWD), Comcast, PG&E, etc, in construction projects involving the removal and relocation of utilities. CME is currently coordinating with CCWD and the City of Concord to replace underground utilities. For projects at state highways and facilities, CME coordinates with Caltrans to obtain the necessary encroachment permits before construction. On creek restoration projects, CME obtains permits from the California Department of Fish and Game, Water Quality Control Board, and the U.S. Army Corps of Engineers.

CME understands the State Water Resources Control Board has made changes and new requirements for preparing and implementing a Storm Water Pollution Prevention Plan (SWPPP). CME has a Qualified SWPPP Practitioner (QSP) on staff who will be available to help implement the SWPPP.

CME's infrastructure is designed to allow our staff the ability to immediately begin project work. CME provides all of its own computer equipment, software, and electrical storage, including internet connectivity. Our electronic and paper filing system is based on the requirements of the Caltrans Local Assistance Procedure Manual and can be modified quickly to meet our client's needs. We also provide print services to our clients for archiving, mass production of documents, and full size engineering drawings.

CME maintains open communication with our clients and is available to answer questions. During construction projects, internal progress meetings are held weekly to discuss project challenges and appropriate actions to consider. No unnecessary procedures are utilized. This keeps CME rates and overhead at a minimum to the benefit of our clients.

We believe our ability to assist local agencies with their funding needs, along with financial and staffing issues will set us apart from other firms. Various financial and staffing issues can be resolved through our man-power loading process. This process involved taking the projects and responsibilities of each staff member, and providing a detailed estimate for each project. All information collected is entered into Microsoft Project. This data can be analyzed to maximize staff time and budget. This will make sure local agency staff is not over or under loaded.



CME'S MAIN OFFICE IS LOCATED IN DOWNTOWN CONCORD



MANY UTILITIES WERE RELOCATED DURING THE BART EXTENSION TO SFO IN SAN BRUNO



CME HAS STAFF AVAILABLE TO MONITOR SWPPP DURING CONSTRUCTION

PROJECT MANAGEMENT/CONSTRUCTION MANAGEMENT

CME's speciality is to provide a high level management resources for projects when agencies do not have the management skills and staff. We provide our clients with a resource needed to meet peak workload demands or to fill a need caused by the loss of internal staff. We have the ability to provide part time or as-needed services for multiple projects.

Often, local agencies will hire CME to take projects from conception through construction. Our staff works internally with our clients as-needed. Management tasks include coordinating with other agencies (Caltrans, utilities, state, regional and local), funding assistance, scheduling, writing staff reports, advertising and bidding projects, consultant selection, grant reimbursement, design review, printing contract documents, inspection, and project closeout.

Construction activities taking place in heavily congested corridors must account for vehicle and pedestrian traffic, where high traffic volumes or major pedestrian activities can lead to unsafe conditions. CME requires the Contractor to submit traffic control and a well detailed pedestrian control plans before proceeding with construction activities. The Resident Engineer will provide a detailed review of the Contractor's traffic control plan.

In order to minimize the impact on local residents and businesses, CME works with the Contractor to develop the appropriate schedule and staging plan. Notices are mailed to those impacted by the project, along with flyers, direct communication with the community and enforcement of the Contractor's staging plan and schedule, in order to minimize disruption. During construction, additional notices are provided by the Contractor as needed. CME communicates and listens to the concerns of residents and property owners, and work with the Contractor to address these concerns.

The Resident Engineer is responsible for tracking all construction costs, progress payments, the status of completion for each bid item, and reviews submittals and testing programs on a weekly basis. Progress meetings are held weekly to review the progress schedule for compliance, and make adjustments that are needed to meet the approved project schedule. The Resident Engineer keeps an active list of Contractor deficiencies throughout the project and uses that list as the basis for the punchlist, and adds it to the list of items identified in the final walkthrough. The Resident Engineer provides a full analysis of all contract change orders, when necessary for any construction projects and provides signature approval of all contract change orders.

The Inspector works under the supervision of the Resident Engineer and Project Manager during construction projects, and is responsible to track progress, prepare daily reports and forms necessary for the project, and provides day-to-day supervision of project activities. All forms will be reviewed daily by the Resident Engineer and are made available to the client, along with photographs of all operations. CME is able to set up a portal for each project so our clients have access to our files at all times.



CME'S RESIDENT ENGINEER WILL PROVIDE A DETAILED REVIEW OF THE CONTRACTOR'S TRAFFIC CONTROL PLAN



CME WILL WORK WITH THE CONTRACTOR TO MINIMIZE IMPACTS TO RESIDENTS DURING CONSTRUCTION



CME'S INSPECTORS WILL TRACK PROGRESS AND PROVIDE SUPERVISION OF CONSTRUCTION ACTIVITIES

PAM BRIDANT

MAIN INSPECTOR

RELEVANT PROJECT EXPERIENCE

PG&E Copper Gas Main and Service Replacement, Pleasant Hill, CA (2012)

Inspector

- Served as the Inspector for the City of Pleasant Hill
- PG&E replaced copper gas service lines in various streets throughout the City
- Performed field inspections for the encroachment permit project and submitted daily reports with photographs
- Monitored contractors to minimize impacts to residents and for open trench replacement of copper gas lines, restoration of public streets, drive-ways, and sidewalks
- Coordinated with property owners and residents over gas shutoff, restoration, schedule and scope of work
- Reviewed reviewed traffic control plans and monitored implementation in the field



PAM BRIDANT
INSPECTOR

Annual Residential Slurry Seal Projects from (2001 - 2009)

Inspector

- Responsible for all bid documents including the plans and specs.
- Perform inspections.
- Help residence with issues getting to/from their homes while the project is under way.
- Notification of neighborhoods to be affected by the project.
- Customer service support as needed either via phone or in the field.



PGE COPPER GAS LINE
REPLACEMENT PROJECT
PLEASANT HILL, CA

Kaiser Project (2009)

Inspector

- Installed a traffic signal at San Pablo Ave at the Kaiser site.
- Plans and inspections included.

Fitzgerald Dr. at Best Buy Traffic Signal Installation

Inspector

- Coordinated with underground utility agencies.
- Managed all documents related to the project.
- Responsible for the plans and specifications.
- Perform field inspections as needed.
- Issue necessary permits to contractors.
- Point of contact for the merchants and citizens to minimize disruption during construction.



