

Part 3 Includes the Following Items

- 4.2 **Daub 4 Kidz Bingo Hall (CUP 01-16) – Recommend Denial on a Request for a Conditional Use Permit to Operate a Bingo Hall at 2105-2107 Main Street (Ken Strelo, Senior Planner)**

5.0 REGULAR CALENDAR

- 5.1 **Consideration and Adoption of [Resolution of Support](#) for the Countywide Imposition of One Half of One Percent Sales Tax to Fund Transportation Improvements in Contra Costa and Conditionally Amend the Growth Management Program in the Measure J Transportation Expenditure Plan to match that found in the 2016 Proposed Transportation Expenditure Plan (Kevin Romick, Mayor)**
- 5.2 **Agreement for the purchase of real property, [3530 Main Street](#), Oakley APN 037-150-023 for Main Street improvement Project (Bill Galstan, Special Counsel)**
- 5.3 **Approval of new [Engineering Design Standards](#) for City of Oakley (Kevin Rohani, Public Works Director/City Engineer)**
- 5.4 **[Green Infrastructure Requirements](#) Presentation – (Billilee Saengchalern, Assistant Engineer and Kevin Rohani, Public Works Director/City Engineer)**
- 5.5 **[Replacement of Oakley Municipal Code Section 4.18](#) – Shopping Cart Retrieval and Prevention of Shopping Cart Removal Ordinance (Troy Edgell, Code Enforcement Manager)**

OAKLEY



CALIFORNIA

Agenda Date: 06/28/2016

Agenda Item: 4.2

STAFF REPORT

Date: June 28, 2016
To: Bryan Montgomery, City Manager
From: Kenneth W. Strelo, Senior Planner
SUBJECT: Daub 4 Kidz Bingo Hall (CUP 01-16) – Second Public Hearing
(Recommendation of Denial)

Approved and Forwarded to City Council:


Bryan Montgomery, City Manager

Summary

This is a second public hearing on a request by Francine McMahon ("Applicant") for approval of a Conditional Use Permit to operate a non-profit Bingo Hall (Assembly, Public) within a 6,000 square foot space located at 2105-2107 Main Street (former Diablo Water District Offices within the Cypress Square Shopping Center) ("Project"). The applicant proposes to operate up to four sessions a week, including Tuesday and Friday nights, and Saturday and Sunday afternoons. Up to 100 players, 12 volunteers, and 1 security guard may be present during any given sessions. The site is zoned C (General Commercial) District.

Staff recommends the City Council adopt the proposed resolution denying the request for a Conditional Use Permit to operate a bingo hall located at 2105-2107 Main Street (CUP 01-16).

Background

This project was originally presented to the City Council on April 26, 2016 as a public hearing item. At that time, Staff recommended denial of the project. The Council deliberated on the project with different opinions for and against the proposal. It was moved by Councilmember Pope and seconded by Councilmember Hardcastle to prepare a resolution for approval addressing the concerns raised of accommodating parking and increased security. The motion failed to be approved with the following tie vote:

Ayes: Hardcastle, Pope
Noes: Perry, Romick
Abstained: Higgins

A second motion was not made to either approve or deny the project. During the presentation, it was stated if the project were denied at the subject location, Staff would

meet with the applicant about looking at other options in more appropriate zones or locations.

Since that meeting, Staff has communicated with the Applicant that the project was neither approved nor denied, and that direction for Staff to come back with a resolution for approval failed. Therefore, the project was still on file and action still needed to be taken in order to close the file. Options were provided to the applicant to withdraw the application, or proceed to go back for a formal action, which would be recommended the same as the original recommendation. The Applicant chose to proceed with another public hearing. Since the item was not continued on April 26, 2016, the public hearing has been re-noticed.

Since the April 26, 2016 meeting, the Applicant has not contacted Staff for assistance in seeking other potential locations, nor submitted any new information or inquiries regarding other locations. As stated in the original Staff Report from April 26, 2016 (attached), it is Staff's opinion that the use is not appropriate for a retail shopping center. The analysis for operation at the proposed location remains unchanged from the original Staff Report analysis. Staff was not directed to further look into any specific analysis; however, if it could be found that parking could be accommodated and that additional security would reduce potential for issues to arise, the use would still be inappropriate for the retail shopping center.

Recommendation

Staff recommends the City Council adopt the proposed resolution denying the request for a Conditional Use Permit to operate a bingo hall located at 2105-2107 Main Street (CUP 01-16).

Alternatively, if the City Council passes a motion directing Staff to come back with a resolution in support of the project, it is recommended the City Council include support for findings 3 and 4 from the April 26, 2016 Staff Report. The content of these findings would become part of the record, and they would need to support how the proposed use 1) is compatible with the intended character of the area, and does not change the essential character of the area from that intended by the General Plan and C (General Commercial) District, and 2) provides for the continued growth and orderly development of the community and is consistent with the various elements and objectives of the General Plan. The Staff Report from April 26, 2016 provides an analysis on why Staff believes these two findings cannot be made.

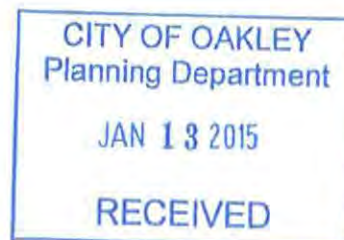
Attachments

1. Applicant's Project Description and Company Background
2. Public Hearing Notice
3. Staff Report from April 26, 2016 Public Hearing without Attachments
4. Proposed Resolution for Denial



Daub4KidsBingo.com

January 6, 2016



City of Oakley
Planning and City Council Members
Oakley, CA 94561

Re: Conditional Use Permit - 2105 & 2107 Main Street, Oakley Cypress Square Shopping Center (former water department).

Dear Planning and City Council Members:

Daub 4 Kidz Inc. is a newly formed non-profit organization formed solely for the purpose of helping the children in our local community by donating to the local schools and community sports programs. We are a registered 501(C)(3) charity organization, registered with the State of California, Department of Justice and the Internal Revenue. Our Tax Id #47-1599528. We are compliant with the California Bingo Regulations 326.5.

Our organization was founded in August of 2014. As the President, I have been involved in charitable, non profit organizations since 1999, including Good Shepard, St. Peter Martyr School, Terrapins Swim Team, Love 2 Dance and most recently resigned from the East County Hot Shots, to open my own non profit organization. We have been their fiscal sponsor and donated large sums of money, we felt our time and efforts could be utilized more efficiently reaching out to more organizations than be exclusive to one. We now can reach out to our local schools and local sports programs.

Our goal is to reach out to more children, schools and sports programs by providing the additional assistance and funds needed. We will help pay for new uniforms, travel, equipment, field repairs, hardship tuitions, scholarships, indoor training facilities that the kids can go to practice and improve there skills. We are very proud of all our previous accomplishments to date and would love to make our new home in Oakley, CA.

Every year in October, we kick off our canned food drive, every player comes in with a canned food item and receives \$ 5.00 off there buy in for bingo, to date all canned food items have gone to Shelter Inc. in Bay Point, CA. In November and December each year we do our " Toys for Tots ", again each player brings in a toy, receives a discount on there buy in. If no toy is brought in, a donation goes into the kitty that is used to

purchase bikes and helmets for the less fortunate children in our community. In Mid December ,we take the toys and bikes to the local "Toys for Tots" location to be distributed.

We have worked together with Sam Billeci, President at the Flor-Do Oakley Bingo Hall in Oakley, Ca. We have a verbal agreement in place not to operate on each others nights. Flor- Do Oakley Bingo operates on Monday and Thursday evenings. Should you have any questions, please feel free to contact Sam at 916-801-2546, he fully supports our operations and can speak on behalf of our organization.

Our request is to have 4 sessions a week of Bingo. Our preference is to operate Tuesday and Friday Nights and Saturday and Sunday afternoons. During our evening sessions, doors open at 4:00 p.m., with bingo beginning at 6:30 p.m., and ending between 10:30 p.m and 11:30 p.m. For our afternoon sessions, doors open at 11:00 a.m, bingo begins at 1:00 p.m. and ending between 5:30 and 6:30 p.m. Based on the attendance we receive at the new location, we might change the afternoon session to Saturday and Sunday evenings. This to be determined at a later time. We typically run special events 3-4 times per year, New Years Eve, New Years Day, Presidents Day, and 4th of July.

Our use is for regular bingo sessions and compliant with the California Bingo Regulations section 326.5. On any given session, our attendance ranges from 50-100 players. Many have been our regular players for years.

We are staffed with 10-12 volunteers, including myself, our Board of Directors and Members. We have 1 paid security guard on the premises at all times during bingo.

We truly believe that we are a perfect fit at this location, our customers will use the local shopping center for food, grocery shopping, we will use the local restaurants for our special events that will generate additional money to the City of Oakley. We hope to have a fair opportunity to have our permit request reviewed and approved by the City of Oakley Planning and Council members. We would love to begin donating to the local Oakley schools and sports programs helping to keep kids off the streets and live there dreams.

We look forward to making this a wonderful place for our bingo players to come and enjoy come an afternoon or evening of fun and in a safe environment.

We would be happy to answer any questions you may have regarding our request and would be happy to have you visit this location and discuss our operations.

Please do not hesitate to contact me via e-mail at francinemcmahon53@aol.com or (925) 726-6211.

Sincerely,

A handwritten signature in blue ink that reads "Francine McMahon" with a long horizontal flourish extending to the right.

Francine McMahon
President
Daub 4 Kidz, Inc.



City of Oakley
3231 Main Street
Oakley, CA 94561
www.oakleyinfo.com

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **June 28, 2016** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for a **Conditional Use Permit**.

Project Name: Daub 4 Kidz Bingo Hall (CUP 01-16).

Project Location: 2105-2107 Main Street (Cypress Square Shopping Center) APN 037-110-026.

Applicant: Francine McMahon, 1841 Tioga Pass Way, Antioch, CA 94531.

Request: This is a second public hearing on a request for approval of a Conditional Use Permit to operate a non-profit Bingo Hall (Assembly, Public) within a 6,000 square foot space located at 2105-2107 Main Street (former Diablo Water District Offices within the Cypress Square Shopping Center). The applicant proposes to operate up to four sessions a week, including Tuesday and Friday nights, and Saturday and Sunday afternoons. Up to 100 players, 12 volunteers, and 1 security guard may be present during any given sessions. The site is zoned C (General Commercial) District.

The Staff Report and its attachments will be available for public review, on or after June 24, 2016 at City Hall, 3231 Main Street, Oakley, CA 94561 or on the City's website www.oakleyinfo.com.

Interested persons are invited to submit written comments prior to and may testify at the public hearing. Written comments may be submitted to Kenneth W. Strelo, Senior Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to strelo@ci.oakley.ca.us.

NOTICE IS ALSO GIVEN pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered to the City of Oakley City Clerk at, or prior to, the Public Hearing.

OAKLEY



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STAFF REPORT

Date: April 26, 2016
To: Bryan Montgomery, City Manager
From: Kenneth W. Strelow, Senior Planner

Approved and Forwarded to City Council:

 Bryan Montgomery, City Manager

SUBJECT: Daub 4 Kidz Bingo Hall (CUP 01-16) – Recommendation of Denial

Summary and Background

This is a request by Francine McMahon (“Applicant”) for approval of a Conditional Use Permit to operate a non-profit Bingo Hall (Assembly, Public) within a 6,000 square foot space located at 2105-2107 Main Street (former Diablo Water District Offices within the Cypress Square Shopping Center) (“Project”). The applicant proposes to operate up to four sessions a week, including Tuesday and Friday nights, and Saturday and Sunday afternoons. Up to 100 players, 12 volunteers, and 1 security guard may be present during any given sessions. The site is zoned C (General Commercial) District.

Staff recommends the City Council adopt a resolution denying the proposed project.

General Plan and Zoning

- General Plan Land Use Designation: *Commercial (CO)*
- Zoning District: [C \(General Commercial\) District](#)

Each land use designation in the Oakley 2020 General Plan (General Plan) includes one or more compatible zoning districts. In order to process a discretionary entitlement on any given site, the zoning district must be compatible with the overlying General Plan designation. Per Table 2-6 of the Oakley 2020 General Plan (General Plan/Zoning Compatibility Matrix), the C District is found to be compatible with the (CO) General Plan land use designation.

In regards to zoning compliance, the bingo hall use has been determined similar to that of the conditionally permitted assembly use in the C District; therefore, requiring approval of a Conditional Use Permit, subject to Oakley Municipal Code (“OMC”) section [9.1.1602 \(Variance and Conditional Use Permits\)](#). In addition to any land use requirements, [OMC Chapter 4.8 \(Gambling\)](#) sets forth additional requirements for establishing a bingo hall use.

Application and Processing History

The application for a conditional use permit to operate a bingo hall at 2105-2107 Main Street was submitted to the City Planning Department on January 13, 2016. In early November of 2015 (prior to submittal of the application), a real estate agent had contacted the Planning Department with a general inquiry regarding the permitting of bingo halls within the City of Oakley. Staff responded to the agent with a link to OMC Chapter 4.8, which regulates bingo halls through a permit process with the Police Department, as well as information that a bingo hall would require discretionary approval of a conditional use permit ("CUP") in order to operate in the City's Commercial Districts. Through further communication with the agent, Staff learned the possible location was that of this request, confirmed a CUP would be required, and sent additional application submittal information to the agent. Since no application had been filed, no additional analysis was conducted at that time.

After the application was received on January 13, 2016, the Planning Department routed the project information to other departments and outside agencies for comments and/or conditions of approval. Staff also held internal meetings to discuss the application. Once Staff reached a consensus of recommending denial (see Analysis section for more background) the applicant was notified of Staff's direction by phone on February 17, 2016, and again by email on February 19, 2016. In the follow up email on February 19, the applicant was given the reasons Staff would recommend denial as well as options to consider at that time. The options included, 1) continue processing the application with an understanding of Staff's recommendation for denial, or 2) withdraw the application and request a refund of the remaining deposit. It was stated to the applicant that they were being notified early on so as to give them options prior to additional charges to the project account. Staff clarified it would not continue processing the application based on a recommendation for denial and charging time to the project deposit without first receiving consent from the applicant. On March 3, 2016, the applicant notified Staff to continue processing the application.

Project Site and Surrounding Uses

The project site is 2105-2107 Main Street, which is made up of two tenant spaces within the existing Cypress Square Shopping Center, which is anchored by Raley's Supermarket. The tenant spaces are the former location of the Diablo Water District offices, and are located on the far southern portion of the shopping center that faces Carol Lane. Adjacent and nearby tenants sharing the same side of the shopping center main building (in relation to Raley's) include Mountain Mike's Pizza, Providence Bar and Grill, and Step 2 This Dance.

Other nearby uses include: Les Schwab Tire Center and the relocated Diablo Water District offices to the south across Carol Lane; Bank of the West, Allstate Insurance, and Autumn Lake Dental sharing the center's building pad in the southeast corner at Main Street and Carol Lane; Round Table Pizza and Starbucks across Main Street to

the east; and affordable senior and family apartments to the west at the end of Carol Lane.

Proposed Use

A background of the organization and a description of the proposed use have been submitted by the applicant and are attached for further reference. In summary, the proposed use consists of a non-profit bingo hall of up to 100 participants, 10 volunteers, and a security guard. The use is proposed to operate up to four sessions a week. Specific hours of operation are requested as Tuesday and Friday from 4:00 P.M. to 11:30 P.M. and Saturday and Sunday from 11:00 A.M. to 6:30 P.M. In addition to the regular standing sessions, there would be 3-4 additional special events throughout the year, typically coinciding with holidays.

Analysis for Recommendation of Denial

It is important to note that the recommendation of denial is only related to the proposed use at the specifically proposed location. Based on the applicant's project description, it is apparent Daub 4 Kidz, Inc. has a positive relationship with other local organizations and that the results of the operation may have direct or indirect positive benefits to other aspects of the community. However, conditional use permits are tied to the land, rather than a specific operator. Just as Staff may not be biased against a specific applicant, Staff must also not be biased for a specific applicant. To analyze this request fairly, Staff must base analysis on the conditional use permit on its own merits and in conjunction to the applicable required findings.

Conditional Use Permit Defined

A conditional use permit is defined as a "[p]ermit allowing a use under specified conditions that will assure the use will not be detrimental to the public health, safety, and welfare, and will not impair the integrity and character of the zoned district."¹

Required Findings

In order to approve a conditional use permit, the [City Council] must make all of the following findings ([OMC Section 9.1.1602\(f\)](#)):

1. That the site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this title to adapt the use with land and uses in the neighborhood;

¹ Cecily Talbert Barclay and Matthew S. Gray. *Curtin's California Land Use & Planning Law*. (Solano Press, 34th ed. 2014)

2. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
3. The proposed use will be arranged, designed, constructed, operated and maintained so as to be compatible with the intended character of the area and shall not change the essential character of the area from that intended by the general plan and the applicable zoning ordinances;
4. That the proposed use provides for the continued growth and orderly development of the community and is consistent with the various elements and objectives of the general plan;
5. That the proposed use, including any conditions attached thereto, will be established in compliance with the applicable provisions of the California Environmental Quality Act.

(CO) Commercial General Plan Land Use Designation Description

Per the Oakley 2020 General Plan, the description for CO is as follows:

"This designation allows for a broad range of commercial uses typically found adjacent to residential neighborhoods, downtowns, and freeways. The particular form of commercial zoning for different areas of the City will depend, among other factors, on the characteristics of surrounding land uses. General types of commercial uses include retail and service facilities, and limited office uses. Through sensitive design, commercial uses can be located near single-family residences with minimal disruption or impact. Typical uses will vary widely in size and purpose and include large-scale retail, regional-serving retail, grocery and convenience stores, salons, professional offices, restaurants, drug stores, dry cleaners, post office facilities, banks, and other uses of similar character and impacts.

C (General Commercial) District Purpose and Intent

The purpose and intent of the C District ([OMC Section 9.1.506\(a\)](#)) is:

"...to create and maintain major commercial centers accommodating a broad range of commercial uses (e.g., office, retail, and personal services) of community-wide or regional significance typically found adjacent to or along major travel corridors, such as Main Street, O'Hara Avenue, Laurel Avenue and Empire Avenue. Typical uses will vary widely in size and purpose and include large-scale retail, regional-serving retail, performance of services, including repair facilities, offices, small wholesale stores or distributors, limited processing and packaging, the manufacture or treatment of goods from raw materials, large-scale grocery and convenience stores, professional offices, restaurants, laundry facilities, and other uses of similar character and impacts."

Recommendation of Denial Summary

When analyzing the proposal in relation to the required findings, consensus was reached by the City Manager, Planning Manager and Senior Planner to recommend denial of this request for a conditional use permit based on inability to make Required Findings 3 and 4 from the list above. Additional discussions on those reasons, as well as brief discussions on Findings 1, 2 and 5 follow.

In regards to Required Findings 1 and 2, the use is proposed in an existing, fully developed shopping center. Analysis on the lot size and shape, and yards, fences, etc. is usually reserved for single use lots or new construction. Had this use been recommended for approval, Staff believes there would be consistency with Findings 1 and 2, except additional analysis on off-street parking would need to be completed.

In regards to Required Findings 3 and 4, a) the proposed use would not be operated so as to be compatible with the intended character of the area and would change the essential character of the area from that intended by the general plan (CO designation) and applicable General Commercial (C) District, and b) the proposed use would not provide for the continued growth and orderly development of the community and is not consistent with the various elements and objectives of the general plan in that:

- The purpose and intent of the C District is clearly to accommodate office, retail and personal services. Operation of a bingo hall in the C District does not fully comply with the purpose and intent of the C District, and it is even less compliant when occupying tenant spaces within a shopping center designed for retail, office and service uses (i.e. grocery, restaurant, dance, etc.).
- A bingo hall is not an ideal use in this specific location and not compatible with the businesses that are located within and expected to locate within this retail shopping center. Shopping centers are best reserved for retail, office, and food oriented businesses, which operate 5-7 days a week, provide part-time and full-time employment opportunities, and directly provide goods and services to the community.
- A bingo hall could be a good fit in other locations in the City, such as an assembly building that can lease space for the 3-4 times a week and couple of hours the bingo hall would operate. There are other non-shopping center locations within the C District where a bingo hall may be more compatible.

In regards to Required Finding 5, project recommended for denial are exempt from further analysis under the California Environmental Quality Act. Since this is a recommendation for denial, making a finding of consistency with this required finding is not applicable.

Daub 4 Kidz Bingo Hall (CUP 01-16)
April 26, 2016

When applying the above discussion and analysis it is apparent that all of the required findings cannot be made to approve the conditional use permit to operate a bingo hall at 2105-2107 Main Street.

Recommendation

Staff recommends the City Council adopt the proposed resolution denying the request for a Conditional Use Permit to operate a bingo hall located at 2105-2107 Main Street (CUP 01-16).

Attachments

- ~~1. Applicant's Project Description and Company Background~~
- ~~2. Public Hearing Notice~~
- ~~3. Proposed Resolution for Denial~~

RESOLUTION NO. XX-16

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND DENYING A CONDITIONAL USE PERMIT (CUP 01-16) TO OPERATE A BINGO HALL AT 2105-2107 MAIN STREET FOR THE PROJECT KNOWN AS "DAUB 4 KIDZ BINGO HALL" APN 037-110-026

WHEREAS, on January 13, 2016, Francine McMahon of Daub 4 Kidz, Inc. ("Applicant") submitted an application requesting approval of a Conditional Use Permit to operate a non-profit Bingo Hall (Assembly, Public) within a 6,000 square foot space located at 2105-2107 Main Street (former Diablo Water District Offices within the Cypress Square Shopping Center) ("Project"). The applicant proposes to operate up to four sessions a week, including Tuesday and Friday nights, and Saturday and Sunday afternoons. Up to 100 players, 12 volunteers, and 1 security guard may be present during any given sessions ("Project"); and

WHEREAS, on February 12, 2016, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, on February 17 and 19, 2016, the applicant was notified that the Staff recommendation to the City Council would be for denial of the proposed conditional use permit; and

WHEREAS, on March 3, 2016, with knowledge of Staff's recommendation, the applicant notified Staff to continue processing the application and take the project to public hearing; and

WHEREAS, the project is designated as *Commercial* in the Oakley 2020 General Plan, and zoned C (General Commercial) District on the City of Oakley Zoning Map; and

WHEREAS, this project is from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15270 (Projects Which Are Disapproved); and

WHEREAS, on April 26, 2016 a duly noticed public hearing was held on the proposed project at the regular City Council meeting. At that meeting, a motion to approve the project failed to pass (2 ayes, 2 noes, and 1 abstention), and no other motion was made. The project was not continued at that time; and

WHEREAS, the Applicant was asked to verify whether they wanted to proceed with an additional hearing or withdraw the application. The Applicant chose to proceed with an additional hearing; and

WHEREAS, on June 16, 2016, the Notice of Public Hearing for the Project was duly noticed by being posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library

at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to parties requesting such notice, and to outside agencies; and

WHEREAS, on June 28, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to deny the project, as revised by the City Council during its deliberations; and

WHEREAS, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

WHEREAS, these Findings are based upon the City's General Plan, the City's Zoning Ordinance, and the information submitted to the City Council at its June 28, 2016 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the project (hereinafter the "Record"); and

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

- A. In regards to the application requesting approval of a Conditional Use Permit (CUP 01-16) to operate a non-profit Bingo Hall (Assembly, Public) within a 6,000 square foot space located at 2105-2107 Main Street (APN 037-110-026):
 1. The proposed use would not be operated so as to be compatible with the intended character of the area and would change the essential character of the area from that intended by the general plan (CO designation) and applicable General Commercial (C) District, and b) the proposed use would not provide for the continued growth and orderly development of the community and is not consistent with the various elements and objectives of the general plan in that:
 - a. The purpose and intent of the C District is clearly to accommodate office, retail and personal services. Operation of a bingo hall in the C District does not fully comply with the purpose and intent of the C District, and it is even less compliant when occupying tenant spaces within a shopping center designed for retail, office and service uses (i.e. grocery, restaurant, dance, etc.);
 - b. A bingo hall is not an ideal use in this specific location and not

compatible with the businesses that are located within and expected to locate within this retail shopping center. Shopping centers are best reserved for retail, office, and food oriented businesses, which operate 5-7 days a week, provide part-time and full-time employment opportunities, and directly provide goods and services to the community; and

- c. A bingo hall could be a good fit in other locations in the City, such as an assembly building that can lease space for the 3-4 times a week and couple of hours the bingo hall would operate. There are other non-shopping center locations within the C District where a bingo hall may be more compatible.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council denies of the Applicant's request for a **Conditional Use Permit (CUP 01-16)**.

- A. A renewed application after denial is subject to the time limits and standards contained in Oakley Municipal Code Section 2.4.014(b).

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 28th day of June, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Kevin Romick, Mayor

Date

ATTEST:

Libby Vreonis, City Clerk

Date



STAFF REPORT

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Date: Tuesday, June 28, 2016
To: City Council
From: Kevin Romick, Mayor
Bryan Montgomery, City Manager
Kevin Rohani, Public Works Director/City Engineer

Subject: **Consideration and adoption of Resolution of Support for the Countywide Imposition of One Half of One Percent Sales Tax to Fund Transportation Improvements in Contra Costa and Conditionally Amend the Growth Management Program in the Measure J Transportation Expenditure Plan to match that found in the 2016 Proposed Transportation Expenditure Plan**

Background and Analysis

The Contra Costa Transportation Authority (Authority) is responsible for maintaining and improving the county's transportation system by planning, funding, and delivering critical transportation infrastructure projects and programs that connect communities, foster a strong economy, increase sustainability, and safely and efficiently get people where they need to go.

The Authority is proposing the imposition of a countywide one-half of one percent sales tax for transportation purposes for a period of thirty years through March 31, 2047. Over the past two years, the Authority conducted extensive consultations with local governments and outreach to a wide variety of interest groups and the public in order to develop a mix of projects and programs to be funded by the proposed sales tax. On May 18, 2016 the Authority released a proposed final Transportation Expenditure Plan (TEP) to guide the use of the proposed sales tax revenues. The proposed final TEP also includes a revised Growth Management Program (GMP), a new Complete Streets Policy, and a new Advance Mitigation Program to help the Authority achieve its goals to reduce future congestion, manage the impacts of growth, and expand alternatives to the single-occupant vehicle.

The Authority also adopted Ordinance 16-01 on May 18, 2016 to conditionally amend the Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J Transportation Expenditure Plan ("Measure J TEP") to match that found in the 2016 TEP. This amendment would only apply if the one-half of one percent local

transportation sales tax is placed on the ballot and successfully approved by the electors on the November 8, 2016 ballot.

Currently, transportation needs significantly exceed projected revenues. Over the next 30 years, Contra Costa population will continue to grow, resulting in new demands on the transportation infrastructure and additional mobility needs. The new sales tax measure is needed to keep Contra Costa County moving and to create the livable and sustainable communities.

The proposed sales tax measure is expected to generate \$2.8 billion (current dollars). Over 23% of the revenue is intended to maintain and improve local streets. Other funding categories include 10.4% to improve major streets and develop complete streets projects, 4% to pedestrian and bicycle facilities, 12% to enhance bus transit and ferry services, 4% to provide transportation for seniors and people with disabilities, and 2.2% for safe transportation for children and school bus pass programs. In addition, significant funding is assigned in the new Measure to improve traffic flow on major commute corridors such as I-680, I-80, Route 242 and Route 4, and to improve the safe flow of goods and services on Vasco Road and Byron Highway in East Contra Costa County. The proposed final TEP also includes funding intended to improve the capacity of the BART system and extend BART to Brentwood.

This TEP is transformative on every level. With a strong focus on technology and innovation, the TEP will deliver a more efficient, cleaner and faster transportation system. The TEP will help reduce emissions through a higher emphasis on transit, technology, and alternative modes of transportation.

The TEP also sets forward clear policies that ensure that while communities grow, the growth is kept within clear urban limit lines. This will allow the county to continue growing in a smart way, while protecting vital open space for parks and farmland. Furthermore, increased investments in bike and pedestrian facilities bring access to the outdoors to every community.

Pursuant to Public Utilities Code Section 180206(b) a Transportation Expenditure Plan may not be finally adopted and placed before the voters until it has received the approval of the County Board of Supervisors and city/town councils which in aggregate represent both a majority of the cities/towns in Contra Costa and a majority of the population residing in the incorporated areas of Contra Costa. All jurisdictions will be asked to adopt the proposed final TEP as presented. The Authority is seeking approval of the proposed final TEP from all cities and towns by July 5th and will seek approval of the County Board of Supervisors on July 12th. The Authority will consider approving the Final TEP and accompanying ordinance to impose the sales tax at its meeting on July 20, 2016 or at a special meeting. The conditional amendment to the Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J TEP to match that found in the 2016 TEP would only apply if the one-half of one percent local transportation sales tax is placed on the

ballot and successfully approved by the electors on the November 8, 2016 ballot. For the limited purpose identified in Public Utilities Code Section 180206(b), the Authority seeks the City of Oakley's support of the new Measure, by adopting the attached Resolution of Support for the Countywide Imposition of One Half of One Percent Sales Tax to Fund Transportation Improvements in Contra Costa.

Adopting the attached Resolution of Support is not subject to the California Environmental Quality Act ("CEQA") because the TEP is not a "project" within the meaning of CEQA. (See 14 C.C.R., §§ 15378, 15352.) Specifically, the Council's adoption of the Resolution of Support does not constitute the approval of a CEQA project for reasons that include, but are not limited to, the following: (1) the TEP does not authorize the construction of any projects that may result in any direct or indirect physical change in the environment; (2) the TEP is a mechanism for funding potential future transportation projects, the timing, approval, and construction of which may be modified or not implemented depending on a number of factors, including future site-specific CEQA environmental review; and (3) the TEP is subject to further discretionary approvals insofar as it may not be adopted until and unless the pre-conditions set forth in the Public Utilities Code are satisfied. (See 14 C.C.R., §§ 15378, 15352; Public Utilities Code, § 180206(b).)

Fiscal Impact

No direct cost to the City to adopt the resolution and hold the election. The potential revenues, if the Measure passes, would be millions of dollars over time to the City for transportation projects.

Staff Recommendation

Approve Resolution supporting the Contra Costa Transportation Authority (Authority) for the Countywide Imposition of one half of one percent sales tax to fund transportation improvements in Contra Costa County, adopting the Proposed Transportation Expenditure Plan, and conditionally amending the Growth Management Program in the Measure J Transportation Expenditure Plan to match that found in the Proposed Transportation Expenditure Plan.

Attachments

- 1) Resolution
- 2) Final Transportation Expenditure Plan (TEP)

RESOLUTION NO. __-16

RESOLUTION OF SUPPORT FOR THE COUNTYWIDE IMPOSITION OF ONE HALF OF ONE PERCENT SALES TAX TO FUND TRANSPORTATION IMPROVEMENTS IN CONTRA COSTA COUNTY, AND CONDITIONALLY AMEND THE MEASURE J TRANSPORTATION EXPENDITURE PLAN GROWTH MANAGEMENT PROGRAM

WHEREAS, the Contra Costa Transportation Authority (hereinafter "Authority") proposes the countywide imposition of a one half of one percent sales tax for transportation purposes for a period of thirty years effective on April 1, 2017 through March 31, 2047; and

WHEREAS, the Authority has administered a one half of one percent sales tax for transportation purposes since its inception on April 1, 1989; and

WHEREAS, the Authority conducted extensive consultations with local governments and conducted outreach to a wide variety of interest groups and the public in order to develop a Transportation Expenditure Plan ("TEP") proposing a potential mix of projects and programs to be funded by the proposed sales tax; and

WHEREAS, on May 18, 2016 the Authority authorized the release of a proposed TEP reflecting the results of that consultation and outreach, and seeking concurrence on the proposed TEP from Contra Costa County and the cities and towns within Contra Costa County; and

WHEREAS, on May 18, 2016 the Authority adopted Ordinance 16-01 to conditionally amend the Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J Transportation Expenditure Plan ("Measure J TEP") to match that found in the 2016 TEP. This amendment would only apply if the one half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the November 8, 2016 ballot.

WHEREAS, the proposed TEP includes measures that help reduce future congestion, manage the impacts of growth, and expand alternatives to the single-occupant vehicle; and

WHEREAS, if the proposed TEP is ultimately adopted by the Authority and approved by the voters, the TEP would guide the use of the proposed sales tax revenues; and

WHEREAS, pursuant to Public Utilities Code Section 180206(b) a Transportation Expenditure Plan may not be adopted by the Authority until and unless the proposed TEP has received the approval of the County Board of Supervisors and city and town councils representing both a majority of the cities in Contra Costa County and a majority of the population residing in the incorporated areas of Contra Costa County; and

NOW THEREFORE BE IT RESOLVED, that the Oakley City Council finds that the proposed TEP is not subject to the California Environmental Quality Act ("CEQA") because the proposed TEP is not a "project" within the meaning of CEQA, and the Council's adoption of this Resolution does not commit the Council to a definite course of action with regard to any specific transportation improvements set forth in the proposed TEP. (See 14 C.C.R., §§ 15378, 15352.) Specifically, the Council's adoption of this Resolution does not constitute the approval of a CEQA project for reasons that include, but are not limited to, the following: (1) the proposed TEP does not authorize the construction of any projects that may result in any direct or indirect physical change in the environment; (2) the proposed TEP is a mechanism for funding potential future transportation projects, the timing, approval, and construction of which may be modified or not implemented depending on a number of factors, including future site-specific CEQA environmental review; and (3) the proposed TEP is subject to further discretionary approvals insofar as it may not be adopted until and unless the pre-conditions set forth in the Public Utilities Code are satisfied. (See 14 C.C.R., §§ 15378, 15352; Public Utilities Code, § 180206(b).)

BE IT FURTHER RESOLVED, that the Oakley City Council approves, for the limited purpose identified in Public Utilities Code section 180206(b), the proposed TEP released by the Authority on May 18, 2016; and

BE IT FURTHER RESOLVED, that the Oakley City Council urges the Authority, consistent with the provisions of Public Utilities Code Section 180206, to adopt the proposed TEP; and

BE IT FURTHER RESOLVED, that the Oakley City Council urges the Contra Costa County Board of Supervisors, consistent with Public Utilities Code Section 180203, to place the one-half of one percent local transportation sales tax on the November 8, 2016 ballot.

BE IT FURTHER RESOLVED, that the Oakley City Council approves of the conditional amendment to the Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J TEP to match that found in the 2016 TEP. As well as acknowledging that this amendment would only apply if the one half of one

percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the November 8, 2016 ballot.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 28th of June, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

ATTEST:

Kevin Romick, Mayor

Libby Vreonis, City Clerk

Date

Transforming Contra Costa County

Our New 30-Year Transportation Expenditure Plan



2016



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Transforming Contra Costa County

Contra Costa is a county as unique and diverse as its residents. Our communities stretch from the Richmond coastline to Discovery Bay, from Port Chicago to the San Ramon Valley, and from Mount Diablo to Crocket Hills. We are growing with the times while protecting the qualities that make Contra Costa County a wonderful place to call home. **We need a transportation plan that reflects where we are now and, more importantly, our commitment to pursue transportation policies, planning and investments that will get us where we want to be.**

The Contra Costa Transportation Authority (CCTA) is responsible for maintaining and improving the county's transportation system by planning, funding, and delivering critical transportation infrastructure projects and programs that connect our communities, foster a strong economy, increase sustainability, and safely and efficiently get people and freight where they need to go. CCTA is also the county's designated Congestion Management Agency (CMA), responsible for putting programs in place to keep traffic levels manageable.

Currently, our transportation needs significantly exceed available revenue to meet those needs. Over the next 30 years, our population will continue to grow and that population will have new and additional needs. A new countywide funding measure and Transportation Expenditure Plan (TEP) can keep Contra Costa County moving and create the livable and sustainable communities that all Contra Costans deserve.

After extensive public engagement and analysis, CCTA prepared a 30-year TEP that will **promote a strong economy, protect the environment, maintain and improve local streets and roads, encourage greater transit usage and alternate forms of transportation, and enhance the quality of life for all** of Contra Costa's diverse communities. This new TEP will benefit every person and every part of the county.

This plan is transformative on every level. With a strong focus on technology and innovation, the plan will deliver **a more efficient, cleaner and faster transportation system.**

The new plan will significantly cut emissions through an emphasis on transit, electric and other non-fossil fuel oriented modes of transportation and transportation networks. It provides for new BART cars that will reduce energy use, pollution and costs, and that will provide increased frequency of BART trains and improved BART station access, and also provides for improved bus transit operations and improved bus frequency, potential driverless vehicles, bikes in every community, and connectivity among and with all modes of transportation.

The plan also sets forward clear policies that ensure that while we grow, we will keep all growth within clear urban limit lines. This will allow the county to continue growing in a smart way, while protecting vital open space for parks and farmland. Furthermore, increased investments in bike and pedestrian paths and walkways bring access to the outdoors to every community.

Smooth, safe and complete streets for cars, trucks, buses, bikes and pedestrians, along with extraordinary investments in direct funding to Contra Costa's communities for local street and road repair, will greatly enhance all communities.

For our urban areas, the plan focuses on support for transit and transit-oriented mixed-use development. This includes an emphasis on bicycle and pedestrian opportunities, interconnectivity, transit, traffic smoothing, and technological advances to ensure our systems are efficient and work well together.

This plan will benefit the people who live in Contra Costa County by:

- **Attracting more good jobs**, which will reduce commute trips and congestion
- **Actively managing the impacts of growth** on our community so we support local businesses and preserve our environment
- **Accommodating the needs of all** transportation modes, while increasing the use of alternative transportation; and
- **Enhancing transportation services** for seniors, persons with disabilities and school children

This TEP was developed with two key documents as guidance – the Expenditure Plan Advisory Committee (EPAC) Vision, Goals and Objectives and the CCTA Principles for Development of a Transportation Expenditure Plan. Both documents are available for review at www.CCTA.net. Building on these two documents and extensive public engagement with stakeholders, the TEP articulates how the Authority will use nearly \$3 billion in additional revenue to invest wisely – using locally-generated funds and leveraging outside matching funds – to maximize the benefits for all Contra Costa residents by promoting a strong economy, protecting the environment, maintaining and improving local streets and roads, and encouraging greater transit usage and alternate forms of transportation.

Transportation Expenditure Plan Summary

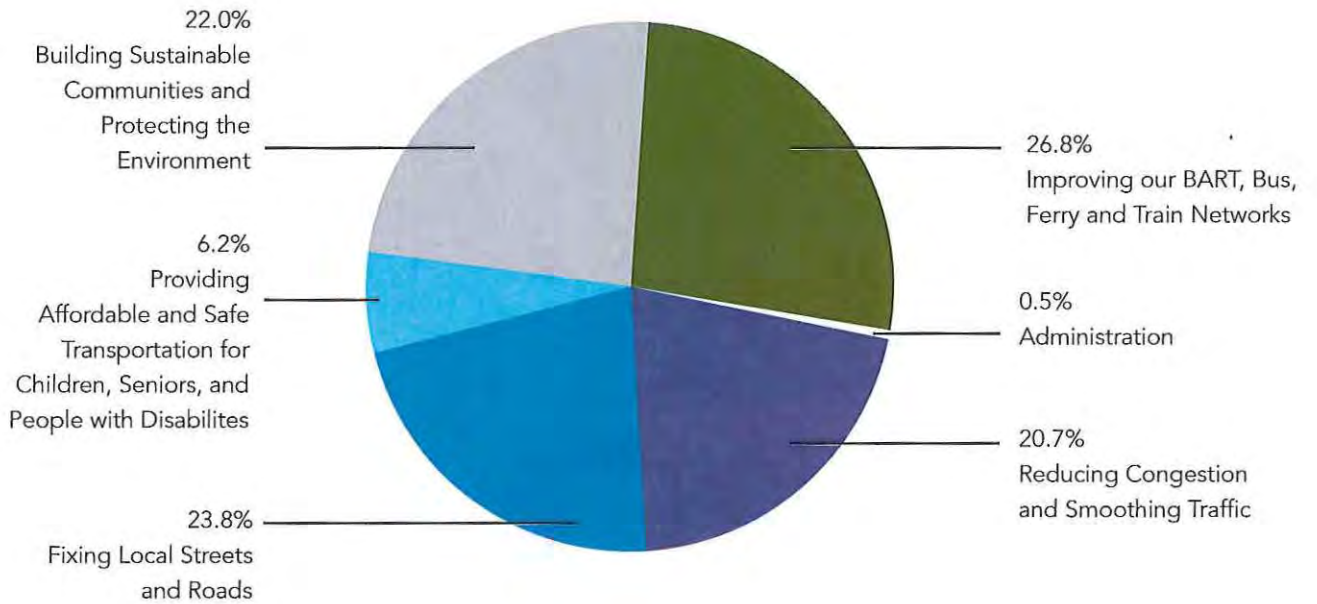
Transportation Expenditure Plan: Summary of Funding		Funds (\$ millions)	%
Improving our BART, Bus, Ferry and Train Networks		770	26.79%
	BART Capacity, Bicycle and Pedestrian Access and Parking Improvements	300	10.44%
	Bus Transit and Other Non-Rail Transit Enhancements	295	10.26%
	East Contra Costa Transit Extension	70	2.44%
	High Capacity Transit Improvements Along the I-80 Corridor	55	1.91%
	Intercity Rail and Ferry Service Improvements	50	1.74%
Reducing Congestion and Smoothing Traffic		595	20.71%
	Traffic Flow Improvements and High Capacity Transit Implementation Along I-680 and SR 24	250	8.70%
	East County Corridor (Vasco Road and/or Byron Highway Corridors) Improvements	117	4.07%
	Traffic Flow Improvements Along SR 242 and SR 4	108	3.73%
	I-80 Interchange Improvements at San Pablo Dam Road and Central Ave	60	2.09%
	I-680 and SR 4 Interchange Improvements	60	2.09%
Fixing Local Streets and Roads		684	23.79%
	Local Street Maintenance and Improvements	684	23.79%
Providing Affordable and Safe Transportation for Children, Seniors, and People with Disabilities		179	6.23%
	Safe Transportation for Children	64	2.23%
	Transportation for Seniors and People with Disabilities	115	4.00%
Building Sustainable Communities and Protecting the Environment		632	21.98%
	Major Streets and Complete Streets Project Grants	290	10.09%
	Pedestrian, Bicycle and Trail Facilities	115	4.00%
	Community Development Transportation Program	100	3.48%
	Innovative Transportation Technologies/Connected Communities Grant Program	65	2.26%
	Transportation Planning, Facilities and Services	43	1.50%
	Regional Transportation Priorities	19	0.65%
	Total Investments	2860	99.50%
	Administration	14	0.50%
	Total Cost	2874	100.0%

Cost in 2016 Dollars

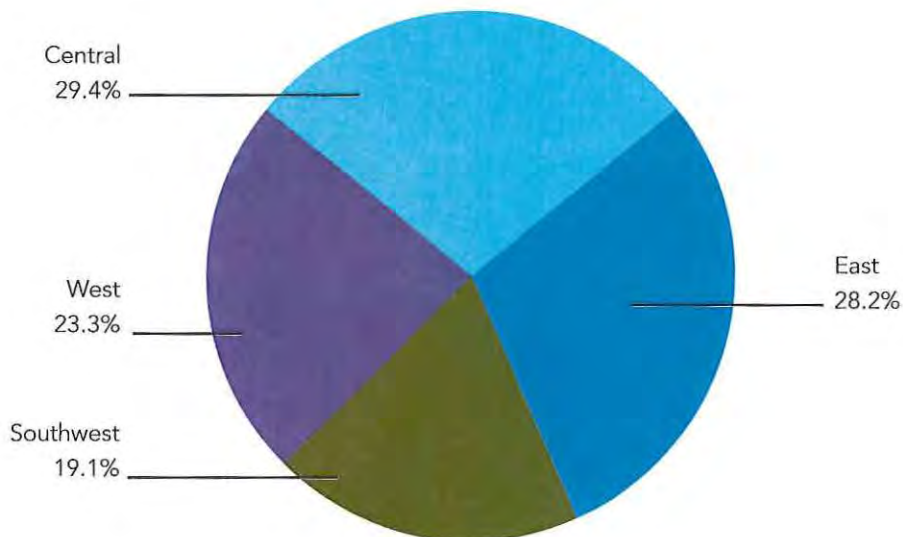
For the full breakdown see the chart on page 56.