KAISER PROJECT
PINOLE, CA

Sewer Rehabilitation Project (2009)

Inspector

- Provided inspection for the installation of CIPP pipe throughout the City of Pinole.
- Provided daily reports documenting all equipment and labor on the project.
- Reviewed and monitored traffic control as required on the project



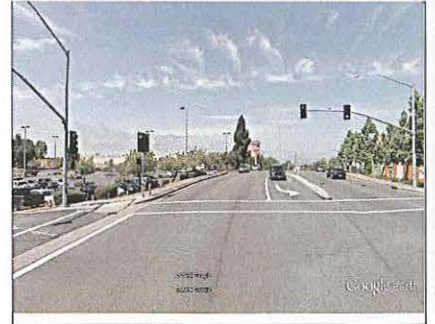
PAM BRIDANT

- Inspected spot repairs and provide oversight of compaction to meet the requirements of the contract specification
- Notified and followed up with affected residents to informed them of the impacted caused by construction
- The estimated construction cost for this project was \$200,000

Fitzgerald Drive Overlay Project (2008)

Inspector

- Provide inspection for two phases on paving for the City's largest thoroughfare.
- Project included construction/modification of medians within Fitzgerald Drive.
- Reviewed, monitored, and inspected traffic control plans for this project.
- Assisted with staging plans
- Inspected the placement of temporary and permanent striping.
- The estimated construction cost for this project was \$2.4 million.



FITZGERALD DR AT BEST BUY
TRAFFIC SIGNAL INSTALLATION
PLEASANT HILL, CA

City of Pinole, Building & Public Works Department (2000 -2010)

Inspector/Permit Technician

- Performed various field inspections as needed for the Building & Public Works Departments
- Monitored contractors to minimize impacts to residents
- Coordinated with utility agencies
- Services included reviewing permit applications, plan check basic building permits, and issuance of encroachment permits
- Completed required reports for state & local government agencies
- Prepared forms, correspondence, receipts, brochures & specialized documents from drafts, notes with brief instruction
- Tracked plans & applications, through the permitting process
- Performed final inspections as needed to close out miscellaneous permits for the Building & Public Works Departments
- Projects included: Kaiser Permanente: Pinole Campus, Pinole Valley Shopping Center, Pinole Valley Fire Station, Fourth Digester, Pinole/Hercules Sewer Treatment Plant
- Managed and Inspection the City's annual projects as follows:



SEWER MAINTENANCE PROJECT
PINOLE, CA

Cole Management & Engineering (2009 -2010)

Inspector/Engineering Technician

- Performed multiple field inspections and prepare detailed reports on various bridges throughout the City of Concord
- Prepared reports for federally funded projects including invoicing and filing systems
- Created proposals and qualifications for engineering services
- Assisted with creation of company templates including CME standard reporting requirements



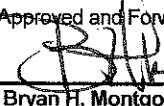
SEWER REPLACEMENT PROJECT
PINOLE, CA



Agenda Date: 04/14/2015
Agenda Item: 3.7

STAFF REPORT

Date: Tuesday, April 14, 2015
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, P.E. Public Works Director/ City Engineer
SUBJECT: Agreement with Pavement Engineering, Inc. (PEI) for Design Services Associated with CIP Project Number 167 – FY 2015/16 Street Repair and Resurfacing Project

Approved and Forwarded to City Council

Bryan H. Montgomery, City Manager

Background and Analysis

The City's Five-Year Capital Improvement Program (CIP) includes a project for the improvement and rehabilitation of the local streets in the City of Oakley. The City uses this annual project to perform rehabilitative and preventative maintenance on the public street network through various means such as: dig-outs, crack sealing, slurry sealing, cape sealing, and pavement overlays.

The City of Oakley uses a Pavement Management System (PMS) to evaluate the condition of streets and to prioritize projects to repair and resurface the streets. The PMS program is based on the inspection of streets and evaluation of traffic flows and volumes. Each annual street repair and resurfacing project is done strategically to ensure the funds allocated are utilized to not only repair and resurface the streets that are in poor condition, but also to rehabilitate streets that are in fair to good condition to prolong their life and performance.

One of the major issues that we are faced with in Oakley is the existence of Sierra-Crete in the roadway base. Sierra-Crete was a product of DuPont Corporation that was used as roadway base material in the then unincorporated Oakley streets, as well as other communities in East Contra Costa County between 1989 and 1996. This material has not performed as expected and has resulted in numerous base failures under City streets over the past several years. As a part of the annual street repair and resurfacing projects, base repairs are performed and Sierra-Crete is removed from under the City streets.

The City's most recent street repair and resurfacing project, located in the Heather Park neighborhood, contained similar failures and Sierra Crete. The design recommendation was to repair the failed areas and place a Thin Maintenance Overlay (TMO) over the entire street. The TMO provided a minor structural benefit and the final product looks like a newly paved street. The TMO has been in place for a year and is performing exceptionally well. This project had both Sierra Crete and non-Sierra Crete streets. They all have had similar failures due to their age and varying pavement condition. Using a TMO for the entire project afforded an economy

of scale by using only one treatment method, and provided a superior treatment to a slurry seal.

For the past two (2) years, the consulting firm Pavement Engineering, Inc. (PEI) has been hired by the City of Oakley to design the annual street repair and resurfacing project. This firm specializes in pavement design and works for a large number of municipalities across California. They have performed effectively and efficiently on the City of Oakley projects. Staff requested a proposal from Pavement Engineering, Inc. to prepare plans, specifications, bid documents, and engineer's estimates. They have proposed to do it for a cost not to exceed \$45,477.50.

This type of project is considered to be a "fair weather" project and has to be constructed during the warmer months. The proposed schedule would be to design it over the next few months and have it ready for construction in late summer of 2015.

Fiscal Impact

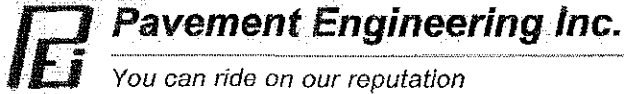
Currently there is \$304,000 in unassigned appropriations in the Gas Tax Fund that is available to fund the design phase of the project. The proposed FY 2015/16 budget currently includes an additional \$1,000,000 for the construction phase (\$800,000 in Gas Tax funds and \$200,000 in Measure J funds). Approval of the resolution will authorize the City Manager to execute an agreement with PEI for a cost not to exceed \$45,477.50, and assign \$45,477.50 of available Gas Tax funds to CIP 151, the FY 2014/15 Street Repair and Resurfacing CIP.