Transportation Expenditure Plan Summary by Category

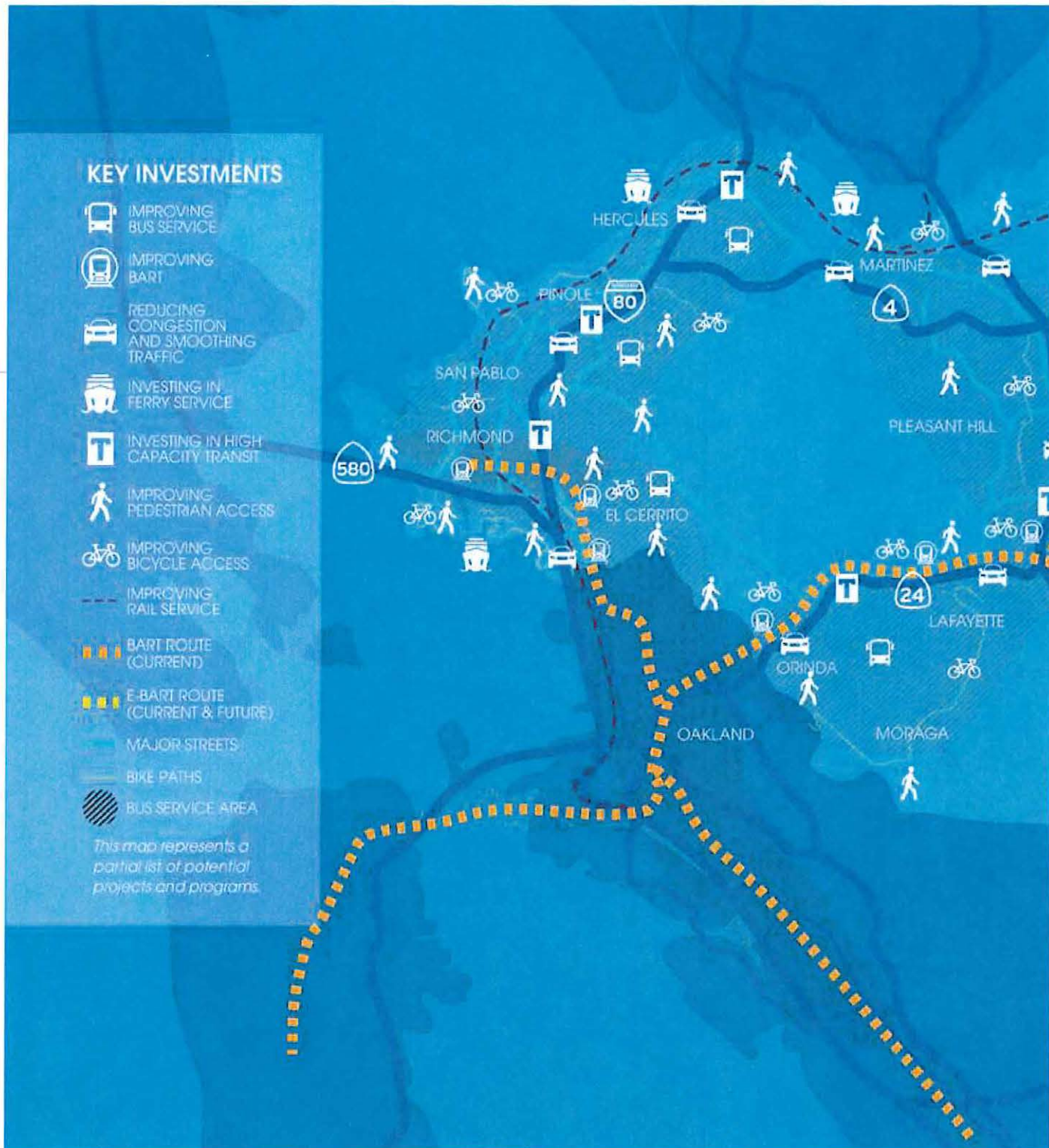


Transportation Expenditure Plan Summary by Region

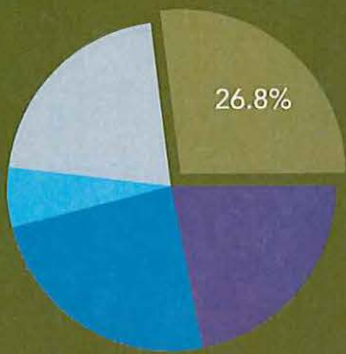


See Appendix A on page 56 for detailed distribution of funding by subregion.

The Plan for Contra Costa's Future







Improving our BART, Bus, Ferry and Train Networks

Benefits Key

	Reduces Congestion
	Reduces Greenhouse Gas Emissions
	Improves BART Service
	Improves Bus Service
	Expands Bicycle Access/Improves Bicycle Safety
	Improves Pedestrian Safety
	Improves Transportation Connectivity
	Provides Alternatives to Single-Occupant Vehicle Use
	Integrates New Technology
	Creates Good Local Jobs

Each icon represents a benefit to Contra Costa County as a result of the portion of the plan being described.

Improving Our BART, Bus, Ferry and Train Networks



BART Capacity, Access and Parking Improvements

\$300 Million

This category is intended to provide funding to increase the capacity of and ridership on the BART System in Contra Costa County, including improvements to local BART stations, as well as access and parking in Contra Costa County. Funds in this category are intended to be allocated by the Authority for the acquisition of additional new BART cars, provided that: 1) BART agrees to fund a minimum of \$100 million in BART station, access and parking improvements in Contra Costa County from other BART revenues, and 2) a regional approach, that includes commitments of equal funding shares from both Alameda and San Francisco counties and additional regional funding from the Metropolitan Transportation Commission, is developed and approved no later than December 31, 2024.

BART station, access and parking improvements or alternate public transit services that access BART may include station capacity, safety and operational improvements; infrastructure improvements that facilitate Transit Oriented Development at or near BART stations; additional on or off site parking, last mile shuttle or shared vehicles that provide alternatives to driving single-occupant vehicles to BART stations; and bicycle/pedestrian facilities that provide access to BART stations.

In the event that commitments from the four parties to fund additional BART cars are not approved by December 31, 2024, or any date earlier if BART informs the Authority it is no longer pursuing the acquisition of additional BART cars as provided herein, and if BART has maintained the commitment to fund a minimum of \$100 million in improvements as described above, the Authority (in consultation with the RTPCs) and BART will jointly identify, and the Authority will allocate these funds for other capacity-enhancing, safety and efficiency increasing projects (to include station, access and parking improvements or alternate public transit services that access BART) that benefit the residents of Contra Costa County.

Prior to the allocation of funds to BART, the Authority Board shall make a finding that BART has consistently maintained its commitment to use a proportional share of its inflation-based fare increase, or an equivalent amount, for capital projects as defined by BART's Resolution No. 5208 passed in February 2013. In years where BART fare revenues are reduced by a decrease in ridership or unforeseen economic circumstances, or where one-time costs are increased by a natural disaster, then the Authority may release funds if the Authority Board makes findings that 1) BART has not reduced its capital project funding disproportionately and 2) BART made best efforts to fund capital projects that benefit Contra Costa County.



Bus Transit and Other Non-Rail Transit Enhancements

\$295 million

Bus Transit Enhancements in the West Subregion of Contra Costa \$111 million

This subcategory is intended to provide funding for public transit operators to maintain and increase transit operations, including any transit capital expenses and/or operating expenses for existing service or service improvements/enhancements in the West subregion of Contra Costa. Funding is to provide for bus transit operations to increase or maintain ridership, including incentivizing transit use by offsetting fares, and improve the frequency and capacity of routes, especially high demand routes. Funding will be allocated by the Authority based on input from the WCCTAC in consultation with local bus operators and stakeholders.

Bus Transit Enhancements and Other Non-Rail Transit Enhancements in the Central, East and Southwest Subregions of Contra Costa \$184 million

This subcategory is intended to provide funding for public transit operators to maintain and increase transit operations, including any transit capital expenses and/or operating expenses for existing service or service improvements/enhancements, and also to provide funding for future non-rail transit service alternatives in the Central, East and Southwest subregions of Contra Costa. Funding is to provide for bus transit operations to increase or maintain ridership, including incentivizing transit use by offsetting fares, and improve the frequency and capacity of routes, especially high demand routes. Funding will be allocated by the Authority for the Central, East and Southwest subregions of Contra Costa based on input from the RTPCs in those subregions, in consultation with local bus operators and stakeholders. Funding allocation by the Authority may include use of a portion of the funds for non-rail transit services/projects that demonstrate an innovative approach to maximize the movement of people efficiently and in a manner that reduces Vehicle Miles Traveled (VMT) and Green-house Gas (GHG).

Improving Our BART, Bus, Ferry and Train Networks



East Contra Costa Transit Extension (BART or alternative)

\$70 million

This category is intended to provide funding to improve access to and extend high capacity transit service easterly from the Hillcrest BART Station in Antioch through Oakley to a new transit station in Brentwood. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for this project. Funds from this category may be used to complete an interim transit station in Brentwood.



High Capacity Transit Improvements along the I-80 Corridor in West Contra Costa County

\$55 million

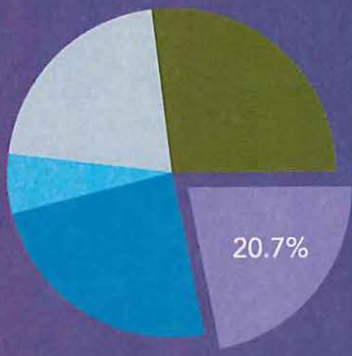
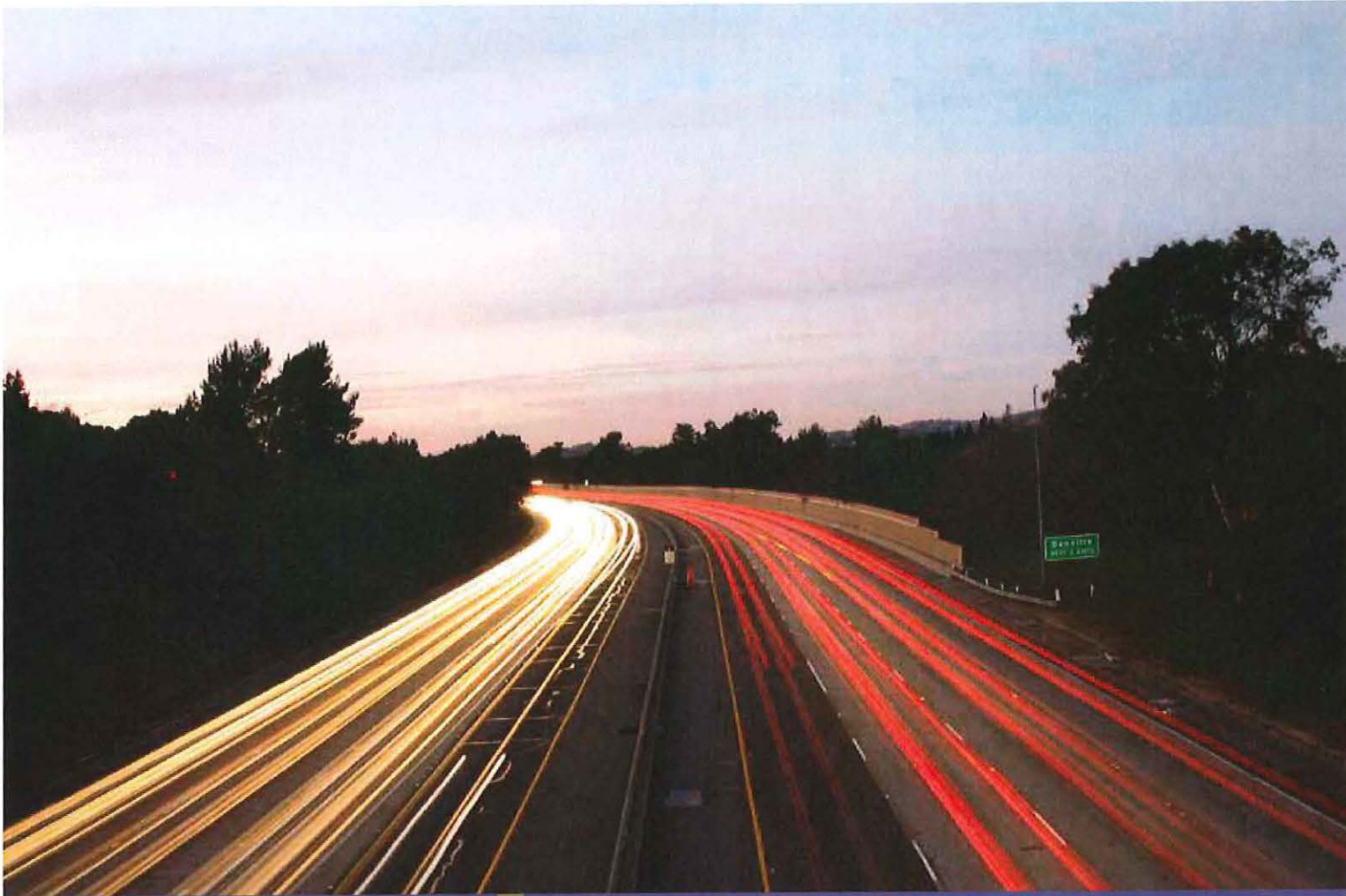
This category is intended to fund projects/programs for high capacity transit improvements along the I-80 corridor. Final determination on the scope of the improvements to be constructed will be based on the final recommendations in the West County High Capacity Transit Study and in consultation with the west subregion. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for this project.



Intercity Rail and Ferries

\$50 million

This category is intended to provide funding to construct station and/or track improvements to the Capitol Corridor and/or the San Joaquin corridors, as well as to implement new or improved ferry services (including both capital and operations) in Richmond, Hercules, Martinez and/or Antioch. Projects that increase ridership using existing capacity, including incentivizing use by offsetting fares or other methodologies, may also be considered. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for this project. Any projects funded in this category will be evaluated by the Authority and demonstrate progress toward the Authority's goals of reducing Vehicle Miles Traveled (VMT) and green-house gas (GHG) reductions. Selection of final projects to be based on a performance analysis of project alternatives consistent with Authority requirements. Sponsors of projects requesting funding from this category will be required to demonstrate to the Authority that sufficient funding is available to operate the proposed project and/or service over a long period of time.



Reducing Congestion and Smoothing Traffic

Benefits Key

	Reduces Congestion
	Reduces Greenhouse Gas Emissions
	Improves BART Service
	Improves Bus Service
	Expands Bicycle Access/Improves Bicycle Safety
	Improves Pedestrian Safety
	Improves Transportation Connectivity
	Provides Alternatives to Single-Occupant Vehicle Use
	Integrates New Technology
	Creates Good Local Jobs

Each icon represents a benefit to Contra Costa County as a result of the portion of the plan being described.

Reducing Congestion and Smoothing Traffic



Traffic Flow Improvements and High Capacity Transit Implementation Along I-680 and SR 24

\$250 million

This category is intended to fund an I-680 corridor express lane and operational improvement project to facilitate carpools and increase transit use in the corridors as an alternative to single occupant vehicle travel. Funding may also be used to implement high capacity transit improvements in the corridor (including those identified in the I-680 Transit Investment and Congestion Relief Options and other relevant studies). Funding may also be used to complete improvements to the mainline freeway and/or local interchanges along I-680 and SR 24 as may be required to implement express lane and/or transit projects as well as advanced traffic management programs and/or other projects or programs that encourage the use of connected vehicle and/or autonomous vehicles in the corridor provided that the project sponsor can show that they reduce congestion, increase mobility and provide alternatives to single occupant vehicle travel. Selection of

final projects shall be based on a performance analysis of project alternatives consistent with Authority requirements. Projects funded from this category must be on or near the I-680 or the SR 24 corridors. Of the funds assigned to this category in Southwest County, \$20 million will be eligible for interchange improvements on the SR 24. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for this project.



East County Corridor
(Vasco Road and/or Byron Highway Corridors) Improvements

\$117 million

The Authority shall provide funding to construct a new 2-lane "limited access" connector between Byron Highway and Vasco Road south of Camino Diablo Road as well as shoulder and other improvements to the Byron Highway (including a railroad grade separation) to improve safety and access to the Byron Airport and to facilitate economic development and access for goods movement in East Contra Costa County. For the Vasco Road corridor, the Authority shall provide funding for safety and other improvements oriented at facilitating the use of high-capacity transit and/or high occupancy carpools. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for these projects.

Prior to the use of any local sales tax funds to implement capacity improvements to either or both of these corridors, the Authority Board must make a finding that the project(s) include measures to prevent growth outside of the Urban Limit Lines (ULL). Such measures might include, but are not necessarily limited to, limits on roadway access in areas

outside the ULL, purchase of abutters' rights of access, preservation of critical habitat and/or the permanent protection/acquisition of agricultural and open space or performing conservation measures required to cover this project under the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCP). With the exception of the new connection between Vasco Road and the Byron Highway, funding from this category shall not be used to construct new roadways on new alignments. The Authority will work with Alameda and/or San Joaquin Counties to address project impacts in those jurisdictions.

Reducing Congestion and Smoothing Traffic



Traffic Flow Improvements Along the SR 242 and SR 4

\$108 million

This category is intended to provide funding to improve traffic flow and reduce congestion between Concord and Brentwood along State Route 242 and State Route 4 to reduce congestion, increase mobility and provide alternatives to single occupant vehicle travel. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for this project. Advanced traffic management programs and/or other projects or programs that encourage the use of connected vehicle and/or autonomous vehicles in the corridor are eligible for funding from this category provided that the project sponsor can demonstrate that they reduce congestion, increase mobility and provide alternatives to single occupant vehicle travel. Projects funded from this category must be on or near the SR 242 or SR 4 corridors. Selection of final project(s) shall be based on a performance analysis of project alternatives consistent with Authority requirements.



I-80 Interchange Improvements at
San Pablo Dam Road and Central Avenue

\$60 million

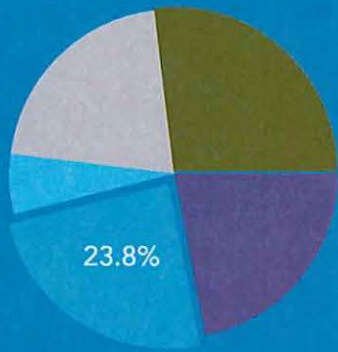
This category is intended to fund improvements of the I-80 interchanges at San Pablo Dam Road, Central Avenue, and other locations along I-80 in consultation with the subregion. The improvements of the interchanges are a priority to gain corridor traffic flow improvements.



Interstate 680/State Route 4 Interchange

\$60 million

This category is intended to fund an Interstate 680/State Route 4 interchange improvement project as necessary to improve traffic flow and enhance traffic safety along both the I-680 and SR 4 corridors. To the greatest degree possible, local funds generated by this measure shall be used to leverage additional regional, state and/or federal funds for this project. Authority shall prioritize local funding commitments to this project in such a way as to encourage carpools and vanpools, public transit usage and other alternatives to the single occupant vehicle.



Fixing Local Streets and Roads

Benefits Key

	Reduces Congestion
	Reduces Greenhouse Gas Emissions
	Improves BART Service
	Improves Bus Service
	Expands Bicycle Access/Improves Bicycle Safety
	Improves Pedestrian Safety
	Improves Transportation Connectivity
	Provides Alternatives to Single-Occupant Vehicle Use
	Integrates New Technology
	Creates Good Local Jobs

Each icon represents a benefit to Contra Costa County as a result of the portion of the plan being described.

Local Streets and Roads



Local Street Maintenance & Improvements

\$664 million

This category is intended to fund maintenance and improvement projects on local streets and roads and may be used for any eligible transportation purposes as defined under the Act. The Authority will distribute 23.1 percent of the annual sales tax revenues to all local jurisdictions with a base allocation of \$100,000 for each jurisdiction, the balance will be distributed based 50 percent on relative population and 50 percent on road miles for each jurisdiction, subject to compliance with the Authority's reporting, audit and GMP requirements. Population figures used shall be the most current available from the State Department of Finance. Road mileage shall be from the most current information included in the Highway Performance Monitoring System (HPMS)

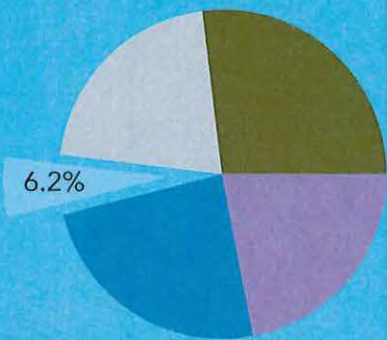
Funds shall be used by each jurisdiction to maintain and enhance existing roadway and other transportation facilities. Jurisdictions shall comply with the Authority's Maintenance of Effort (MOE) policy as well as Implementation Guidelines of this TEP. Local agencies will report on the use of these funds, such as the amount spent on roadway maintenance, bicycle and pedestrian facilities, transit facilities, and other roadway improvements.

Additional Local Street Maintenance & Improvements

\$20 million

This subcategory is intended to fund additional maintenance and improvement projects on local streets and roads. These additional funds will be allocated to Central Contra Costa County jurisdictions based on the formula of 50 percent on relative population and 50 percent on road miles for each jurisdiction and subject to program requirements detailed above.





Providing Affordable and Safe Transportation for Children, Seniors and People with Disabilities

Benefits Key



Reduces Congestion



Reduces Greenhouse Gas Emissions



Improves BART Service



Improves Bus Service



Expands Bicycle Access/Improves Bicycle Safety



Improves Pedestrian Safety



Improves Transportation Connectivity



Provides Alternatives to Single-Occupant Vehicle Use



Integrates New Technology



Creates Good Local Jobs

Each icon represents a benefit to Contra Costa County as a result of the portion of the plan being described.



Safe Transportation for Children

\$64 million

This category is to provide funds to programs and projects that promote safe transportation options for children to access schools or after school programs. Eligible projects include but are not limited to reduced fare transit passes and transit incentive programs, school bus programs, and projects for pedestrian and bicycle safety that provide school-related access.

The Authority will allocate funds and will establish guidelines (in cooperation with project sponsors) to define priorities and maximize effectiveness. The guidelines may require provisions such as parent contributions; operational efficiencies; specific performance criteria and reporting requirements.



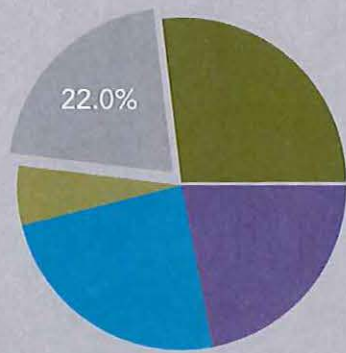
Transportation for Seniors & People With Disabilities

\$115 million

Funding in this category is to support mobility opportunities for seniors and people with disabilities who, due to age or disability, cannot drive or take other transit options.

To ensure services are delivered in a coordinated system that maximizes both service delivery and efficiency, an Accessible Transportation Service (ATS) Strategic Plan will be developed and periodically updated during the term of the measure. No funding under this category will be allocated until the ATS Strategic Plan has been developed and adopted. An overarching component in the development and delivery of the ATS Strategic Plan is using mobility management to ensure coordination and efficiencies in accessible service delivery. The plan will address both Americans with Disabilities Act (ADA) and non-ADA services. The plan will evaluate the appropriate model for our local structure including how accessible services are delivered by all agencies and where appropriate coordination can improve transportation services, eliminate gaps in service and find efficiencies in the service delivered. The ATS Strategic Plan would also determine the investments and oversight of the program funding and identify timing, projects, service delivery options, administrative structure, and fund leverage opportunities.

The ATS Strategic Plan will be developed by the Authority, in consultation with direct users of service, stakeholders representing seniors and people with disabilities who face mobility barriers, and non-profit and publicly operated paratransit service providers. Public operators in Contra Costa must participate in the ATS planning process to be eligible to receive funding in this category. The ATS Strategic Plan must be adopted no later than April 1, 2018. The development of the ATS Strategic Plan will not affect the allocation of funds to current operators as prescribed in the existing Measure J Expenditure Plan.



Building Sustainable
Communities and
Protecting the Environment

Benefits Key

	Reduces Congestion
	Reduces Greenhouse Gas Emissions
	Improves BART Service
	Improves Bus Service
	Expands Bicycle Access/Improves Bicycle Safety
	Improves Pedestrian Safety
	Improves Transportation Connectivity
	Provides Alternatives to Single-Occupant Vehicle Use
	Integrates New Technology
	Creates Good Local Jobs

Each icon represents a benefit to Contra Costa County as a result of the portion of the plan being described.

Building Sustainable Communities and Protecting the Environment



Major Streets, Complete Streets, and Traffic Synchronization Project Grants \$290 million

This category is intended to fund improvements to major thoroughfares throughout Contra Costa to improve the safe, efficient and reliable movement of buses, vehicles, bicyclists and pedestrians along said corridors (i.e. traffic smoothing). Eligible projects shall include a variety of components that meet the needs of all users and respond to the context of the facility. Projects may include but are not limited to installation of bike and pedestrian facilities, installation of “smart” parking management programs, separated bike lanes, synchronization of traffic signals and other technology solutions to manage traffic, traffic calming and pedestrian safety improvements, shoulders, sidewalks, curbs and gutters, streetscapes and bus transit facility enhancements such as bus turnouts and passenger amenities. As an element of this program, the Authority will adopt a ‘traffic signal synchronization’ program and award grants for installation of ‘state of the art’ technology designed to smooth the flow of traffic along major arterial roadways throughout the county. Funding from this program will be prioritized to projects that improve access for all modes to jobs, commercial areas and transit, and the design process which includes opportunity for public input from existing and potential users of the facility. Priority will be given to projects that can show a high percentage of “other funding” allocated to the project (i.e. – leverage). The Authority will adopt program guidelines that will include information regarding how to evaluate the

range of possible project components. All projects will be selected through a competitive project selection process within each subregion with the Authority approving the final program of projects, allowing for a comprehensive countywide approach while recognizing subregional needs to achieve the overall program goal. All projects funded through this program must comply with the Authority’s Complete Streets Policy and include complete street elements whenever possible. Twenty percent of the program funding will be allocated to four Complete Streets demonstration projects, one in each subregion, recommended by the relevant RTPC and approved by Authority, to demonstrate the successful implementation of Complete Streets projects no later than April 1, 2022.. Projects will be required to strongly pursue the use of separated bike lane facilities in the demonstration project program. The purpose of these demonstration projects is to create examples of successful complete street projects in multiple situations throughout the county.



Pedestrian, Bicycle and Trail Facilities

\$115 million

Two-thirds of the funds from this program shall be used to implement projects in the Countywide Bicycle and Pedestrian Plan, consistent with the current Measure J program. These funds shall be allocated to projects that improve safety for pedestrians and bicyclists, serve the greatest number of users and significant destinations, and remove missing segments and existing barriers to walking and bicycling. All projects will be selected through a competitive project selection process within each subregion with the Authority approving the final program of projects, allowing for a comprehensive countywide approach while recognizing subregional needs to achieve the overall program goal. The review process shall consider project feasibility and readiness and the differing needs of the sub-regions when identifying projects for funding. Funding available through this program is to be primarily used to construct and maintain bicycle, pedestrian and trail facilities, as well as to make safety or other improvements to bicycle, pedestrian and trail facilities. Planning to identify a preferred alignment for major new bicycle, pedestrian or trail connections may also be funded through this program.

One-third of the funds are to be allocated to the East Bay Regional Park District (EBRPD) for the development and rehabilitation of paved regional trails. EBRPD is to spend its allocation proportionally in each sub-region, subject

to the review and approval of the conceptual planning/design phase by the applicable sub-regional committee, prior to funding allocation by the Authority. The Authority in conjunction with EBRPD will develop a maintenance-of-effort requirement for funds under this component of the funding category.

Consistent with the Countywide Bicycle and Pedestrian Plan and the complete streets policy established in this expenditure plan, project sponsors receiving funding through other funding categories in this Plan shall incorporate, whenever possible, pedestrian, bicycle, and trail facilities into their projects.

Building Sustainable Communities and Protecting the Environment



Community Development Transportation Program

\$100 million

This category is intended to provide funding to implement a new Community Development Transportation Program (CDTP) to be administered by the Authority in conjunction with the Authority's existing Transportation for Livable Communities Program (TLC) with projects identified by the Authority's Regional Transportation Planning Committees (RTPCs). Funds will be allocated by the Authority on a competitive basis to transportation projects or programs that promote housing within planned or established centers that are supported by transit, or that support economic development and job creation in Contra Costa County. All projects will be selected through a competitive project selection process within each subregion with the Authority approving the final program of projects, allowing for a comprehensive countywide approach while recognizing subregional needs to achieve the overall program goal. Project sponsors must demonstrate that at least 20 percent of the project is funded from other than local transportation sales tax revenue. Additional priority will be given to projects where the sponsor can demonstrate that the project supports and facilitates development of jobs or housing for all income levels and

that have additional matching funds that have already been committed or secured. Working with the RTPCs, the Authority will prepare guidelines and establish overall criteria for the program with the intent of complementing and administering the program in conjunction with the Authority's Measure J TLC program no later than December 31, 2017.



Innovative Transportation Technology/Connected Communities Program

\$65 million

This category is intended to provide funding for the planning and development of projects and programs that include innovative solutions intended to (a) develop and demonstrate transportation innovation through real-world applications, (b) reduce GHG emissions, and (c) implement connected transportation solutions. The Authority intends innovative solutions to include installing new digital and communications infrastructures, automated processes and intelligent controls, and integration with other community services, such as public safety and communications providers, to support a more integrated transportation system that promotes economic development, expanded job opportunities, increased government efficiency, reductions in consumption of nonrenewable resources, and increased sustainability, safety and mobility. Examples of eligible projects include but are not limited to expanding opportunities for zero emission vehicle charging; smart rideshare, carshare and bikeshare services; on-demand and personal transit services that complement traditional fixed-route transit; smart and automated parking; intelligent, sensor-based infrastructure; smart payment systems; and data sharing to improve mobility choices for all users. Projects are intended to promote connectivity between all users of the transportation network (cars, pedestrians,

bikes, buses, trucks, etc.) and automation technologies that collectively facilitate the transformation toward connected communities. Funding is intended to match State, federal, or regional grants and private-sector investment to achieve maximum benefits. By investing in these solutions, Contra Costa County can become a national model in sustainable, technology-enabled transportation.

A minimum of twenty-five percent is to be allocated to each sub-program (a, b and c above) over the life of the measure. The Authority will prepare guidelines and establish overall criteria for the Innovative Transportation Technology/Connected Communities Program and provide technical resources to project sponsors. All programs/projects will be selected through a competitive project selection process within each subregion with the Authority approving the final programs/projects for each of the sub-programs, allowing for a comprehensive countywide approach while recognizing subregional needs to achieve the overall program goal.

Project sponsors must demonstrate that the programs provide highly efficient services that are cost effective, integrated and responsive to the needs of the community.

Building Sustainable Communities and Protecting the Environment



Transportation Planning, Facilities and Services

\$43 million

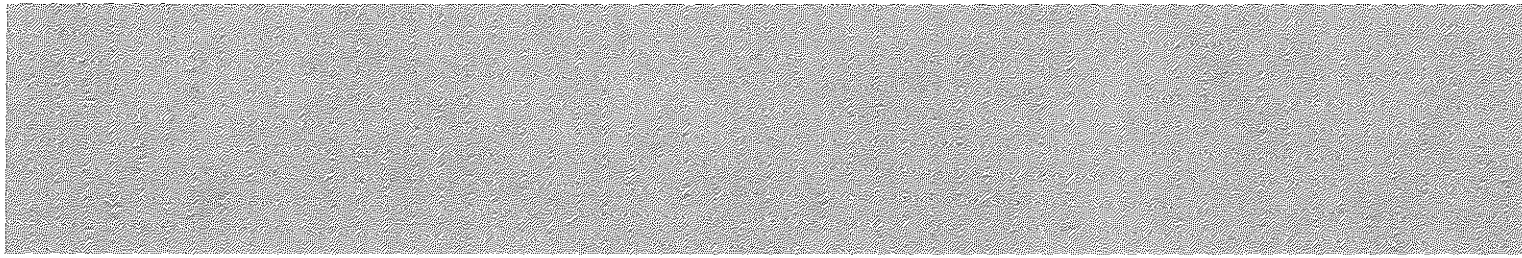
This category is intended to provide funding to implement the countywide Growth Management Program, prepare the countywide transportation plan, and support the programming and monitoring of federal and state funds, as well as the Authority's Congestion Management Agency functions.

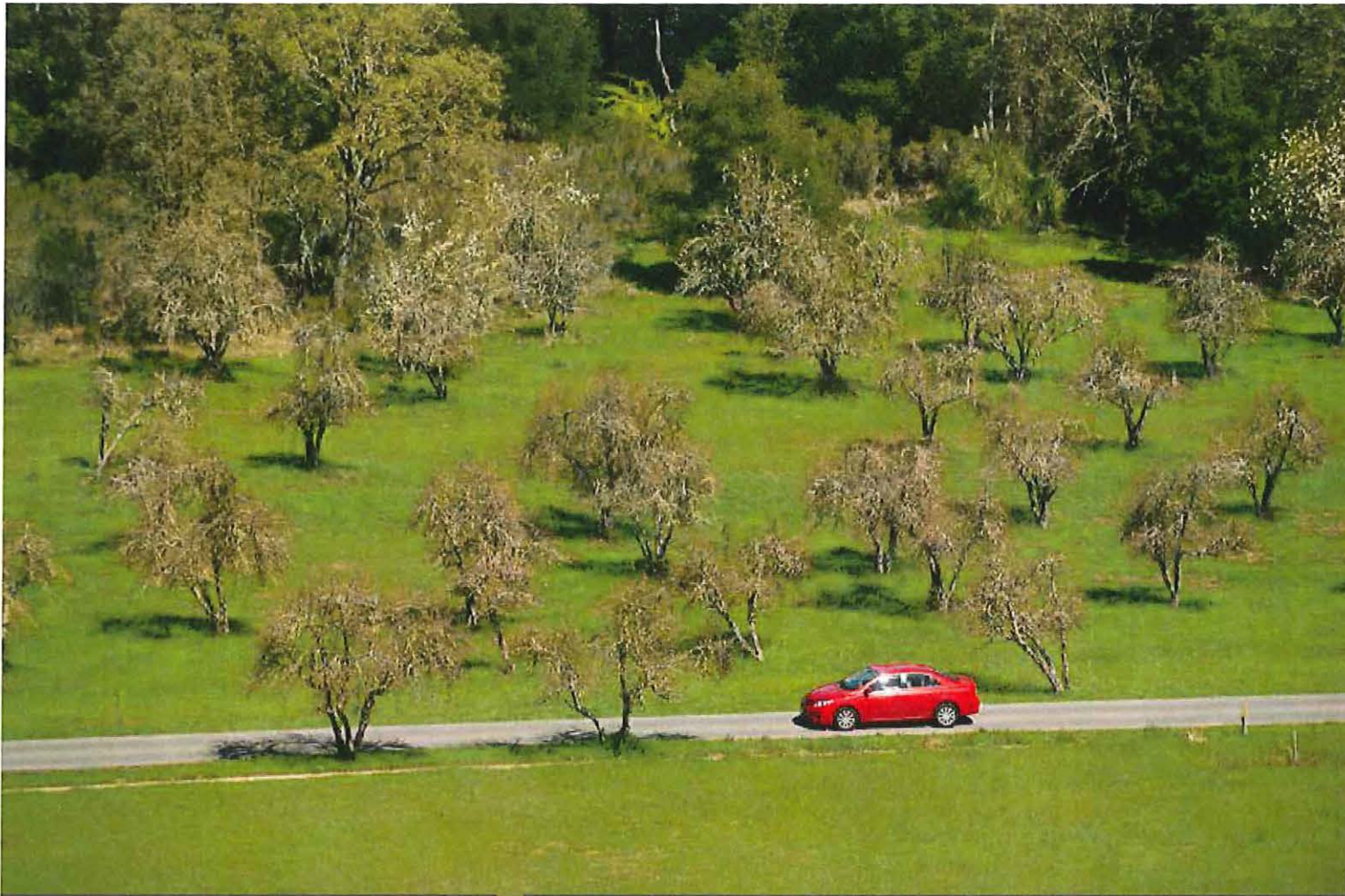


Regional Transportation Priorities

\$19 million

This category is intended to fund any project or program identified in the Expenditure Plan or eligible under the provisions of the Act, including activities that promote alternatives to travel in single occupant vehicles. Program and project recommendations shall be made by each subregion for consideration and funding by the Authority.





Policy Statements

The Growth Management Program

Goals and Objectives

The overall goal of the Growth Management Program is to preserve and enhance the quality of life and promote a healthy, strong economy to benefit the people and areas of Contra Costa through a cooperative, multi-jurisdictional process for managing growth, while maintaining local authority over land use decisions.¹

The objectives of the Growth Management Program are to:

- Assure that new residential, business and commercial growth pays for the facilities required to meet the demands resulting from that growth.
- Require cooperative transportation and land use planning among Contra Costa County, cities, towns, and transportation agencies.
- Support land use patterns within Contra Costa that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions.
- Support infill and redevelopment in existing urban and brownfield areas.

The Measure J Transportation Expenditure Plan Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line, is replaced in its entirety by this Growth Management Program and Attachment A: Urban Limit Line (ULL) Definitions and Compliance Requirements.

Components

To receive its share of the 2016 Transforming Contra Costa County Expenditure Plan funding from Local Streets Maintenance and Improvements funds and its share of Contra Costa's Measure J Transportation Sales Tax Expenditure Plan Local Streets Maintenance & Improvements funding and to be eligible for Contra Costa's Measure J Transportation Sales Tax Expenditure Transportation for Livable Communities funds and the 2016 Transforming Contra Costa County Expenditure Plan funding from Community Development Transportation Program funds each jurisdiction must:

1. *Adopt a Growth Management Element*

Each jurisdiction must adopt, or maintain in place, a Growth Management Element as part of its General Plan that outlines the jurisdiction's goals and policies for managing growth and requirements for achieving those goals. The Growth Management Element must show how the jurisdiction will comply with sections 2–8 below. The Authority will refine its model Growth Management Element and administrative procedures in consultation with the Regional Transportation Planning Committees to reflect the revised Growth Management Program.

Each jurisdiction is encouraged to incorporate other standards and procedures into its Growth Management Element to support the objectives and required components of this Growth Management Program.

2. *Adopt a Development Mitigation Program*

Each jurisdiction must adopt, or maintain in place, a development mitigation program to ensure that new growth is paying its share of the costs associated with that growth. This program shall consist of both a local program to mitigate impacts on local streets and other facilities and a regional program to fund regional and subregional transportation projects, consistent with the Countywide Comprehensive Transportation Plan.

¹ The Authority will, to the extent possible, attempt to harmonize the Growth Management and the State-mandated Congestion Management Programs. To the extent they conflict, Congestion Management Program Activities shall take precedence over Growth Management activities.

The jurisdiction's local development mitigation program shall ensure that revenue provided from this measure shall not be used to replace private developer funding that has or would have been committed to any project.

The regional development mitigation program shall establish fees, exactions, assessments or other mitigation measures to fund regional or subregional transportation improvements needed to mitigate the impacts of planned or forecast development. Regional mitigation programs may adjust such fees, exactions, assessments or other mitigation measures when developments are within walking distance of frequent transit service or are part of a mixed-use development of sufficient density and with necessary facilities to support greater levels of walking and bicycling. Each Regional Transportation Planning Committee shall develop the regional development mitigation program for its region, taking account of planned and forecast growth and the Multimodal Transportation Service Objectives and actions to achieve them established in the Action Plans for Routes of Regional Significance. Regional Transportation Planning Committees may use existing regional mitigation programs, if consistent with this section, to comply with the Growth Management Program.

3. Address Housing Options

Each jurisdiction shall demonstrate reasonable progress in providing housing opportunities for all income levels as part of a report on the implementation of the actions outlined in its adopted Housing Element. The report will demonstrate progress by:

- a. Comparing the number of housing units approved, constructed or occupied within the jurisdiction over the preceding five years with the number of units needed on average each year to meet the housing objectives established in the jurisdiction's Housing Element; or
- b. Illustrating how the jurisdiction has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or
- c. Illustrating how a jurisdiction's General Plan and zoning regulations facilitate the improvement and development of sufficient housing to meet those objectives.

In addition, each jurisdiction shall consider the impacts that its land use and development policies have on the local, regional and countywide transportation system, including the level of transportation capacity that can reasonably be provided, and shall incorporate policies and standards into its development approval process that support transit, bicycle and pedestrian access in new developments.

4. Participate in an Ongoing Cooperative, Multi-Jurisdictional Planning Process.

Each jurisdiction shall participate in an ongoing process with other jurisdictions and agencies, the Regional Transportation Planning Committees and the Authority to create a balanced, safe and efficient transportation system and to manage the impacts of growth. Jurisdictions shall work with the Regional Transportation Planning Committees to:

- a. Identify Routes of Regional Significance, and establish Multimodal Transportation Service Objectives or other tools adopted by the Authority for measuring performance and quality of service along routes of significance, collectively referred to as Multimodal Transportation Service Objectives for those routes and actions for achieving those objectives.
- b. Apply the Authority's travel demand model and technical procedures to the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds for their effect on the regional transportation system, including on Action Plan objectives.
- c. Create the development mitigation programs outlined in section 2 above.
- d. Help develop other plans, programs and studies to address other transportation and growth management issues.

In consultation with the Regional Transportation Planning Committees, each jurisdiction will use the travel demand model

to evaluate changes to local General Plans and the impacts of major development projects for their effects on the local and regional transportation system and the ability to achieve the Multimodal Transportation Service Objectives established in the Action Plans.

Jurisdictions shall also participate in the Authority's ongoing countywide comprehensive transportation planning process. As part of this process, the Authority shall support countywide and subregional planning efforts, including the Action Plans for Routes of Regional Significance, and shall maintain a travel demand model. Jurisdictions shall help maintain the Authority's travel demand modeling system by providing information on proposed improvements to the transportation system and planned and approved development within the jurisdiction.

5. Continuously Comply with an Urban Limit Line (ULL)

In order to be found in compliance with this element of the Authority's Growth Management Program, all jurisdictions must continually comply with an applicable voter approved Urban Limit Line (ULL). Said ULL may either be the Contra Costa County voter approved ULL (County ULL) or a locally initiated, voter approved ULL (LV- ULL).

Additional information and detailed compliance requirements for the ULL are fully defined in the ULL Compliance Requirements, which are incorporated herein as Attachment A.

Any of the following actions by a local jurisdiction will constitute non-compliance with the Growth Management Program:

1. The submittal of an annexation request to Local Agency Formation Commission (LAFCO) for lands outside of a jurisdiction's applicable ULL.
2. Failure to conform to the Authority's ULL Compliance Requirements (Attachment A).

6. Develop a Five-Year Capital Improvement Program

Each jurisdiction shall prepare and maintain a capital improvement program that outlines the capital projects needed to implement the goals and policies of the jurisdiction's General Plan for at least the following five-year period. The Capital Improvement Program shall include approved projects and an analysis of the costs of the proposed projects as well as a financial plan for providing the improvements. The jurisdiction shall forward the transportation component of its capital improvement program to the Authority for incorporation into the Authority's database of transportation projects.

7. Adopt a Transportation Systems Management (TSM) Ordinance or Resolution

To promote carpools, vanpools and park and ride lots, each jurisdiction shall adopt a local ordinance or resolution that conforms to the model Transportation Systems Management Ordinance that the Transportation Authority has drafted and adopted. Upon approval of the Authority, cities with a small employment base may adopt alternative mitigation measures in lieu of a TSM ordinance or resolution.

8. Adopt Additional Growth Management Policies, as applicable

Each jurisdiction shall adopt and thereafter continuously maintain the following policies (where applicable): a hillside development policy, a ridgeline protection policy, a wildlife corridor policy and a creek development policy. Where a jurisdiction does not have a developable hillside, ridgeline, wildlife corridor or creek, in need to adopt a corresponding policy. An ordinance that implements the East Contra Costa HCP/NCCP shall satisfy the requirement to have an adopted wildlife corridor policy and creek development policy. In addition to the above, jurisdictions with Prime Farmland and Farmland of Statewide Importance (as defined by the California Dept. of Conservation and mapped by FMMP) within their planning areas but outside of their city shall adopt and thereafter continuously maintain an Agricultural Protection Policy. The policy must ensure that potential impacts of converting Prime Farmland and Farmland of Statewide Importance outside the ULL to other uses are identified and disclosed when considering such a conversion. The applicable policies are required to be in place by no later than April 1, 2019.

Allocation of Funds

Portions of the monies received from the retail transaction and use tax will be returned to the local jurisdictions (the cities and the county) for use on local, subregional and/or regional transportation improvements and maintenance projects. Receipt of all such funds requires compliance with the Growth Management Program and the allocation procedures described below. The funds are to be distributed on a formula based on population and road miles.

Each jurisdiction shall demonstrate its compliance with all of the components of the Growth Management Program in a completed compliance checklist. The jurisdiction shall submit, and the Authority shall review and make findings regarding the jurisdiction's compliance with the requirements of the Growth Management Program, consistent with the Authority's adopted policies and procedures.

If the Authority determines that the jurisdiction complies with the requirements of the Growth Management Program, it shall allocate to the jurisdiction its share of 2016 Transforming Contra Costa County Expenditure Plan funding from Local Streets Maintenance and Improvements funding and its share of Contra Costa's Measure J Transportation Sales Tax Expenditure Plan Local Streets Maintenance & Improvements funding. Jurisdictions may use funds allocated under this provision to comply with these administrative requirements.

If the Authority determines that the jurisdiction does not comply with the requirements of the Growth Management Program, the Authority shall withhold those funds and also make a finding that the jurisdiction shall not be eligible to receive 2016 Transforming Contra Costa County Expenditure Plan funding from Community Development Transportation Program funds or Contra Costa's Measure J Transportation Sales Tax Expenditure Plan Transportation for Livable Communities funds until the Authority determines the jurisdiction has achieved compliance. The Authority's findings of noncompliance may set deadlines and conditions for achieving compliance.

Withholding of funds, reinstatement of compliance, reallocation of funds and treatment of unallocated funds shall be as established in adopted Authority's policies and procedures.

Attachment A

Urban Limit Line (ULL) Definitions and Compliance Requirements

Definitions - the following definitions apply to the GMP ULL requirement:

1. Urban Limit Line (ULL): An urban limit line, urban growth boundary, or other equivalent physical boundary judged by the Authority to clearly identify the physical limits of the local jurisdiction's future urban development
2. Local Jurisdictions: Includes Contra Costa County, the 19 cities and towns within Contra Costa, plus any newly incorporated cities or towns established after April 1, 2017.
3. County ULL: A ULL placed on the ballot by the Contra Costa County Board of Supervisors, approved by voters at a countywide election, and in effect through the applicable GMP compliance period. The current County ULL was established by Measure L approved by voters in 2006.