Recommendation

Staff recommends that the City Council adopt the resolution approving the agreement with PEI for design services, as described, for a cost not to exceed \$45,477.50 and authorizing the City Manager to enter into the agreement. The Resolution also includes the assignment of \$45,477.50 of funds currently available in Gas Tax funds to pay for the work.

Attachments

- 1) Pavement Engineering Inc. Proposal
- 2) Resolution



April 6, 2015

MP15-133B

Mr. Jason Kabalin
City of Oakley
3231 Main Street
Oakley, CA 94561

Subject: Proposal to Provide Engineering Design Services for the FY 2015-2016 Pavement Maintenance Project (see attached street lists)

Dear Jason:

We appreciate the confidence you have in our services and look forward to working with you and the City of Oakley on its FY 2015-2016 Pavement Maintenance Project. This proposal outlines our services and fees.

DESCRIPTION OF SERVICES

The City of Oakley would like Pavement Engineering Inc. (PEI) to assist them with its FY 2015-2016 pavement maintenance projects. As part of this work, PEI's design focus will include maintaining the existing pavement to a serviceable and safe condition. Working off the attached street list we will compile measured field quantities, prepare contract documents and estimates and provide bid and construction support services. The scope of work and our approach will be similar to previous projects performed with the City of Oakley.

SCOPE OF WORK

Task 1 - Measure Field Quantities

PEI will compile information previously collected measurements and pertinent field quantities from each of the project. Physically measuring the quantities provides confidence that the bid quantities are correct and ensures smoother contract administration and reduces the potential for change orders.

We will compile and summarize physical elements, including the location of existing striping, pavement markers and paint markings; location of underground utility covers; limits of paving transitions, digouts, and other pavement repairs; and the total area of pavement to be resurfaced.

If we identify any concrete repairs or tree root damage during our field reviews, we will note it and bring it to your attention to determine if the repairs should be added to the contract.

Mr. Jason Kabalin
April 6, 2015
MP15-133B
Page 2

Task 2 - Prepare and Incorporate Contract Documents and Estimates

PEI will compile all field quantities (Task 1) into individual engineer's estimates by street segment and will provide a summary spreadsheet of the entire project. Using these quantities, along with the pavement evaluation data (Task 3 -optional), PEI will meet with City staff to determine the most cost-effective maintenance approach for each of the project streets. This meeting will be considered the 65% submittal.

We will draft technical specifications and details for typical sections, transitions, conforms, digouts, and additional pavement work will be prepared. PEI will submit any portion of the maintenance work that requires further clarification in the form of drafted plan views, details, elevations, or cross sections, as is necessary. Where it facilitates the design, PEI will use aerial photographs to develop base sheets. This information will be submitted to the City at the 90% design review. Our work will include designing the required accessible ramps within the project limit.

After reviewing the 90% submittal, we will meet with City staff to resolve any outstanding issues and will adjust the contract documents accordingly. A final 100% submittal will follow.

This work does not include the design of ADA curb ramps. This service can be performed for additional fees.

Task 3 – Perform deflection testing and coring for pavement design

PEI will perform deflection testing, coring and analysis on the project streets. This type of analysis will eliminate the guesswork and ensure than an optimum maintenance approach is identified. In addition, PEI has found that adequate cores and deflection data is invaluable during both the design and construction phases of the project. Our experience suggests that gathering this additional data helps produce designs that can last longer than average approaches, resulting in additional savings to the City. The data collected would be helpful in evaluating these "Sierra-Crete" streets.

The deflection analysis will be performed in general accordance with California Test method 356 (CTM 356). Deflection tests will be performed at 100-foot maximum intervals in one lane (minimum 5 tests per segment). Coring will be performed at 500-foot maximum intervals over the street segment (minimum two cores per street segment).

Traffic control will be provided using a vehicle mounted warning lights. Flagging will be provided as needed. The City of Oakley will provide traffic index information.



Mr. Jason Kabalin
April 6, 2015
MP15-133B
Page 3

PROPOSED WORK SCHEDULE

PEI understands that time is of the essence. We are committed to completing the final contract documents quickly, so the City can enter into a construction contract by July of this year.

PROPOSAL FEE & FEE BREAKDOWN

We estimate the construction cost for the listed project streets will be between \$550,000 to \$800,000. Our not to exceed fee to perform the outlined work will be \$45,477.50. Pavement Engineering Inc.'s fee for the work is based on our experience with similar projects performed for the City and throughout the State.

The estimated fees for the total project include all field work, design work and contract document development up to completion of the project for the project streets. Construction inspection and testing services are not included.

Our work will be invoiced on a time and material basis. All fees and costs associated with this project are subject to final negotiation with the City of Oakley. Any change in scope may result in additional fees. The attached proposal conditions apply.

Please call me at (805) 781-2265 with any questions you may have about this proposal. It's always great working with you, Jason. We will always endeavor to meet your expectations going forward.

Very truly yours,
PAVEMENT ENGINEERING INC.



Joseph L. Ririe, P.E.
Principal

Attachments: Street List
Proposal Conditions

pc: C File, M File, MP Files



**CITY OF OAKLEY
2015 PAVEMENT MAINTENANCE PROJECT
STREET LISTS**

AREA A (135,210 SF)

<u>Street</u>	<u>From</u>	<u>To</u>
Carol Lane	Main Street	Fairhaven Way
East Summerfield Court	Fairhaven Way	End
Fairhaven Court	Fairhaven Way	End
Fairhaven Way	West Summerfield Court	Fairhaven Court
West Summerfield Court	Fairhaven Way	End

AREA B (403,539 SF)

<u>Street</u>	<u>From</u>	<u>To</u>
Bernard Road	Highway 4	Beginning Bridge
Century Way	Creekside Way	Oak View Lane
Creekside Court	Laurel Road	End
Creekside Way	Honey Lane	Creekside Court
Hacienda Drive	Oak View Lane	Creekside Way
Heritage Court	Heritage Way	End
Heritage Way	Century Way	Honey Lane
Honey Lane	Heritage Way	Creekside Way
Meadow Brook Court	Meadows Lane	End
Meadow Court	Meadows Lane	End
Meadow Creek Court	Meadows Lane	End
Meadows Lane	Bernard Road	Laurel Road
Mission Court	Century Way	End
Oak Glen Drive	Oak View Lane	White Oak Court
Oak Grove Court	Century Way	End
Oak Grove Drive	Century Way	Laurel Road
Oak View Lane	Century Way	Oak Glen Drive
Oak Villa Court	Creekside Way	End
Old Oak Court	Meadows Lane	End
White Oak Court	Hacienda Drive	Oak Glen Drive