The following local jurisdictions have adopted the County ULL as their applicable ULL:

City of Brentwood	Town of Moraga
City of Clayton	City of Oakley
City of Concord	City of Orinda

Town of Danville	City of Pinole
City of El Cerrito	City of Pleasant Hill
City of Hercules	City of Richmond
City of Lafayette	City of San Pablo
City of Martinez	City of Walnut Creek

4. Local Voter ULL (LV-ULL): A ULL or equivalent measure placed on the local jurisdiction ballot, approved by the jurisdiction's voters, and recognized by action of the local jurisdiction's legislative body as its applicable, voter-approved ULL. The LV-ULL will be used as of its effective date to meet the Authority's GMP ULL requirement and must be in effect through the applicable GMP compliance period.

The following local jurisdictions have adopted a LV-ULL:

City of Antioch
City of San Ramon
City of Pittsburg

5. Minor Adjustment: An adjustment to the ULL of 30 acres or less is intended to address unanticipated circumstances.
6. Other Adjustments: Other adjustments that address issues of unconstitutional takings, and conformance to state and federal law.

Revisions to the ULL

1. A local jurisdiction which has adopted the County ULL as its applicable ULL may revise its ULL with local voter approval at any time during the term of the Authority's GMP by adopting a LV-ULL in accordance with the requirements outlined for a LV-ULL contained in the definitions section.
2. A local jurisdiction may revise its LV-ULL with local voter approval at any time during the term of the Authority's GMP if the resultant ULL meets the requirements outlined for a LV-ULL contained in the definitions section.
3. If voters, through a countywide ballot measure, approve a revision to the County ULL, the legislative body of each local jurisdiction relying on the County ULL shall:
 - a. Accept and approve its existing ULL to continue as its applicable ULL, or
 - b. Accept and approve the revised County ULL as its applicable ULL, or
 - c. Adopt a LV-ULL in accordance with the requirements outlined for a LV-ULL contained in the definitions section.
4. Local jurisdictions may, without voter approval, enact Minor Adjustments to their applicable ULL subject to a vote of at least 4/5 of the jurisdiction's legislative body and meeting the following requirements:
 - a. Minor adjustment shall not exceed 30 acres.
 - b. Adoption of at least one of the findings listed in the County's Measure L (§82-1.018 of County Ordinances 2006-06 § 3, 91-1 § 2, 90-66 § 4) which include:
 - A natural or man-made disaster or public emergency has occurred which warrants the provision of housing and/or other community needs within land located outside the urban limit line.
 - An objective study has determined that the urban limit line is preventing the jurisdiction from providing its fair share of affordable housing, or regional housing, as required by state law, and the governing

elected legislative body finds that a change to the urban limit line is necessary and the only feasible means to enable the county jurisdiction to meet these requirements of state law.

- A majority of the cities that are party to a preservation agreement and the county have approved a change to the urban limit line affecting all or any portion of the land covered by the preservation agreement.
 - A minor change to the urban limit line will more accurately reflect topographical characteristics or legal boundaries.
 - A five-year cyclical review of the urban limit line has determined, based on the criteria and factors for establishing the urban limit line set forth in Contra Costa County Code (Section 82-1.010), that new information is available (from city, town, or county growth management studies or otherwise) or circumstances have changed, warranting a change to the urban limit line.
 - An objective study has determined that a change to the urban limit line is necessary or desirable to further the economic viability of the East Contra Costa County Airport, and either (i) mitigate adverse aviation-related environmental or community impacts attributable to Buchanan Field, or (ii) further the county's aviation related needs; or
 - A change is required to conform to applicable California or federal law.
- c. Adoption of a finding that the proposed Minor Adjustment will have a public benefit. Said public benefit could include, but is not necessarily limited to, enhanced mobility of people or goods, environmental protections or enhancements, improved air quality or land use, enhanced public safety or security, housing or jobs, infrastructure preservation or other significant positive community effects as defined by the local land use authority. If the proposed Minor Adjustment to the ULL is proposed to accommodate housing or commercial development, said proposal must include permanent environmental protections or enhancements such as the permanent protection of agricultural lands, the dedication of open space or the establishment of permanent conservation easements.
- d. The Minor Adjustment is not contiguous to one or more non-voter approved Minor Adjustments that in total exceed 30 acres.
- e. The Minor Adjustment does not create a pocket of land outside the existing urban limit line, specifically to avoid the possibility of a jurisdiction wanting to fill in those subsequently through separate adjustments.
- f. Any jurisdiction proposing to process a minor adjustment to its applicable ULL that impacts Prime Farmland and Farmland of Statewide Importance (as defined by the California Dept. of Conservation and mapped by FMMP) is required to have an adopted Agricultural Protection Ordinance or must demonstrate how the loss of these agricultural lands will be mitigated by permanently protecting farmland.
5. A local jurisdiction may revise its LV-ULL, and the County may revise the County ULL, to address issues of unconstitutional takings or conformance to State or federal law.

Conditions of Compliance

1. Submittal of an annexation request of greater than 30 acres by a local jurisdiction to LAFCO outside of a voter-approved ULL will constitute non-compliance with the GMP.
2. For each jurisdiction, an applicable ULL shall be in place through each GMP compliance reporting period in order for the local jurisdiction to be found in compliance with the GMP requirements.

Statement of Policy

Complete Streets Policy

Vision

This Plan envisions a transportation system in which each component provides safe, comfortable and convenient access for every user allowed to use it. These users include pedestrians, bicyclists, transit riders, automobile drivers and their passengers, and truckers, and people of varying abilities, including children, seniors, people with disabilities and able-bodied adults. The goal of every transportation project is to provide safer, more accessible facilities for all users and all projects shall be planned, designed, constructed and operated to take advantage of that opportunity.

By making streets more efficient and safe for all users, a complete streets approach will expand capacity and improve mobility for all users, giving commuters convenient options for travel and minimizing the need to widen roadways.

Policy

To achieve this vision, all recipients of funding through this Plan shall consider and accommodate, wherever possible and subject to the Exceptions listed in this Policy, the needs of all users in the planning, design, construction, reconstruction, rehabilitation and maintenance of the transportation system. This determination shall be consistent with the exceptions listed below. Achieving this vision will require balancing the needs of different users, and may require reallocating existing right of way for different uses.

The Authority shall revise its project development guidelines to require the consideration and accommodation of all users in the design and construction of projects funded with Measure funds and shall adopt peer review and design standards to implement that approach. The guidelines will allow flexibility in responding to the context of each project and the needs of users specific to the project's context, and will build on accepted best practices for complete streets and context-sensitive design.

To ensure that this policy is carried out, the Authority shall prepare a checklist that sponsors of projects using Measure funds must submit that documents how the needs of all users were considered and how they were accommodated in the design and construction of the project. In the checklist, the sponsor will outline how they provided opportunity for public input, in a public forum, from all users early in the project development and design process. If the proposed project or program will not provide context appropriate conditions for all users, the sponsor shall document the reasons why in the checklist, consistent with the following section on "exceptions" below. The completed checklist shall be made part of the approval of programming of funding for the project or the funding allocation resolution.

Recipients of Local Maintenance and Improvements funds shall adopt procedures that ensure that all agency departments consider and accommodate the needs of all users for projects or programs affecting public rights of way for which the agency is responsible. These procedures shall:

- 1) be consistent with and be designed to implement each agency's general plan policies once that plan has been updated to comply with the Complete Streets Act of 2008,
- 2) involve and coordinate the work of all agency departments and staff whose projects will affect the public right of way,
- 3) consider the complete street design standards adopted by the Authority, and
- 4) provide opportunity for public review by all potential users early in the project development and design phase so that options can be fully considered. This review could be done through an advisory committee such as a Bicycle and Pedestrian Advisory Committee or as part of the review of the agency's capital improvement program.

As part of their biennial Growth Management Program checklist, agencies shall list projects funded by the Measure and detail how those projects accommodated users of all modes.

As part of the multi-jurisdictional planning required by the Growth Management Program, agencies shall work with the Authority and the Regional Transportation Planning Committees to harmonize the planning, design and construction of transportation facilities for all modes within their jurisdiction with the plans of adjoining and connecting jurisdictions.

Exceptions

Project sponsors may provide a lesser accommodation or forgo complete street accommodation components when the public works director or equivalent agency official finds that:

1. Pedestrians, bicyclists, or other users are prohibited by law from using the transportation facility,
2. The cost of new accommodation would be excessively disproportionate to the need or probable use, or
3. The sponsor demonstrates that, such accommodation is not needed, based on objective factors including:
 - a. current and projected user demand for all modes based on current and future land use, and
 - b. lack of identified conflicts, both existing and potential, between modes of travel.

Project sponsors shall explicitly approve exceptions findings as part of the approval of any project using measure funds to improve streets classified as a major collector or above.¹ Prior to this project sponsors must provide an opportunity for public input at an approval body (that regularly considers design issues) and/or the governing board of the project sponsor.

1. Major Collectors and above, as defined by the California Department of Transportation California Road System (CRS maps).

Statement of Policy

Advance Mitigation Program

The Authority is committed to participate in the creation and funding of an Advance Mitigation Program as an innovative way to advance needed infrastructure projects more efficiently and provide more effective conservation of our natural resources, watersheds and wetlands, and agricultural lands. As a global biodiversity hot spot, the Bay Area and Contra Costa County hosts an extraordinarily rich array of valuable natural communities and ecosystems that provide habitat for rare plants and wildlife, and support residents' health and quality of life by providing clean drinking water, clean air, opportunities for outdoor recreation, protection from disasters like flooding, landslides, and adaptation to climate change. The Advance Mitigation Program aims to integrate conservation into infrastructure agencies' plans and project development well in advance and on a regional scale to reduce potential impacts of transportation projects, as well as to drive mitigation dollars to protect regional conservation priorities and protect important ecological functions, watersheds and wetlands, and agricultural lands that are at threat of loss. The Advance Mitigation Program will provide environmental mitigation activities specifically required under the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Clean Water Act Section 401 and Section 404, and other applicable regulations in the implementation of the major highway, transit and regional arterial and local streets and roads projects identified in the Plan.

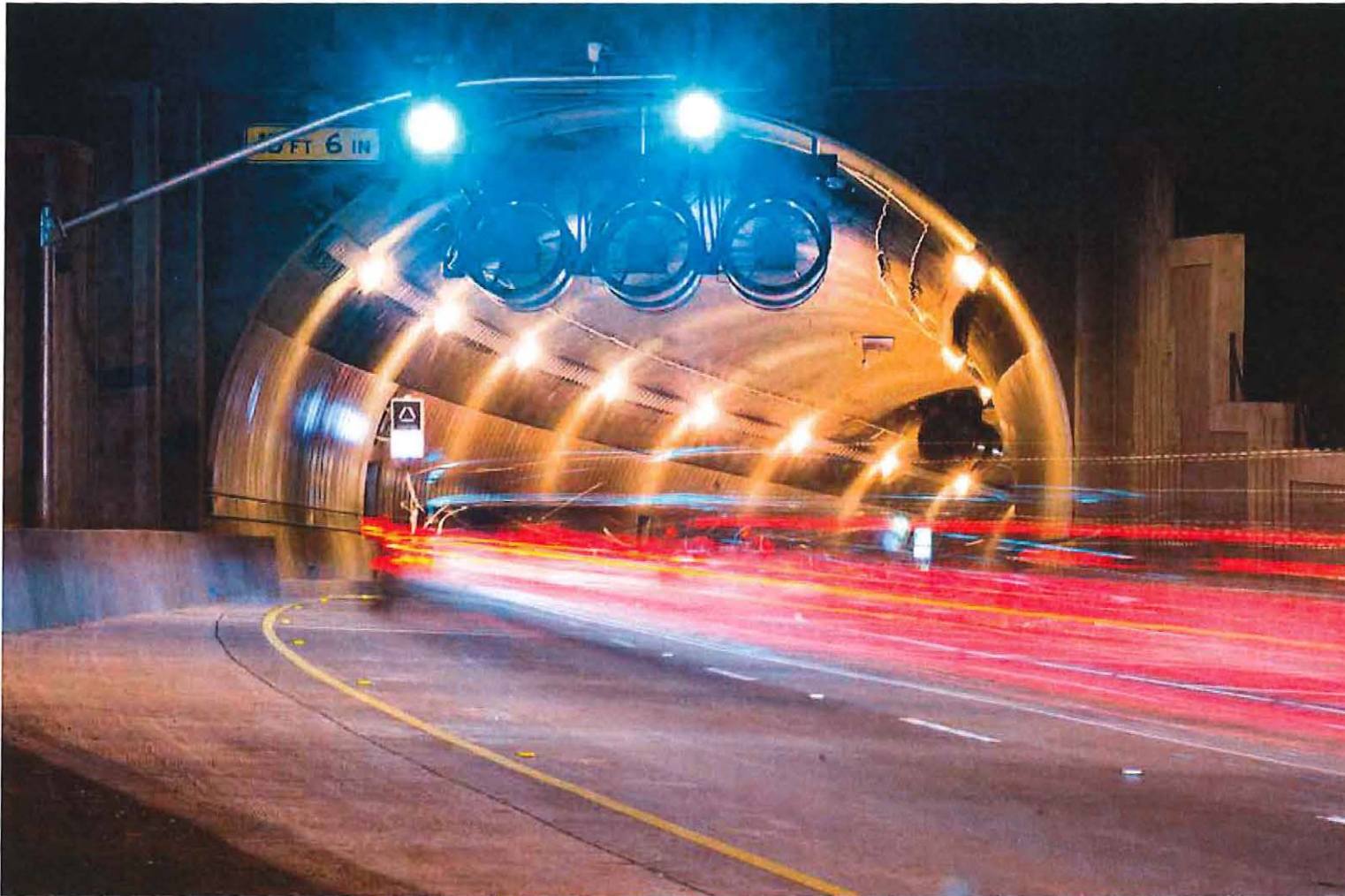
The Authority's participation in an Advance Mitigation Program is subject to the following conditions:

1. Development of a Regional Conservation Assessment/Framework that identifies conservation priorities and mitigation opportunities for all of Contra Costa County. The Regional Conservation Assessment/Framework will include countywide opportunities and strategies that are, among other requirements, consistent with and support the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (East Contra Costa HCP/NCCP) for the areas of the county covered by the East Contra Costa HCP/NCCP. The Regional Conservation Assessment/Framework will identify mitigation opportunities for all areas of the county to ensure that mitigation occurs in the vicinity of the project impact to the greatest extent possible. The Authority will review and approve the Regional Conservation Assessment/Framework, in consultation with the RTPCs, prior to the allocation of funds for Advance Mitigation Program.
2. Development of a Project Impacts Assessment that identifies the portfolio of projects to be included in the Advance Mitigation Program and the estimated costs for mitigation of the environmental impacts of the projects. The Authority will review and approve the Project Impacts Assessment prior to the allocation of funds for the Advance Mitigation Program. The Assessment and estimated costs do not in any way limit the amount of mitigation that may be necessary or undertaken for the environmental impacts of the projects.
3. Development of the legislative and regulatory framework necessary to implement an Advance Mitigation Program in Contra Costa County.
4. The identification of the Implementing Agency to administer the Advance Mitigation Program for Contra Costa County or portions of the Bay Area including Contra Costa County.

The Authority will determine the amount of funds to be dedicated to this Program following the satisfaction of the above conditions. Funds from the Plan will be allocated consistent with the Regional Conservation Assessment/Framework to fund environmental mitigation activities required in the implementation of the major highway, transit and regional arterial and local streets and roads projects identified in the Plan. If this approach cannot be fully implemented, these funds shall be used for environmental mitigation purposes on a project by project basis. Mitigation required for future transportation improvements identified in the Plan are not limited by the availability of funding or mitigation credits available in the Program.

Projects funded from the following categories of Expenditures are eligible for inclusion in the Advance Mitigation Program:

- Major Streets, Complete Streets and Traffic Synchronization Project Grants
- East Contra Costa Transit Extension
- High Capacity Transit Improvements along the I-80 Corridor in West Contra Costa County
- Traffic Flow Improvements Along I-680 and SR 24
- Traffic Flow Improvements Along SR 242 and SR 4
- I-80 Interchange Improvements at San Pablo Dam Road and Central Ave
- I-680 and SR 4 Interchange Improvements
- East County Corridor (Vasco Road and/or Byron Highway Corridors)
- Pedestrian, Bicycle and Trail Facilities
- Community Development Transportation Program



Taxpayer Safeguards
and Accountability

Governing Structure

Governing Body and Administration

The Authority is governed by a Board composed of 11 members, all elected officials, with the following representation:

- Two members from the Central County Regional Transportation Planning Commission (RTPC) also referred to as TRANSPAC
- Two members from the East County RTPC, also referred to as TRANSPLAN
- Two members from the Southwest County RTPC, also referred to as SWAT
- Two members from the West County RTPC, also referred to as WCCTAC
- One member from the Conference of Mayors
- Two members from the Board of Supervisors

The Authority Board also includes three (3) ex-officio, non-voting members, appointed by the MTC, BART and the Public Transit Operators in Contra Costa County.

The four subregions within Contra Costa: Central, West, Southwest and East County are each represented by a Regional Transportation Planning Commission (RTPC). Central County (TRANSPAC subregion) includes Clayton, Concord, Martinez, Pleasant Hill, Walnut Creek and the unincorporated portions of Central County. West County (WCCTAC subregion) includes El Cerrito, Hercules, Pinole, Richmond, San Pablo and the unincorporated portions of West County. Southwest County (SWAT subregion) includes Danville, Lafayette, Moraga, Orinda, San Ramon and the unincorporated portions of Southwest County. East County (TRANSPLAN subregion) includes Antioch, Brentwood, Oakley, Pittsburg and the unincorporated portions of East County.

Public Oversight Committee

The Public Oversight Committee (Committee) shall provide diligent, independent and public oversight of all expenditures of Measure funds by Authority or recipient agencies (County, cities and towns, transit operators, etc). The Committee will report to the public and focus its oversight on the:

- Review of allocation and expenditure of Measure funds to ensure that all funds are used consistent with the Measure.
- Review of fiscal audits of Measure expenditures.
- Review of performance audits of projects and programs relative to performance criteria established by the Authority, and if performance of any project or program does not meet its established performance criteria, identify reasons why and make recommendations for corrective actions that can be taken by the Authority Board for changes to project or program guidelines.
- Review of application of the Performance-based Review policy
- Review of the maintenance of effort compliance requirements of local jurisdictions for local streets, roads and bridges funding.
- Review of each jurisdiction's Growth Management Checklist and compliance with the Growth Management Plan policies.

The Committee shall prepare an annual report including an account of the Committee's activities during the previous year, its review and recommendations relative to fiscal or performance audits, and any recommendations made to the

Authority Board for implementing the expenditure plan. The report will be noticed in local media outlets throughout Contra Costa County, posted to the Authority Website and made continuously available for public inspection at Authority offices. The report shall be composed of easy to understand language not in an overly technical format. The Committee shall make an annual presentation to the Authority Board summarizing the annual report subsequent to its release.

Committee members shall be selected to reflect community, business organizations and other interests within the County. The goal of the membership makeup of the Public Oversight Committee is to provide a balance of viewpoints including but not limited to geography, age, gender, ethnicity and income status to represent the different perspectives of the residents of Contra Costa County. One member will be nominated by each of the four subregions with the RTPC representing the subregion nominating the member. The Board of Supervisors will nominate four members, with each of these four members residing in and representing one of the county's four subregions. Eight members will be nominated by each respective organization detailed here, with each having one representative: League of Women's Voters, Contra Costa Taxpayers Association, East Bay Leadership Council, Building and Construction Trades Council, Central Labor Council, Paratransit Coordinating Council, Bike East Bay, and environmental and/or open space organizations operating in Contra Costa County (specific organization may vary during the life of the measure). About one half of the initial member appointments will be for two years and the remaining appointments will be for three year terms. Thereafter, members will be appointed to two year terms. Any individual member can serve on the Committee for no more than 6 consecutive years.

Committee members will be Contra Costa County residents who are not elected officials at any level of government or public employees from agencies that either oversee or benefit from the proceeds of the Measure. Membership is restricted to individuals with no economic interest in any of Authority's projects or programs. If a member's status changes so that he/she no longer meet these requirements, or if a member resigns his/her position on the Committee, the Authority Board will issue a new statement of interest from the same stakeholder category to fill the vacant position.

The Committee shall meet up to once a month to carry out its responsibility, and shall meet at least once every 3 months. Meetings shall be held at the same location as the Authority Board meetings are usually held, shall be open to the public and must be held in compliance with California's open meeting law (Brown Act). Meetings shall be recorded and the recordings shall be posted for the public.

Members are expected to attend all meetings. If a member, without good reason acceptable to the Chair of the Committee, fails to attend either (a) two or more consecutive meetings or (b) more than 3 meetings a year, the Authority Board will request a replacement from the stakeholder categories listed above.

The Authority commits to support the oversight process through cooperation with the Committee by providing access to project and program information, audits, and other information available to the Authority, and with logistical support so that the Committee may effectively perform its oversight function. The Committee will have full access to Authority's independent auditors, and may request Authority staff briefings for any information that is relevant to the Measure. The Committee Chair shall inform the Authority Board Chair and Executive Director of any concern regarding Authority staff's commitment to open communication, the timely sharing of information, and teamwork.

The Committee shall not have the authority to set policy or appropriate or withhold funds, nor shall it participate in or interfere with the selection process of any consultant or contractor hired to implement the expenditure plan.

The Committee shall not receive monetary compensation except for the reimbursement of travel or other incidental expenses, in a manner consistent with other Authority advisory committees

In order to ensure that the oversight by the Committee continues to be as effective as possible, the efficacy of the Committee's Charter (i.e. this document) will be evaluated on a periodic basis and a formal review will be conducted by the Authority Board, Executive Director and the Committee a minimum of every five years to determine if any amendments

to this Charter should be made. The formal review will include a benchmarking of the Committee's activities and charter with other best-in-class oversight committees. Amendments to this Charter shall be proposed by the Committee and adopted or rejected by the Authority Board.

The Committee replaces the Authority's existing Citizens Advisory Committee.

Advisory Committees

The Authority will continue the committees that were established as part of the Transportation Partnership Commission organization as well as other committees that have been utilized by the Authority to advise and assist in policy development and implementation. The committees include:

The Regional Transportation Planning Committees that were established to develop transportation plans on a geographic basis for sub-areas of the County, and

- The Technical Coordinating Committee that will serve as the Authority's technical advisory committee.
- The Paratransit Coordinating Council
- The Bicycle and Pedestrian Advisory Committee
- Bus Transit Coordinating Committee

Implementing Guidelines

This Transportation Expenditure Plan (Plan) is guided by principles that ensure the revenue generated by the sales tax is spent only for the purposes outlined in this Plan in the most efficient and effective manner possible, consistent with serving the transportation needs of Contra Costa County. The following Implementing Guidelines shall govern the administration of sales tax revenues by the Authority. Additional detail for certain Implementing Guidelines is found elsewhere in this Plan.

Duration of the Plan

The duration of the Plan shall be for 30 years from April 1, 2017 through March 31, 2047.

Administration of the Plan

1. **Funds only Projects and Programs in the Plan:** Funds collected under this Measure may only be spent for purposes identified in the Plan, as it may be amended by the Authority governing body. Identification of Projects or Programs in the Plan does not ensure their implementation. As authorized, the Authority may amend or delete Projects and Programs identified in the Plan, including to provide for the use of additional federal, state and local funds, to account for unexpected revenue, to maintain consistency with the current Contra Costa Countywide Transportation Plan, to take into consideration unforeseen circumstances, and to account for impacts, alternatives, and potential mitigation determined during review under the California Environmental Quality Act (CEQA) at such time as each Project and Program is proposed for approval.
2. **All Decisions Made in Public Process:** The Authority is given the fiduciary duty of administering the transportation sales tax proceeds in accordance with all applicable laws and with the Plan. Activities of the Authority will be conducted in public according to state law, through publically noticed meetings. The annual budgets of Authority, strategic plans and annual reports will all be prepared for public review. The interest of the

public will be further protected by a Public Oversight Committee, described previously in the Plan.

3. **Salary and Administration Cost Caps:** Revenues may be expended by the Authority for salaries, wages, benefits, overhead and those services including contractual services necessary to administer the Measure; however, in no case shall the expenditures for the salaries and benefits of the staff necessary to perform administrative functions for the Authority exceed one half percent (0.5%) of revenues from the Measure. The allocated costs of Authority staff who directly implement specific projects or programs are not included in the administrative costs.
4. **Expenditure Plan Amendments Require Majority Support:** The Authority may review and propose amendments to the Expenditure Plan and the Growth Management Program to provide for the use of additional federal, state and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances. Affected Regional Transportation Planning Committee(s) will participate in the development of the proposed amendment(s). A majority of the Authority Board is required to approve an amendment and all jurisdictions within the county will be given a 45 day period to comment on any proposed Expenditure Plan amendment.
5. **Augment Transportation Funds:** Funds generated pursuant to the Measure are to be used to supplement and not replace existing local revenues used for transportation purposes. Any funds already allocated, committed or otherwise included in the financial plan for any project in the Plan shall be made available for project development and implementation as required in the project's financial and implementation program.
6. **Jurisdiction:** The Authority retains sole discretion regarding interpretation, construction, and meaning of words and phrases in the Transportation Expenditure Plan.

Taxpayer Safeguards, Audits and Accountability

7. **Public Oversight Committee:** The Public Oversight Committee will provide diligent, independent and public oversight of all expenditures of Measure funds by Authority or recipient agencies (County, cities and towns, transit operators, etc). The Committee will report to the public and focus its oversight on annual audits, the review and allocation of Measure funds, the performance of projects and programs in the Plan, and compliance by local jurisdictions with the maintenance of effort and Growth Management Program described previously in the Plan
8. **Fiscal Audits:** All Funds expended by Authority directly and all funds allocated by formula or discretionary grants to other entities are subject to fiscal audit. Recipients of Local Streets Maintenance & Improvements, Bus Transit and Other Non-Rail Transit Enhancements, or Transportation for Seniors & People With Disabilities programs funding (including but not limited to County, cities and towns and transit operators) will be audited at least once every five (5) years, conducted by an independent CPA. Any agency found to be in non-compliance shall have its formula sales tax funds withheld, until such time as the agency is found to be in compliance.
9. **Performance Audits:** The following funding categories shall be subject to performance audits by the Authority: Local Streets Maintenance and Improvements, Major Streets/Complete Streets/Traffic Signal Synchronization Program, Bus Transit and Other Non-Rail Transit Enhancements, Transportation for Seniors and People with Disabilities, Safe Transportation for Children, Intercity Rail and Ferry Service, Pedestrian, Bicycle, and Trail Facilities, Community Development Transportation Program, and Innovative Transportation Technology/ Connected Communities Program. Each year, the Authority shall select and perform a focused performance audit on two or three of the funding categories listed above, so that at the end of the fourth year all funding categories listed above are audited. This process shall commence two years after passage of the new sales tax measure. Additional Performance Audits shall continue on a similar cycle for the duration of the Plan. The performance audits shall provide an accurate quantitative and qualitative evaluation of the funding categories to determine the effectiveness in meeting the performance criteria established by the Authority. In the event

that any performance audit determines that a funding category is not meeting the performance requirements established by the Authority, the audit shall include recommendations for corrective action including but not limited to revisions to Authority policies or program guidelines that govern the expenditure of funds.

10. **Maintenance of Effort (MOE):** Funds generated by the new sales tax Measure are to be used to supplement and not replace existing local revenues used for streets and highways purposes. The basis of the MOE requirement will be the average of expenditures of annual discretionary funds on streets and highways, as reported to the Controller pursuant to Streets and Highways Code Section 2151 for the three most recent fiscal years before the passage of the Measure where data is available. The average dollar amount will then be increased once every three years by the construction cost index of that third year. Penalty for non-compliance of meeting the minimum MOE is immediate loss of all Local Streets Maintenance and Improvements funds until MOE compliance is achieved. The audit of the MOE contribution shall be at least once every five years. Any agency found to be in non-compliance shall be subject to annual audit for three years after they come back into compliance.

Any local jurisdiction wishing to adjust its maintenance of effort requirement shall submit to the Authority a request for adjustment and the necessary documentation to justify the adjustment. The Authority staff shall review the request and shall make a recommendation to the Authority. Taking into consideration the recommendation, the Authority may adjust the annual average of expenditures reported pursuant to Streets and Highways Code Section 2151. The Authority shall make an adjustment if one or more of the following conditions exists:

1. The local jurisdiction has undertaken one or more major capital projects during those fiscal years, that required accumulating unrestricted revenues (i.e., revenues that are not restricted for use on streets and highways such as general funds) to support the project during one or more fiscal years.
 2. A source of unrestricted revenue used to support the major capital project or projects is no longer available to the local jurisdiction and the local jurisdiction lacks authority to continue the unrestricted funding source.
 3. One or more sources of unrestricted revenues that were available to the local jurisdiction is producing less than 95 percent of the amount produced in those fiscal years, and the reduction is not caused by any discretionary action of the local jurisdiction.
 4. The local jurisdiction Pavement Condition Index (PCI) is 70 or greater, as calculated by the jurisdiction Pavement Management System and reported to the Metropolitan Transportation Commission.
11. **Annual Budget and Strategic Plan:** Each year, the Authority will adopt an annual budget that estimates expected sales tax receipts, other anticipated revenue and planned expenditures for the year. On a periodic basis, the Authority will also prepare a Strategic Plan which will identify the priority for projects; the date for project implementation based on project readiness and availability of project funding; the state, federal and other local funding committed for project implementation, and other relevant criteria. The annual budget and Strategic Plan will be adopted by the Authority Board at a public meeting.
 12. **Requirements for Fund Recipients:** All recipients of funds allocated in this expenditure plan will be required to sign a Master Cooperative Agreement that defines reporting and accountability elements and as well as other applicable policy requirements. All funds will be appropriated through an open and transparent public process.
 13. **Geographic Equity:** The proposed projects and programs to be funded through the Plan constitute a "balanced" distribution of funding allocations to each subregion in Contra Costa County. However, through the course of the Measure, if any of the projects prove to be infeasible or cannot be implemented, the affected subregion may request that the Authority reassign funds to another project in the same subregion, as detailed in an Authority Fund Allocations policy, and to maintain a "balanced" distribution of funding allocations to each subregion.

Restrictions On Funds

14. **Expenditure Shall Benefit Contra Costa County:** Under no circumstance may the proceeds of this transportation sales tax be applied for any purpose other than for transportation improvements benefitting residents of Contra Costa County. Under no circumstance may these funds be appropriated by the State of California or any other local government agency as defined in the implementing guidelines.
15. **Environmental Review:** All projects funded by sales tax proceeds are subject to laws and regulations of federal, state, and local government, including the requirements of the California Environmental Quality Act (CEQA). Prior to approval or commencement of any project or program included in the Plan, all necessary environmental review required by CEQA shall be completed.
16. **Performance-based Project Review:** Before the allocation of any measure funds for the construction of a project with an estimated capital cost in excess of \$25 million (or elements of a corridor project with an overall estimated cost in excess of \$25 million), the Authority will: 1) verify that the project is consistent with the approved Countywide Transportation Plan (CTP), as it may be amended, 2) verify that the project is included in the Regional Transportation Plan / Sustainable Communities Strategy, and 3) require the project sponsor to complete a performance based review of project alternatives prior to the selection of a preferred alternative. Said performance based review will include, but not necessarily be limited to, an analysis of the project impacts on greenhouse gas emissions, vehicle miles travelled, goods movement effectiveness, travel mode share, delay (by mode), safety, maintenance of the transportation system and consistency with adopted Authority plans. The Authority may require the evaluation of other performance criteria depending on the specific need and purpose of the project. When appropriate, the Authority will encourage project sponsors to identify and select a project alternative that reduces greenhouse gas emissions as well as vehicle miles travelled per capita. The Authority will also prioritize and reward high performing projects by leveraging additional regional and other funding sources. The Authority shall adopt detailed guidelines for evaluating project performance and applying performance criteria in the review and selection of a preferred project alternative no later than October 1, 2018.
17. **Countywide Transportation Plan:** State law allows each county in the San Francisco Bay Area that is subject to the jurisdiction of the regional transportation planning agency to prepare a Countywide Transportation Plan (CTP) for the county and cities within the county. Both Measure C and Measure J also require the Authority to prepare and periodically update a CTP for Contra Costa. State law also created an inter-dependent relationship between the CTP and regional planning agency. Each CTP must consider the region's most recently adopted Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) while the adopted CTPs must form the "primary basis" for the next RTP and SCS. The Authority shall follow applicable statutes and the most current guidelines for preparing the CTP, as established and periodically updated by the regional transportation planning agency. The Authority shall also use the CTP to convey the Authority's investment priorities, consistent with the long-range vision of the RTP and SCS.
18. **Complete Streets:** The Authority has adopted a policy requiring all recipients of funding through this Plan to consider and accommodate, wherever possible, the needs of all users in the planning, design, construction, reconstruction, rehabilitation and maintenance of the transportation system. Achieving this vision will require balancing the needs of different users, and may require reallocating existing right of way for different uses.
19. **Compliance with the Growth Management Program:** If the Authority determines that a jurisdiction does not comply with the requirements of the Growth Management Program, the Authority shall withhold funds and also make a finding that the jurisdiction shall not be eligible to receive Local Streets Maintenance & Improvements or Community Development Transportation Program (CDTP) funding until the Authority determines the jurisdiction has achieved compliance, as detailed in the Growth Management Program section of the Plan.
20. **Local Contracting and Good Jobs:** Authority will develop a policy supporting the hiring of local contractors and businesses, including policy requiring prevailing wages, apprenticeship programs for Contra Costa residents,

and veteran hiring policy (such as the Helmets to Hardhats program) to the extent permitted by law. The Authority, will adopt the aforementioned policy for projects and programs funded by the measure no later than April 1, 2018.

21. **New Agencies:** New cities or new entities (such as new transit agencies) that come into existence in Contra Costa County during the life of the Plan may be considered as eligible recipients of funds through a Plan amendment.
22. **Countywide Transit Plan:** The Authority will develop a countywide transit plan identifying services and projects to be funded with this Measure. The plan will be inclusive of services and projects in adopted plans of existing transit operators which have gone through a public review process prior to adoption. The plan will be periodically reviewed and updated. Funding will be allocated by the Authority throughout the County based on input from each Regional Transportation Planning Committee and on performance criteria established by the Authority in consultation with local and regional bus transit operators, providers of alternate non-rail transportation, and stakeholders. Said performance criteria will include a review of impact on Vehicle Miles Traveled (VMT) and Green-house Gas (GHG) and shall require a finding that any proposed new or enhanced services demonstrate the ability to improve regional and/or local mobility for Contra Costa residents.

Project Financing Guidelines and Managing Revenue

23. **Fiduciary Duty:** Funds may be accumulated for larger or longer term projects. Interest income generated will be used for the purposes outlined in the Plan and will be subject to audits.
24. **Project and Program Financing:** The Authority has the authority to bond for the purposes of expediting the delivery of transportation projects and programs. The Authority will develop a policy to identify financing procedures for the entire plan of projects and programs.
25. **Programming of Variations from the Expected Revenue:** Actual revenues may, at times be higher or lower than expected in this Plan due to changes in receipts. Additional funds may become available due to the increased opportunities for leveraging or project costs being less than expected. Revenue may be lower than expected as the economy fluctuates. Determination of when the contingency funds become excess will be established by a policy defined by the Authority. Funds considered excess will be prioritized first to expenditure plan projects and programs, and second to other projects of regional significance that are consistent with the expenditure plan. The new project or program will be required to be amended into the expenditure plan.
26. **Fund Allocations:** Through the course of the Measure, if any of the projects do not require all funds programmed for that project or have excess funding, or should a planned project become undeliverable, infeasible or unfundable due to circumstances unforeseen at the time the expenditure plan was created, funding for that project will be reallocated to another project or program. The subregion where the project or program is located may request that the Authority reassign funds to another project in the same subregion. In the allocation of the released funds, the Authority in consultation with the subregion RTPC will in priority order consider: 1) a project or program of the same travel mode (i.e. transit, bicycle/pedestrian, or road) in the same subregion, 2) a project or program for other modes of travel in the same subregion, 3) other expenditure plan projects or programs, and 4) other projects or programs of regional significance. The new project or program or funding level may be required to be amended into the expenditure plan.
27. **Leveraging Funds:** Leveraging or matching of outside funding sources is strongly encouraged. Any additional transportation sales tax revenues made available through their replacement by matching funds will be spent based on the principles outlined for fund allocations described above.

Appendix

Table of Expenditure Plan Funding Allocations

Funding Category	\$ millions	%	Distribution of Funding By Subregion			
			Central (a)	Southwest (b)	West (c)	East (d)
BART Capacity, Access and Parking Improvements	300.00	10.44%	88.10	57.38	69.77	84.75
Bus Transit Enhancements in West Contra Costa	110.55	3.84%			110.55	
Bus Transit and Other Non-Rail Transit Enhancements in Central, East and Southwest Contra Costa	184.40	6.42%	61.45	61.45		61.50
East Contra Costa Transit Extension	70.00	2.44%				70.00
High Capacity Transit Improvements along the I-80 Corridor	55.00	1.91%			55.00	
Intercity Rail and Ferry Service Improvements	50.00	1.74%	8.00		35.00	7.00
Traffic Flow Improvements & High Capacity Transit Implementation Along I-680 & SR 24	250.00	8.70%	125.00	125.00		
East County Corridor (Vasco Rd and/or Byron Highway Corridors)	117.00	4.07%				117.00
Traffic Flow Improvements along SR 242 & SR 4	108.00	3.76%	44.00			64.00
I-80 Interchange Improvements at San Pablo Dam Road and Central Avenue	60.00	2.09%			60.00	
Interstate 680 and State Route 4 Interchange Improvements	60.00	2.09%	60.00			
Local Street Maintenance and Improvements	663.50	23.09%	191.96	147.53	145.63	178.38
Add'l Local Street Maintenance and Improvements	20.00	0.70%	20.00			
Transportation for Seniors and People with Disabilities	115.01	4.00%	30.80	19.30	28.15	36.76
Safe Transportation for Children	63.96	2.23%	8.72	20.03	26.12	9.09
Major Streets, Complete Streets and Traffic Synchronization Project Grants	290.00	10.09%	108.40	46.40	56.60	78.60
Pedestrian, Bicycle and Trail Facilities	115.00	4.00%	28.30	30.35	26.41	29.94
Community Development Transportation Program	100.00	3.48%	25.26	16.45	20.00	38.29
Innovative Transportation Technology / Connected Communities Grant Program	55.00	2.26%	22.10	11.00	16.70	15.20
Transportation Planning, Facilities & Services	43.05	1.50%	12.64	8.23	10.02	12.16
Regional Transportation Priorities	18.70	0.65%	5.00	3.70	5.00	5.00
Administration	14.35	0.50%	4.20	2.75	3.35	4.05
TOTAL	2873.52	100.0%	843.93	549.57	668.30	811.72
Population Based Share			843.87	549.58	668.33	811.72
Population Share (2030 Estimate) of Total			29.37%	19.13%	23.26%	28.25%

Numbers in this chart are rounded for viewing simplicity.





CONTRA COSTA
**transportation
authority**

Contra Costa County Growth Management Program

Introduction

CCTA's Growth Management Program (GMP) has been an essential and successful part of the Transportation Expenditure Plans (TEP) since the passage of Measure C in 1988. The passage of Measure J in 2004 made several refinements to the Measure C GMP such as adding a requirement that each jurisdiction adopt a voter-approved Urban Limit Line (ULL). CCTA's proposed 2016 TEP includes additional elements that require each jurisdiction to adopt applicable growth management policies (ridgeline, wildlife corridor, blue-line stream, etc), modifies the process for a Minor (30 acres or less) adjustment to the ULL to require various findings, and requires that Minor adjustments to accommodate residential or commercial development include permanent mitigation of environmental impacts.

The goals of the Measure J GMP are:

- Assure that new residential, business and commercial growth pays for the facilities required to meet the demands resulting from that growth
- Require cooperative transportation and land use planning among Contra Costa County, cities, towns, and transportation agencies
- Support land use patterns within Contra Costa that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions
- Support infill and redevelopment in existing urban and brownfield areas

Evolution of the Contra Costa Growth Management Program / Timeline of Events:

- 1986 - Original Transportation Measure C fails. Original Measure C did not include a Growth Management Program
- 1988 - Revised Transportation Measure C passes, includes Growth Management Program to link transportation funding and growth management policies

- 2004 - CCTA Measure J passes, continues Measure C Growth Management Program and adds requirement that each jurisdiction adopt a voter-approved Urban Limit Line (ULL). Once approved, an adjustment to the ULL requires voter approval, with the exception of Minor (less than 30 acre) adjustments.
- 2006 - Contra Costa County Measure L passes, establishes countywide ULL. Measure L includes provision for Minor (less than 30 acres) adjustments to ULL without public vote subject to findings by the County Board of Supervisors.
- 2016 - CCTA proposes new TEP with revisions to the GMP (jurisdictions must adopt applicable growth policies) and a modified process for Minor ULL adjustments (requirements for finding, including a finding of public benefit, and for permanent mitigation of environmental impacts if the adjustment is to accommodate residential or commercial development.)

Proposed Changes to the Contra Costa Growth Management Program:

CCTA's 2016 TEP proposes to add an 8th element to the GMP requiring jurisdictions to adopt applicable growth management policies. The text below summarizes the requirements of the GMP and outlines the new 8th element for additional growth management policies.

To receive its share of return-to-source funds and be eligible for certain grant programs, each jurisdiction must meet all of the following:

1. **Adopt a Growth Management Element** — Each jurisdiction must adopt, or maintain in place, a Growth Management Element as part of its General Plan.
2. **Adopt a development mitigation program** — Each jurisdiction must adopt, or maintain in place, a development mitigation program to ensure that new growth is paying its share of the costs of that growth. This program shall consist of both a local program to mitigate impacts on local streets and other facilities and a regional program to fund regional and subregional transportation projects.

3. **Address Housing Options** — Each jurisdiction shall demonstrate reasonable progress in providing housing opportunities for all income levels and shall consider the impacts that its land use and development policies have on the transportation system and shall incorporate policies and standards into its development approval process that support transit, bicycle and pedestrian access in new developments.
4. **Participate in an Ongoing, Cooperative, Multi-Jurisdictional Planning Process** — Each jurisdiction shall participate in an ongoing process with other jurisdictions and agencies, the Regional Transportation Planning Committees and the Authority to create a balanced, safe and efficient transportation system and to manage the impacts of growth. This cooperative process includes, among other things, the development and implementation of Action Plans for Routes of Regional Significance
5. **Adopt an Urban Limit Line (ULL)** —Each jurisdiction must continuously comply with an applicable, voter-approved ULL. All jurisdictions have either adopted the County's ULL or have adopted a Local voter-approved ULL.
6. **Develop a Five-Year Capital Improvement Program** — Each jurisdiction shall prepare and maintain a capital improvement program that outlines the capital projects needed to implement the goals and policies of the jurisdiction's General Plan.
7. **Adopt a Transportation Systems Management (TSM) Ordinance or Resolution** — Each jurisdiction shall adopt a local ordinance or resolution that conforms to the model Transportation Systems Management Ordinance.
8. **Adopt Additional Growth Management Policies, as applicable (proposed new GMP element)** - each jurisdiction must adopt and maintain applicable growth management policies such as hillside, ridgeline and creek development policies and a wildlife corridor policy. Jurisdictions with Prime Farmland and Farmland of Statewide Importance in their planning areas must adopt an Agricultural Protection Policy.

Compliance with these requirements is monitored through a GMP Checklist prepared and approved every other year by the local jurisdictions.

Proposed Changes to the process to amend the Urban Limit Line (ULL):

The requirement to adopt a voter-approved ULL was included in Measure J (2004). Once approved, an adjustment to the ULL requires voter approval, with the exception of Minor (less than 30 acre) adjustments.

Measure J included a simple process to approve Minor amendments to the ULL. Paragraph 8.c. of Measure J (as amended) reads as follows:

Adjustment of 30 Acres or Less. A local jurisdiction can undertake adjustments of 30 acres or less to its adopted ULL, consistent with these principles, without voter approval.

Simply put, a jurisdiction can amend the ULL by up to 30 acres with a simple majority vote of its governing body (city council or Board of Supervisors). Some jurisdictions including the County and the cities of Pittsburg, San Ramon and Oakley have included additional restrictions on Minor amendments to the ULL. In its Measure K (2006), the County established requirements of a 4/5 vote of the Board of Supervisors and the need to adopt applicable findings.

CCTA's proposed 2016 TEP modifies the process to approve a Minor amendment to the ULL by establishing additional requirements of approval:

- **requires 4/5 majority vote of a jurisdictions governing body**
- **requires adopting one or more findings as required by County's Measure K (2006)**
- **requires a finding of "public benefit," as defined**
- **requires permanent mitigation of environmental impacts if the Minor amendment is to accommodate housing or commercial development.**

In addition, the proposed 2016 TEP clarifies that Minor amendments to the ULL cannot be continuous with other non-voter approved amendments to the ULL and that amendments cannot create isolated pockets of land outside the existing ULL.

Contra Costa Growth Management Program

June 14, 2016

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The proposed changes increases the threshold for jurisdictions who have adopted the County's ULL but did not adopt a specific process to approve Minor amendments to the ULL. The proposed changes do not supersede locally adopted processes to approve a Minor amendment to the ULL that have a higher threshold (such as the City of Pittsburg which does not allow for any non-voter approved amendment to the ULL.)