PROPOSAL CONDITIONS

1. Proposal is valid for thirty days from the date of the proposal.
2. All work shall be performed utilizing common methods and practices of the civil engineering profession. Reports and construction documents will be signed by a registered civil engineer.
3. Fees for Lump Sum or Unit Price Proposals will be charged at the quoted price. The quoted prices include all laboratory testing costs. Fees for Engineering and Technical Services on a Time and Materials Basis will be charged at the applicable hourly rates of the current PEI Fee Schedule.
4. The proposal is based upon providing liability insurance with limits up to \$2,000,000.
5. One copy of an Engineering Report or Plans and Specifications will be provided to the Owner of a project. Additional copies are \$35 each.
6. Payment: Invoices will be submitted at the completion of the work for Engineering Reports. Inspection fees will be invoiced on a monthly basis. All invoices are due upon receipt. Interest of 1-1/2% per month (but not exceeding the maximum rate allowable by law) will be payable on any amounts not paid within 30 days, payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. Attorneys' fees or other costs incurred in collecting any delinquent amount shall be paid by the client.



RESOLUTION NO. ___-15

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
APPROVING AN AGREEMENT WITH PAVEMENT ENGINEERING INC., (PEI)
FOR DESIGN SERVICES ASSOCIATED WITH CAPITAL IMPROVEMENT
PROGRAM PROJECT NUMBER 167 – FY 2015/16 STREET REPAIR AND
RESURFACING PROJECT AND AUTHORIZING THE CITY MANAGER TO
EXECUTE THE AGREEMENT**

WHEREAS, as part of the Fiscal Year 2014/2015 Budget the City of Oakley approved a 5-Year Capital improvement Program (CIP); and

WHEREAS, Project Number 151 is the 2014/15 Street Repair and Resurfacing project, and Project 167 is the 2015/16 Street Repair and Resurfacing Project, which will include rehabilitative and preventative maintenance on the public street network through a series of dig-outs, crack sealing, and pavement overlay, and;

WHEREAS, staff identified numerous streets throughout the City of Oakley for the repair and resurfacing project; and

WHEREAS, Pavement Engineering Inc., has submitted a proposal to prepare design drawings, specifications, and cost estimates for CIP Project Number 167 for an amount not to exceed \$45,477.50.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the City Council of the City of Oakley hereby:

- 1) Approves the agreement with Pavement Engineering Inc., for the preparation of engineering design drawings, specifications, and cost estimates for CIP Project Number 167 for an amount not to exceed \$45,477.50, and authorizes the City Manager to execute said agreement;and
- 2) Assigns \$45,477.50 of currently available unassigned Fund Balance in the Gas Tax Fund, to CIP 151 so that funds are available for the design work to begin in Fiscal Year 2014/15.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of April, 2015 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

ATTEST:


Doug Hardcastle, Mayor

Libby Vreonis, City Clerk

Date



STAFF REPORT

Date: April 14, 2015
To: City Council
From: Bryan Montgomery, City Manager 
 Paul Abelson, Finance Director

SUBJECT: Resolution Directing the City Manager to notify Contra Costa County of the City's Intention to Form its own Municipal Police Department and Electing Not to Extend its Contract with Contra Costa County when it would Typically Extend on July 1, 2015, thus Terminating the Contract on June 30, 2016, unless the Parties Agree to an Earlier Termination Date.

Background and Analysis

Since its Incorporation, the City of Oakley has formally contracted with the Contra Costa County Sheriff's Office for police services. At that time there were 17 sworn personnel at a cost of approximately \$2.5 million. Currently, there are 28 sworn personnel costing about \$8.2 million. The contractual arrangement with the Sheriff's Office has worked very well and the City has received a high quality level of service.

The ongoing analysis and discussion over the current contracting arrangement has not been about the quality of service, but about the ever-increasing cost of the service. Contra Costa County has over the last several years been allocating more and more of its unfunded liabilities cost on to the contract cities and the overall cost of the personnel benefits is significant, though there have been different tiers of benefits established that will likely reduce the benefit cost over time.

This table shows the increases in cost per top-step Deputy since 2008-09:

Fiscal Year	Cost per Deputy	Annual Increase	Cumulative Increase
2014/15	\$243,718	8.83%	33.10%
2013/14	\$223,953	4.62%	22.79%
2012/13	\$214,062	7.86%	17.37%
2011/12	\$198,462	3.33%	8.81%
2010/11	\$192,072	3.75%	5.31%
2009/10	\$185,120	1.50%	1.50%
2008/09	\$182,383		

In January of 2014, the City Council formally directed City Staff to commence a detailed analysis of the costs related to the police services contract and to explore alternative service delivery models. This direction was further confirmed as Action Item 6.f. in the current 2014-16 Strategic Plan.

Over the past year, Staff has been taking a measured and deliberate approach to gathering the necessary data, and exploring the options and opportunities that may be available regarding the very complex and critical delivery of police services. The goal was to present a comprehensive, actionable analysis offering the City Council the opportunity to evaluate and decide how to best proceed with the long-term delivery of these very critical services.

The key action items of police services analysis included the following:

1. **Defined the Objective:** The goal of the Study was to determine whether the City may be able to provide equal or improved police services at a lower cost than under the current County contract arrangement.
2. **Met and conferred with the Sheriff and other County officials:** the purpose of the meetings and other communications was to reassure the Sheriff of our continued satisfaction with the quality of services provided, but that the costs of the services were increasingly becoming a serious concern.
3. **Conducted a survey of other police departments:** we surveyed 27 other police agencies and identified how these agencies were providing (in-house or by contract) over 30 components of the police services function. Some of these components include staffing, records, training, recruitment and selection, investigations, dispatch, property/evidence, forensics, fleet maintenance, etc. In the process we identified a number of third-party providers for these services.
4. **Conducted preliminary organizational analyses:** with the data collected, we evaluated potential organizational structures and models for providing the police services functions. This analysis reviewed the common "hybrid" approach of providing some services in house and others by contracting with other entities.
5. **Met with other cities that have separated from County contracts:** We gleaned information from a number of cities that have adjusted their police services model over the years. Most notably we met with officials from the cities of San Ramon and Citrus Heights who separated from County contracts and went mostly in house.
6. **Contacted potential vendors:** we connected with over a dozen vendors (some other public entities) to assess the capacity for and the costs to provide these various services to Oakley.

7. **Further developed preliminary models for in-house and hybrid service delivery approaches:** this effort revisited potential organizational structures that would establish a mostly in-house arrangement, but with some services contracted out.
8. **Received input from experienced law enforcement professionals regarding organizational structures:** while some minor adjustments could be made, a preferred organizational chart was necessary to properly cost out the models.
9. **Contracted with compensation and benefits consultants:** this consultant team conducted a salary, benefits and overall compensation survey and also met in focus group settings with some of the existing Oakley officers. This effort assisted with the development of a strategic recruitment plan based on an initial compensation and benefits model that could be used should the City separate from the County.
10. **Identified and worked to quantify the risk transfer components that would occur if the City no longer contracted police services from the County:** there are a number of "back of house" services provided and the assumption of a significant amount of risk by the County as a part of the contract. Identifying those costs and the impact on the City organization has been a critical part of the analysis.
11. **Identified and estimated one-time conversion costs should the City separate from the County:** while almost all of the vehicles, equipment and other assets are already owned by the City, additional vehicles and equipment would need to be purchased, some office space re-worked and some "overlap" staffing brought on board prior to the separation to prepare for the transition.
12. **Prepared cost estimates comparing current costs with the County contract and the estimated costs of an in-house police department that contracts some services (most notably forensics and dispatch).** These cost estimates have been reviewed and re-reviewed several times and Staff believes we have a solid idea of what the costs will likely be to separate from the County contract.
13. **Conferred with the County once again to determine if they would consider any changes to the cost modeling.** We felt it important to ask once again if the County would consider adjustments to how the costs of services under the police services contract are calculated. We received formal word that such adjustments would not be considered; although a continued contractual relationship with the County for some services, as is done by many cities, is expected and Staff would be

meeting with the County staff, should the Council decide to separate from the County contract.

14. **Held Public Meetings and conducted other public outreach to discuss the ongoing analysis and to receive further public input.** Updates were provided at City Council Meetings during 2014 on January 14th, April 8th, August 12th, and on December 9th; City Council work sessions were held on February 10th, 24th and on March 10th of this year; supplemental public input sessions took place on February 25th and 26th; and, further public input was sought through social media, the City's website, the weekly F.Y.I., and the weekly *Oakley Outreach* email blast. Residents were also encouraged to email comments, suggestions and questions.

15. **A Preliminary "Meet and Confer" Meeting was held with sworn personnel currently assigned to Oakley and who would consider becoming a part of a newly-formed Oakley Police Department.** The purpose of this meeting was to discuss potential compensation and benefit plans that could be available if the City chooses to proceed with bringing the sworn personnel staffing "in-house." It is expected that a significant number of the existing staffing would want to become a part of a new municipal police department.

16. **The City Council provided direction at the March 10, 2015 City Council Meeting for City Staff to proceed with obtaining more firm cost estimates for the City-hybrid model.** These costs estimates were reviewed and confirmed and included the expected in-house cost e as well as the estimated costs for various services that are proposed to be contracted with third parties.

Budget Estimates

As has been discussed over the past few months, the analysis has indicated a significant savings by bringing the sworn personnel "in-house." Below is a comparison of the current year operational budget as it is with the County contract and the estimates of what it would cost utilizing the City-hybrid model where many services are contracted with other parties, but with the sworn personnel in-house:

<i>Expenditure Category</i>	FY 14/15 County Contract Model	Projected Equivalent City-Hybrid Model
Personnel Services	\$227,000	\$5,640,000
Contracted Services	\$8,160,000	\$1,700,000
Supplies	\$231,000	\$280,000
Other City Departments	\$0	\$300,000
TOTALS	\$8,618,000	\$7,920,000

There are some one-time, start-up costs that we can expect as a transition is made, but these costs are estimated to be roughly equal to one-year of cost savings. After the first year of operations, the City Council would then be able to identify how to best utilize the ongoing savings to improve community services, which could very well include the addition of police officers and/or other programs, projects or staffing that would enhance the police services function.

Summary

Oakley has been **very** well served over the years by the police services provided by the Contra Costa Sheriff's Office, and Oakley is blessed to be one of the safest cities in California. The desire to be able to afford to maintain and even increase this level of service has been the impetus and objective of the ongoing Police Services Study. Through thoughtful study, analysis, consultation and public discussion, it is evident that the City-Hybrid model provides the most effective way to proceed with the delivery of these critical services.

The attached resolution would provide the authorization to notify the County of the decision to separate from the County contract effective July 1, 2016 (or before if mutually agreed to with the County). If the resolution is adopted, County staffing would continue during the transition period; however, we would recruit/put into place the Oakley transition team and methodically take the steps necessary to form the municipal police department, utilizing the City-Hybrid model. For the most part, the transition will be seamless.

Recommendation

Adopt a resolution directing the City Manager to notify Contra Costa County of the City's decision to form its own municipal police department.

Attachments

1. Resolution
2. Public Input Summary regarding the Police Services Study

RESOLUTION NO. _____

RESOLUTION DIRECTING THE CITY MANAGER TO NOTIFY CONTRA COSTA COUNTY OF THE CITY'S INTENTION TO FORM ITS OWN MUNICIPAL POLICE DEPARTMENT AND ELECTING NOT TO EXTEND ITS CONTRACT WITH CONTRA COSTA COUNTY WHEN IT WOULD TYPICALLY EXTEND ON JULY 1, 2015, THUS TERMINATING THE CONTRACT ON JUNE 30, 2016, UNLESS THE PARTIES AGREE TO AN EARLIER TERMINATION DATE

WHEREAS, the City has contracted with the Contra Costa County Sheriff's Office for police services since its Incorporation under a comprehensive agreement; and

WHEREAS, the City has been very pleased with the police services received, but has become increasingly concerned over the costs of these services charged under the contract; and

WHEREAS, the City Council directed City staff to conduct a detailed analysis of the costs related to the police services contract and to explore alternative service delivery models; and