Agenda Date: 06/28/2016
Agenda Item: 5.2

STAFF REPORT

Date: June 28, 2016
To: Mayor and City Councilmembers
From: William R. Galstan, Special Counsel *William R. Galstan*
Cc: Bryan Montgomery, City Manager; Derek Cole, City Attorney; Kevin Rohani, City Engineer
Subject: Approval of Real Property Purchase Agreement for 3530 Main Street, Oakley

Summary and Recommendation

Staff recommends that the City Council pass a motion approving the attached Real Property Purchase Agreement, 3530 Main Street, Oakley, APN 037-150-023.

Fiscal Impact

The costs identified in the Agreement are included in the budget for the next phase of the Main Street improvement project.

Background and Analysis

The City Council will recall that several weeks ago, a Resolution was adopted authorizing eminent domain proceedings to acquire the parcel and commercial building located at 3530 Main Street for the next phase of the Main Street improvement project. The commercial building, which has historic interest, was partially in the way of the new street alignment and improvements. Based upon the Resolution, our office prepared and filed an eminent domain action.

The eminent domain case was filed with the understanding that negotiations would continue with the property owners to see if a voluntary agreement could be reached. I am happy to report that, due primarily to the efforts of City Engineer Kevin Rohani and the cooperation of the property owners, a voluntary agreement has been reached, see the attachment. Approval of this agreement will allow the eminent domain action to be dismissed.

The property owners, pursuant to the California Eminent Domain law, obtained a "second appraisal" for the property from an appraiser in Walnut Creek who is "MAI certified"¹. The City has used this appraiser in the past and has confidence in his opinions. Thus the agreed-upon purchase price for the property will be \$195,000.00, based on the two appraisals and also recognizing that a voluntary agreement will avoid costs to the City for litigation as well as the uncertainties of litigation results.

As Council will recall, the property owners were interested, if possible, in saving the building. The agreement has been crafted so that this possibility remains an option for them. Following is a summary of the terms of the Agreement:

- The land will be divided into three parcels, as shown on the map attached to the Agreement. The parcel with blue hashmarks will be the right-of-way area and will be retained by the City for the street improvements. The area with yellow hashmarks will be conveyed to the property owners for purposes described herein. The area with orange hashmarks will be owned by the City for future train platform/public uses. If those uses do not become reality, the City will offer the property owners a right of first refusal to re-acquire that parcel at a cost proportional to what the City paid for the entire piece.
- At close of escrow, the City will dismiss the eminent domain action. Nothing will be done in the case pending the close of escrow.
- The owners will remove, at their cost, the front of the building back to the right-of-way line not later than August 31, 2016 so that the street construction can proceed on schedule. If the front of the building is not removed by the deadline, the Agreement gives the City the right to demolish the entire building without any additional compensation to the owners.
- Assuming that the owners remove the front of the building not later than August 31, they will immediately, at their cost, place a temporary front onto the building and install a new permanent front not later than 180 days from that date. If the new front is not constructed by that deadline, the City has abatement powers to require completion or proceed to demolish the remaining structure.
- The owners may apply for a façade improvement grant under our program, but no guarantees are made about whether the grant will be approved or not. The decision will be based on what the owners wish to construct.
- The owners have the right to decide to demolish the entire building at their cost. If they take that action, the "yellow" parcel will continue to be owned by them and is a buildable lot available for a new commercial building to be constructed thereon.

¹"MAI" = Member Appraisal Institute, the "gold standard" for appraiser qualifications and ethics.

- A credit will be given to the property by the City for any impact fees that would apply in the future.
- This is a summary of the important parts of the Agreement.

Conclusion

The property owners are to be thanked for their willingness to work with the City and respect our construction schedule. The opportunity is presented to save a part of downtown Oakley history. The hard work of Kevin Rohani and Bryan Montgomery in bringing this Agreement to fruition has been extremely important. It has been a pleasure of the City Attorney's office to work on this project. The City will avoid further litigation costs and the uncertain results that are part of any contested lawsuit.

Attachment

Real Property Purchase Agreement, 3530 Main Street, Oakley APN -150-023

REAL PROPERTY PURCHASE AGREEMENT**3530 Main Street, Oakley, California****APN 037-150-023**

THIS AGREEMENT is entered into this ____ day of _____, 2016 by and between the City of Oakley, a municipal corporation ("CITY") and Frederick J. Del Barba and Shirley Ann Del Barba, as trustees, or successor trustees, of the Del Barba Family Trust U/D/T October 24, 1996, as to an undivided one-half interest; Victoria Louse Mann, Julie Ann Favalora, Cynthia N. Del Barba, Dino L. Del Barba, Vicki Mann and Juli Del Barba-Favalora, Co-Trustees of the Dino Del Barba Living Trust, Juli Ann Del Barba-Favalora, as their interest may appear, as to an undivided one-half interest (collectively, "OWNERS").

Recitals

- A. OWNERS own real property described as 3530 main Street, Oakley, California, being APN 037-150-023 ("the property"). This property is improved with a commercial building.
- B. CITY desires to improve Main Street, and a portion of the commercial building will have to be removed to make room for the new right-of-way.
- C. CITY has filed an eminent domain action in Contra Costa Superior Court in order to obtain immediate possession of the property and to demolish the commercial building.
- D. The parties desire to reach an agreement, as specified herein, in lieu of the CITY proceeding with the eminent domain action.

WHEREFORE, THE PARTIES AGREE AS FOLLOWS:

- 1. The parties will open an escrow agreement with First American Title Company for the purchase of the entire lot comprising 3530 Main Street. The purchase price for the property will be One Hundred Ninety-five Thousand Dollars (\$195,000.00). OWNERS shall deliver fee simple title clear and free of all liens and encumbrances. OWNERS shall retain the mineral rights for the entire parcel.
- 2. The CITY, at its cost and expense, shall prepare and approve legal descriptions which shall create three parcels on the property. The parcels to be created are as depicted on Exhibit "A" attached hereto. The parcel delineated with blue hashmarks, consisting of approximately 1450 square feet, shall constitute the right-of-way for Main Street and shall remain in CITY ownership. The parcel delineated with yellow hashmarks, consisting of approximately 1772 square feet, shall be conveyed by the CITY to OWNERS by grant deed at no cost to OWNERS. The parcel delineated with orange hashmarks, consisting of approximately 2819 square feet, shall continue in the CITY's ownership and to be used in conjunction with a planned railroad passenger platform/station/other public uses. If the train platform/station program/public improvements

does not proceed, CITY will offer OWNERS a first right of refusal to repurchase that lot. The price to be paid to the CITY for such lot shall be Ninety Thousand (\$90,000.00) Dollars.

3. OWNERS shall be responsible, at their sole cost and expense, for removing the front part of the commercial building clear of the new right-of-way so that no part of the building will intrude into the "blue" parcel by not later than August 31, 2016. Within five (5) calendar days of the date of this Agreement, CITY shall mark the right-of-way line on the building. If the front part of the building is not removed by August 31, 2016, CITY shall have the right, without further compensation to OWNERS, to demolish the entire building. If the OWNERS do timely remove the front part of the building, they shall install, at their own cost and expense, a temporary cover for the front of the building for security and appearance not later than August 31, 2016. OWNERS shall continue to maintain the temporary front until a permanent façade is installed. OWNERS shall have a new permanent front installed on the building no later than 180 calendar days after removal of the old front portion of the building. If they do not do so, the unfinished building shall be subject to abatement by CITY which may include demolition. OWNERS shall be responsible for abatement costs.
4. OWNERS will, at their own cost and expense, apply for and obtain all permits necessary from CITY for the rehabilitation/remodeling of the remainder of the commercial building. OWNERS shall also, at their own expense, obtain a simple demolition permit from CITY prior to removing the front of the building. Detailed architecture plans shall not be necessary for the demolition permit. OWNERS shall have access to the building for demolition and reconstruction work from CITY-owned property for all the time periods specified in this Agreement. OWNERS shall have the same access for deliveries as is afforded to other commercial properties in the vicinity on Main Street.
5. The parties understand that the CITY has a façade improvement program whereby grants may be approved by the City Council for properties in the downtown area to help pay for façade improvements. OWNERS may apply for a façade improvement grant, but no determination can be made at this time as to whether the CITY will approve such application until further information is provided by OWNERS as to the type of façade that will be proposed.
6. OWNERS shall have a credit from CITY from all impact fees imposed by the CITY for future development of the rehabilitated commercial building and any other development which they may propose for the property. This credit shall extend to any future owners on the OWNERS' parcel. Building inspection, plan check, and other fees associated with review and approval of new or rehabilitated buildings are not waived. CITY warrants that the parcel designated with yellow hashmarks is a "buildable parcel" meeting the minimum lot size for a commercial building at that location.
7. CITY shall be responsible to pay all title and escrow fees associated with this transaction.
8. Upon close of escrow, CITY shall dismiss the eminent domain action for the acquisition of the property.
9. The CITY makes no representation about the viability of the concept of rehabilitating the commercial building or its commercial viability thereafter, nor regarding the commercial viability of the "yellow" or potential "orange" parcels. OWNERS rely upon their own information and judgment as to those matters.

10. Both parties have had the opportunity to comment upon the terms of this Agreement, and thus no interpretation shall be given which would favor or disfavor the drafter of this Agreement.
11. This Agreement is intended to be the entire agreement among the parties and is the entire and sole compensation that OWNERS will receive as a result of the Main Street improvement project. Both parties hereby waive and release each other for any other claims or demands for additional compensation.

OWNERS:

Frederick J. Del Barba

Shirley Ann Del Barba

Victoria Louise Mann

Julie Ann Favalora

Cynthia N. Del Barba

Dino L. Del Barba

CITY:

Bryan M. Montgomery, City Manager



Agenda Date: 06/28/2016
Agenda Item: 5.3

STAFF REPORT

Date: Tuesday, June 28, 2016
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, P.E. Public Works Director/ City Engineer
Subject: Adoption of the City of Oakley Engineering Design Standards

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Background and Analysis

The City of Oakley Public Works Department has developed a Standard Plan document in an effort to standardize the level of expectation to deliver quality materials for infrastructure improvements. This document will be used with sound engineering judgment and practices for the design and construction of projects in public and pertaining to private improvement projects.

Historically, the City of Oakley have deferred to the Contra Costa County Standard Plans as the primary source of reference for the design of various improvements. Additionally, federal and state standards published by professional associations such as the Department of Transportation (Caltrans), the American Society of Civil Engineers (ASCE), the Institute of Transportation Engineers (ITE), and the American Association of State Highway and Transportation Officials (AASHTO) are referenced. These sources cover broader concepts; however, the City of Oakley Standard Plans is unique to the needs and preferences of the City of Oakley.

The following are some of the examples that make the Standard Plans unique for the City. The standard plan for sidewalk, curb and gutter has reinforced steel bars embedded in the concrete that not only increase its structural integrity, but also eliminate the chronic problem of sidewalks that heave up due to hot summer temperatures in Oakley. The standards for lighting are consistent with our effort to transform the entire City to LEDs to minimize energy consumption. The standards for irrigation equipment are consistent with the irrigation components that staff has recommended to be of high quality and to require limited maintenance. The standards for landscaping are consistent with plant materials that are known to flourish in Oakley. The standards for park elements insure that the new park benches, picnic tables, etc. are the best durable products that do not fade and decompose under the hot summer months.

The staff from the Public Works Department has been working over the past several months on developing a comprehensive set of engineering standard details that are best suited for the City of Oakley. The purpose of the Standard Plans document is to provide designers, consultants, developers, and contractors with the consistent standard requirements for the design and construction of improvements within City of Oakley. These standards will not only be used on all City Capital Improvement Projects, but also by all developers proposing to design and construct commercial and residential projects within the City of Oakley.

By adopting the Standard Plans document, the City is improving the quality of infrastructure built from public and private projects. This is an important step taken by the City of Oakley for planning for the future growth of the City, by ensuring quality and uniformity of design. Furthermore, the standardization will improve longevity of the infrastructure and reduce maintenance costs by the Public Works Department, who is ultimately responsible for the on-going maintenance of all infrastructure.

The Standard Plans document will provide a solid foundation for engineering design for the City of Oakley for years to come, with focus on excellence in the design and quality construction with limited maintenance demands.

Fiscal Impact

There is no direct cost associated with the new standards, as they will be incorporated into project designs by the City of Oakley and the consultants who work on the design of various projects in Oakley. The new Engineering Design Standards will be made available on the City's website and also in hard copy at the Public Works Department.

Conclusion

Staff recommends that the City Council adopt the resolution approving the new Engineering Design Standards for the City of Oakley.

Attachments

- 1) Resolution
- 2) New City of Oakley Engineering Design Standards

RESOLUTION NO. ___-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
ADOPTING THE CITY OF OAKLEY STANDARD PLANS**

WHEREAS, the City of Oakley is the agency responsible for ensuring the utilization of sound Civil Engineering standards and practices on public and private projects within the City; and

WHEREAS, the Public Works Department has developed and identified certain Civil Engineering Design Standards which represent the current state-of-art in such standards; and

WHEREAS, the City of Oakley had adhered to the Contra Costa County engineering standards since incorporation in 1999; and

WHEREAS, adopting the City's own Standard Plans provides the City with greater quality of design and construction across a wide range of public and private projects; and

WHEREAS, the Public Works Director/City Engineer is a Professional Civil Engineer, registered in the State of California, and is qualified to resolve conflicts in the interpretation and/or application of the adopted standards.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley that the new Engineering Design Standards be adopted as the official Engineering Design Standards to be used in all projects designed and constructed in City of Oakley effective June 28th 2016.

PASSED AND ADOPTED by the City Council of the City of Oakley, California, this 28th day of June 2016 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date



STANDARD PLANS

Prepared By:

The City of Oakley
Public Works and Engineering Department

JUNE 2016

OAKLEY

CALIFORNIA

3231 Main Street
Oakley, CA 94561

INTRODUCTION

The City of Oakley presents the first volume of Standard Plans developed by the Public Works and Engineering Department. The City of Oakley has adopted the Caltrans Standard Plans, but the City of Oakley Standard Plans are specific to the City's public improvements. The City Standard Plans will govern between conflicting details with Caltrans and Contra Costa County standard details.

These drawings shall be used in conjunction with the latest edition of the Caltrans Standard Specifications, Standard Specifications for Public Works Construction (i.e. "The GREENBOOK"), and project specific City of Oakley Specifications.

All details pertaining to the design of potable water, recycled water and sanitary sewer systems shall be reviewed and approved by Diablo Water District and Ironhouse Sanitary District respectively.

All curb ramps and accessible routes shall conform to Caltrans Standards, Americans with Disabilities Act Accessibility Guidelines (ADAAG), and Title 24 of the California Building Code.

These drawings are not to scale; therefore, they must be used with care and judgment.

A hard copy of the City of Oakley Standard Plans is available for purchase at the City of Oakley Permit Center located at 3231 Main Street, Oakley, CA 94561.

COMMENTS

The City of Oakley is committed to the quality of this publication and desires to correct any errors, omissions or ambiguities in the next publication of this document. If you have any comments, corrections, or additions you would like to submit for consideration to be included in the next publication, you are encouraged to submit them to:

City of Oakley
Public Works and Engineering Department
3231 Main Street
Oakley, CA 94561

(925) 625-7037

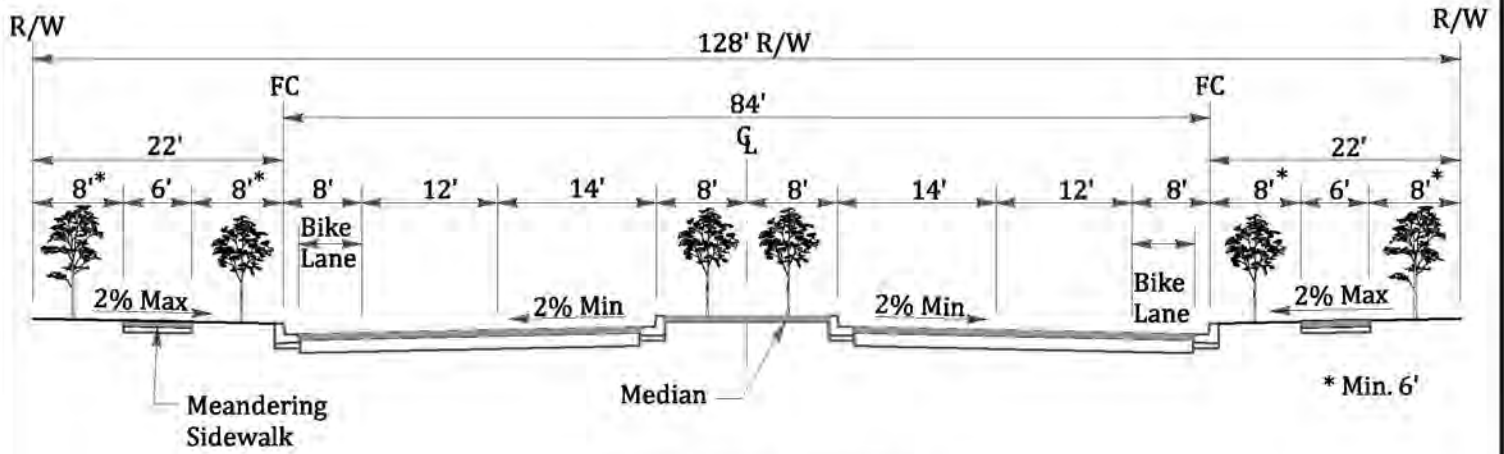
publicworks@ci.oakley.ca.us

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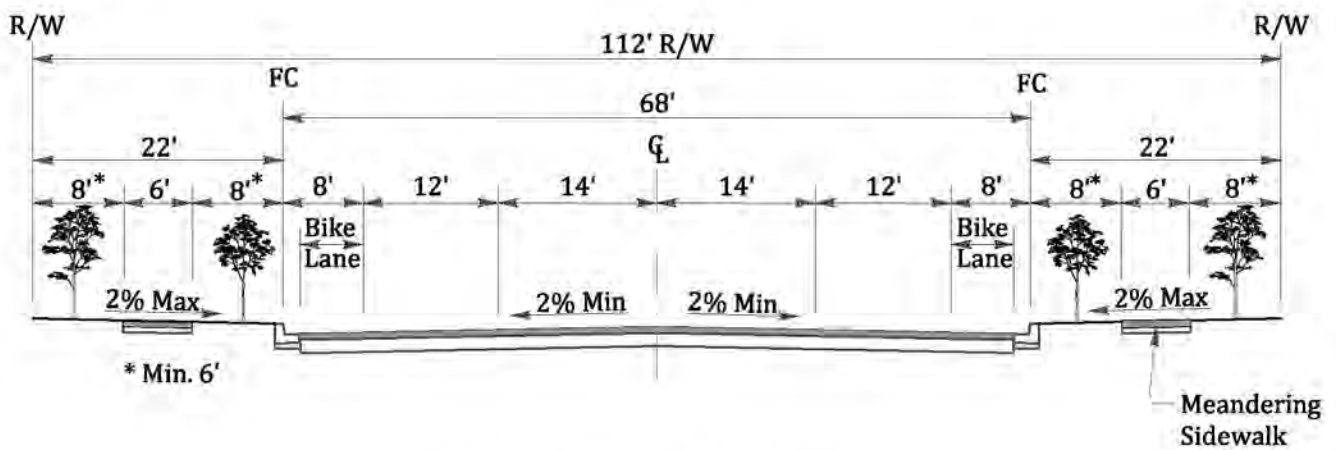
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Concrete Driveway with Planter	C-05
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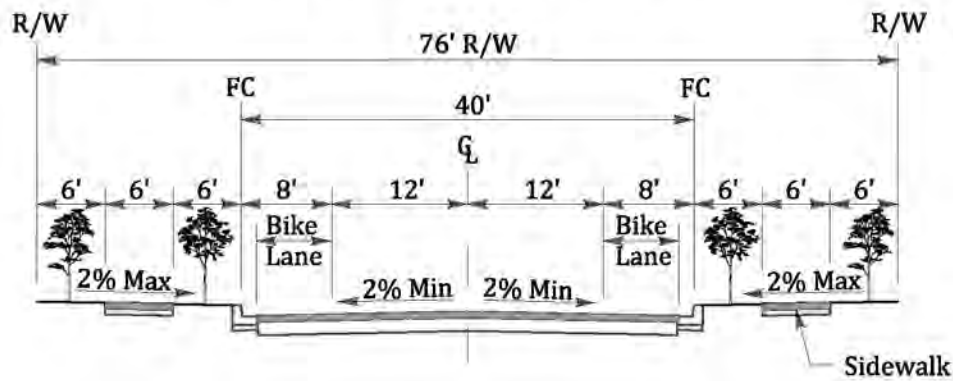
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FOUR LANE DIVIDED



FOUR LANE UNDIVIDED

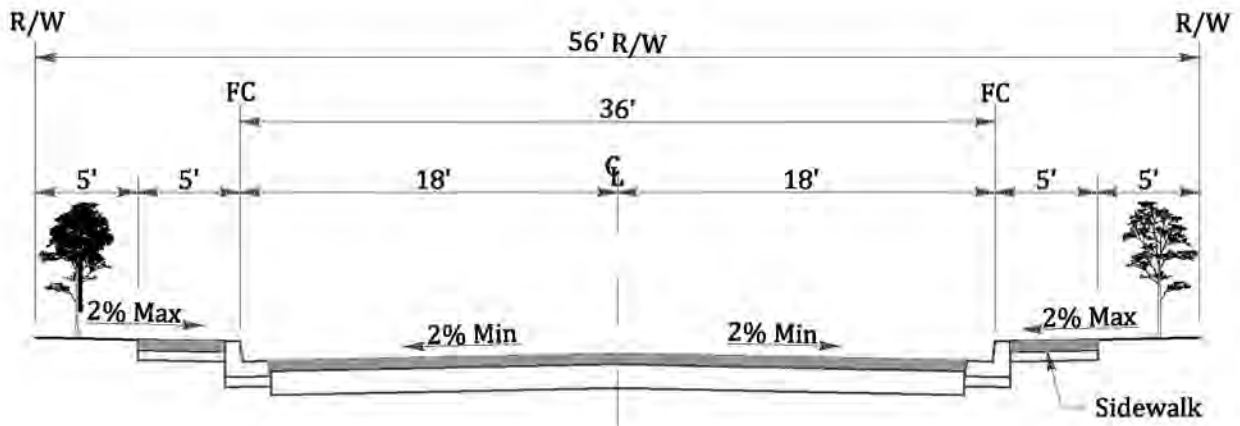


TWO LANE COLLECTOR/ARTERIAL

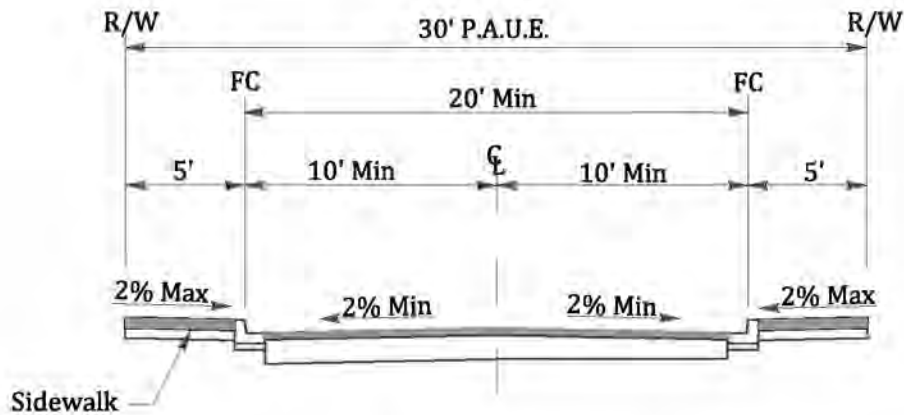
FC = Face of Curb

NOT TO SCALE

APPROVED BY	DATE		TYPICAL SECTIONS MAJOR ROADS	STD. PLAN NO.
<i>Kevin Rolan</i>	JUNE 2016			X-01
CITY ENGINEER				



MINOR/RESIDENTIAL STREET



PRIVATE ACCESS ROAD

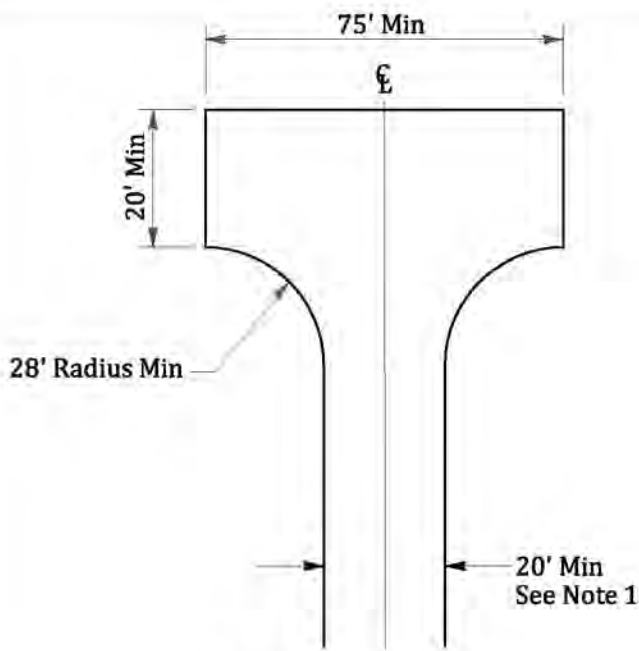
NOTES:

1. Sidewalk per the approval of the Planning Division.
2. Street widths subject to the approval of the Fire District and Planning Division.

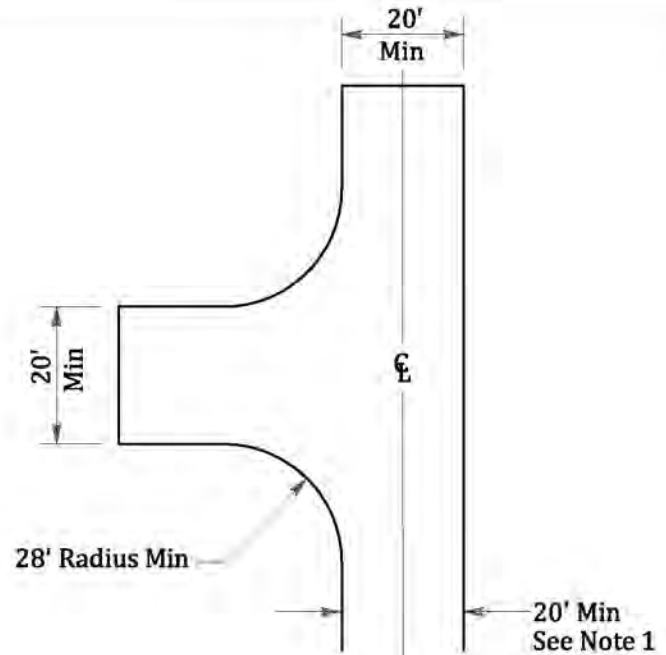
FC=Face of curb

NOT TO SCALE

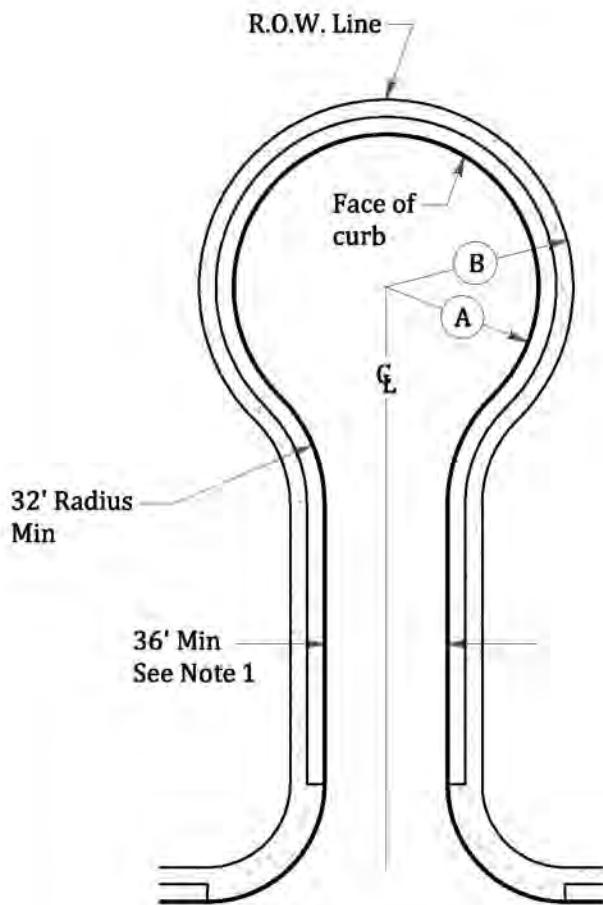
APPROVED BY	DATE		TYPICAL SECTIONS RESIDENTIAL	STD. PLAN NO.
<i>Kevin Roblin</i>	JUNE 2016			X-02
CITY ENGINEER				



HAMMERHEAD
(Private Only)



SHUNT
(Private Only)



CUL-DE-SAC

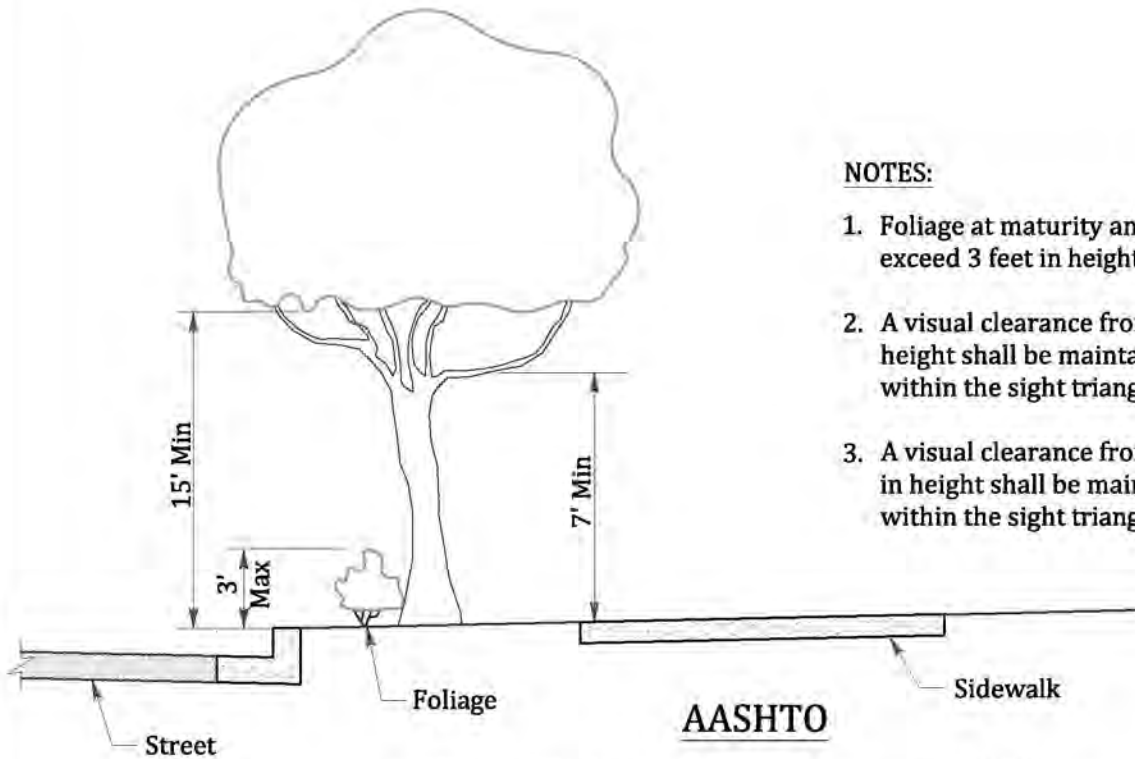
ROAD TYPE	RADIUS	
	A	B
Residential Street	45'	55'
Commercial/ Industrial Street	55'	65'

NOTES:

1. Minimum Roadway widths:
20 Feet - no parking
32 Feet - parking on one side
36 Feet - parking on both sides
2. Cross slope within turnaround shall not exceed 8% grade.
3. Surface shall be all-weather and capable of supporting a 37 ton vehicle.
4. Cul-de-Sac shall have standard curb and gutter, See Std Plan C-01.
5. Standards are minimum City requirements subject to Fire District approval

NOT TO SCALE

APPROVED BY	DATE		STREET END LAYOUT OPTIONS	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			X-03



NOTES:

1. Foliage at maturity and berm, if any, shall not exceed 3 feet in height.
2. A visual clearance from the street to 15 feet in height shall be maintained with all tree foliage within the sight triangle.
3. A visual clearance from the sidewalk to 7 feet in height shall be maintained with all tree foliage within the sight triangle.

AASHTO

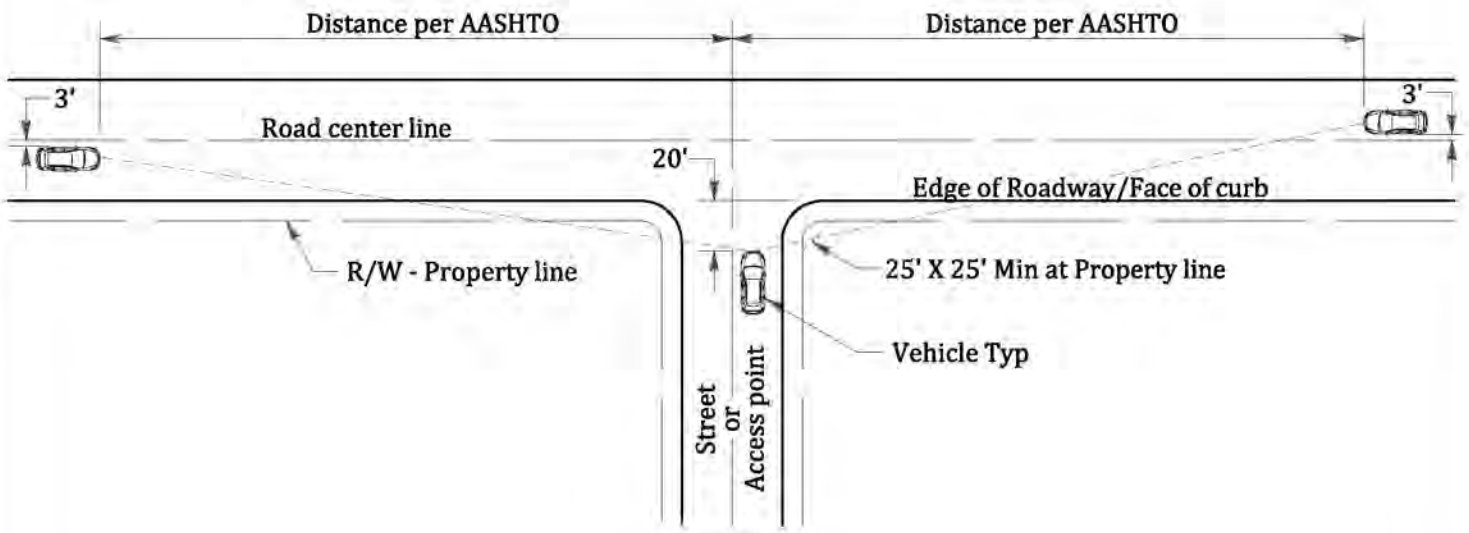
**PUBLIC STREET POSTED
SPEED LIMIT (MPH)**

25
30
35
40

**MINIMUM
DISTANCE (FT)**

200
250
325
400

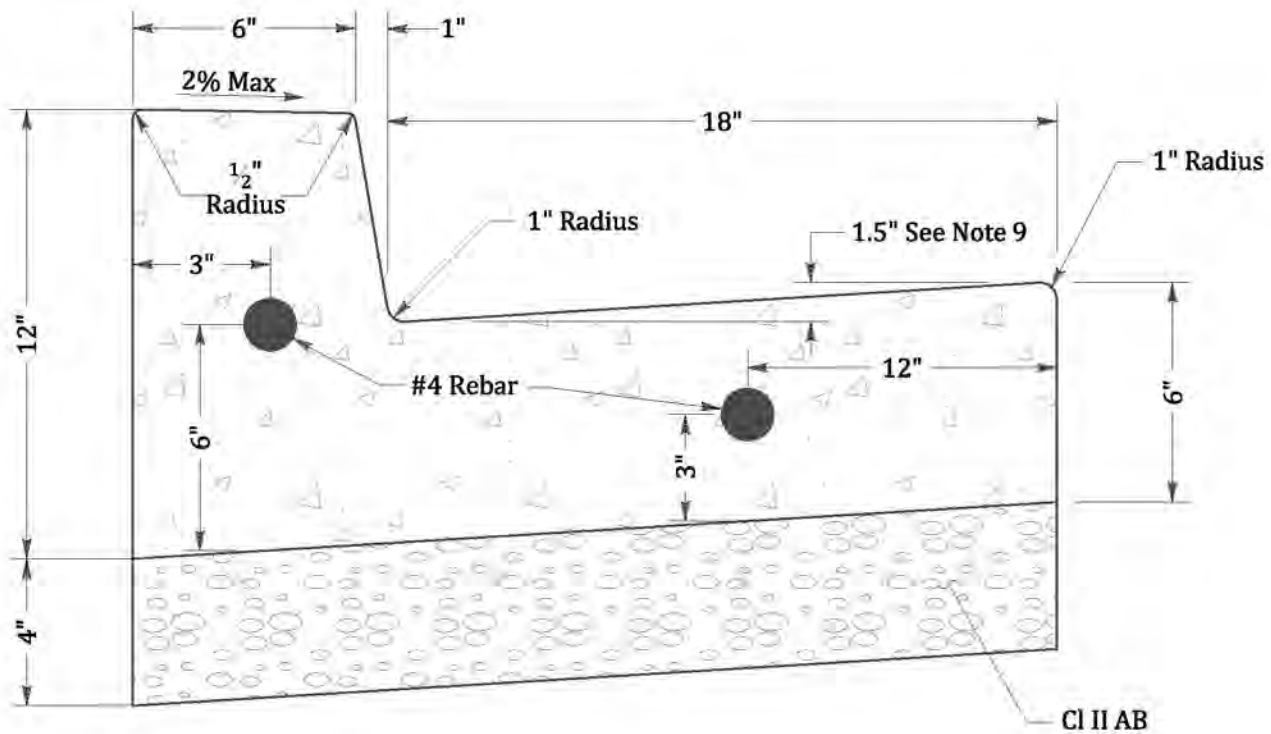
PUBLIC STREET



PLAN

NOT TO SCALE



APPROVED BY	DATE		DRIVEWAY AND INTERSECTION SIGHT TRIANGLES	STD. PLAN NO.
	JUNE 2016			X-04
CITY ENGINEER				

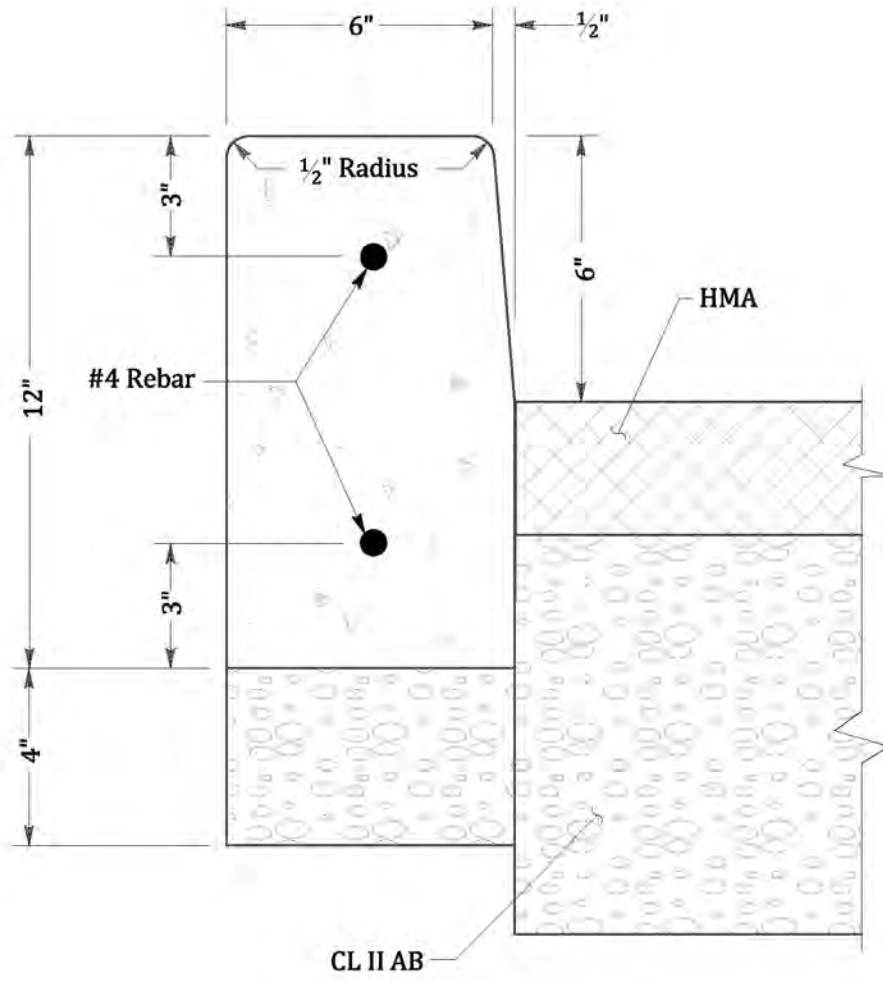


NOTES:

1. All radii less than 100' shall use flexible wood or metal forms to eliminate angular points at 10' section points.
2. Sawcut and remove 18 inch minimum street section for curb and gutter installation on existing streets.
3. 3/4" expansion joints to be placed at driveway sections, curb returns curb ramps & cold joints or a maximum of 30' center to center. Expansion joints shall protrude 1" below the bottom of gutter.
4. Thru joints shall be placed adjacent to catch basins, inlets at points of tangency on streets, and at alley and driveway returns. Maximum spacing shall be 30' pre-molded joint filler, shall be 1/2" wide and conform to AASHTO design M213. Dummy joints shall be placed every 10'.
5. Finished work shall not vary more than 1/8" in grade and 1/4" in alignment.
6. The finished curb shall immediately be sprayed with a transparent curing compound. Curb shall be covered by waterproof paper or plastic membrane in the event of rain or other unsuitable weather. Curing time shall be a minimum of 72 hours.
7. All curb and gutter shall be placed on a minimum of 4" Aggregate Base Class II 95% maximum compaction ASTM D1557.
8. #4 Rebar shall be extended along length of the curb and gutter.
9. Gutter pan slope shall not exceed 5% at pedestrian curb ramp entry locations. Contractor shall use 1.2" maximum between lip of gutter flow line at these locations.
10. All concrete shall include one (1) pound of lamp black per cubic yard of concrete.
11. All curb and gutter shall have 2-#4 Rebar the entire length and embedded on both end using dowels (one dowel in the center of the gutter, one dowel in the center of the curb).

NOT TO SCALE


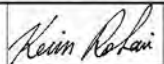
APPROVED BY	DATE		CONCRETE CURB AND GUTTER	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			C-01

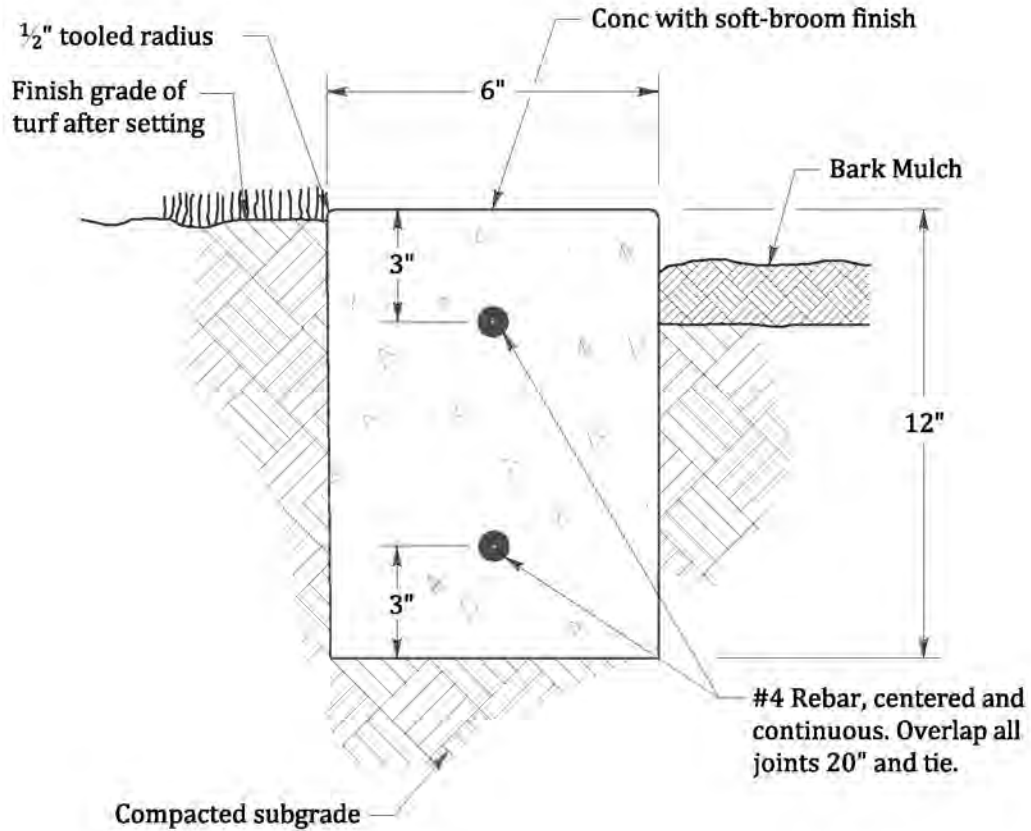


NOTES:

1. The construction notes of Standard Plan C-01 apply to concrete vertical curb.

NOT TO SCALE

APPROVED BY	DATE		CONCRETE VERTICAL CURB	STD. PLAN NO.
	JUNE 2016			C-02
CITY ENGINEER				




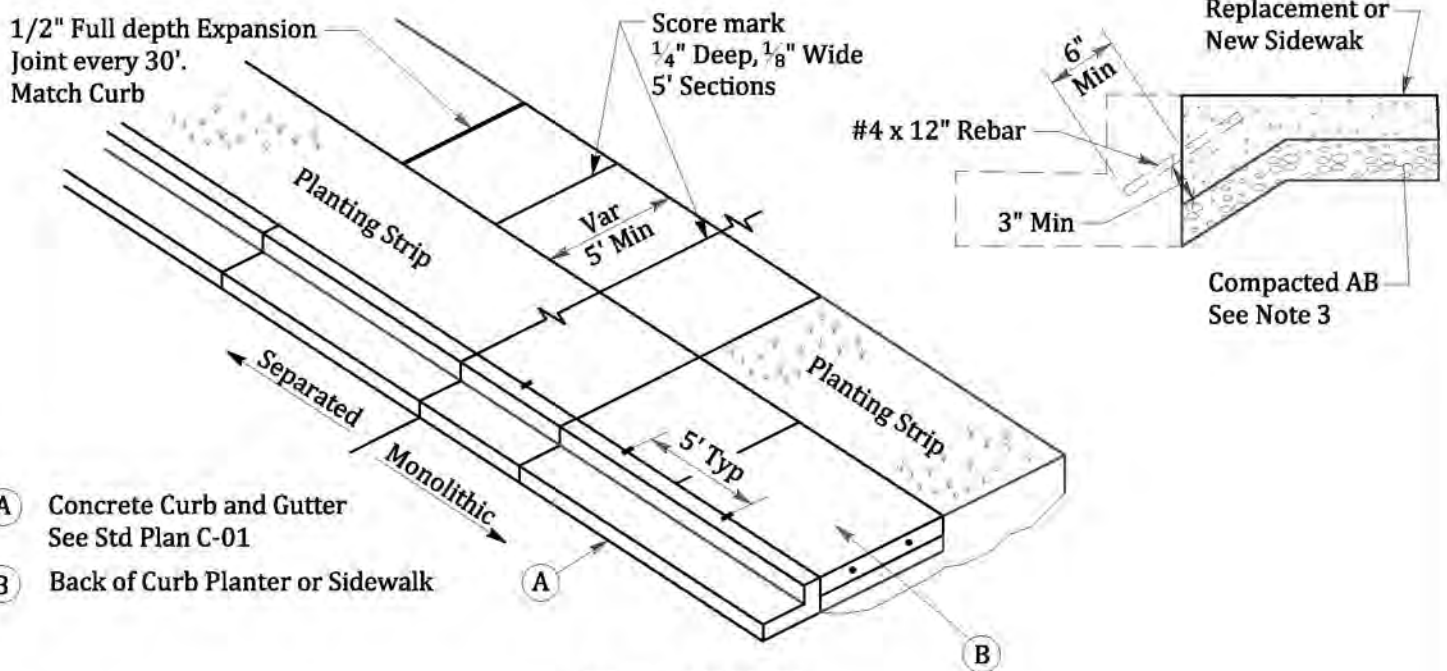
SECTION

NOTES:

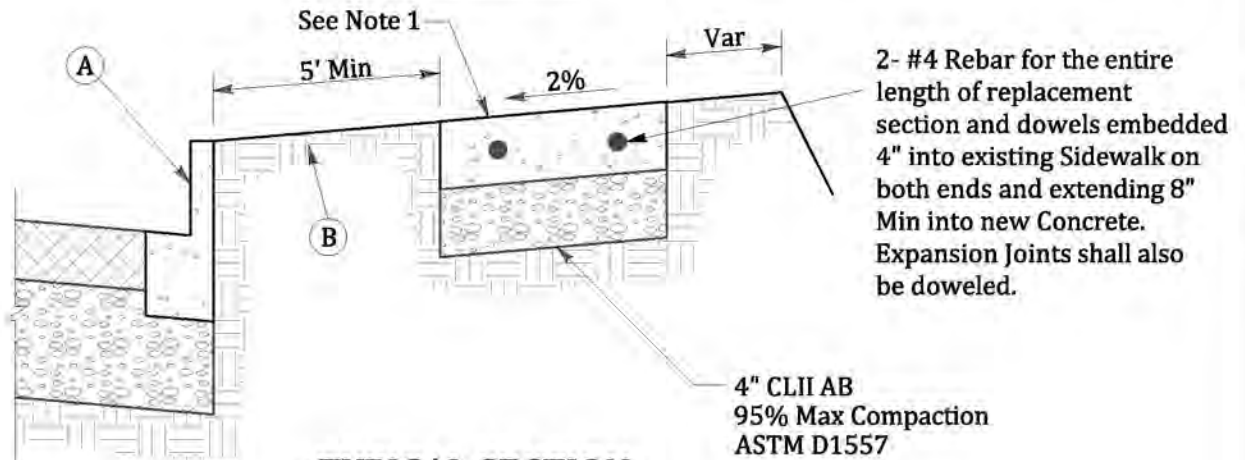
1. Provide $\frac{1}{4}$ " wide by $\frac{1}{2}$ " deep score lines at 8'-0" O.C. and expansion joints at 32'-0" O.C.

NOT TO SCALE

APPROVED BY	DATE		CONCRETE DIVIDER/MOWBAND	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			C-03



PLAN VIEWS



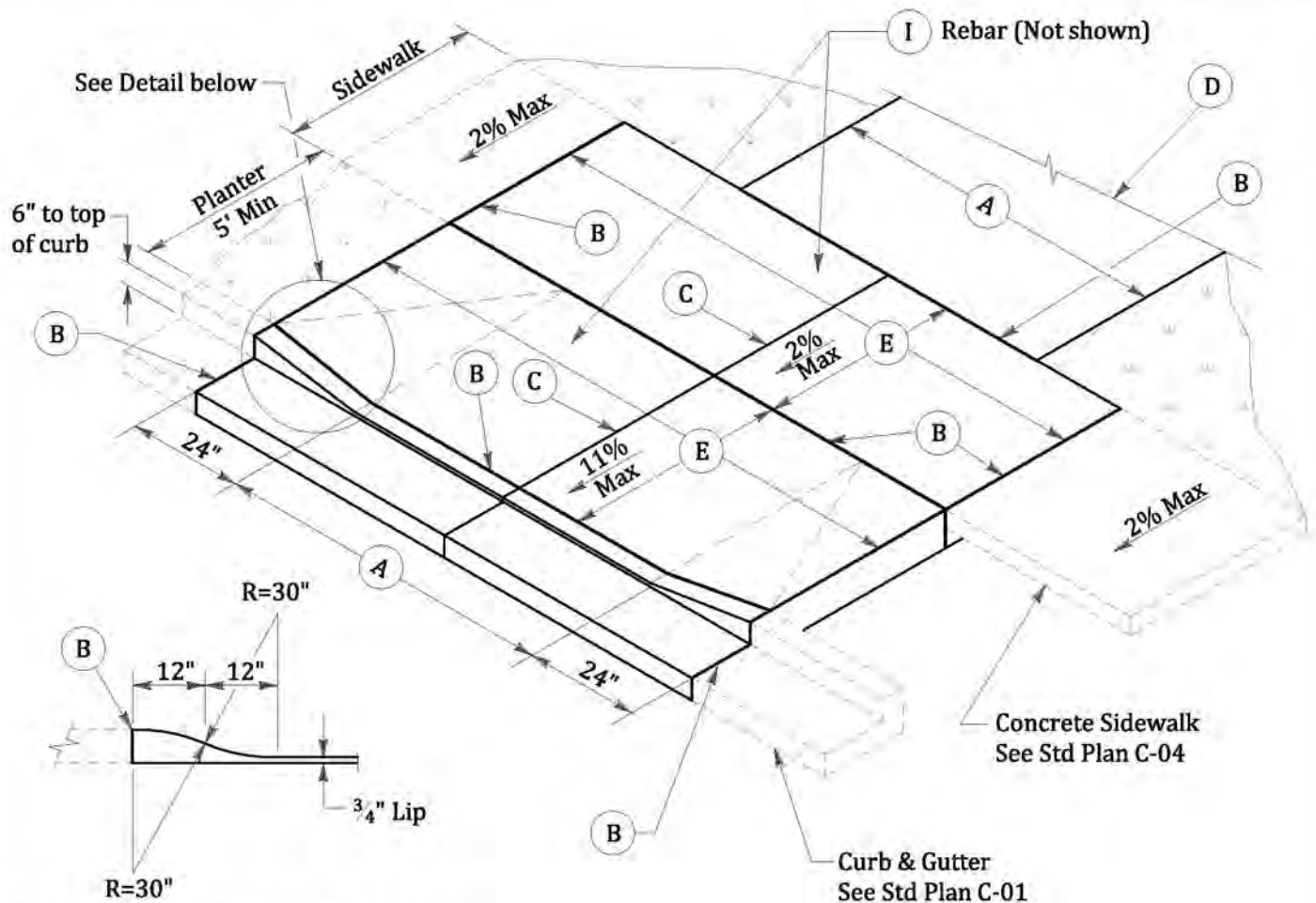
TYPICAL SECTION

NOTES:

1. Sidewalk shall be a minimum of 4" thick and shall be Class A Portland Cement Concrete. Concrete shall include one (1) pound of Lamp Black (in powder form) per cubic yard of concrete.
2. Full Expansion Joints shall be placed to match those placed in adjacent Curb & Gutter, with
3. maximum spacing of 30 feet.
4. Subgrade shall have 95% maximum compaction ASTM D1557.
5. Sidewalk shall be at least 6" thick behind Rolled Curb and Residential Driveways and 8" thick behind Commercial Driveways.
6. The finished Sidewalk shall be sprayed with a transparent Curing Compound covered by Waterproof Paper or Plastic Sheeting in the event of rain or other inclement weather, curing time shall be for a minimum of 72 hours.
7. All joints shall be cleaned and edged with an edger having a 1/4" radius.
8. Sidewalk and Planter Strip widths shall conform to dimensions shown in appropriate street cross section detail.
The width of Sidewalk directly behind Curb without Planter shall be a minimum of 5' from back of Curb.
9. Exposed surfaces shall be a light broom finish.

NOT TO SCALE

APPROVED BY	DATE		CONCRETE SIDEWALK MONOLITHIC AND SEPARATED	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			C-04





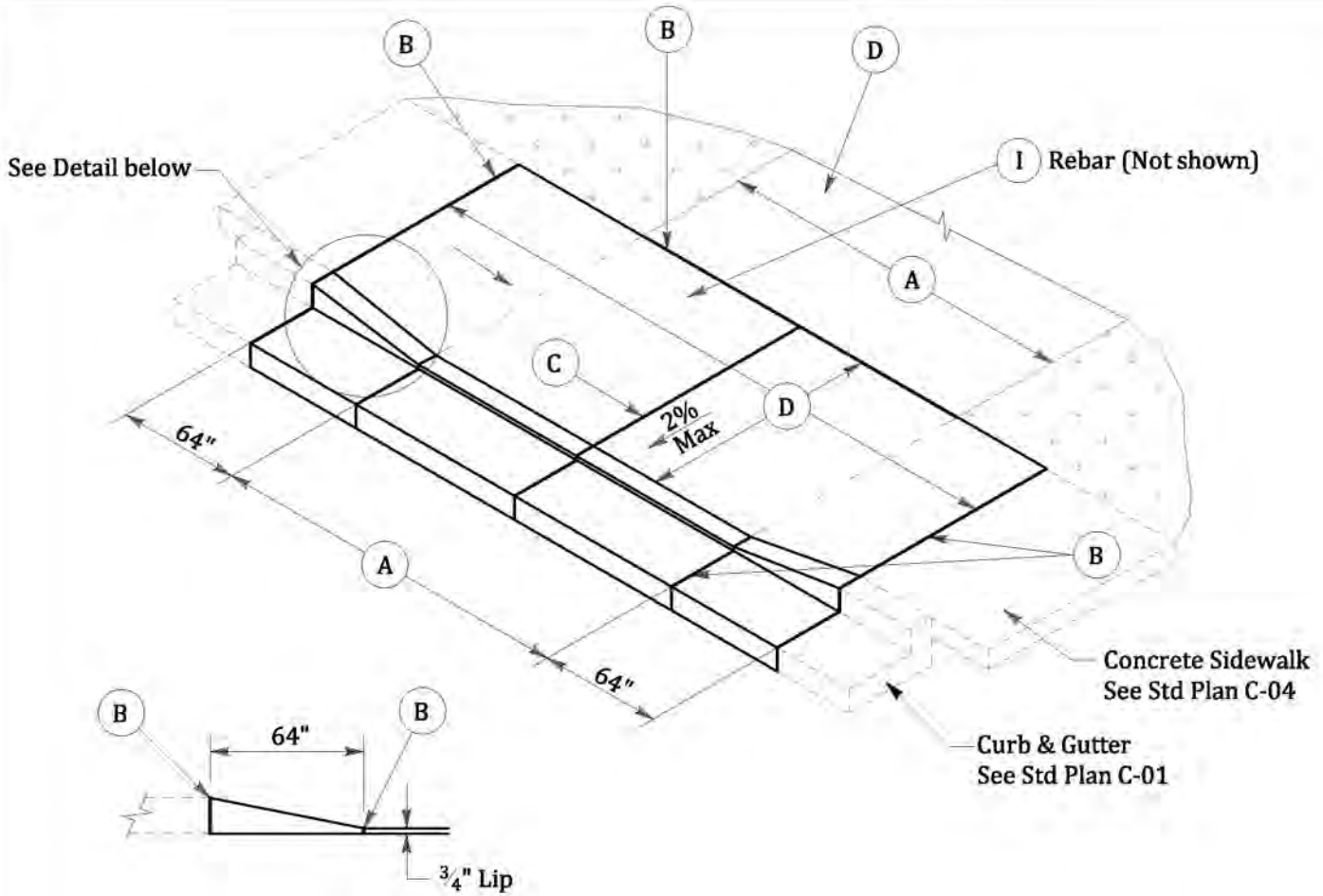
CURB TRANSITION DETAIL

NOTES

- (A) Equals width of Driveway at property line, 14' Min - 30' Max for Residential & 25' Min - 30' Max for Commercial.
- (B) 1/2" wide full depth Expansion Joint.
- (C) Full depth Expansion Joint if (A) is 15' or greater.
- (D) Driveway to be surfaced with asphalt or concrete.
- (E) Driveway concrete shall be a Minimum of 6" thick for Residential & 8" thick for Commercial locations and is to be placed on a minimum of 4" Class II Aggregate Base 95% maximum compaction, ASTM D1557. Over 95% compacted subgrade.
- (F) All concrete shall be Class A, per Caltrans Specifications, with 1LB. Minimum Lamp Black per cubic yard.
- (G) Sawcut and remove 18" minimum street section for driveway installation in existing streets.
- (H) All work shall conform to current ADA requirements.
- (I) #4 Rebar 16" O.C. both ways minimum 3" cover.

NOT TO SCALE

APPROVED BY	DATE		CONCRETE DRIVEWAY WITH PLANTER	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			



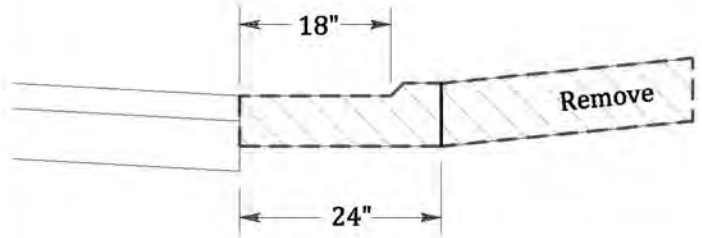
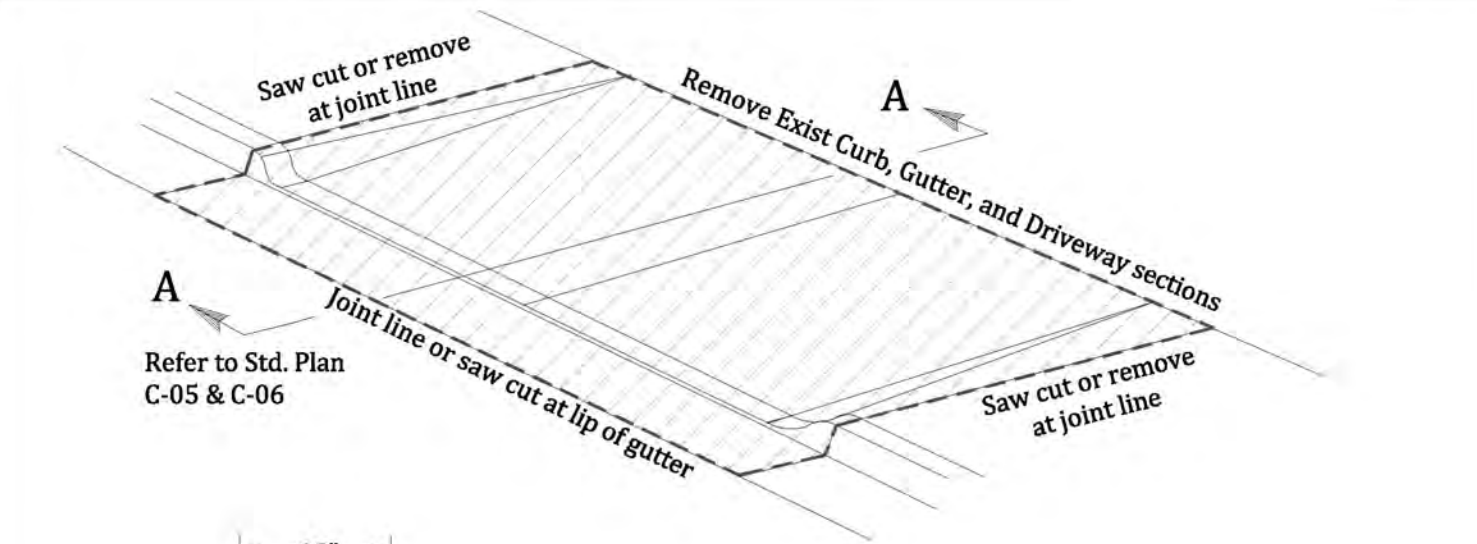
CURB TRANSITION DETAIL

NOTES:

- (A) Equals width of Driveway at property line, minimum width 14'.
- (B) 1/2" wide full depth Expansion Joint.
- (C) Full depth Expansion Joint if (A) is 15' or greater.
- (D) Driveway to be surfaced with asphalt or concrete.
- (E) Driveway concrete shall be a Minimum of 6" thick for Residential & 8" thick for Commercial locations and is to be placed on a minimum of 4" Class II Aggregate Base 95% maximum compaction, ASTM D1557. Over 95% compacted subgrade.
- (F) All concrete shall be Class A, per Caltrans Specifications, with 1LB. Minimum Lamp Black per cubic yard.
- (G) Sawcut and remove 18" minimum street section for driveway installation in existing streets.
- (H) All work shall conform to current ADA requirements.
- (I) #4 Rebar 16" O.C. both ways minimum 3" cover.

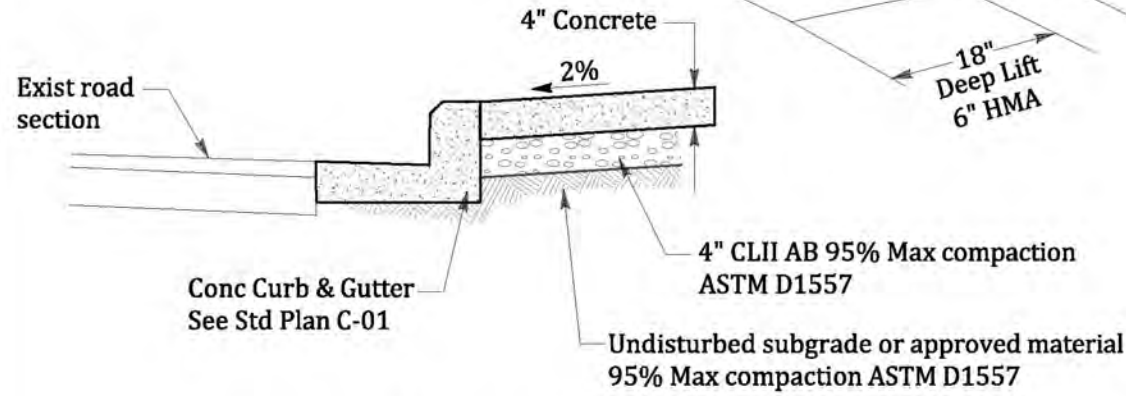
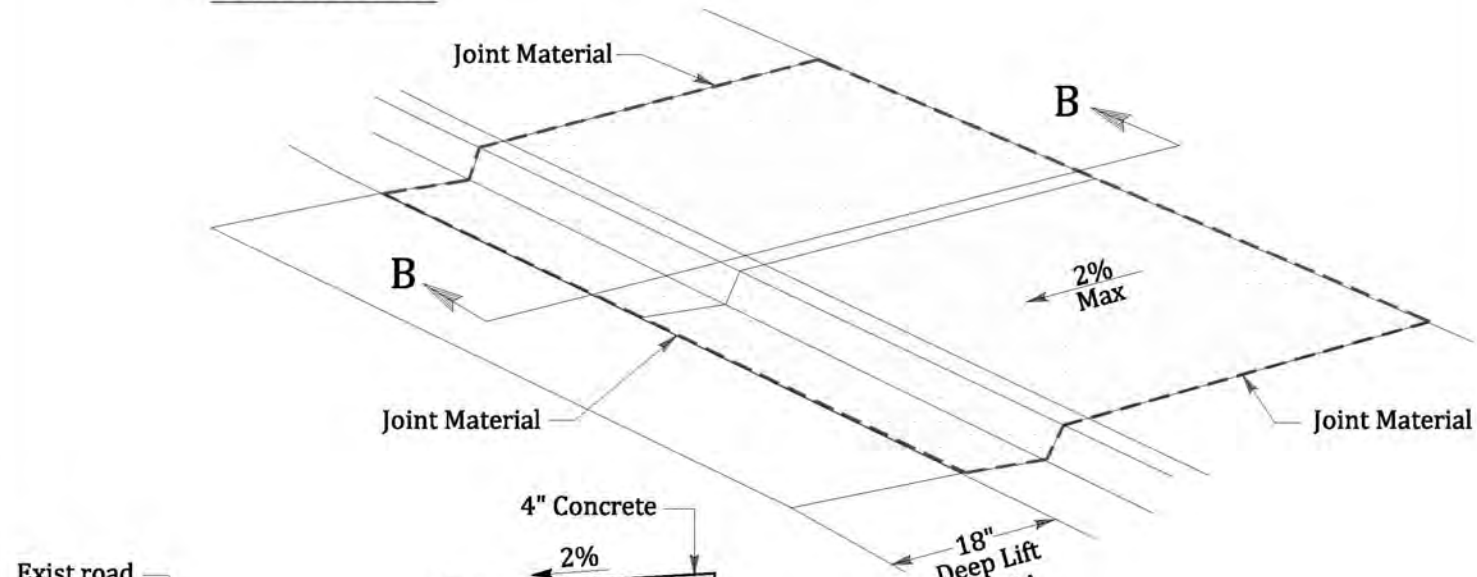
NOT TO SCALE

APPROVED BY	DATE		CONCRETE DRIVEWAY WITHOUT PLANTER	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			C-06



SECTION A-A

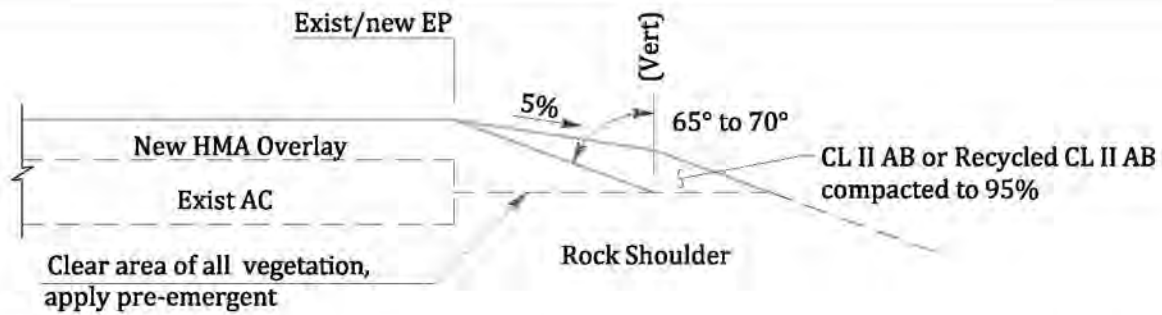
NOTE:
 Rebar: #4 @ 16" O.C. both ways, Min 3" concrete coverage



SECTION B-B

NOT TO SCALE

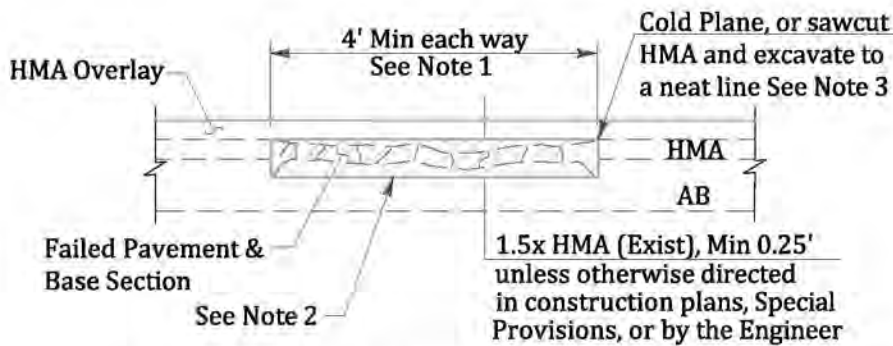
APPROVED BY	DATE		CONCRETE DRIVEWAY TO SIDEWALK RECONSTRUCTION	STD. PLAN NO.
	JUNE 2016			C-07
CITY ENGINEER				



NOTES:

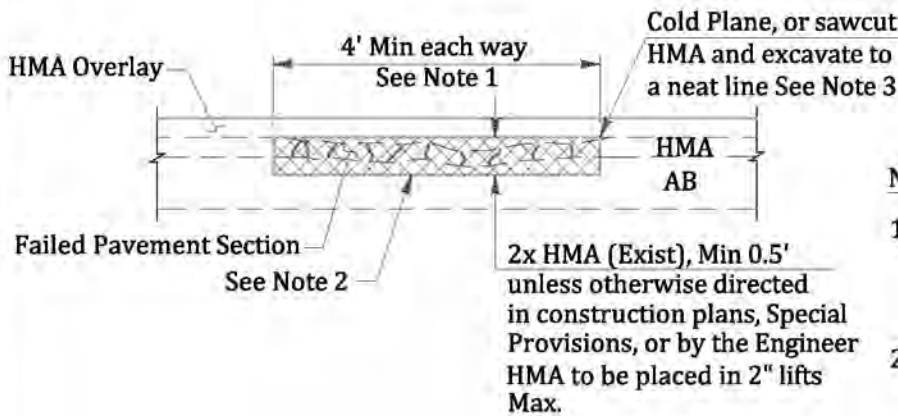
1. Safety edges shall be used on all roads posted 35 mph or higher with paved shoulders 4' or less.
2. Construct safety edge in conformance with project special provisions or City of Oakley Public Works Department Standard Provision for Construction.

SAFETY EDGE



HMA = Hot Mix Asphalt

PAVEMENT FAILURE REPAIR DETAIL



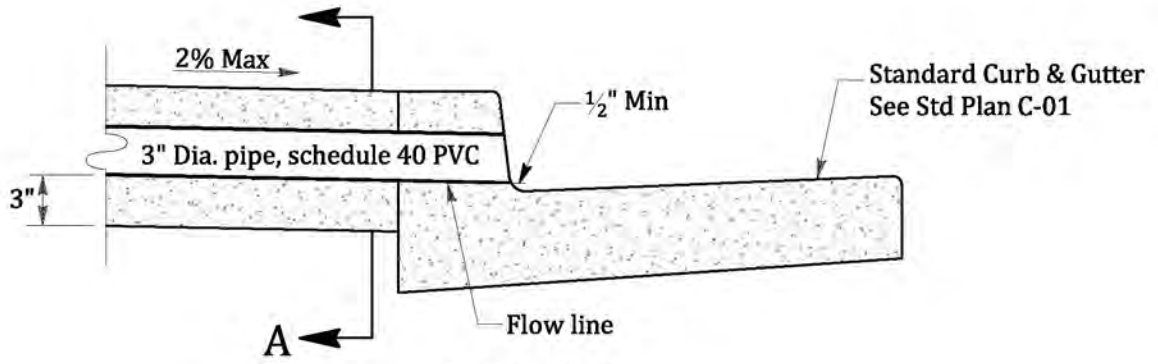
NOTES:

1. Limits of pavement failure repairs and base failure repairs shall be as marked in the field by the Engineer/Inspector.
2. For pavement failure repairs and base failure repairs recompact the existing road base or subgrade to 90% relative density prior to placing HMA.
3. Place paint binder on all vertical cut faces prior to placing HMA.
4. All sawcut /grind joints shall be sealed using paint binder and fine sand.

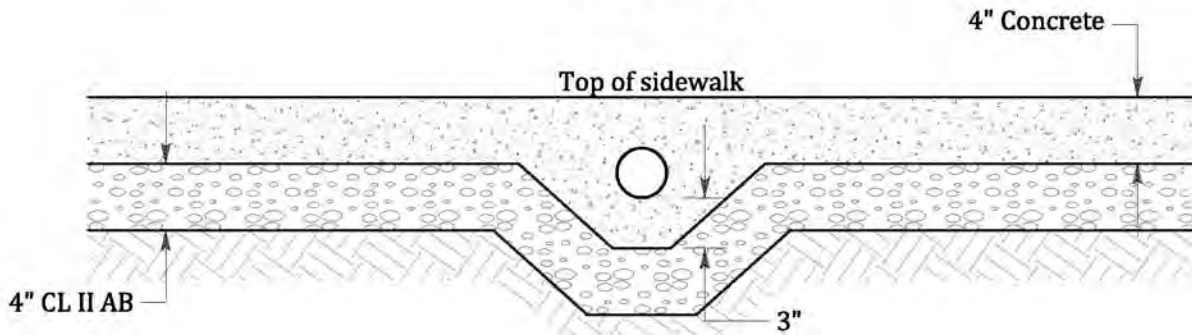
BASE FAILURE REPAIR DETAIL

NOT TO SCALE

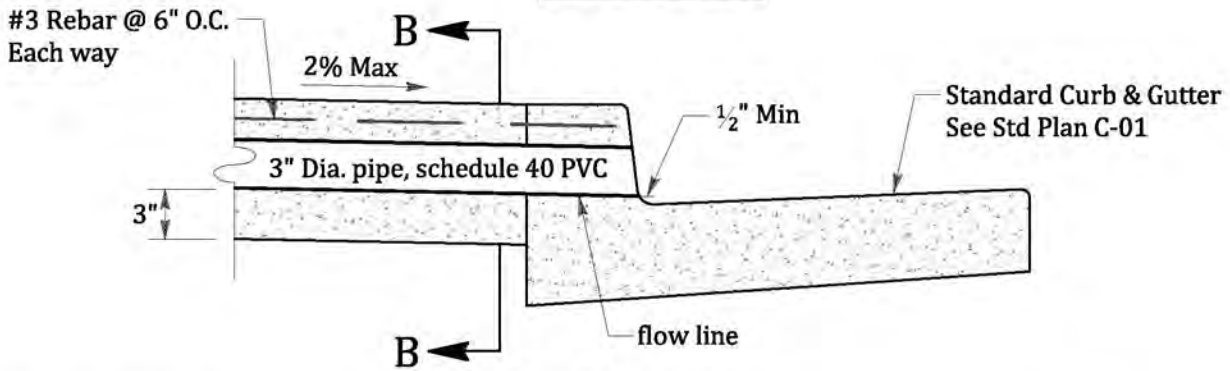
APPROVED BY	DATE		HMA CONFORM DETAILS	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			C-08



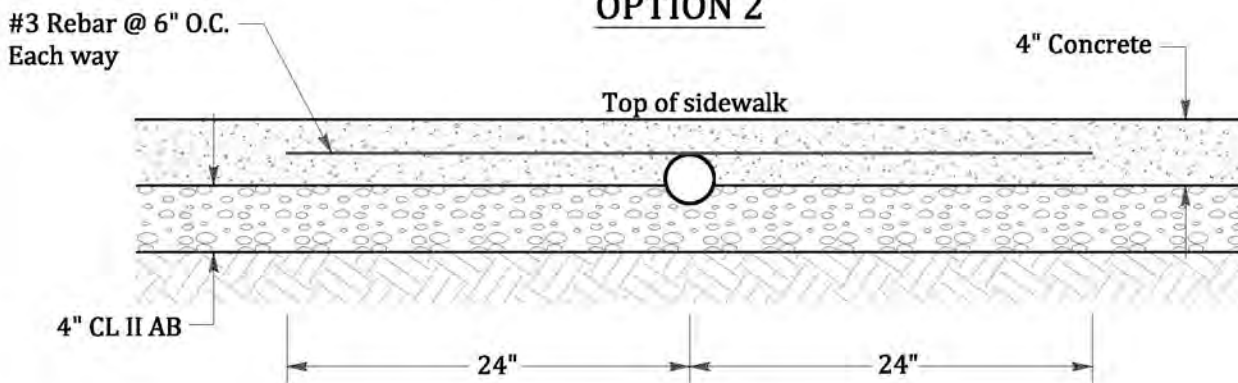
OPTION 1



SECTION A-A



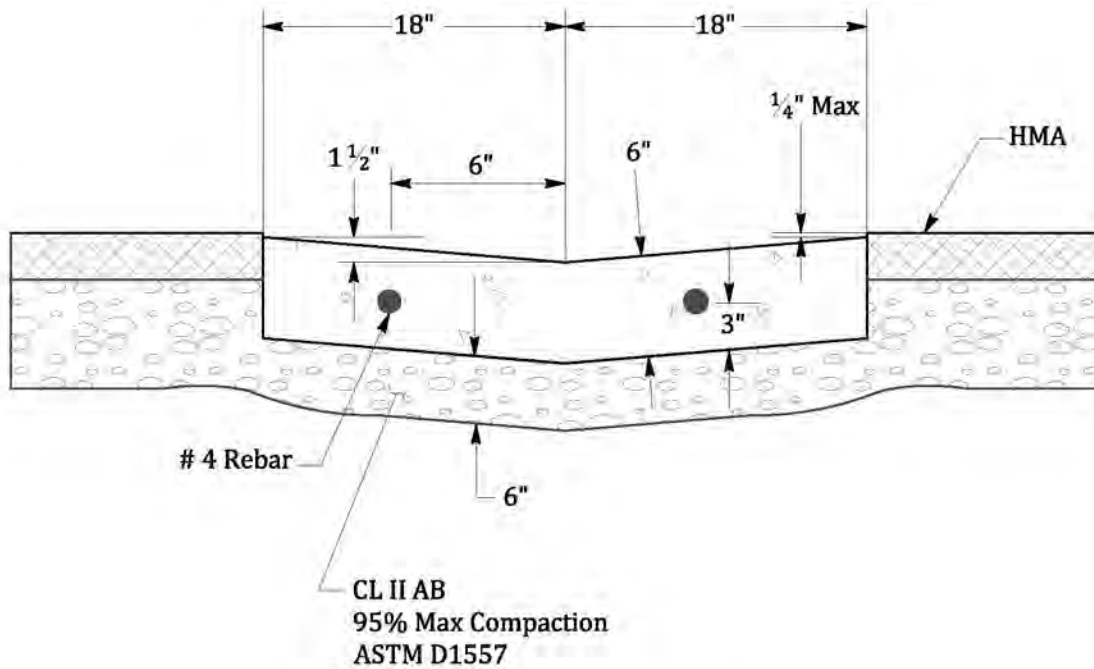
OPTION 2



SECTION B-B

NOT TO SCALE

APPROVED BY	DATE		CURB DRAIN	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SD-01

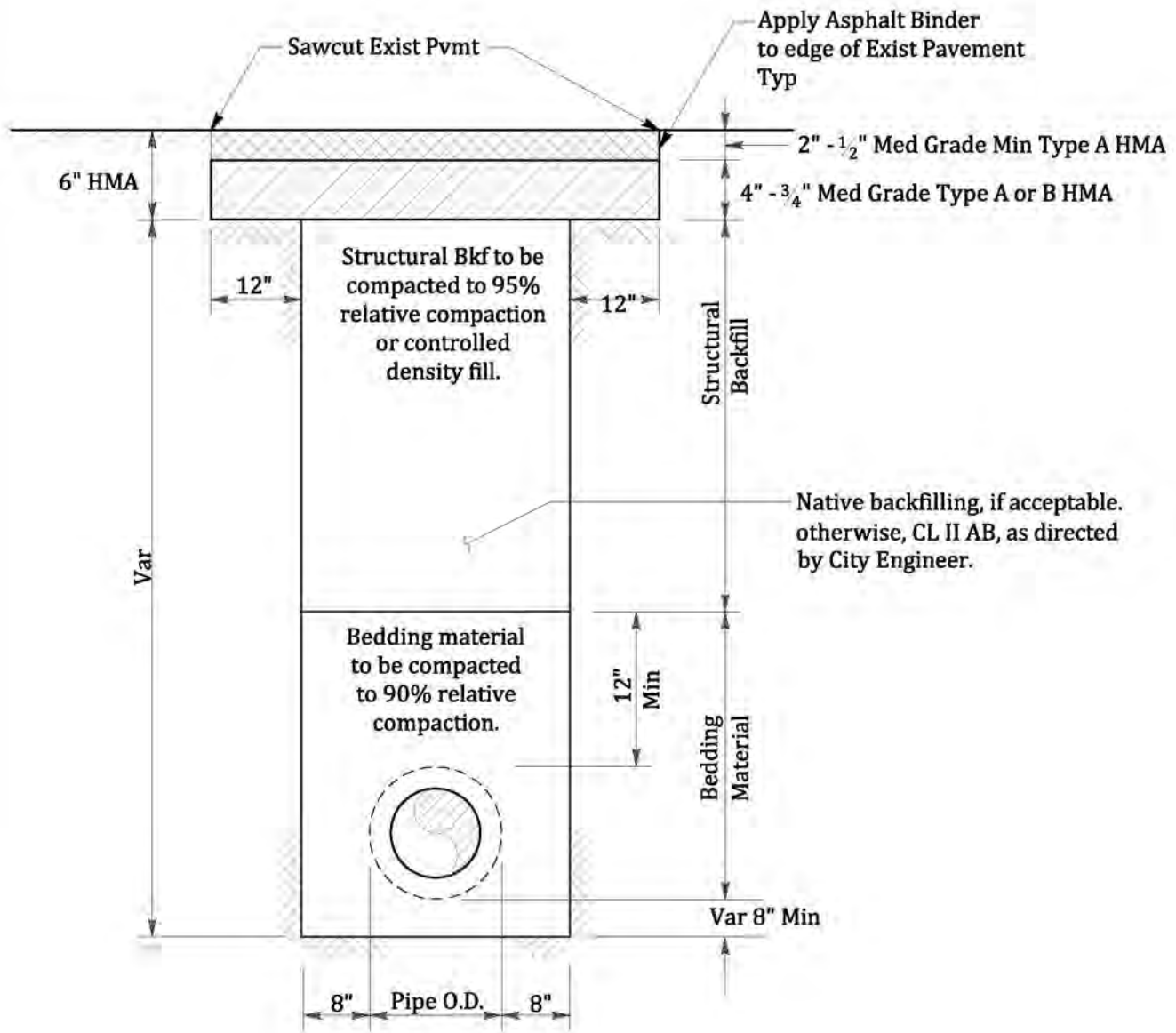


NOTES:

1. Expansion Joints with 1/2" x 12" slip.
2. Dowels at 20 foot intervals.
3. Concrete shall be Class A, per Caltrans Standards
4. All concrete shall include one (1) pound of Lamp Black (in powder form) per cubic yard of concrete.



NOT TO SCALE

APPROVED BY	DATE		CONCRETE VALLEY GUTTER	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SD-02



NOTE:
See Standard Plan SD-04 for additional trench requirements.

NOT TO SCALE

APPROVED BY	DATE		STORM DRAIN TRENCH DETAIL	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SD-03

BEDDING MATERIAL

Granular bedding material requirements
Caltrans durability index minimum 30

<u>Sieve sizes</u>	<u>Percentage passing</u>
1"	100
3/4"	90-100
3/8"	20-55
#4	0-10
#8	0-5

STRUCTURAL BACKFILL


Structural backfill requirements percent passing
Minimum Sand Equivealent of 20

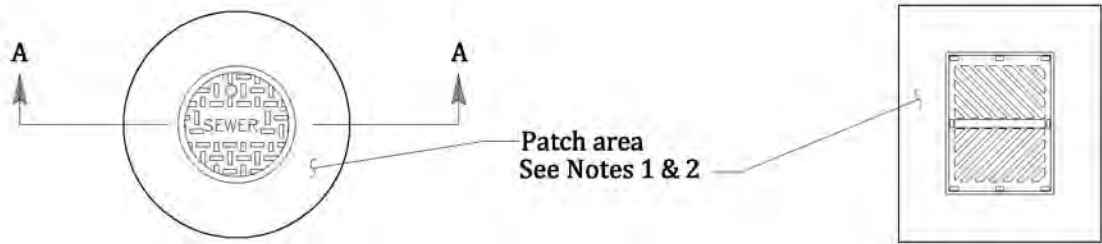
<u>Sieve sizes</u>	<u>Percentage passing</u>
1-1/2"	100
3/4"	80-100
#4	30-60
#30	5-35
#200	0-12

NOTES:

1. All backfill material shall be placed in lifts not to exceed 6 inches before compaction unless authorized by the City Engineer.
2. Mechanical compaction of backfill material shall not begin until the depth of compacted backfill material is 2 feet above the top of pipe.
3. Each lift shall be mechanically compacted to the required density prior to placing succeeding lifts of backfill material.
4. Compaction tests shall be as required by the city construction inspector, but in no case less than 2 tests every 200 feet of trench. (one at finish subgraded and one at 50F trench depth).
5. In-place density will be determined by one or more of the following methods.
 - (A) ASTM D1557, test for density of soil in place by the sand cone method.
 - (B) ASTM D2922 - Nuclear Method
6. Laboratory density will be determined by ASTM D1557, Moisture-Density Relations of soils and soil-aggregate mixtures.
7. If the edge of the trench falls within 3 feet of the gutter, the entire pavement shall be removed to the gutter.
8. On steep slopes, construct clay or concrete dam through the bedding material as determined by the City Engineer.
9. For concrete streets place 6 inches of Class A Portland Cement Concrete over 6" of Class II Aggregate Base for finished surface.
10. All trench construction shall be in compliance with latest OSHA Standards.
11. Place permanent pavement within 30 days after backfilling. Install temporary Asphalt Concrete (AC) to finish grade until permanent Hot Mix Asphalt (HMA) is placed.
12. If existing HMA section is less than 4", grind AC key to full depth of existing AC and replace full depth of HMA section (3" minimum).
13. In paved streets, all cuts shall be smooth and vertical with the area being generally rectangular. Native material may be used as backfill if approved by City Engineer. If sand backfill is used, it must be well graded, tamped with vibratory compactor and lightly jetted, if needed.
14. A semi-finished surface of cutback or lowered cross-section (Max lowered depth, 1/2") of AC will be allowed for a maximum of 30 days after backfilling to allow for settling. Contractor shall patch any time that excessive settling occurs.
15. Within 30 days, Contractor shall restore surface to its original condition and be responsible for any further settling or failure for a minimum of 2 years. If cutback is used as a semi-finished surface, it shall be removed before finishing. A 6 inch edge of existing AC shall be removed around the perimeter of the cut before placement of HMA.
16. A 6 inch course of crushed rock base (1.5" Max Aggregate) and 3 inch AC is minimum surface to be restored. No restoration shall be less substantial than existing composition. In cases of concrete streets, a 6 inch thickness of concrete on a 6 inch rock cushion is the minimum standard.