WHEREAS, the City Council has reviewed the analysis related to the police services contract compared to the costs of a mostly "in-house" municipal police department; and

WHEREAS, various work sessions and information sessions were held to provide the public an opportunity to learn more and voice its opinions regarding the provision of police services in Oakley; and

WHEREAS, additional discussions were held with the County to receive their input on the many considerations necessary for this analysis, and to determine what services the County would be willing to continue to provide, if requested by the City; and

WHEREAS, the City's analysis concludes that a mostly "in-house" municipal police department can provide the same or increased level of service at a lower cost than the current comprehensive police services contract with the County; and

WHEREAS, the City Council has made the finding that it is in the best interests of Oakley to form its own municipal police department and to separate from the existing police services contract with the County; and

WHEREAS, the contract automatically renews each July 1, unless either party gives notice of its intention not to renew at least one year in advance, although both parties can agree to an earlier termination.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council declares its intent to form a municipal police department and has determined to not extend the existing police services agreement with the County;

2. The City Manager is directed to notify the County and the Sheriff in writing that the City of Oakley will not be renewing the police services contract and that the police services provided by the County will terminate on June 30, 2016;

3. The City Manager is authorized to enter into a written agreement with the County and the Sheriff for an earlier termination of the contract, provided that the County's police services to Oakley shall not terminate prior to one year from the date of the adoption of this Resolution.

The foregoing resolution was passed and adopted at a regular meeting of the City Council of the City of Oakley held on the 14th day of April, 2015, by Councilmember _____, who moved its adoption, which motion being duly seconded by Councilmember _____, was upon voice vote carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

Doug Hardcastle, Mayor

ATTEST:

Libby Vreonis, City Clerk Date

POLICE SERVICES STUDY

~ PUBLIC INPUT SUMMARY ~

Presented on March 10, 2015

Q: Doesn't Oakley already have a Police Department?

A: *Yes, the City does have a defined operational department for Police; however, the principal services of the Oakley Police Department are provided by the Contra Costa County Sheriff's Office for a fee paid by the City. To further explain, while some non-sworn staff members are City employees and the vehicles and equipment are owned by the City, the sworn police officers serving Oakley are actually County employees. The City has contracted with the County for these staffing services since its Incorporation. The County employees are well "embedded" in the City organization, wear City of Oakley uniforms, drive City-marked patrol vehicles, and use title of "police officer" instead of "deputy" which likely leads many residents to believe they are all City employees within the Oakley Police Department.*

Q: If things are going so well, why is this study being conducted?

A: *With the clear acknowledgement of how critical police services are to the community (really the highest priority of City operations), the City Council asked staff to conduct an analysis to determine whether, over the long-term, service levels can be better maintained financially by establishing a mostly "in-house" Police Department or by remaining with the County contract.*

While the services provided by the County have been outstanding, the costs of these services have increased dramatically over the last several years. In fact, this current fiscal year alone the County has increased costs by \$650,000 – just to maintain the existing service levels (i.e. these funds weren't to hire additional staff). These ever-increasing costs could threaten Oakley's ability to maintain, let alone improve, police services over time.

Q: What changes are being considered as a result of the Study?

A: *The potential change would be to establish a City Police Department where the police officers are City employees. Many components of the police services function would likely continue to be contracted out, such as dispatch, forensics, information systems and fleet maintenance; and there are several that might be better handled in house, such as records, evidence and property storage. This combination of City and contracted services is what we are calling a "hybrid" model.*

The Study has found that, due to what are essentially staffing overhead costs charged by the County, the City could save money by bringing the staffing component "in-house." While a portion of these savings would need to be used to offset some increased costs associated with supporting the in-house/hybrid operations, a portion could be used to better maintain and eventually improve police services. Most importantly, a key determination of the Study is that the ability to add police officers over time is greatly improved under the City hybrid model.

Q: Would the Sheriff's Office deputies currently serving in Oakley be given an opportunity to work with the City should the City break away from the County contract?

A: Absolutely. We believe that many of these deputies currently serving, as well as many of those that have previously served in Oakley, will want to become part of the in-house Police Department. The goal is to provide a compensation and benefits package that will attract and retain these quality officers.

Q: What would the compensation and benefits package be if the City hired its own police officers?

A: To help prepare a draft package, the City hired an experienced set of consultants that surveyed other cities and also met with some of the existing staff in focus group settings. The cost estimates that have been prepared include competitive salaries and benefits, including common and appropriate public safety related pay differentials. Some adjustments to the overall package are still likely and the package wouldn't be finalized until the required meet and confer activities take place with staff and final agreements with other service providers are reached.

Q: Would the hire of self-sponsored recruits save the City money (the City would not have to pay for the training, as the recruit would already have paid for academy costs)?

A: Over time, these types of hires are possible and this approach could yield some cost-savings. It is the expectation; however, that the initial hires of police officers will be already-sworn and experienced police officers of varying ages.

Q: Will lateral officers be offered a 2.7@57 CALPERS retirement plan only, or can they grandfather from a 3@50 plan?

A: State law will not allow us to offer anything higher than the PERS 2.7 @ 57 retirement plan. We did evaluate a 401k type plan, but it appears that approach would be less attractive than even this lower PERS plan. Focus groups held with the existing offers indicated a strong preference of the PERS plan versus a 401k-type plan, even if it cost them more and guaranteed less. The fact that it was guaranteed was more important.

Q: How will dispatch/radio communications be handled if the City separated from the County contract?

A: The Study did not contemplate that the City would bring dispatch services in-house, but that we would continue contracting for those services with the County or another public agency. The County contracts with a number of other police agencies and there are several cities who offer contract dispatch services to other agencies to gain economies of scale (for example, the City of Antioch currently provides dispatch services to the City of Brentwood under an interagency contract). The County provides dispatch services to a number of agencies, as there are significant economies of scale in "regionalizing" these services.

Q: Are dispatch services included in the per officer cost in the current contract with the County?

A: No, these services are billed separately and are not wrapped up in to the per officer cost.

Q: What options exist for dispatch/communications services?

A: As mentioned above, there are a number of other police agencies that provide dispatch services and the City could contract with them or continue with the County. In fact, several agencies have expressed interest in contracting with us, should we want to pursue this further, and we remain interested in considering a contract to continue dispatch/communications services with the County. As far as how these options have been reflected in Staff's analysis, while costs have been estimated, no final agreements have been reached and won't be pursued unless the City Council directs Staff to proceed with the City-hybrid model.