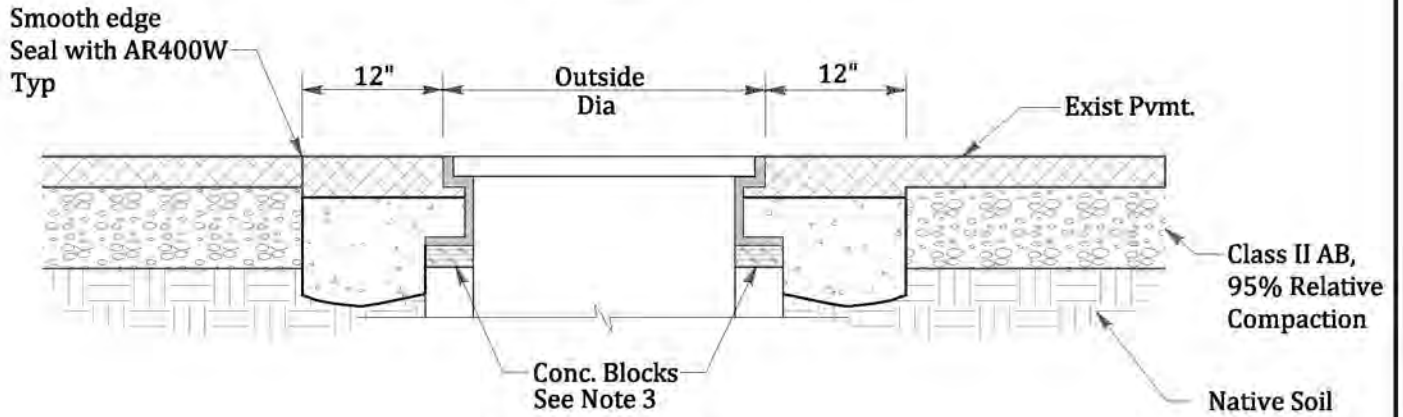
NOT TO SCALE

APPROVED BY	DATE		<h2 style="margin: 0;">STORM DRAIN TRENCH NOTES</h2>	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SD-04



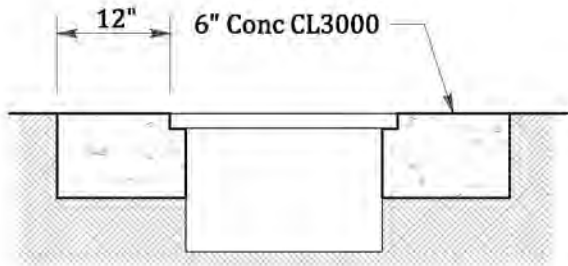
Patch area
See Notes 1 & 2

PLAN

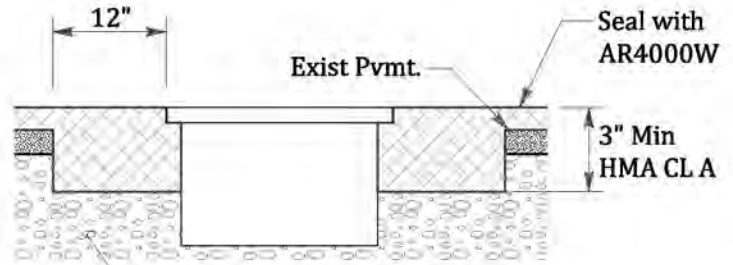


SECTION A-A

MANHOLE & CATCH BASIN ADJUSTMENT



OUTSIDE PAVED AREA



INSIDE PAVED AREA

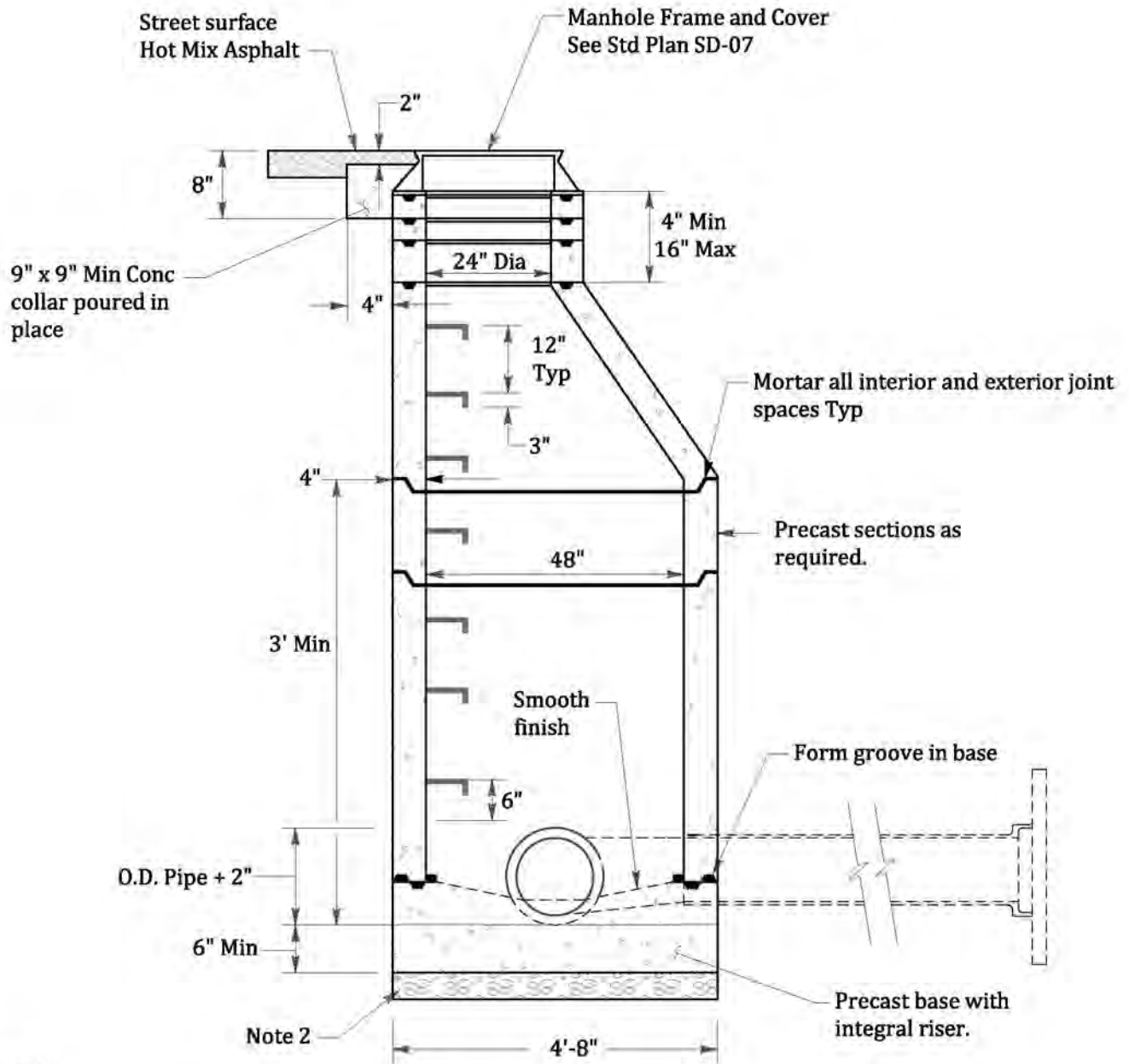
VALVE BOX ADJUSTMENT

NOTES:

1. Remove pavement and base materials for a distance which is equal to the diameter of the frame plus two (2) feet. Adjust casting frame to new pavement surface using concrete blocks.
2. Asphalt concrete Class "B" (3" Min) replacement patch to be 1" thicker than previously existed. The rest of the backfill to be controlled density fill.
3. 2" x 4" x 8" solid brick used for final adjustment to grade. 6" high Maximum.

NOT TO SCALE

APPROVED BY	DATE		MANHOLE/CATCH BASIN & VALVE BOX ADJUSTMENT	STD. PLAN NO.
<i>Kevin Rohani</i>	JUNE 2016			SD-05
CITY ENGINEER				

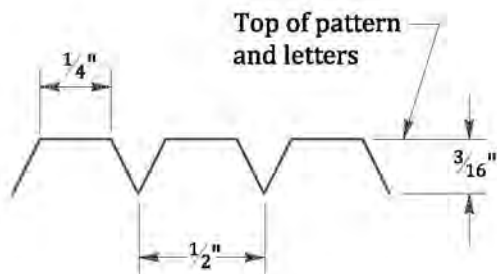


NOTES:

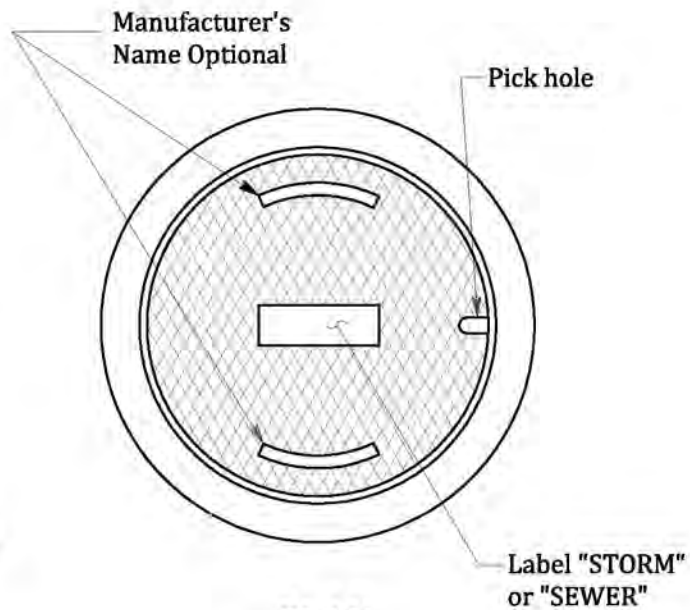
1. Precast Manhole sections shall conform to applicable provisions of ASTM C478.
2. 9" Class II for Aggregate Base bedding compacted to 95% maximum ASTM D1557.
3. Steps shall be Galvanized Steel 3/4" diameter inserted 3" minimum.
4. All joints with flexible plastic Joint Compound (Ram-Neck, Quick Seal, or equal). two layers may be required to seal base. plaster with mortar thereafter.
5. Manhole base must be poured against undisturbed soil. If excavated too deep, fill with concrete.

NOT TO SCALE

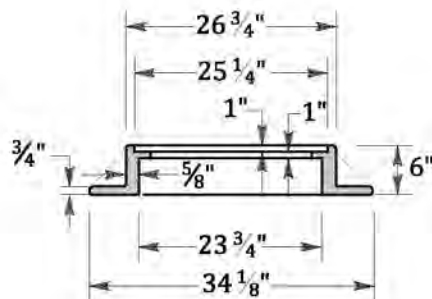
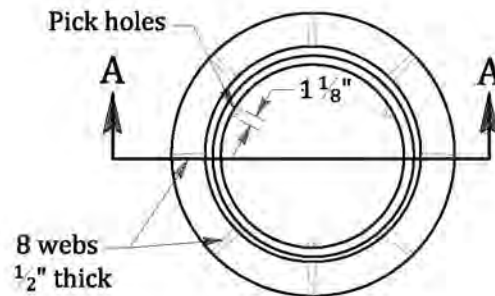
APPROVED BY	DATE		STANDARD MANHOLE	STD. PLAN NO.
	JUNE 2016			SD-06
CITY ENGINEER				



DIAMOND COVER PATTERN DETAIL



PLAN

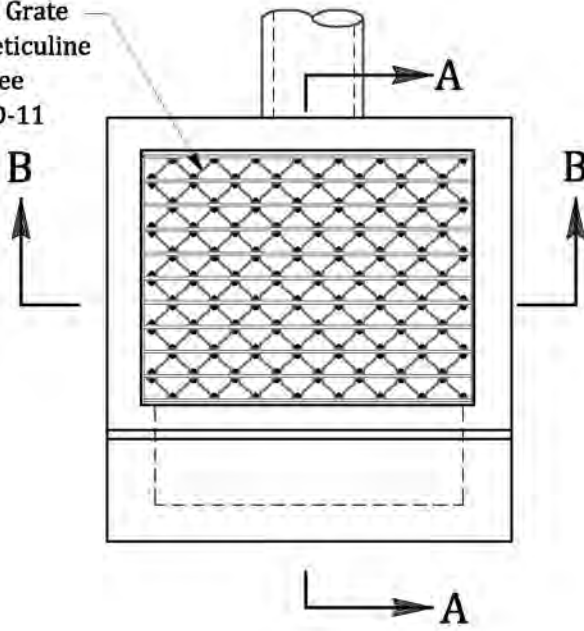


SECTION A-A

NOT TO SCALE

APPROVED BY	DATE		MANHOLE FRAME AND COVER	STD. PLAN NO.
<i>Kevin Rohan</i>	JUNE 2016			SD-07
CITY ENGINEER				

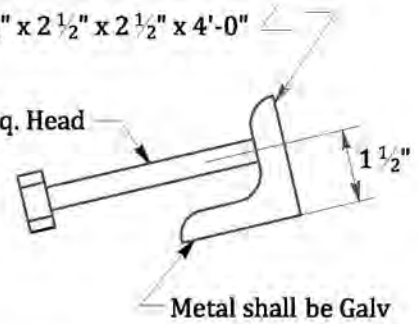
Bicycle Safe Grate
 Frame and Grate
 2" x 3/16" Reticuline
 Bars Typ See
 Std Plan SD-11



PLAN

2 1/2" x 2 1/2" x 2 1/2" x 4'-0"

4 - 3/8" x 3 1/2" Sq. Head
 Bolts at 14"

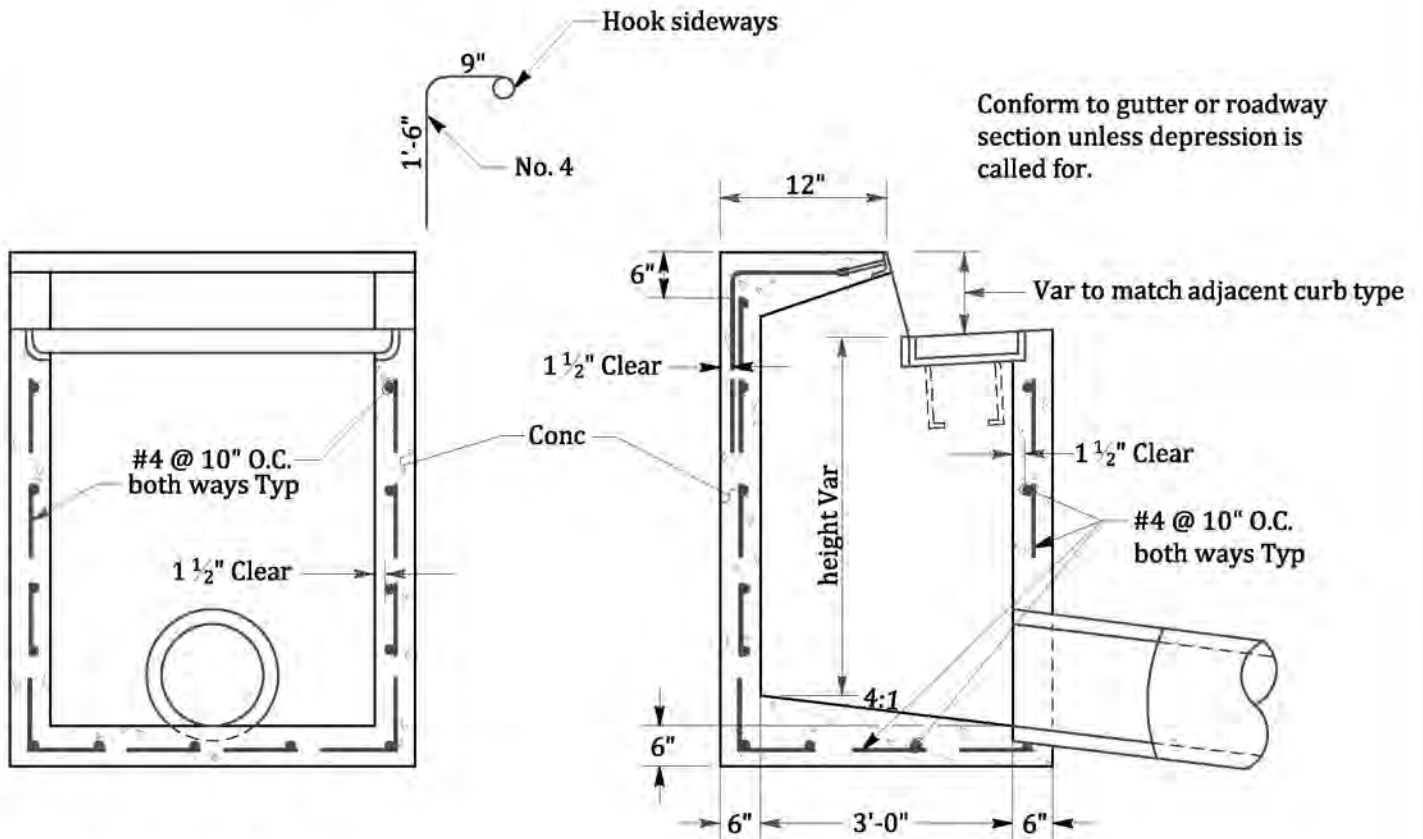


Metal shall be Galv

ANGLE ANCHOR

NOTE:

Where Inlet is located within a return, angle anchor shall be curved to match face of curb radius.



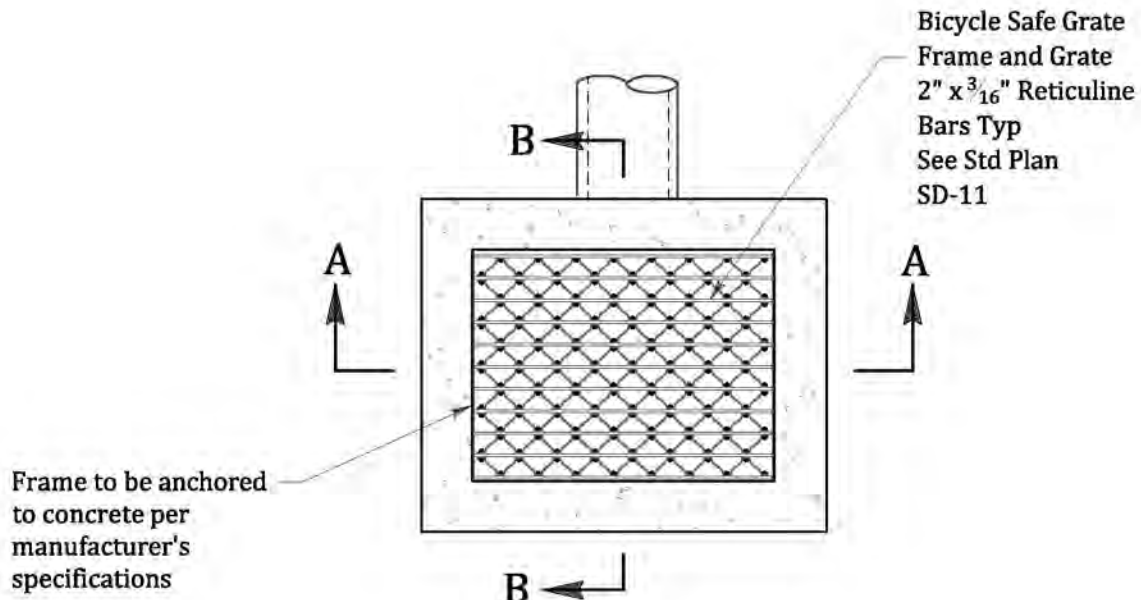
SECTION B - B

SECTION A - A

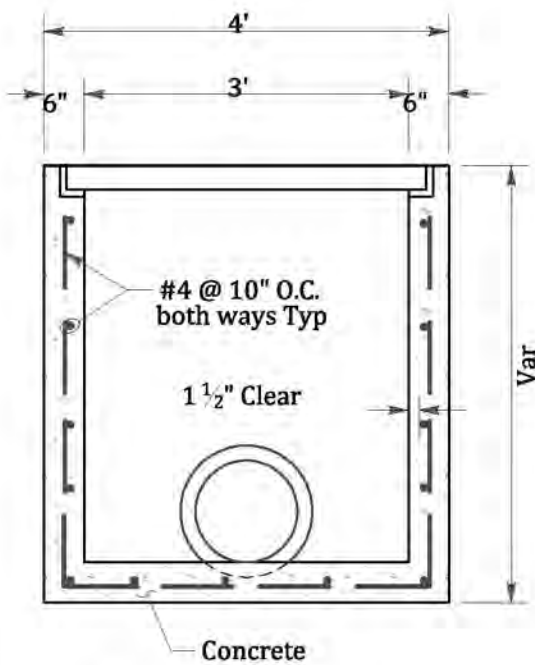
Conform to gutter or roadway section unless depression is called for.

NOT TO SCALE

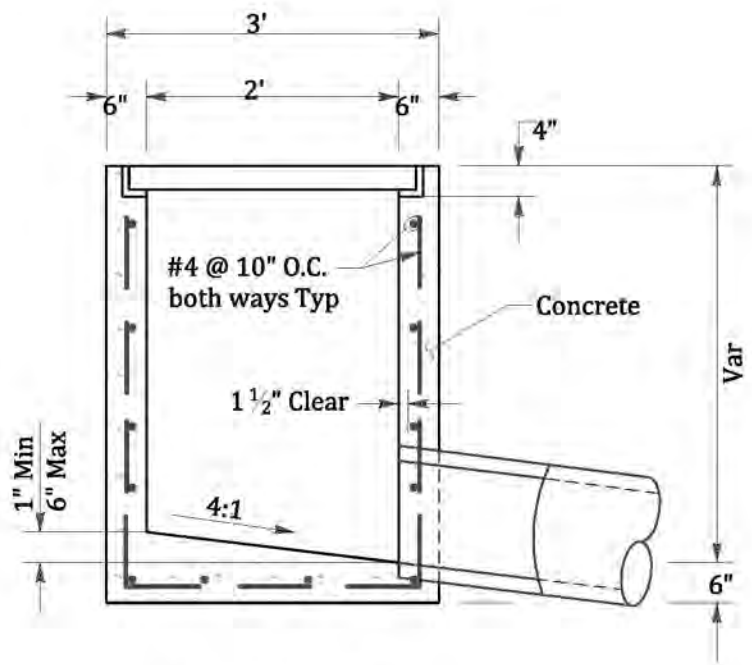
APPROVED BY	DATE		TYPE I CURB INLET	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SD-08



PLAN



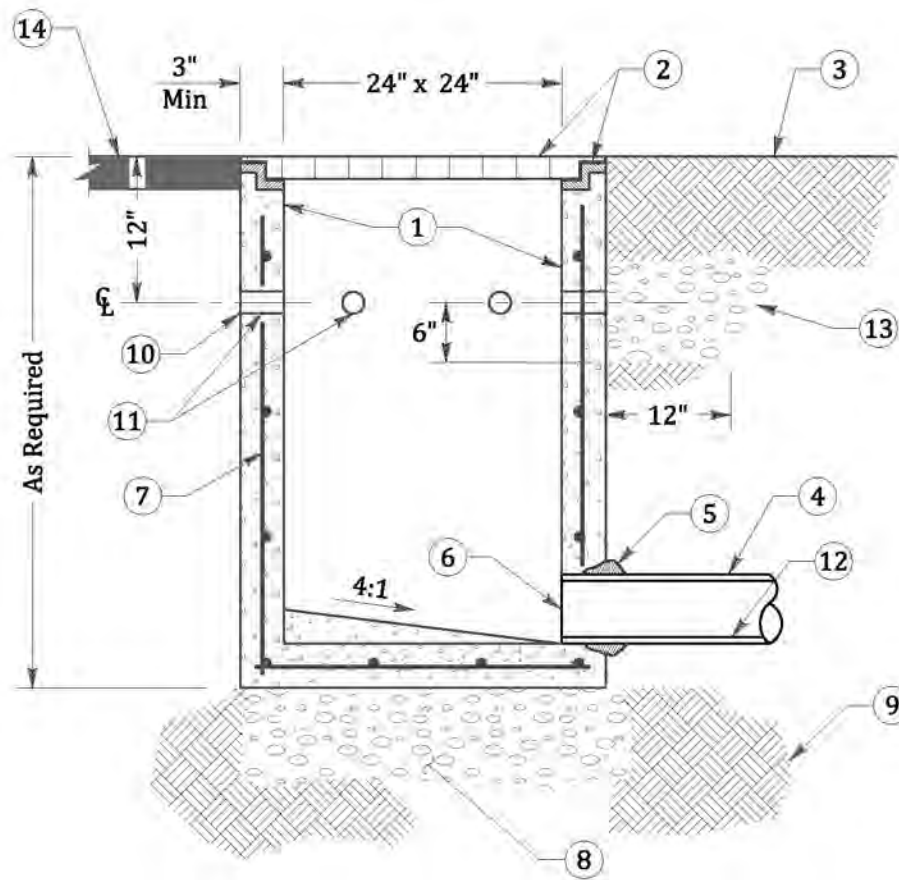
SECTION A-A



SECTION B-B

NOT TO SCALE

APPROVED BY	DATE		TYPE II INLET	STD. PLAN NO.
<i>Kevin Roblin</i>	JUNE 2016			SD-09
CITY ENGINEER				



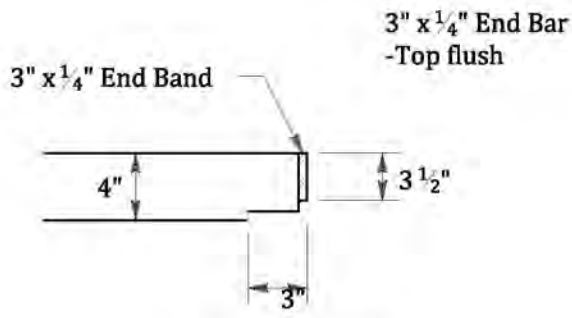
BASIN DETAIL

LEGEND:

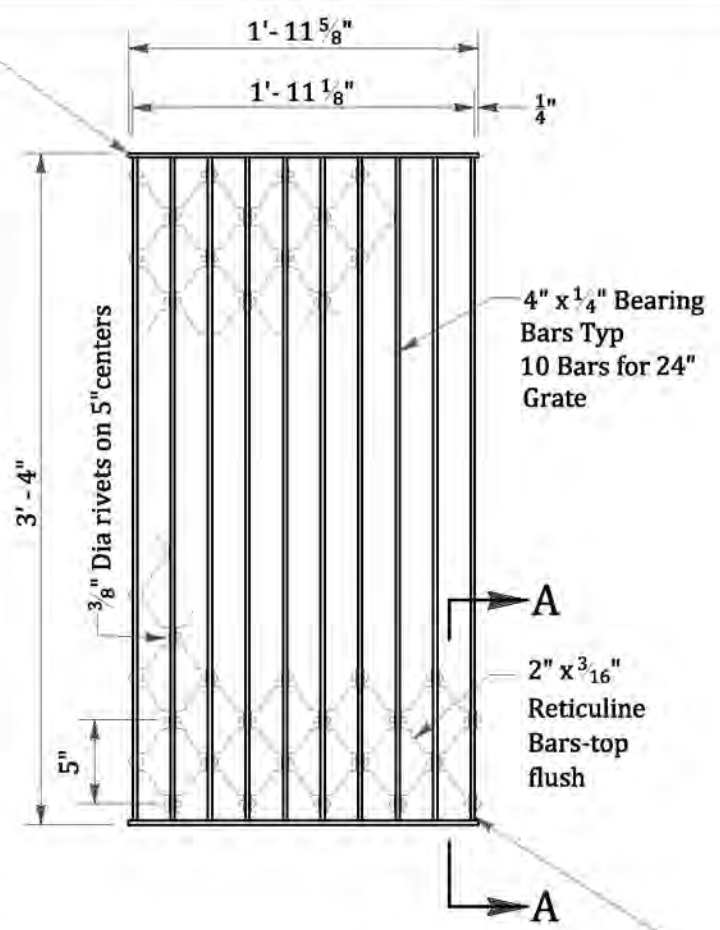
- | | |
|---|--|
| ① Precast concrete basin, per plan. | ⑨ Subgrade, compacted to 90% relative density. |
| ② Grate and frame, w/grate locking device, per plan. | ⑩ At planting areas, 18" wide filter fabric wrapped around & glued at edges to structure where weep holes occur. |
| ③ Finish grade, flush with top of grate | ⑪ At planting areas, 2" weep holes at 10" O.C. |
| ④ Storm drain pipe, per plan. | ⑫ Invert elevation, per plan. |
| ⑤ Grout pipe in place. | ⑬ Where weep holes occur surround catch basin with drain rock, 3/4" Diameter Max size, compacted. |
| ⑥ Pipe openings to be cast into concrete. | ⑭ Finish surface, where paving occurs. |
| ⑦ Reinforcement per Manufacturer. | |
| ⑧ Aggregate base, Class II, 9" deep x basin width. Compact to 95% relative density. | |

NOT TO SCALE

APPROVED BY	DATE		TYPE III LANDSCAPE AREA INLET	STD. PLAN NO.
<i>Kevin Rohani</i>	JUNE 2016			SD-10
CITY ENGINEER				

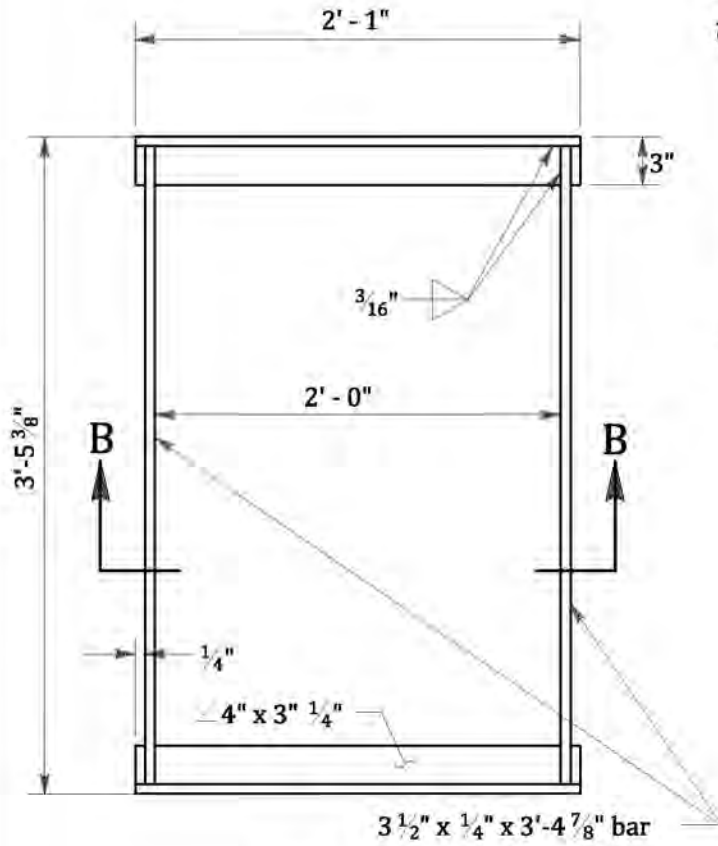


SECTION A - A

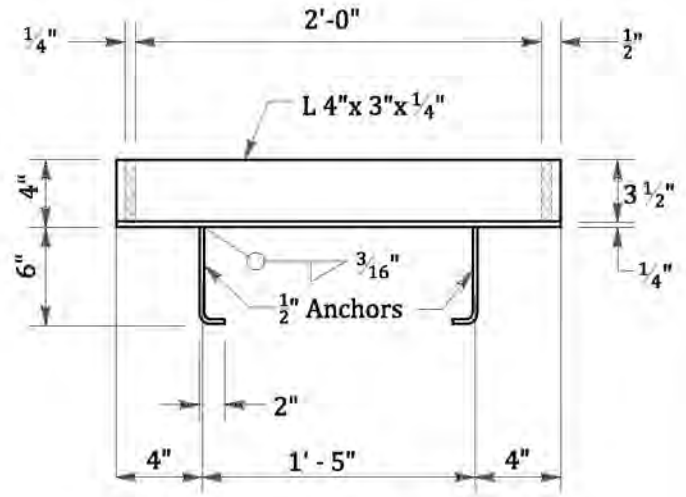


GRATE

3/16" Fillet weld full depth each side
On the outside Bearing Bar and
every other internal Bar.



FRAME



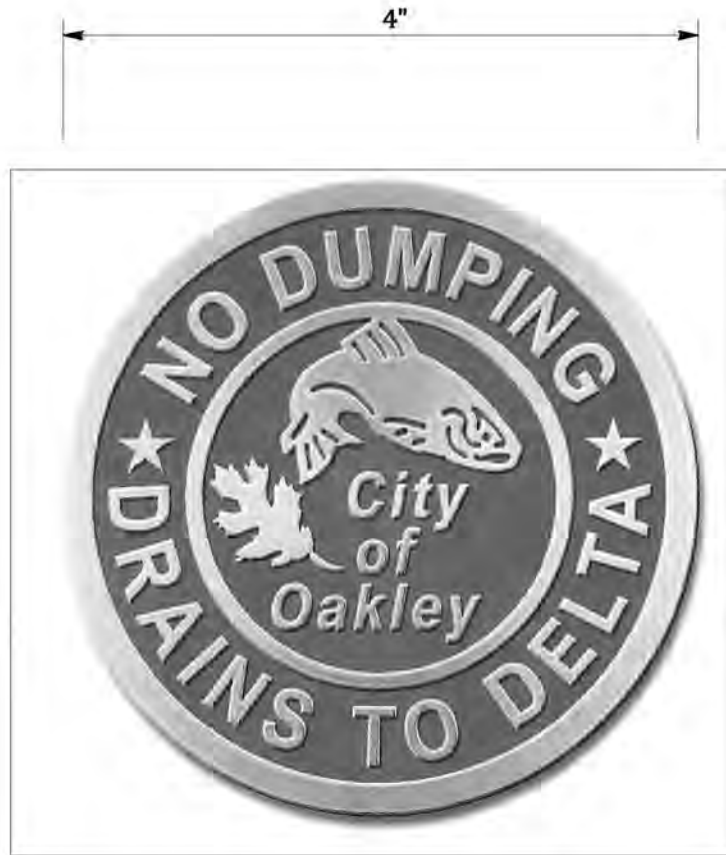
SECTION B - B

NOTES:

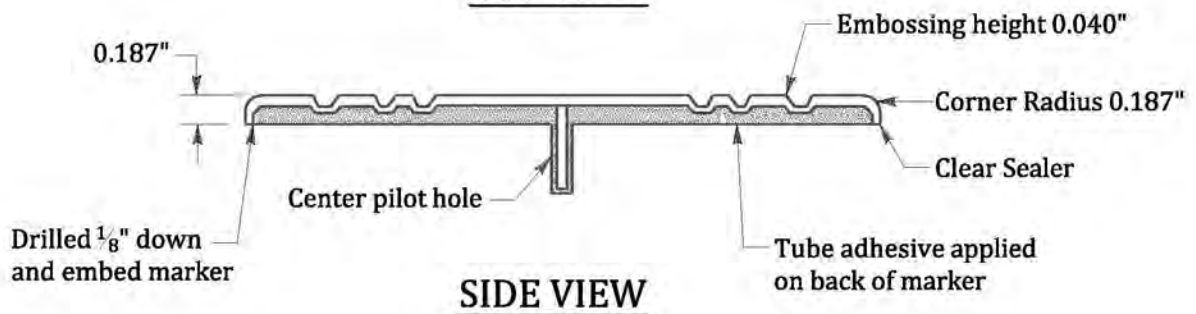
1. Hinged Grate only when specified.
2. Place Grate Bars parallel to flow.
3. Frame, Grate, and Anchors shall be galvanized after fabrication.
4. Frame and Grate to be welded steel or approved alternative.

NOT TO SCALE

APPROVED BY	DATE		RETICULINE FRAME & GRATE	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SD-11



TOP VIEW



SIDE VIEW

NOTES:

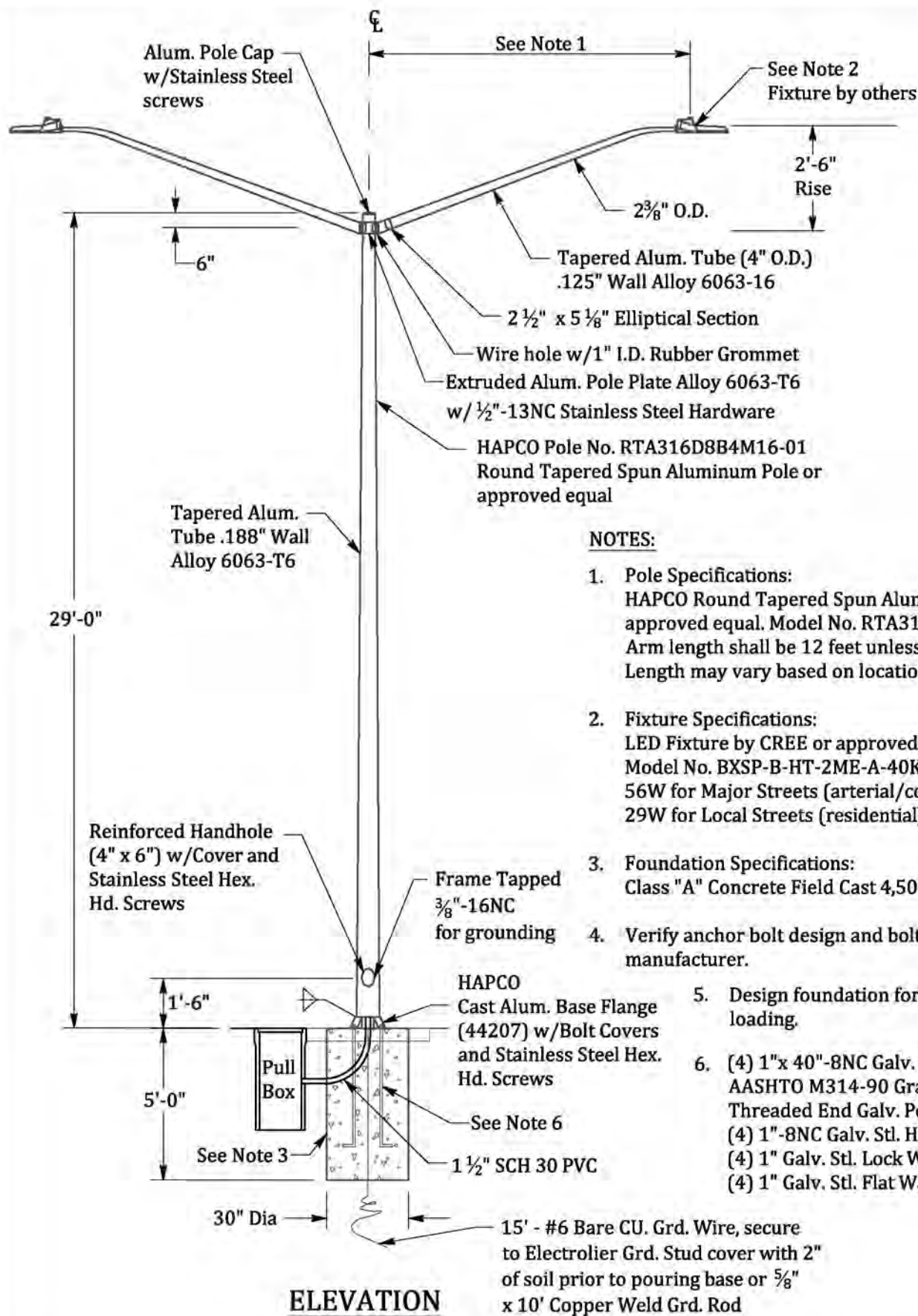
1. Available for purchase at the City of Oakley Public Works Department.
2. Storm Drain marker by Almetek, Item No. STD-9599-SSP.
3. Sub-surface installation with tube adhesive.
4. Wire brush surface, blow dust, apply adhesive press down.

Hardware:

- SIKS-ADH
Sikaflex 10.1 fl. oz. caulk tube
(1 Tube per 15 markers)
- CDB4
Carbide Drill Bit
- DCG
Dripless caulking gun

NOT TO SCALE

APPROVED BY	DATE		STORM DRAIN MARKER	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SD-12



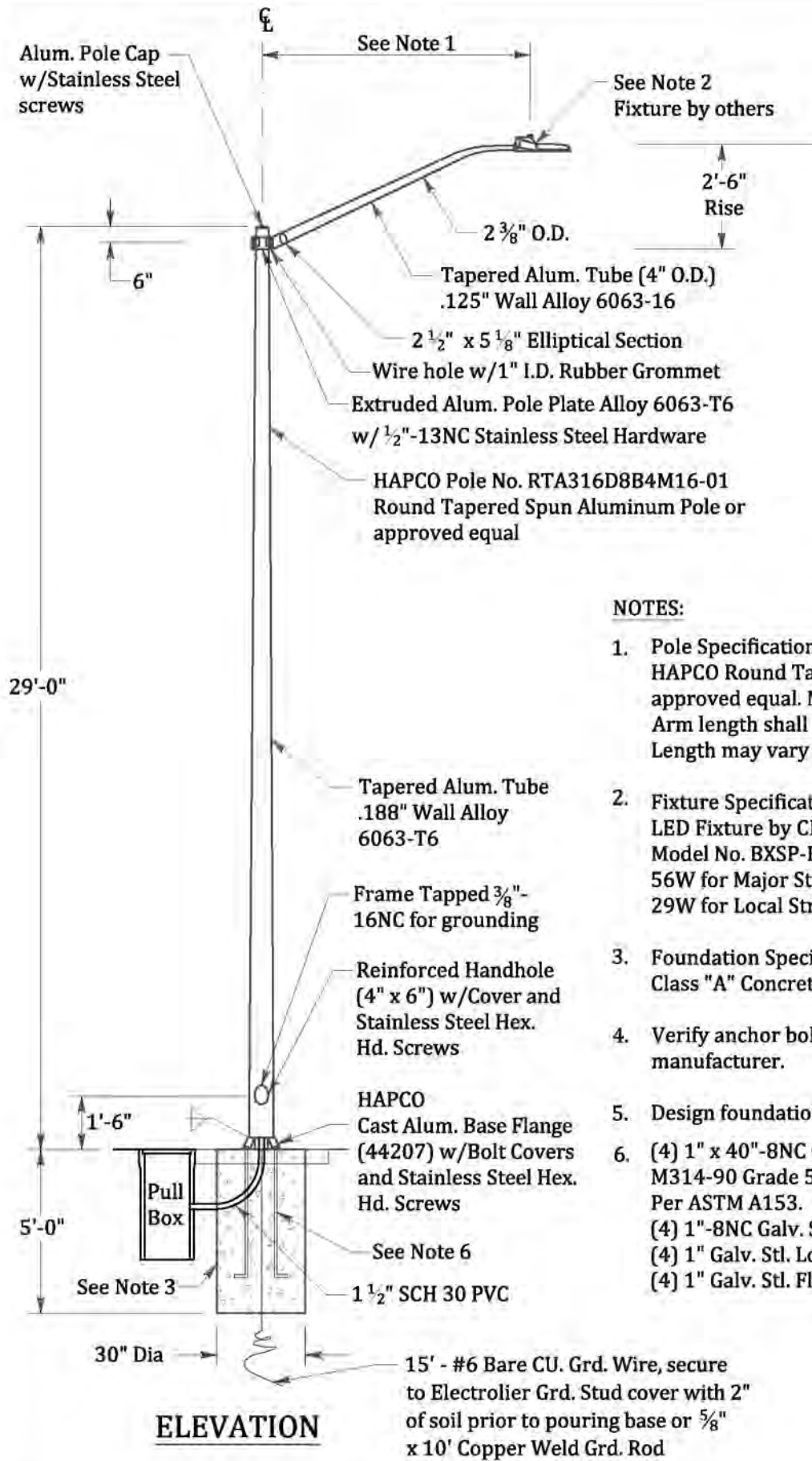
NOTES:

- Pole Specifications:**
HAPCO Round Tapered Spun Aluminum Pole or approved equal. Model No. RTA316D8B4M16-01
Arm length shall be 12 feet unless noted on the plans.
Length may vary based on location and street type.
- Fixture Specifications:**
LED Fixture by CREE or approved equal.
Model No. BXSP-B-HT-2ME-A-40K-UL-SV-N
56W for Major Streets (arterial/collector)
29W for Local Streets (residential)
- Foundation Specifications:**
Class "A" Concrete Field Cast 4,500 PSI minimum.
- Verify anchor bolt design and bolt circle with manufacturer.
- Design foundation for 100 mph wind loading.
- (4) 1"x 40"-8NC Galv. Stl. Anchor Bolts, AASHTO M314-90 Grade 55, 10" Of Threaded End Galv. Per ASTM A153.
(4) 1"-8NC Galv. Stl. Hex. Nuts
(4) 1" Galv. Stl. Lock Washers
(4) 1" Galv. Stl. Flat Washers

ELEVATION

NOT TO SCALE

APPROVED BY	DATE		STREET LIGHT COBRA HEAD DOUBLE L.E.D.	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			E-01



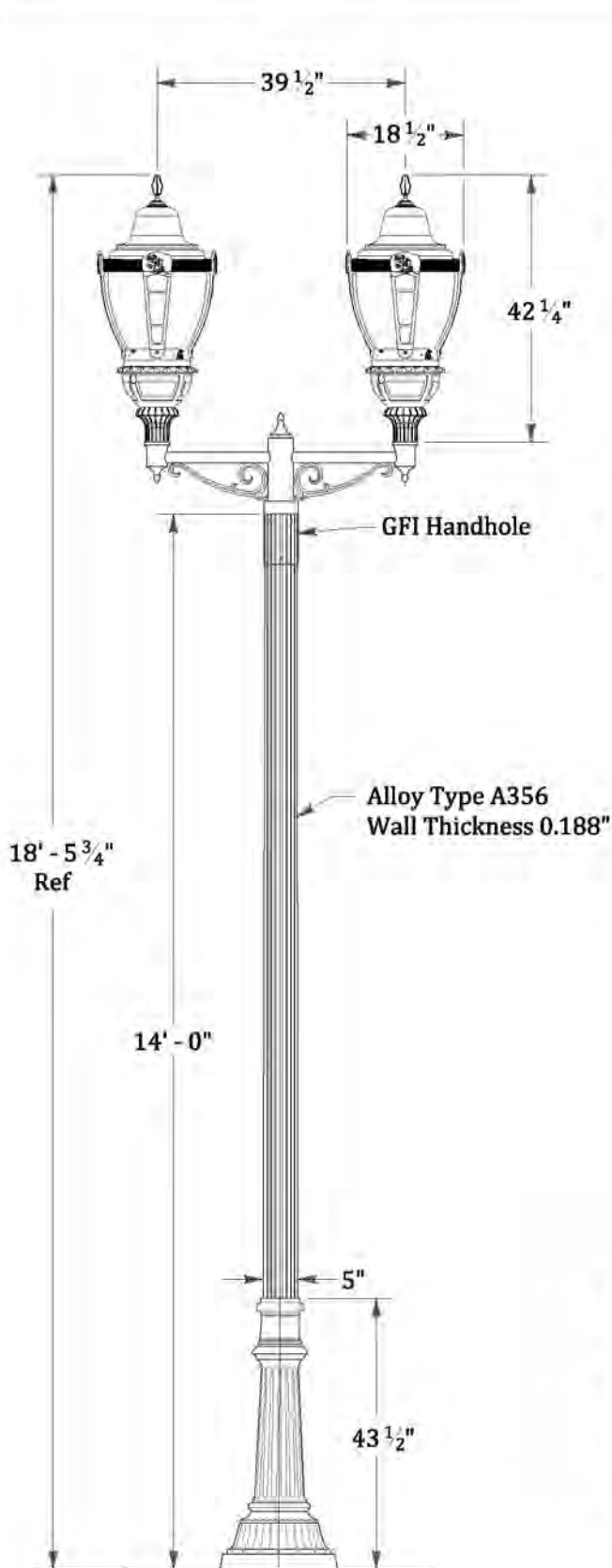
ELEVATION

NOTES:

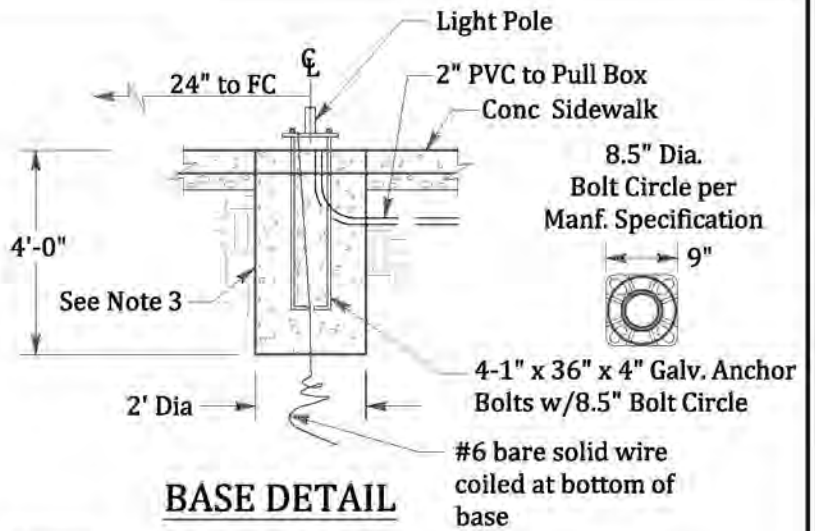
1. Pole Specifications:
HAPCO Round Tapered Spun Aluminum Pole or approved equal. Model No. RTA316D8B4M16-01
Arm length shall be 12 feet unless noted on the plans.
Length may vary based on location and street type.
2. Fixture Specifications:
LED Fixture by CREE or approved equal.
Model No. BXSP-B-HT-2ME-A-40K-UL-SV-N
56W for Major Streets (arterial/collector)
29W for Local Streets (residential)
3. Foundation Specifications:
Class "A" Concrete Field Cast 4,500 PSI minimum.
4. Verify anchor bolt design and bolt circle with manufacturer.
5. Design foundation for 100 mph wind loading.
6. (4) 1" x 40"-8NC Galv. Stl. Anchor Bolts, AASHTO M314-90 Grade 55, 10" Of Threaded End Galv. Per ASTM A153.
(4) 1"-8NC Galv. Stl. Hex. Nuts
(4) 1" Galv. Stl. Lock Washers
(4) 1" Galv. Stl. Flat Washers

NOT TO SCALE

APPROVED BY	DATE		STREET LIGHT COBRA HEAD SINGLE L.E.D.	STD. PLAN NO.
<i>Kevin Roblin</i>	JUNE 2016			E-02
CITY ENGINEER				



ELEVATION



BASE DETAIL

NOTES:

1. Pole Specifications:
BEACON Pole Model No.SH05/F/14/5M/TN/BBT/VINY w/clam shell base

Pole shall be factory prime coated and electrostatically powdered coated "Black" with the allocation of a 3.5-mil weather resistant powder coat whose base is polyester and thermocured. Base painted both inside and out.
2. Fixture Specifications:
BEACON
(2) Model No. T1/AC/C1 MOD/H2/24NB-55/4K/UNV/DIR5/PCR-TL/BBT+AA-52/5/C/T/FINIAL/BBT

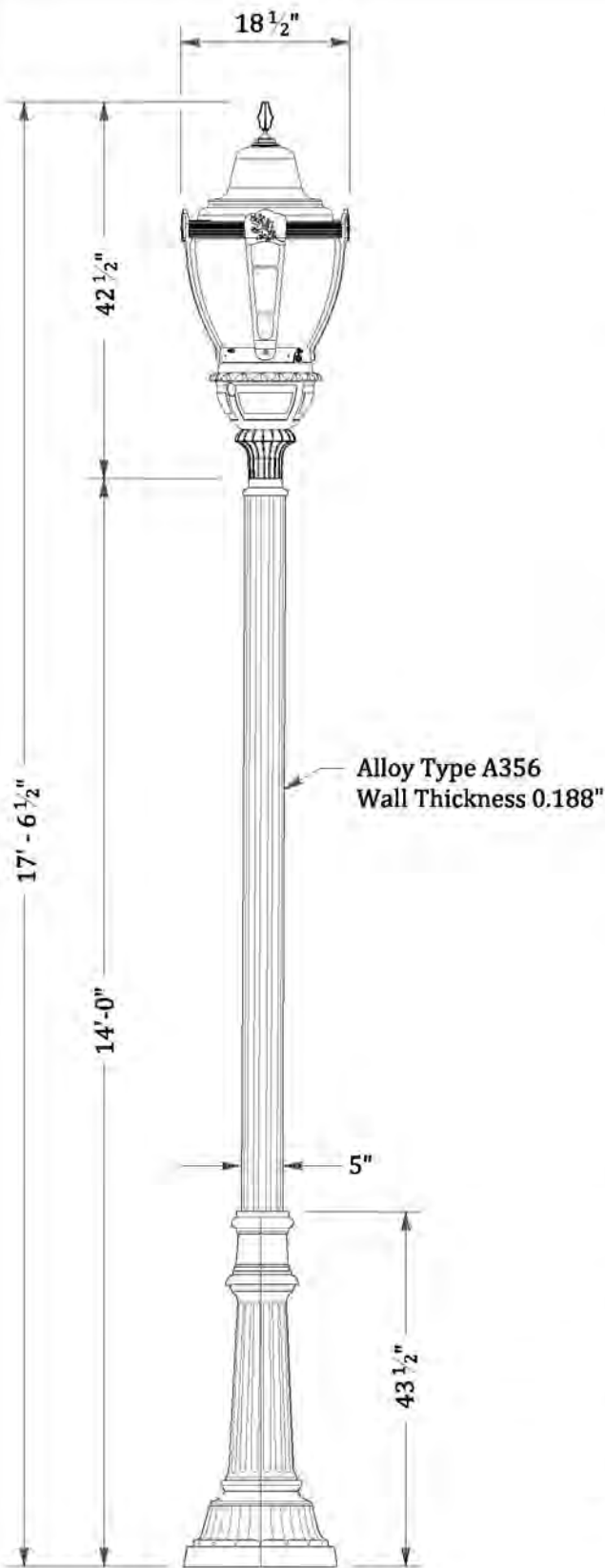
Lens: Acrylic, Frosted
Optics: Type III (residential street)
Type IV (cul de sac)

Light: 24 LED Engine and Drivers Combination
Voltage: 120 Through 277 Volts, 60Hz

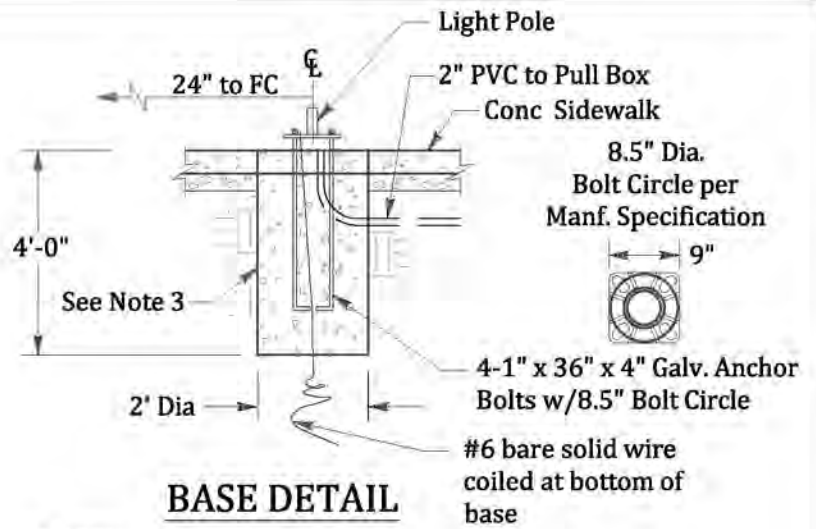
Fixture shall be NRTL Listed for Wet Location.
Fasteners shall be stainless steel.
3. Foundation Specifications:
Class "A" Concrete Field Cast 2,500 PSI minimum @ 28 Days.
4. Verify anchor bolt design and bolt circle with manufacturer.
5. Design foundation for 100 mph wind loading.
6. Decorative light pole bases shall be provided at the sole cost of Developer or Contractor, with the authorization of the City.
7. Conduit shall be installed with 30" of cover.
8. Contact Oakley Beacon Manufacturer Representative (530) 888-8686.

NOT TO SCALE

APPROVED BY	DATE		STREET LIGHT DECORATIVE DOUBLE L.E.D.	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			E-03



ELEVATION



BASE DETAIL

NOTES:

1. Pole Specifications:
 BEACON Pole Model No.SH05/F/14/5M/TN/BBT/VINY
 w/clam shell base

 Pole shall be factory prime coated and electrostatically powdered coated "Black" with the allocation of a 3.5-mil weather resistant powder coat whose base is polyester and thermocured. Base painted both inside and out.
2. Fixture Specifications:
 BEACON
 Model No. T1/AC/C1 MOD/H2/24NB-55/4K/UNV/DIR5/PCR-TL/BBT

 Lens: Acrylic, Frosted
 Optics: Type III (residential street)
 Type IV (cul de sac)

 Light: 24 LED Engine and Drivers Combination
 Voltage: 120 Through 277 Volts, 60Hz

 Fixture shall be NRTL Listed for Wet Location.
 Fasteners shall be stainless steel and meet AAMA 605.2 performance specification
3. Foundation Specifications:
 Class "A" Concrete Field Cast 2,500 PSI minimum @ 28 Days.
4. Verify anchor bolt design and bolt circle with manufacturer.
5. Design foundation for 100 mph wind loading.
6. Decorative light pole bases shall be provided at the sole cost of Developer or Contractor, with the authorization of the City.
7. Conduit shall be installed with 30" of cover.
8. Contact Oakley Beacon Manufacturer Representative 888-8686

NOT TO SCALE

APPROVED BY	DATE		STREET LIGHT DECORATIVE SINGLE L.E.D.	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			E-04


TRAFFIC SIGNAL SPECIFICATIONS

ITEM	MANUFACTURER/MODEL OR TYPE (OR APPROVED EQUAL)
SIGNAL CONTROLLER	TYPE 2070
SIGNAL CONTROLLER SOFTWARE	McCAIN OMNI EX INTERSECTION CONTROL SOFTWARE FOR ATC CONTROLLERS VERSION 1.6
VIDEO DETECTION	ITERIS MODEL VANTAGE VECTOR HYBRID VIDEO/RADAR DETECTION SYSTEM. THE VIDEO/RADAR PROCESSORS SHALL BE ITERIS MODEL VANTAGE EDGE 2 PROCESSORS (VEC-EDG201N-PAK)
TRAFFIC SIGNAL CONTROLLER CABINET	McCAIN TYPE 332
PEDESTRIAN COUNTDOWN CLOCK	LEOTEK, MODEL: TSL-PED-16-CIL
PEDESTRIAN PUSH BUTTON	CAMPBELL COMPANY, MODEL: 4EVR
LIGHTED STREET NAME SIGN	SOUTHERN MANUFACTURING, MODEL: CLEAN PROFILE L.E.D. ILLUMINATED SIGN

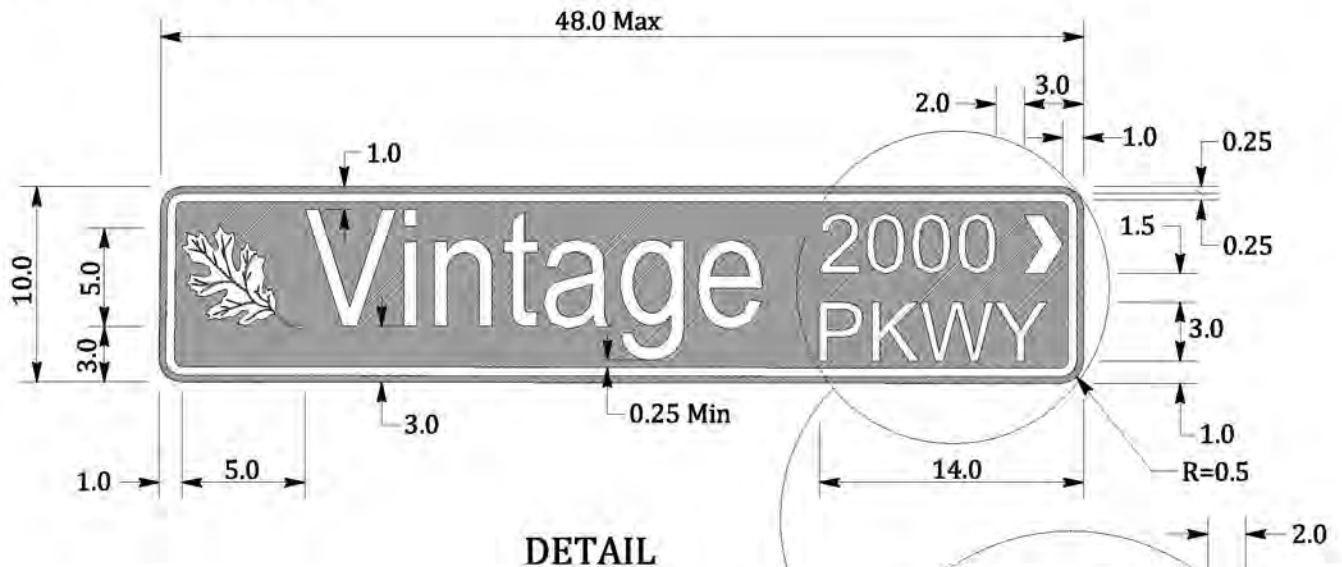
NOTES:

1. Within 14 calendar days of receipt of Contractor's Materials List, the City shall have the right to request a sample of any materials used for the construction of the traffic signal, or the fiber optic system; including, but not limited to, controller & controller cabinet, and any other item deemed necessary to be tested or inspected for compliance to the specifications. Contractor shall deliver those materials requested within 21 calendar days of request. If the requested materials are not received by the City within the time specified, those materials requested shall be deemed to be unsatisfactory, and rejected.
2. All equipment and software installed shall also be compatible with existing City traffic control system.
3. The Contractor shall arrange to have a signal technician, qualified to work on the controller unit and employed by the controller unit manufacturer or his representative, present at the time the equipment is turned on. The Contractor shall deliver a fully operating system.
4. The Contractor shall furnish a "Certificate of Compliance" assuring the City that the traffic signal controller and cabinet comply with these Special Provisions and that they will operate as shown on the Plans.
5. The maintenance and repair agreement period for furnished equipment shall not commence until the controllers, cabinets, and auxiliary equipment have been installed at the project sites, placed in operation by a factory representative, and the project accepted as complete.

NOT TO SCALE

APPROVED BY	DATE		SIGNAL SPECIFICATIONS	STD. PLAN NO.
<i>Kevin Roblin</i>	JUNE 2016			E-05
CITY ENGINEER				

ALL DIMENSIONS ARE IN INCHES



DETAIL

ACCEPTABLE SIGN ABBREVIATION

AVE	Avenue	PL	Place
BLVD	Boulevard	RD	Road
CIR	Circle	ST	Street
CT	Court	TER	Terrace
DR	Drive	PKWY	Parkway
LN	Lane	PVT	Private

REVERSE SIDE

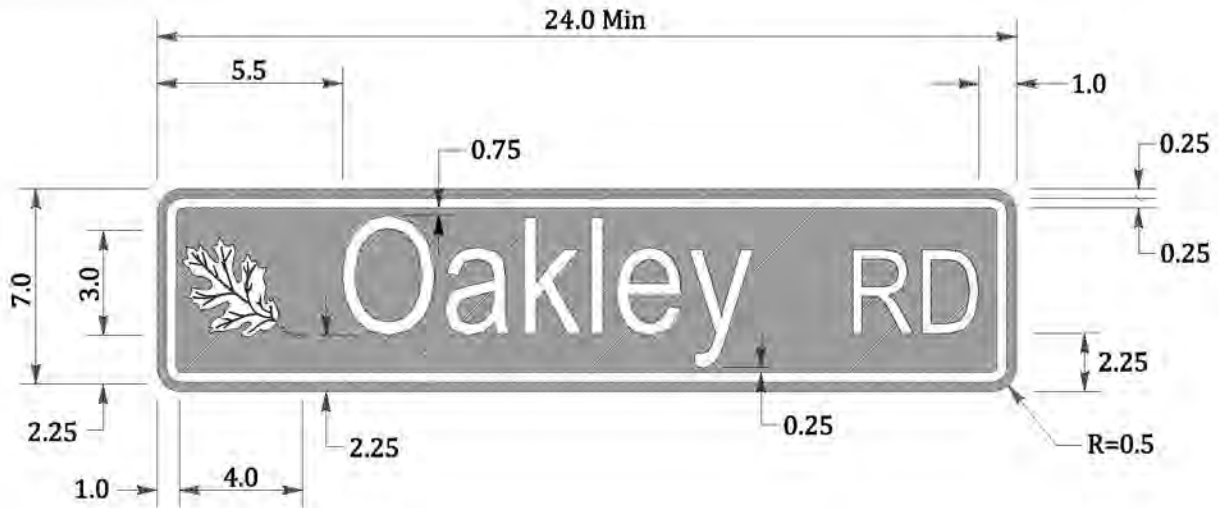
NOTES:

1. A combination of 6" "Highway Gothic" Font (UC) with 4.5" "Highway Gothic" Font (LC) shall be used for street name.
2. Supplementary lettering to indicate the type of street (such as Street, Avenue, or Road) shall be in smaller lettering 3" high.
3. The border shall be 0.5-inch in width. The corners of the sign should be rounded to fit the border.
4. Street name sign blanks shall be 0.125 inch thick, ASTM B209 Alloy 6061-T6, flat aluminum.
5. Reflective sheeting shall be 3M Visual Impact Performance - Series 3990 (green and white) and shall be coated with 3M Premium Protective Overlay Film - Series 1160 (both sides), or approved equivalents.
6. Sign colors shall be a green background with white letters and white border.
7. Signs shall be double faced (front and rear) with block arrows pointing in same direction (ie front to right and rear to left).
8. Sign location and mounting shall be as shown on location detail (SS-03) Sheet 3.

NOT TO SCALE

APPROVED BY	DATE		STREET NAME SIGN MAJOR STREET	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SS-01

ALL DIMENSIONS ARE IN INCHES



DETAIL

ACCEPTABLE SIGN ABBREVIATION

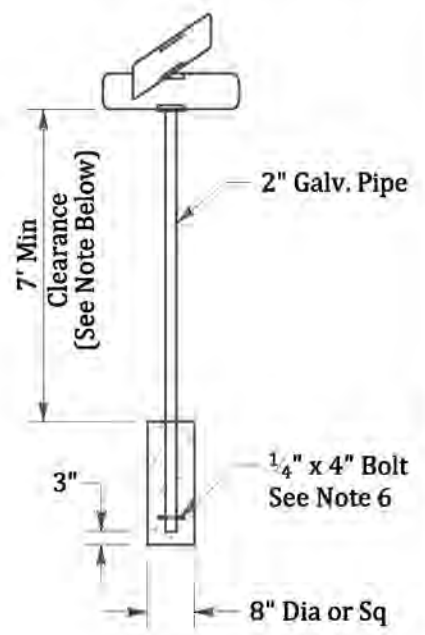
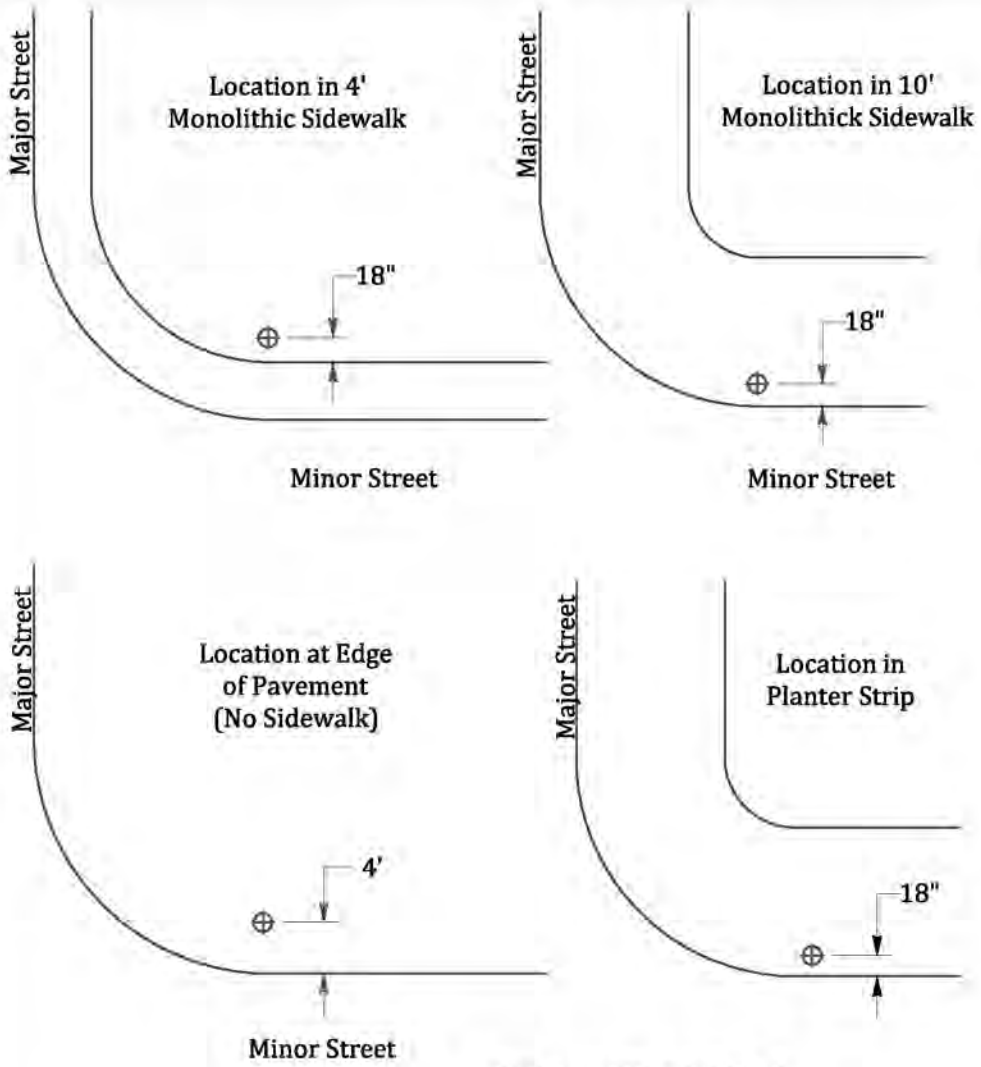
AVE	Avenue	PL	Place
BLVD	Boulevard	RD	Road
CIR	Circle	ST	Street
CT	Court	TER	Terrace
DR	Drive	PKWY	Parkway
LN	Lane	PVT	Private

NOTES:

1. A combination of 4" "Highway Gothic" Font (UC) with 3" "Highway Gothic" Font (LC) shall be used on low-volume roads and on urban street with speeds of 25 MPH.
2. Supplementary lettering to indicate the type of street (such as Street, Avenue, or Road) shall be in smaller lettering 3" high.
3. The border shall be 0.25-inch in width. The corners of the sign should be rounded to fit the border.
4. Street name sign blanks shall be 0.125 inch thick, ASTM B209 Alloy 6061-T6, flat aluminum.
5. Reflective sheeting shall be 3M Visual Impact Performance - Series 3990 (green and white) and shall be coated with 3M Premium Protective Overlay Film - Series 1160 (both sides), or approved equivalents.
6. Sign colors shall be a green background with white letters and white border.
7. Signs shall be double faced (front and rear)
8. Sign location and mounting shall be as shown on location detail (SS-03) Sheet 3.
9. At the intersection with public street/private street name sign shall match the Standard Drawings but must have "PVT" where the block would go.

NOT TO SCALE

APPROVED BY	DATE		STREET NAME SIGN MINOR STREET	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SS-02



DETAIL "A"
(Typical)

NOTE:
Stop signs mounted on same post as street name signs shall be below street name signs. (See Note 7)

SIGN LOCATIONS

NOTES:

1. Sign to be located 18 inches from face of curb or back of 4' monolithic sidewalk.
2. Bottom of sign shall be mounted 7 feet Min above ground or sidewalk per Detail "A" shown on this sheet.
3. Signs to be City of Oakley Standard Street Name Sign.
4. Signs shall be mounted with Hawkins' Heavy Duty Aluminum "Vandal Proof" (HD) VP Model #V14F-(HD)VP-2C2P (without finial) or approved equal.
5. Signs mounted on signal standards or electroliers shall be mounted with Hawkins' "Vandal Proof" wing bracket Model #V14F-(HD) VP-AB or approved equal. Brackets shall be fastened to poles with two (2) 3/4" wide x 0.030" thick Type 201 Stainless Steel bends.
6. Crimp bottom of sign post with sledge hammer or drill a 5/16" hole in bottom of pipe 2" from bottom and place a 1/4" x 4" bolt w/nut in hole to prevent turning.
7. Street name sign may be combined with stop sign (R1), and placed in a location for maximum visibility as approved by the City Engineer.

NOT TO SCALE

APPROVED BY	DATE		STREET NAME SIGN LOCATION AND MOUNTING	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			SS-03

List of trees below are suitable for use in the residential public easement areas in Oakley. Care in selecting the proper tree for the specified need should be foremost in the decision - recommendation process. Small Accent trees can be planted in the easement area but do not meet the criteria of a "Street Tree". Standard trees only. No multi-trunk. The Parks and Landscape Division shall have final decision-making authority on all trees approved in public landscape areas.

SMALL ACCENT TREES (Under 25' high)

TREE NAME	VARIETY	COMMON NAME	COMMENTS
Arbutus	Marina	Hybrid Strawberry Madrone	Fruit can be messy
Cercidphyllum Japonicum		Katura Tree	
Cercidium Hybrid	Desert Museum	Palo Verde	
Cercis Canadensis		Eastern Redbud	Male only
Chionanthus Retusus		Chinese Fringe Tree	Susceptible to aphids
Chitalpa Tashkentensis	Pink Dawn or Morning Cloud		Poisonous berries
Crataegus Phaenopyrum		Washington Hawthorn	
Geijera Parviflora		Australian Willow	
Lagerstroemia Indica		Hybrid Crape Myrtle	
Laurus Nobilis	Saratoga	Grecian Laurel - Sweet Bay	
Magnolia Grandiflora	Little Gem, Magnolia Virginiana or Jim Wilson Moonglow	Magnolia	
Prunus Crasifera	Krauter Vesuvius	Purple-Leaf Plum	Fruit can be messy
Vitex Agnus-Castus		Chaste	

"STREET TREES" - Medium sized (25' to 45' high)



TREE NAME	VARIETY	COMMON NAME	COMMENTS
Acer buergerianum		Trident Maple	
Acer truncatum	Pacific Sunset or Norwegian Sunset	Shantung Maple	
Amelanchier Laevis		Spring Flurry Serviceberry	
Carpinus Caroliniana		American Hornbeam	Insects, other issues?
Ginkgo biloba	Fairmont, Autumn Gold or Princeton Sentry	Maidenhair	Male - Sterile Only
Koelreuteria bipinnata		Chinese Flame Tree	
Maackia Amurensis	Maackia	Magnolia	
Magnolia grandiflora	St. Mary	MaacNificent	
Magnolia soulangeana		Saucer Magnolia	
Metrosideros excelsus		New Zealand Christmas Tree	Large Root Area
Nyssa sylvatica		Sour Gum - Tupelo	
Ostrya Virginiana		American HopHornbeam	
Pistacia chinensis	Pearl Street, Red Push or Keith Davey	Chinese Pistacia	Male Only
Pyrus calleryana	Chanticleer, New Bradford	Flowering Pear	
Tilia cordata	Greenspire, Shamrock or Redmond	Little Leaf Linden	Susceptible to Aphids
Tristaniopsis laurina	Elegant	Tristania Water Gum	Susceptible to Aphids
Tristania confertax	Lophostemon	Brisbane Box	Susceptible to Aphids
Ulmus parvifolia	Emerald Flair Elm	Chinese Elm	Potential Anthracnose issue
Ulmus Propinqua	Emerald Sunshine Elm	Sunshine Elm	
Ulmus Wilsoniana	Prospector	Prospector Elm	

LARGE TREES (Over 45' high) - NOT FOR RESIDENTIAL

TREE NAME	VARIETY	COMMON NAME
Acer rubrum	Red Sunset or October Glory	Red Maple
Cedrus Atlantica	Glauca	Blue Atlas Cedar
Celtis Australis		European Hackberry
Magnolia grandiflora	Edith Bogue	Magnolia
Metasequoia glyptostroboides		Dawn Redwood
Pinus Eldarica		Afghan Pine
Plantinus a.	Morton Circle	Exclamation Planetree
Quercus Agrifolia		Coast Live Oak
Quercus ilex		Holly Oak
Quercus Rubra		Red Oak
Quercus virginiana		Southern Live Oak
Zelkova serrata	Village Green or Musashimo columnar	Sawleaf Zelkova

Note: The list above is restricted as the City prohibits the planting of trees in the public easement area with fruit, undesirable seeds, cones, or nuts; Trees with voracious shallow root systems that are known to cause sidewalk or driveway damage; and trees with known pest (disease, insect or invertebrate) problems.

NOT TO SCALE

APPROVED BY	DATE		PREFERRED TREE LIST	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			L-01

TREE SPECIFICATIONS

All trees must meet the following minimum specifications:

1. HEIGHT: 7 - 8 feet high planted in the ground.
2. CALIPER: 1 ½ inches, measured 6 inches from the base (24 inch Box Minimum).
3. BRANCHING NEED: Minimum spread of 2 - 3 feet with good branch distribution
4. CENTRAL LEADER: Single, relatively straight

Any exception to the above must be approved by the City.


All planting stock must have the approval of the City.

City reserves the right to reject trees that do not meet high quality nursery stock of the current edition of the Guideline Specifications for Nursery Tree Quality, published by the Urban Tree Foundation

PLANTING SEQUENCE

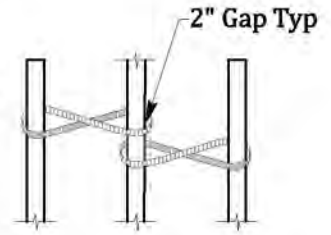
1. Dig the planting hole as deep as the container and twice as large as its diameter
2. Remove the root ball carefully from the container by supporting it from below. Sever any circling roots (¾ inch or greater) with sharp shears or knife. If the root ball is dense or compacted, carefully loosen the roots at the side and bottom of the root ball. Do not pull the root ball apart. The severing of large roots will encourage new roots initiating at the cuts.
3. Center root ball in hole on undisturbed soil such that root crown is visible at the top of the root ball and 2 inches above grade.
4. Fill planting hole around root ball with backfill mix and foot-tamp in lifts. Be careful not to disturb the root ball.
5. Backfill mix shall include U.C. Ag. mix or approved equivalent. U.C. Ag. mix shall be combined with p existing soil, ½ mix, ⅔ native soil unless specified otherwise by the soils analysis.
6. Fertilizer and post-plant fertilizer shall be as required by soils analysis.
7. Use the remaining native soil to create a basin appropriate to the site.

NOT TO SCALE

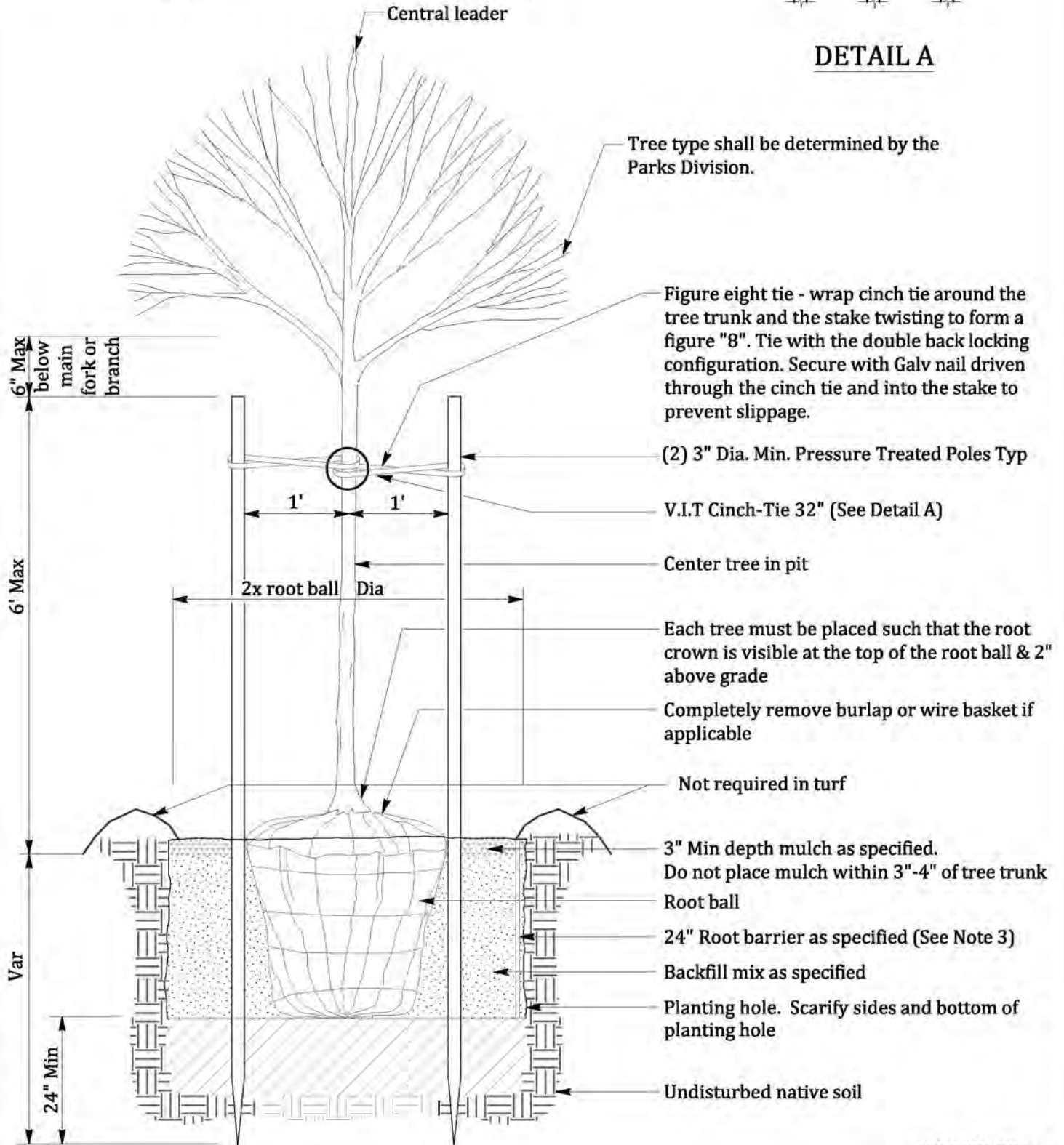
APPROVED BY	DATE		TREE PLANTING SPECIFICATIONS	STD. PLAN NO.
<i>Kevin Roblin</i>	JUNE 2016			L-02
CITY ENGINEER				

NOTES:

1. Avoid damage to roots.
2. Avoid root ball when placing stakes.
3. Root barrier required for trees 6' or less from paving. Installed against paving per mfrs. specifications for a linear installation. Panel length per mfrs. specifications and extend a min. length of 10' from trunk.
4. Backfill mix and pst-plant fertilizer as required by soils analysis.



DETAIL A

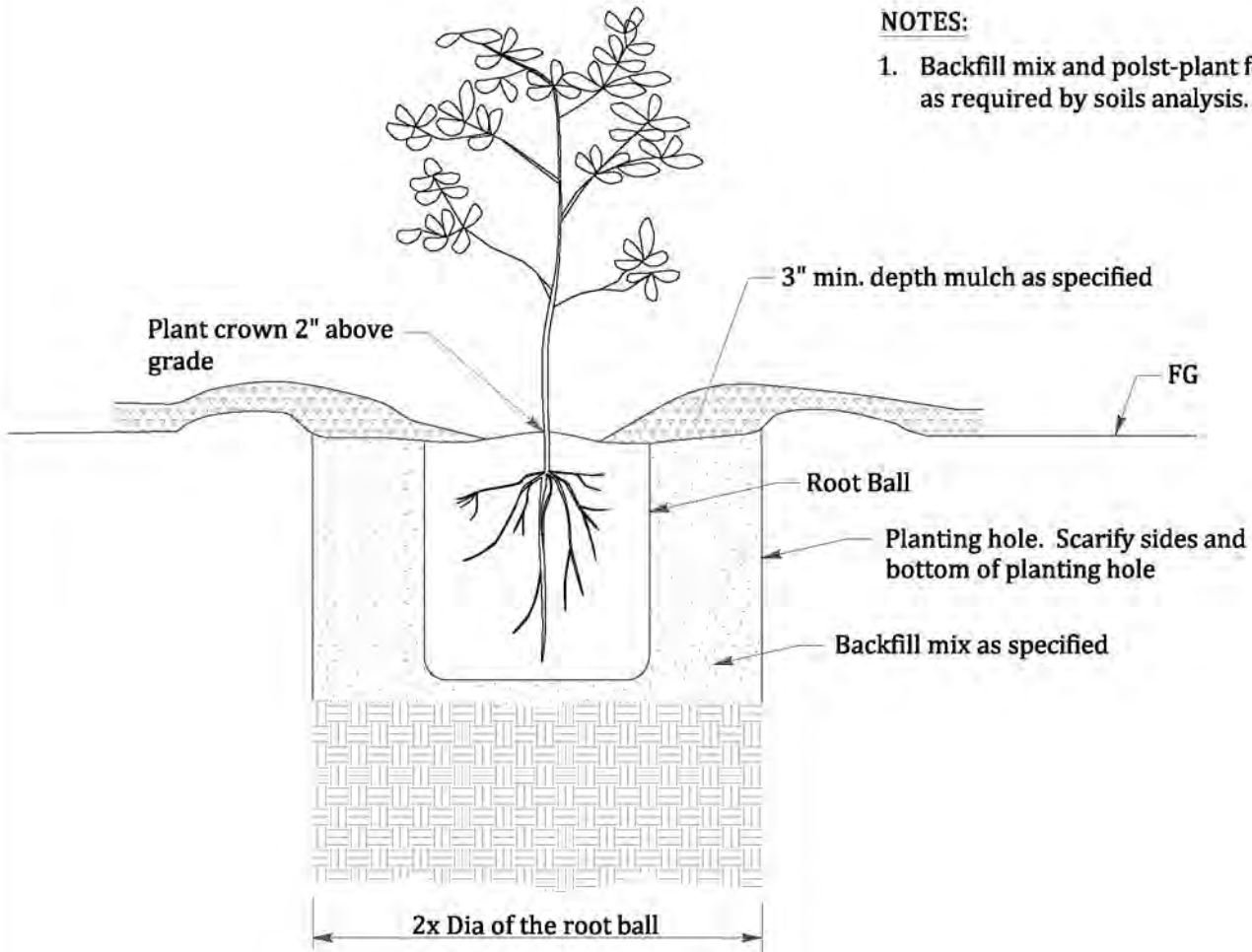


NOT TO SCALE

APPROVED BY	DATE		TREE PLANTING	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			L-03



NOTES:

1. Backfill mix and post-plant fertilizer as required by soils analysis.



SHRUB PLANTING DETAIL

NOT TO SCALE

APPROVED BY	DATE		SHRUB PLANTING	STD. PLAN NO.
	JUNE 2016			L-04
CITY ENGINEER				



IRRIGATION EQUIPMENT LIST

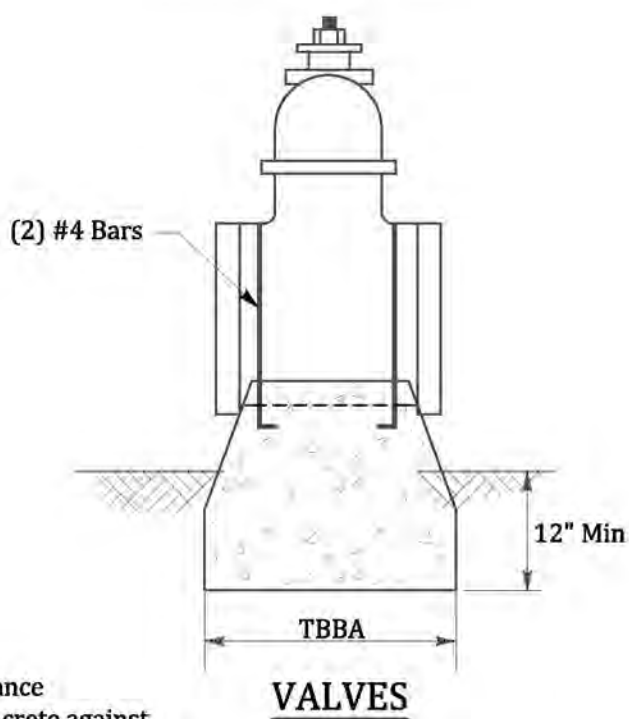
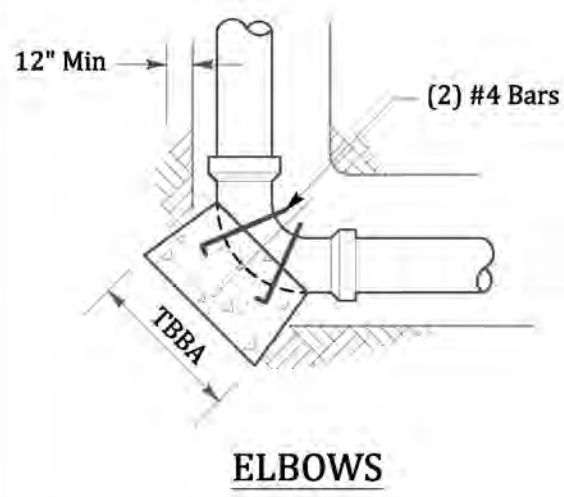
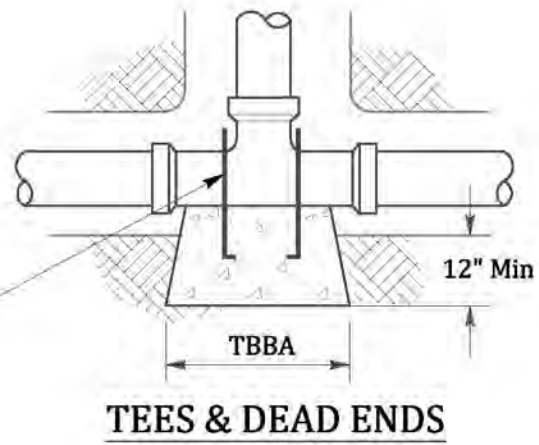
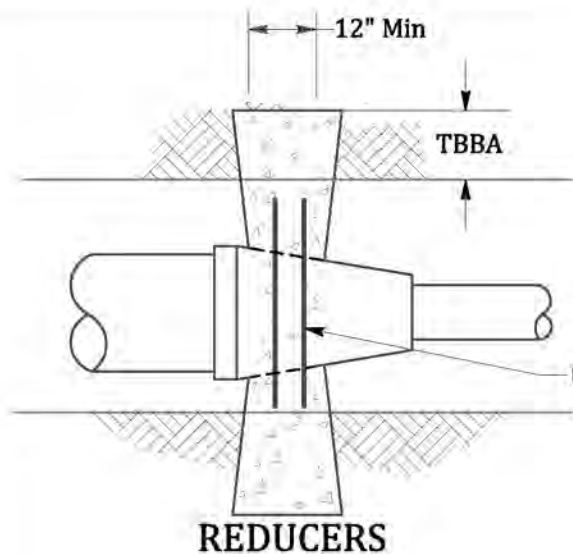
ITEM	MANUFACTURER/MODEL (OR APPROVED EQUAL)
Backflow Preventer	Per Diablo Water District Specifications and Details
Gate Valve (3 inch and larger)	Nibco 619 RW-SON
Gate Valve (2 ½ inch and smaller)	Nibco T113-K
Ball Valve	Nibco T-FP-600a Full Port Brass or KBI SCH 80 PVC True Union Type
Quick Coupling Valve	44 IRC or 44 NP (for Non-Potable)
Pressure Reducing Valve	Wilkins 500HLR Series
Master Valve	Included with Controller Assembly (See Note 1 below)
Flow Sensor	Included with Controller Assembly (See Note 1 below)
Remote Control Valve	Rainbird PESB or PESB-R (for non-potable), PRS-D Pressure Regulator option
Valve Boxes with Stainless Steel Lock-Down Bolts	Carson Trusst black colored box and lid for t- cover planters, green colored box and t-cover for turf areas. Carson Specification Grade.
Gate & Quick Coupling Valve Box with Stainless Steel Lock-Down Bolts	Carson Trusst Round black colored box and t- cover lid for planters, green colored box and t-cover lid for turf areas. Carson Specification Grade.
Controller Assembly	Rain Master Evolution DX II with SiteOne Satellite Assembly (See Note 1 Below)
Backflow Enclosure	Per Diablo Water District Specifications and Details
Backflow Preventer Freeze Protection	Per Diablo Water District Specifications and Details
Pop-Up Stream Rotor	Rainbird 1800 Series (PRS-SAM) with Hunter MP Rotator Nozzles
Gear Driven Rotor	Rainbird 5000 Series Hunter PGP
Pop-Up Spray	Rainbird 1800 Series (SAM-PRS)
Bubbler	Rainbird 1400 Series
Tree Bubbler	Rainbird RWS-B Series
Sub-Surface Irrigation	Rainbird XFS

NOTES:

1. SiteOne Green Tech Satellite assembly with SA6-RM4-XX/FAN-16/RHG or RDM/PMR/FSAVC-XXX/RSE-DX/GRP-K/EV-CAB-SEN/EV-CAB-COM (if hardwiring DX2 controller together). Pro Max receiver, 1 Pro Max transmitter for every 5 assemblies, enclosure fan, housed in a top entry stainless steel enclosure, flow sensing assembly, with master valve, sensor cable, and rain sensor. Contact City of Oakley's Parks and Landscape Manager or SiteOne Green Tech Representative at (800)-SITE ONE for purchase order, pre-construction meeting, test for clear reception for radio communication with central computer, and warranty. Contact SiteOne Green Tech for certification of installation at completion of construction. Contractor to verify power availability and install unit per manufacturers specifications on specified concrete pad. See detail.