Q: Would the Oakley Police Department share a dispatch radio channel with other cities?

A: We would contract dispatch services and as a member of the East Bay Regional Communications System, have a dedicated radio capacity within the System -- even in a contract with another public agency. The exact channel and with whom it might be shared would depend on the contract.

Q: Will the contracted services such as evidence, records, and maintenance be staffed full time by the same people?

A: With regard to records, property and evidence, our current model has the City hiring in-house civilian staff for these tasks, though we do have a couple other agencies that are willing to contract those services - the County may even be willing to continue this role.

Q: What changes would residents see if the City went with the hybrid model?

A: The residents would not really notice any change at all and the goal would be that the transition be as seamless as possible. Over time, we believe the City will be able to hire the additional officers needed to maintain or improve the police services provided to Oakley residents.

Q: What will happen to Bethel Island? Aren't they served by the Sheriff's Office?

A: Bethel Island is not part of the City of Oakley and would not be affected by any decision made by the City Council on this matter.

Q: What would be the consequences of not changing the way police services are delivered?

A: The fear is that with the rising costs under the current County contract model, the City would not be able to afford the additional police officers that will be needed to maintain or improve the services level in Oakley.

Q: Will the transition happen all at once or be phased?

A: If the City separated from the County contract, a formal notice would have to be sent to the County and the agreement stipulates a 12 month notice, though the County has indicated that a shorter time period is possible. The 12 months may very well be what is needed for the transition that would involve putting in place various contracts and recruiting and hiring personal. You could use the term "phases" to describe the various steps the City will need to take within the 12-month period to ensure a smooth transition, but ultimately the transition would occur on a single to be determined date.

Q: How will the City ensure a smooth transition of technology and communications services?

A: *As described above, the City would use the 12-month transition period to ensure the City is ready for the transition. The City already purchases, maintains and replaces the radios and computers used by the Department. New software or equipment to accommodate changes in contractors or services being brought in-house would be purchased, installed, and tested prior to the switchover date, and staff would be trained in their use, in advance of the switch over. The contract for dispatch services would be finalized early on in the transition period though would not be effective until the switch over.*

Q: Will the savings be earmarked for increasing police staff or will it go into the General Fund?

A: *The savings would go into the General Fund, and decisions on how to use the savings would be the City Council's through the public budget deliberations. We have already identified where some near term needs are for additional police staffing and we believe those would be the highest priorities. The savings could also be used for other priorities over time. While public safety is arguably the highest priority of City services, there are no promises currently being made to earmark these savings to any one type of expenditure or priority. For example, each year, when determining budget priorities, rather than using these savings solely for additional police staff, the City Council could allocate additional funds towards additional roadway maintenance, additional security cameras, radar signs, message trailers, neighborhood traffic calming measures, non-sworn police services officers, additional emphasis on neighborhood watch and similar programs, an expanded volunteer program, Community Emergency Response Team (CERT) training, or emergency preparedness efforts, all of which enhance public safety, but are generally performed by civilian staff or other City departments.*

Q: With roughly 30 different areas of service examined by City staff, are budgets and contracted vs. in-house costs for each area examined available for review?

A: *Estimates have been made for each of the identified areas, however, final agreements have not been reached and won't be unless direction is provided to move forward with the separation. The largest budget item is the staffing cost and those costs have been estimated but not finalized due to the required meet and confer negotiation process with the employees. Within a couple of months, a formal budget should be ready for the City Council's review and consideration during a public meeting.*

Q: Does the City have adequate office space to handle increases in staffing?

A: *Yes, there is expansion space within City Hall for the Police Department.*

Q: What would the staffing levels be under the City hybrid model?

A: *While adjustments could be made to specific titles and functions, the proposed organizational chart adds one additional police officer overall and one additional Police Services Assistant. The Department structure also includes two Lieutenant positions that currently do not exist in the County structure, and some non-sworn staff to help with administration and records. The proposed organizational chart can be viewed on the City's website at www.oakleyinfo.com There are impacts to other City departments (primarily Human Resources, Finance and Legal) with the City hybrid model and those estimated costs have been included in the analysis.*

Q: What about the 4850 workers compensation injury costs that are incurred if police officers are hurt while in the line of duty and cannot return to work in a timely manner?

A: We have accommodated in our cost estimates for the 4850 Workers Compensation injuries. The proposal is to set up a self-retention fund that would have funds available in the unfortunate situation of a longer-term injury.

Q: What are the estimated cost savings if the City left the County contract?

A: *Current and conservative estimates are that the City would save about \$600,000 per year under the City hybrid model. Initial transition costs are estimated to be about \$600,000, so it would be just one year to recover these one-time transition costs. Thereafter, the City Council could determine to utilize these savings to hire additional officers and/or provide other important community services.*

Q: Would any additional taxes or fees be charged if the City left the County contract?

A: *As stated above, the City hybrid model is expected to cost significantly less than the County model, so no additional taxes or fees are proposed. In fact, making the transition could very well avoid the need for additional taxes to pay for the additional police officers that will be needed over time. (Many cities have asked voters to increase sales tax or add a parcel tax for police services. This has not been contemplated and one reason for a transition would be to help avoid the need for additional taxes). There are police assessments currently charged to new development, and they have increased over the years, as they are indexed to the changes in County costs; future increases to those assessments are expected to be much smaller under the City hybrid model.*

Q: What about helicopter and other police-related services that the County currently provides to Oakley?

A: *They would all continue, without change. The Air Command Unit (helicopter) and Marine Patrol are two examples of services the County provides at no direct cost to all law enforcement agencies in the County (all residents in the County pay taxes to the County to help cover these costs). There are other mutual aid services that are provided at no-cost, and of course, other regional programs and services that the City currently participates in for a fee, all of which would continue, without change.*

Q: Why consider the transition now and is time of the essence?

A: *The Study has been ongoing now for over a year and there has not been any rush; however, the estimated cost savings are significant enough that further delays would only cost the City more money and potentially delay the time within which the City can add officers to match the City's growth. If the decision were made to leave the County contract, it is estimated that the transition time would be 12-14 months.*



Agenda Date: 04/14/2015
Agenda Item: 5.2

STAFF REPORT

Date: Tuesday, April 14, 2015
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, P.E. Public Works Director/ City Engineer

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

SUBJECT: FY 2014-15 Third Quarter Report on the Capital Improvement Program

Background and Analysis

This report summarizes the status of the various projects in the City of Oakley Capital Improvement Program (CIP) at the end of the third quarter for FY 2014/15.

The City's CIP is a multi-year forecast of capital needs which include new construction projects and planned improvements of existing facilities. The CIP establishes structure by identifying, prioritizing, approving, and funding capital improvement projects.

Since the demand for capital projects typically exceeds the amount of funds available, projects are prioritized based on the City Council's strategic goals and direction. The CIP does not necessarily rely on the City's General Fund, in fact many projects are funded through a variety of sources which frequently have conditions and restrictions on how funds can be spent.

The following highlights the CIP projects' progress in third quarter of FY 2014/15 (January-March):

1. Main Street Median Landscape Rehabilitation Project

Project # 141
Schedule: Construction in October 2014-January 2015
Budget: \$500,000
Funding Source: General Capital Project Fund, Measure J

This project replaced and enhanced the landscaping and irrigation in the existing medians from Empire Avenue to Vintage Parkway to beautify the entrance to Downtown Oakley. The project was successfully completed under budget and on-time and the new trees and vegetation are blooming as spring has arrived.

2. Cypress Grove Well Project

Project # 148

Schedule: Construction May-June 2015.

Budget: \$250,000

Funding Source: Communities Facility District No.1

The analysis for the operation of the irrigation system at Cypress Grove Lake has been completed and it was determined that the most effective and practical approach is to drill a new well close to the lake for irrigation needs of the park and landscaping in Cypress Grove neighborhood. This approach will bring on-going cost savings for the park as there will not be the need to use costly potable water for irrigation purposes. The construction work will start in May and it is anticipated the project will be completed by June 2015.

3. Traffic Signal Modernization Project

Project # 142

Schedule: Construction in January-April 2015

Budget: \$100,000

Funding Source: Traffic Impact Fee, Measure J, Gas Tax

This project upgraded the traffic signals on Main Street (Teakwood Drive to Big Break Road) and at the Empire Avenue/Oakley Road intersection. The project will add LED lighting, illuminated signs, pedestrian push-buttons and internal signal electrical component upgrades.

4. Hill Avenue Multi-Use Trail

Project # 39

Schedule: Design in progress with Construction in Fall 2015

Budget: \$300,000

Funding Source: CA Jamboree Laurel Anne Zone (3-17), Marsh Creek Glen Zone (3-20), Park Impact Fee

This project will design and construct a bridge over Marsh Creek from the Marsh Creek Glen Park to provide access to the Marsh Creek trail. The design is nearly complete, and staff is working with regulatory agencies on the environmental permits for the project which is anticipated to be secured by summer and followed by construction in the fall 2015.

5. City Parks Security Camera Installation Project

Project # 161

Schedule: Construction November 2014–April 2015

Budget: \$70,000

Funding Source: General Capital Fund

The project has installed new digital security cameras at several City parks that have been the target of much vandalism over the past year. This new security camera system will provide the City Police Department with the evidence needed to apprehend and prosecute the individuals who vandalize and damage the community assets in the parks. This new security camera system has already yielded several arrests of the individuals who committed vandalism at City parks.

6. Main Street “Visioning” Concept Project

Project # 162

Schedule: Design August 2014–January 2015

Budget: \$80,000

Funding Source: General Capital Fund

This project performed a conceptual design for the Main Street in downtown to be used for upcoming development of Downtown Oakley. Staff has been working with the City Council sub-committee, downtown merchants, and consultant team over the past months in developing the vision and concept of Main Street and downtown Oakley. This plan was presented to the City Council in January 2015 and received the approval to move forward towards implementation as funding for various phases are allocated in future years.

7. Cypress, Big Break, & Rose Pavement Rehabilitation Project

Project # 163

Schedule: Construction June–August 2015

Budget: \$1,400,000

Funding Source: This project is funded from the OneBayAreaGrant (OBAG)

This project will make the much needed repairs and resurfacing on West Cypress Road, Big Break Road, and Rose Avenue. The project is in its bidding phase and all Caltrans approvals for the OBAG grant

are secured. Construction is anticipated to start in June and completed by August 2015.

8. Main Street Resurfacing Project (Bridgehead to Big Break)

Project # 164

Schedule: Construction May-July 2015

Budget: \$2,000,000

Funding Source: This project is funded from the Traffic Impact Fee fund, Measure J, and General Capital Fund

This project will repair the base and surface failures, repair shoulders, repair drainage facilities, resurface and restripe Main Street, and install median island and landscaping on Main Street from Bridgehead Road to Sandy Lane. This section of Main Street was not improved by Caltrans during the time this roadway was under their jurisdiction. This is a major entrance to the downtown area. Construction is anticipated to start in May and completed by July 2015.

9. Curb, Gutter, and Sidewalk Reconstruction Project

Project # 153

Schedule: Construction June-August 2015

Budget: \$40,000

Funding Source: Gas Tax

This project will repair and replace damaged concrete curb, gutter, and sidewalks in the community as part of the 50-50 cost sharing program between the City and property owners. This is the first year of this program, and with the large volume of damaged concrete curbs and sidewalks, it is anticipated to be an annual project with increased funding for future years. This project will help in providing safe pedestrian facilities and reduce liability and claims for trip and fall accidents. The design of this project is underway and construction is anticipated to start in June and completed by August 2015.

10. Hwy 160/Main Street Gateway Sign and Landscaping Project

Project # 166

Schedule: Construction September-December 2015

Budget: \$550,000

Funding Source: This project is funded from the Measure J and General Capital Fund

This project will construct a new gateway sign inside the Hwy 160/Main Street ramp and install new landscaping in this major entry way to City of Oakley. This area has been in need of much rehabilitation and City of Oakley has been working with Caltrans over the past few years to secure the approvals and permits for the project. The project concept plans have been reviewed and approved by City Council and with the permits secured, the project will go to bid in August and Construction is anticipated to start September and completed by December 2015.

Fiscal Impact

Each project listed in this report has a budgeted source of funds which has been approved by City Council. These sources include Grants, Gas Tax, Measure J Sales Tax, Traffic Impact Fee, General Fund, Main Street Fund, and other Special Use funds. There is no fiscal impact of the recommended action for this CIP update.

Staff Recommendation

City Council to provide comments and input to staff on the CIP report for the third quarter of FY 2014/15.