NOT TO SCALE

APPROVED BY	DATE		IRRIGATION EQUIPMENT LIST	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			IR-01



NOTES:

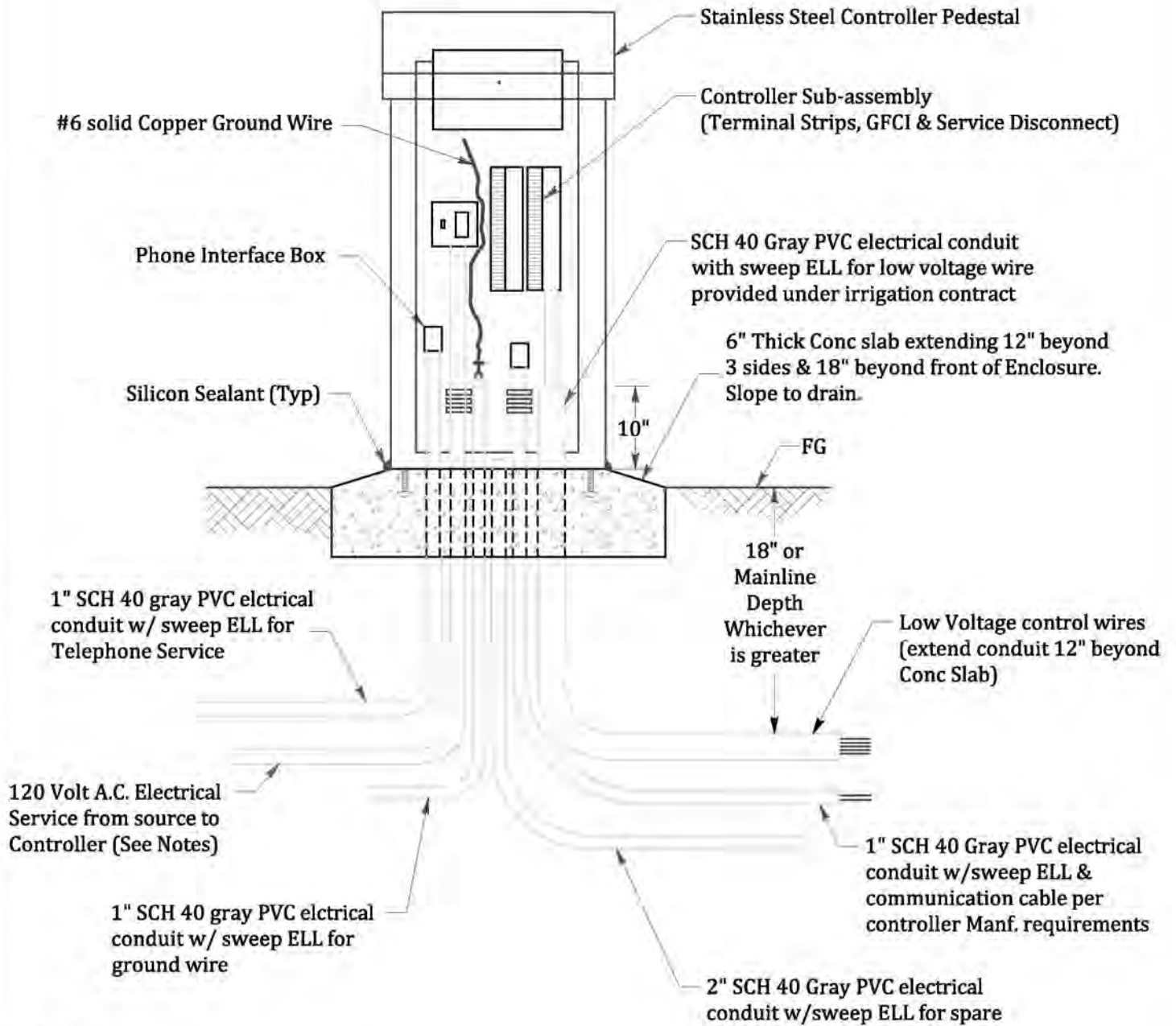
1. Thrust blocks shall not project higher than 1/2 the distance from the bottom of the trench to finish grade. Place concrete against undisturbed soil.
2. Do not cover ends of fittings or bolts with concrete.
3. Concrete shall have compression strength of 2000 PSI.
4. Consult Manufacturer's literature for recommended thrust bearing area (TBBA) based on actual field conditions. At Minimum TBBA shall be sized as follows:

PIPE SIZE	90-DEGREE ELLS	45-DEGREE ELLS	VALVES, TEES, REDUCERS, DEAD ENDS
4"	1.5 SQ FT	1.0 SQ FT	1.0 SQ FT*
6"	3.5 SQ FT	2.5SQ FT	2.5SQ FT*
8"	6.3 SQ FT	4.5 SQ FT	4.5 SQ FT*

* OR AS DESIGNED BY THE ENGINEER.

NOT TO SCALE

APPROVED BY	DATE		IRRIGATION SYSTEM THRUST BLOCKING	STD. PLAN NO.
<i>Kevin Roblin</i>	JUNE 2016			IR-02
CITY ENGINEER				



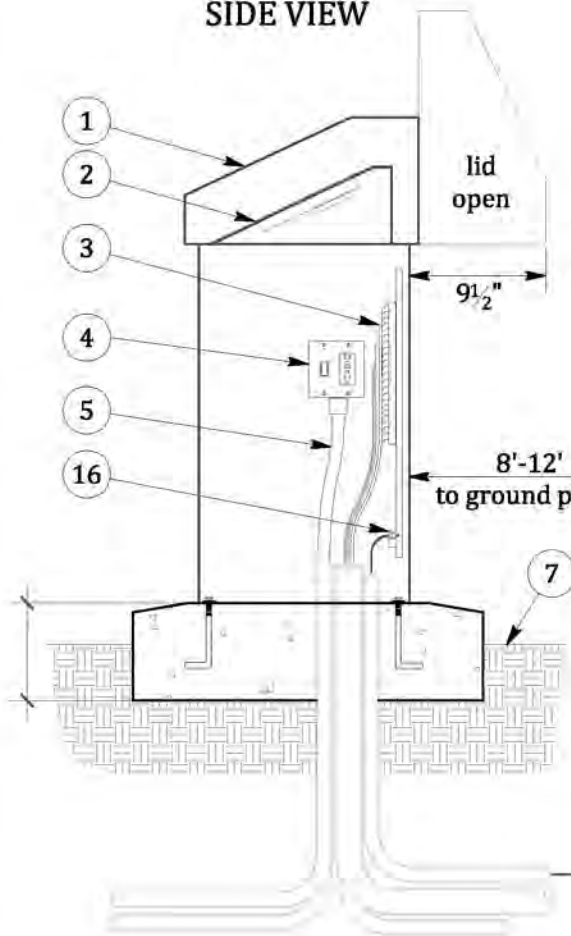
NOTES:

1. Electrical service from source to controller location shall be provided by the Electrical Contractor.
2. Irrigation Contractor shall provide rigid steel conduit from service stub-out to controller GFCI switch and shall complete electrical service to controller.
3. Enclosure's field location and orientation shall be approved by the City.
4. Landscape Designer to determine the need for a High Gain Antenna Installation. If required, landscape plans must show installation details.

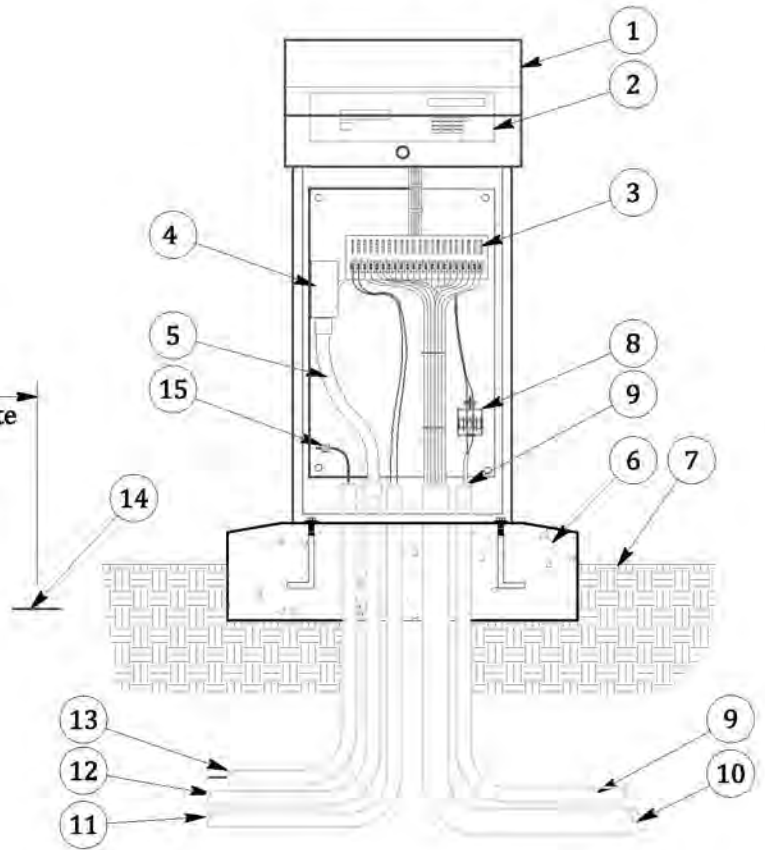
NOT TO SCALE

APPROVED BY	DATE		IRRIGATION CONTROLLER	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			IR-03

SIDE VIEW



FRONT VIEW



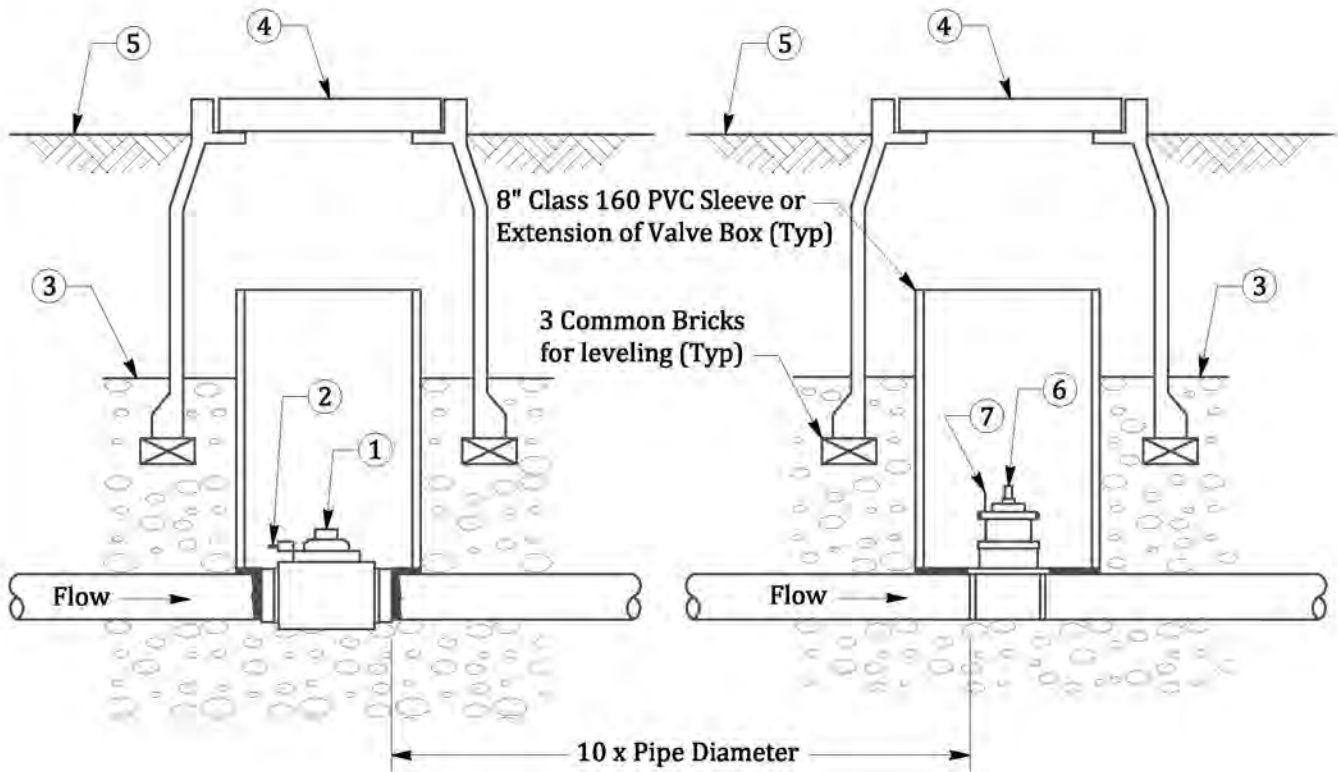
- ① Strongbox Stainless Steel NEMA 3R Rainproof Enclosure (ul listed).
- ② Satellite Assembly. Assembled in enclosure by Siteone GreenTech.
- ③ Terminal strip for valve wires.
- ④ GFCI Receptacle.
- ⑤ Electrical Flex Conduit for power.
- ⑥ 6" Min thick, Concrete Pad with Anchor Bolts per manufacturer recommendations.
- ⑦ Finished grade.
- ⑧ Flow Sensor Terminal Board.
- ⑨ 1" SCH 40 gray PVC electrical conduit w/ sweep ell with Flow Sensor Cable.
- ⑩ 3" SCH 40 gray PVC electrical conduit w/ sweep ell for lead wires.
- ⑪ 1" SCH 40 gray PVC electrical conduit w/ sweep ell for Master Valve wires.
- ⑫ 1" SCH 40 gray PVC electrical conduit w/ sweep ell for 110 vac Power Line.
- ⑬ 1" SCH 40 gray PVC electrical conduit w/ sweep ell for Ground Wire.
- ⑭ Grounding Plate required, See Detail IR-07
- ⑮ #6 Ground Wire secured to Backboard Grounding Terminal.

NOTES:

- 1. See irrigation controller Detail IR-01 for satellite communications components
- 2. Conduit sizes are approximate and may need to be larger for field conditions

NOT TO SCALE

APPROVED BY	DATE		IRRIGATION CONTROLLER ENCLOSURE TOP OPENING	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			IR-04



PLAN


LEGEND:

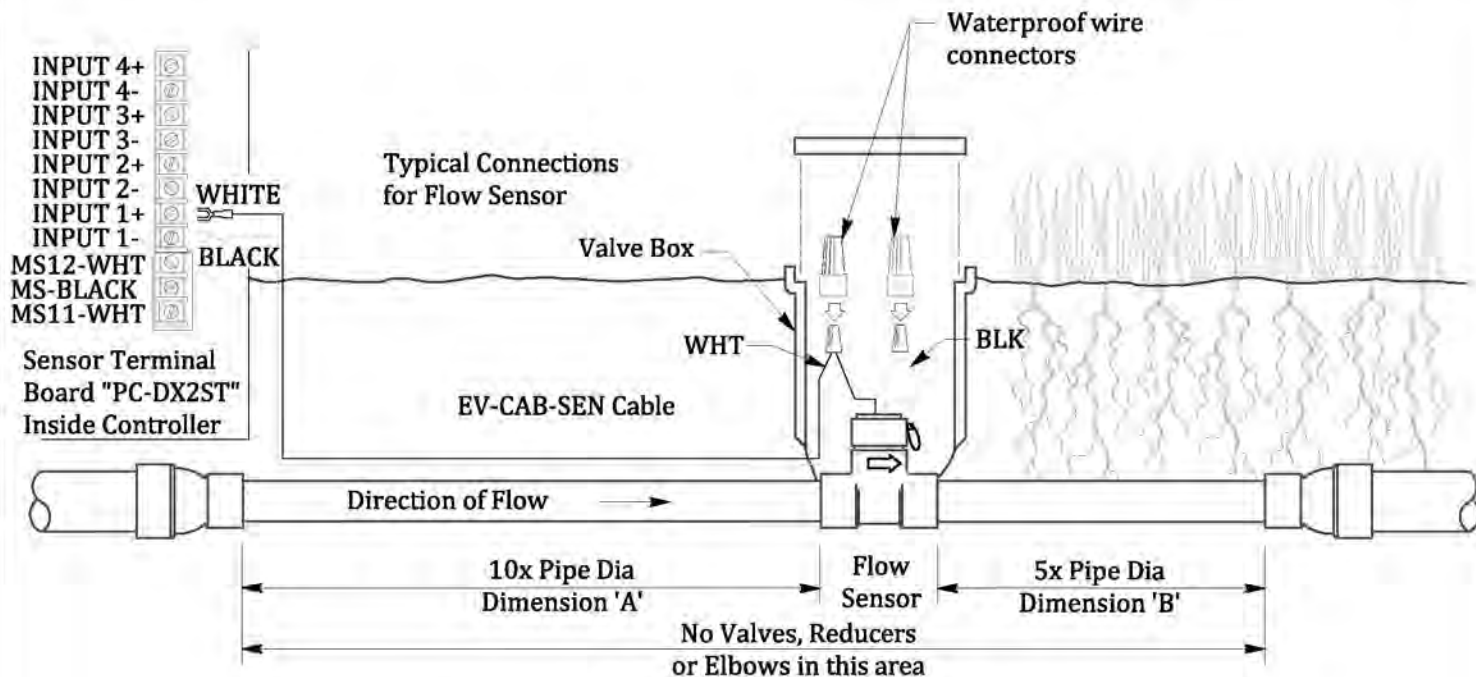
- ① Master Valve(s) (normally closed)
- ② Wire to Controller Assembly (PE-89 Shielded Cable) in 1" SCH 40 gray PVC electrical conduit w/ sweep ELL
- ③ 12" min. Drain Rock. Extend 2" min. beyond perimeter of box
- ④ Rectangular Valve Box and Lid, See Note 2
- ⑤ Finish Grade
- ⑥ Data Industrial IR220 Series Flow Sensor(s)
- ⑦ Wire to flow sensing equipment at controller assembly in 1" SCH 40 gray PVC electrical conduit w/ sweep ELL

NOTE:

1. See Standard Plan IR-06 for Flow Sensor Detail
2. See Standard Plan IR-08 for Irrigation Valve Box Installation

NOT TO SCALE

APPROVED BY	DATE		<h2 style="margin: 0;">MASTER VALVE AND FLOW SENSOR</h2>	STD. PLAN NO.
<i>Kevin Robain</i>	JUNE 2016			IR-05
CITY ENGINEER				



Example: For 3" Flow Sensor, Dimension "A" Minimum 30"
 Dimension "B" Minimum 15"

NOTES:

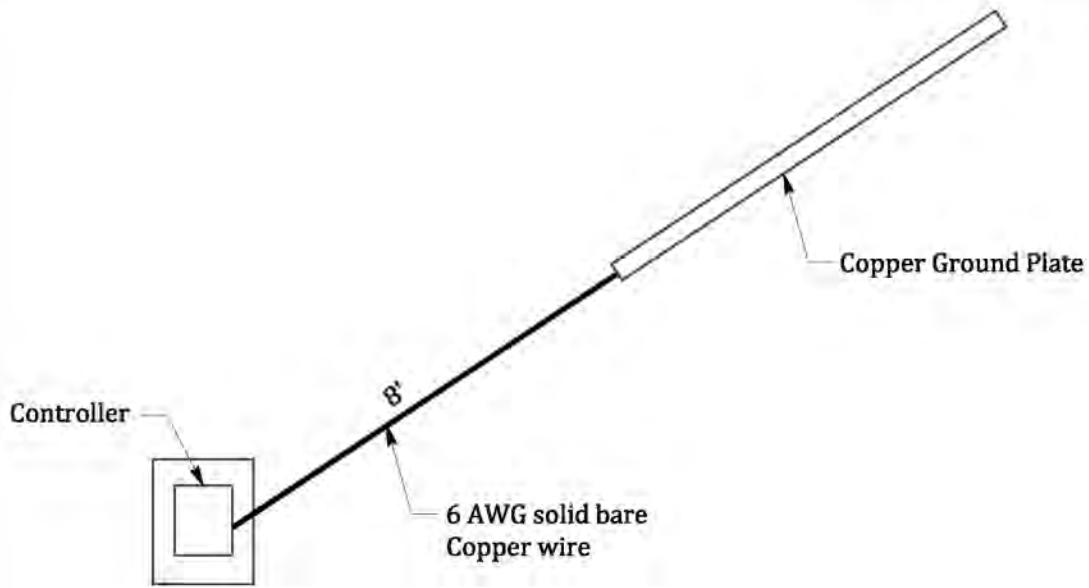
Upon completion of the physical installation of the flow sensor, complete the wiring connection from the flow sensor to the DX2 Controller by following the procedure below.

1. TURN THE POWER OFF AT THE CONTROLLER.
2. At the Flow Sensor:
 Connect the BLACK wire of the Flow Sensor to the BLACK wire of the "EV-CAB-SEN" sensor cable.
 Connect the WHITE wire of the Flow Sensor to the WHITE wire of the "EV-CAP-SEN" sensor cable.
 *Use the weatherproof connectors provided with the Flow Sensor to make the connection.
3. At the controller:
 Connect the BLACK wire of "EV-CAB-SEN" to "INPUT 1-" of the SENSOR TERMINAL BOARD (PC-DX2ST).
 Connect the WHITE wire of "EV-CAB-SEN" to "INPUT 1-" of the SENSOR TERMINAL BOARD (PC-DX2ST).
4. Turn POWER ON at the Controller.
5. Set the Rain Master "K" and OFFSET" values for the Flow Sensor at the controller based on the type and size of the Flow Sensor installed.
6. See Standard Plan IR-08 for Irrigation Valve Box Installation

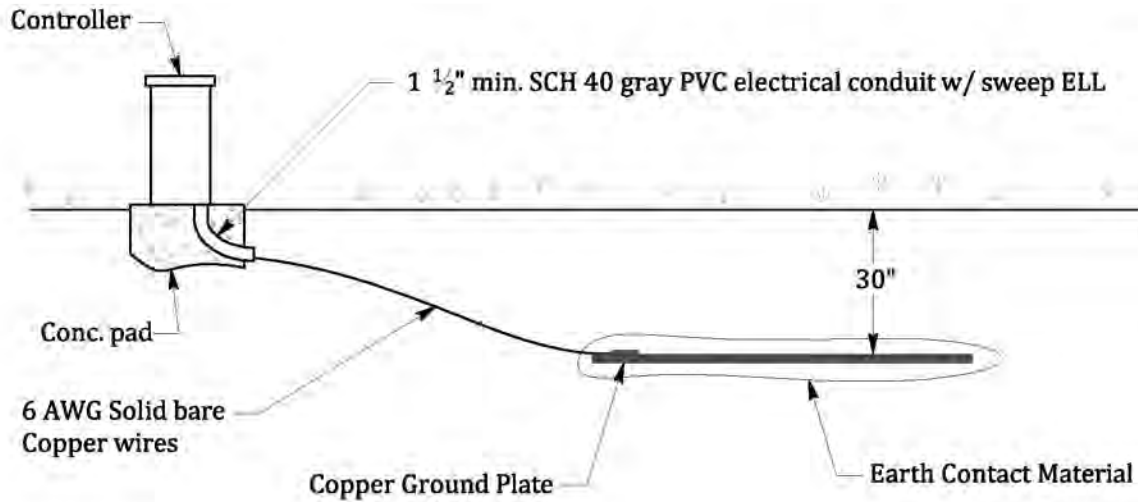
REFER TO THE TABLE PROVIDED WITH THE FLOW SENSOR FOR CORRECT "K" AND "OFFSET" FOR YOUR APPLICATION

NOT TO SCALE

APPROVED BY	DATE		FLOW SENSOR DETAIL	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			IR-06



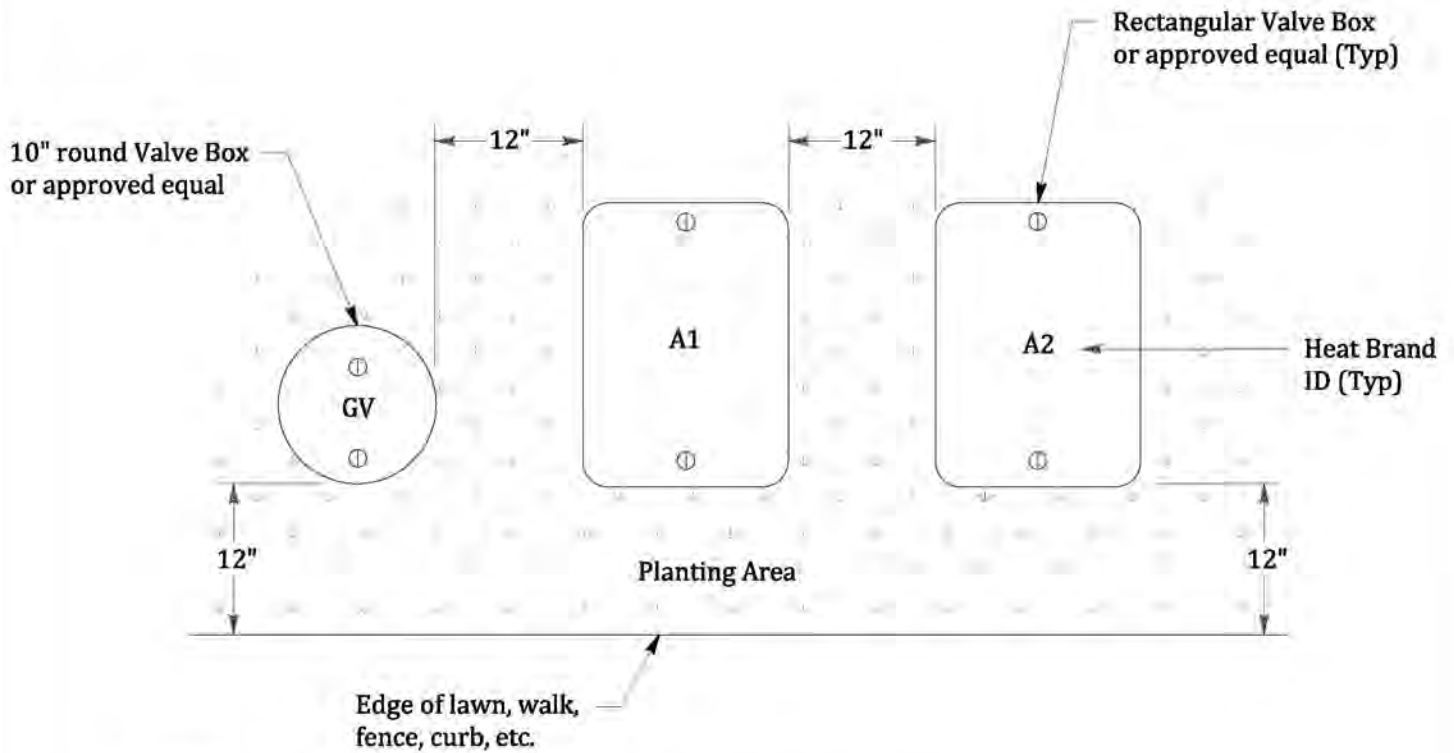
TOP VIEW



SIDE VIEW

NOT TO SCALE

APPROVED BY	DATE		CCU or FIELD SATELLITE GROUNDING GRID	STD. PLAN NO.
<i>Kevin Roblin</i>	JUNE 2016			IR-07
CITY ENGINEER				



NOTES:

1. Center boxes over valves to permit service of valves and unions
2. Set boxes in ground cover/shrub area where possible
3. Set boxes parallel to each other and perpendicular to edge
4. Set boxes 1" above grade in turf areas and 3" above grade in shrub areas
5. Avoid heavily compacting soil around boxes to prevent damaging valve boxes
6. Heat Brand ID on valve box lid with 2" height letters:
 'X1' for Remote Control Valves ('X' = Controller '1' = station number)
 'FM' for Flow Meter
 'MV' for Master Control Valve
 'GV' for Gate Valve
 'QC' for Quick Coupling Valve
 'SP' for Splice Box or Pull Box
7. Install Stainless Steel bolts in locking cover.
8. When non-potable water is used, boxes and lids shall be color-coded purple
9. For all valves 1 1/2" and larger, jumbo box shall be used
10. Install valve box extensions as required to completely enclose valve assemblies
11. Cover box cut-outs to prevent soil in box

NOT TO SCALE

APPROVED BY	DATE		IRRIGATION VALVE BOX INSTALLATION	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			IR-08

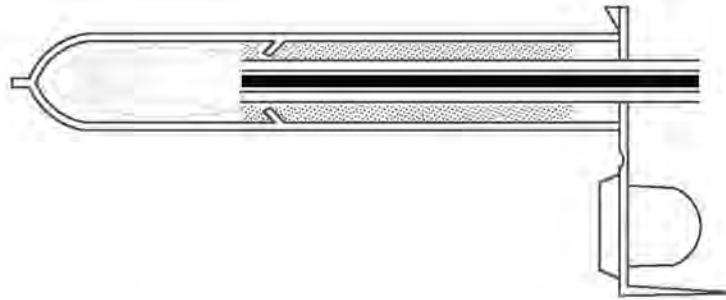
STEP 1: Strip wires 1/2" from ends.



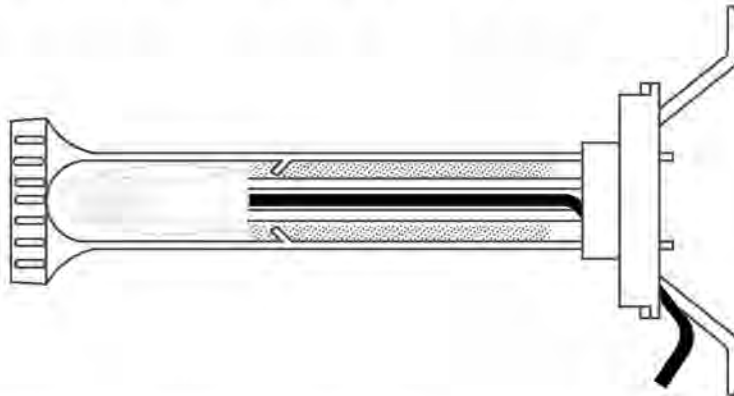
STEP 2: Apply Scotchlok or approved equal Y spring connector in a clockwise direction (for clocks only)



STEP 3: Insert splice to bottom of gel-filled tube. Check to make sure connector has been pushed past locking fingers and is seated at bottom of tube.





STEP 4: Position wires in wires channels and close insulator tube cover.



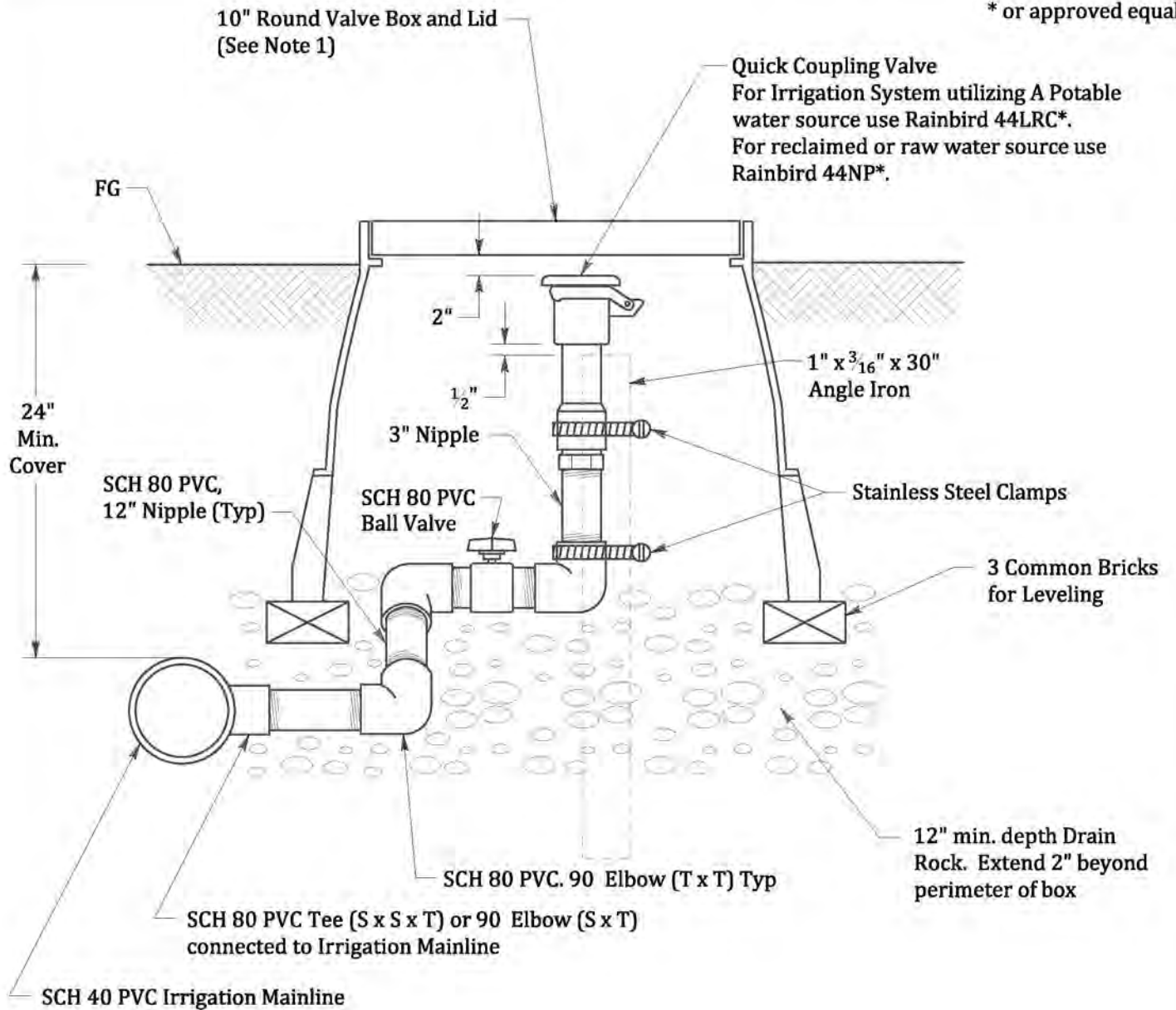
NOTE:

1. Maximum wire sizes per connector are 3-#4's or 2-#12's
2. Use 3M DBR/Y-6 Direct Bury Splice Kit or approved equal

NOT TO SCALE

APPROVED BY	DATE		IRRIGATION WIRE CONNECTION	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			IR-09

* or approved equal





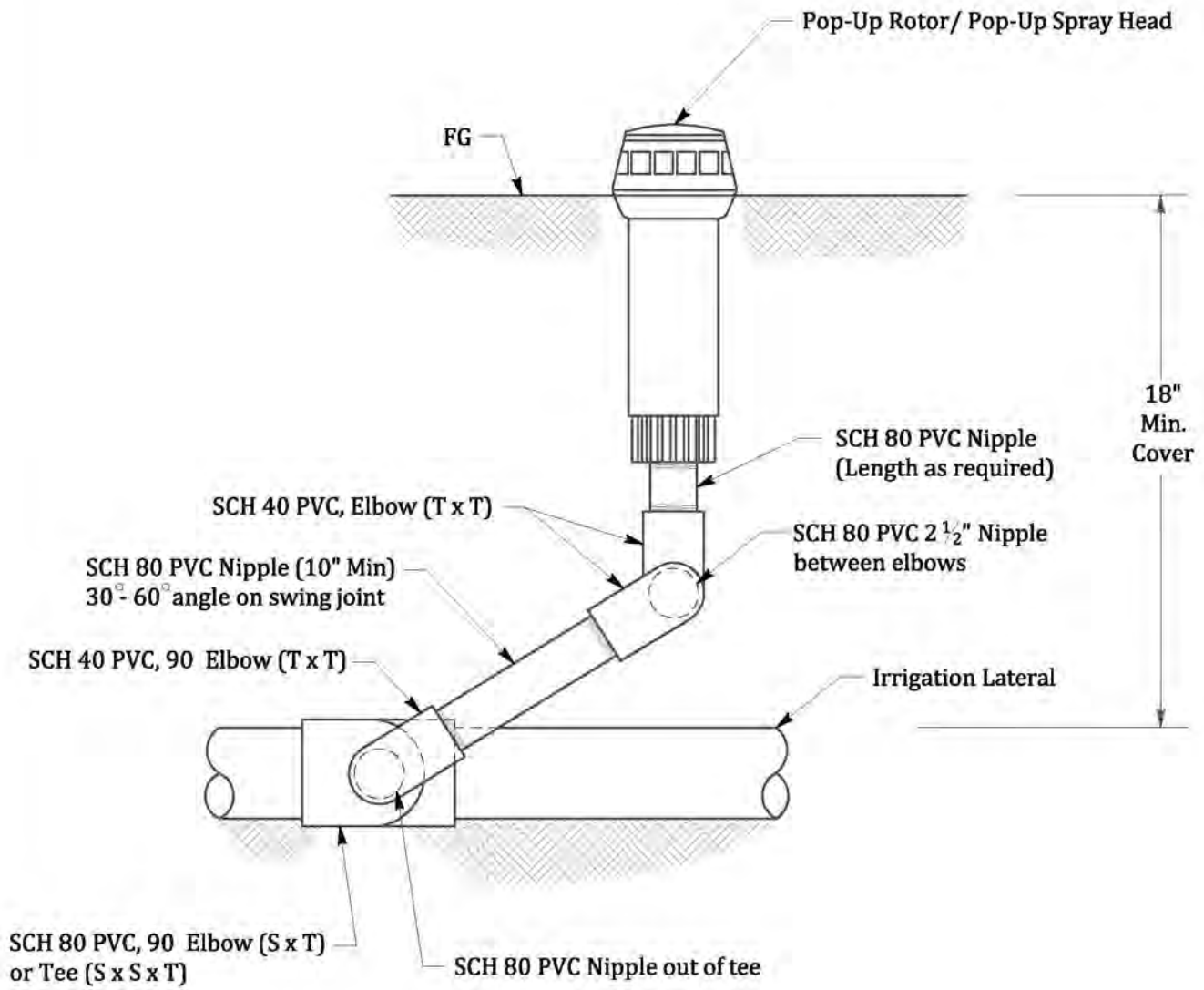
PLAN

NOTES:

1. See Standard Plan IR-08 for irrigation Valve Box Installation
2. When used with reclaimed water, designate purple color-coding on appropriate appurtenance.

NOT TO SCALE

APPROVED BY	DATE		<p>QUICK COUPLING VALVE</p>	STD. PLAN NO.
	JUNE 2016			IR-11
CITY ENGINEER				



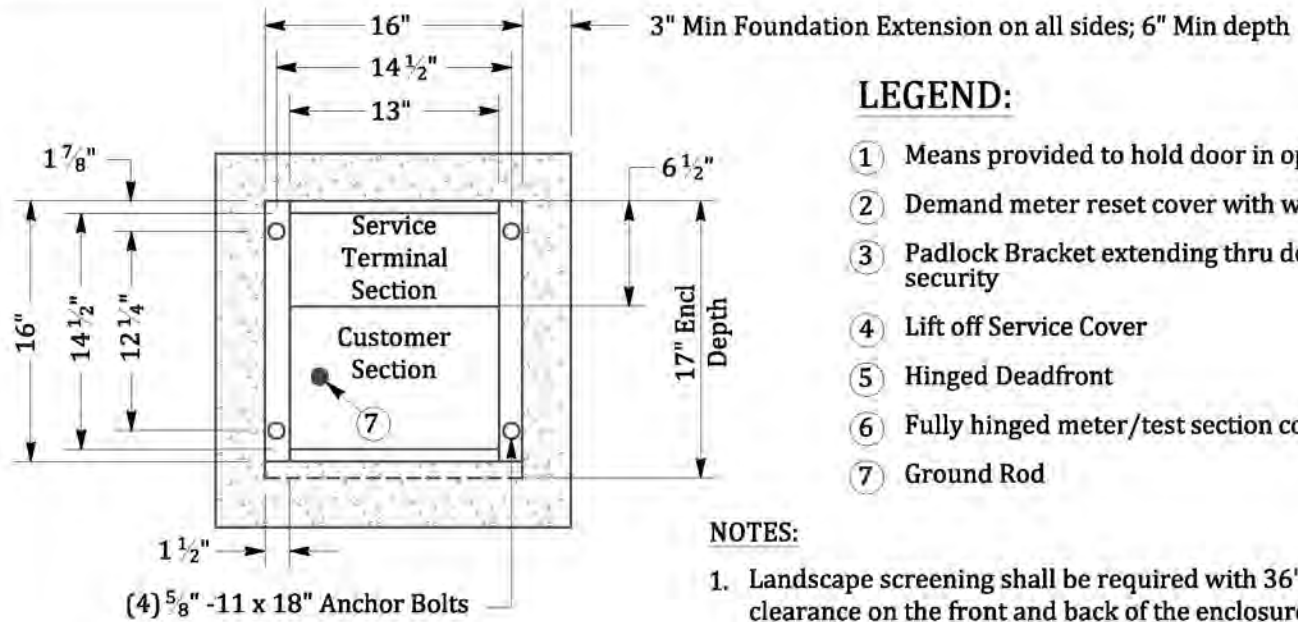
PLAN

NOTES:

1. Set head 1" above grade in turf areas and 3" above grade in shrub areas

NOT TO SCALE

APPROVED BY	DATE		ROTOR AND POP-UP SPRAY HEAD	STD. PLAN NO.
<i>Kevin Rohan</i>	JUNE 2016			IR-13
CITY ENGINEER				



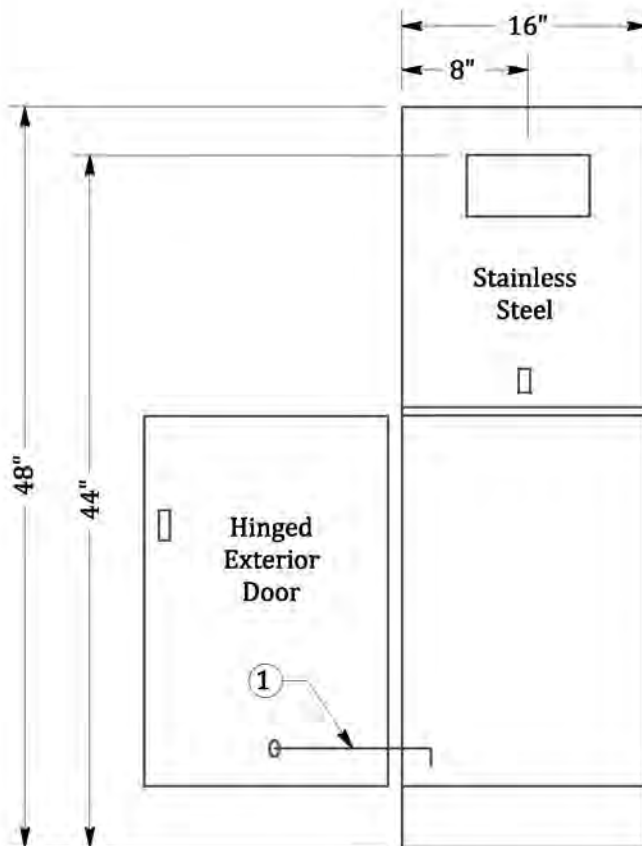
LEGEND:

- ① Means provided to hold door in open position
- ② Demand meter reset cover with window
- ③ Padlock Bracket extending thru door for security
- ④ Lift off Service Cover
- ⑤ Hinged Deadfront
- ⑥ Fully hinged meter/test section cover
- ⑦ Ground Rod

NOTES:

1. Landscape screening shall be required with 36" Min clearance on the front and back of the enclosure.
2. Service Cabinet shall be type Milbank West CP3B1115A Stainless Steel for 100-Ampere and less or approved equal.

MOUNTING BASE



CABINET SECTION


NOT TO SCALE

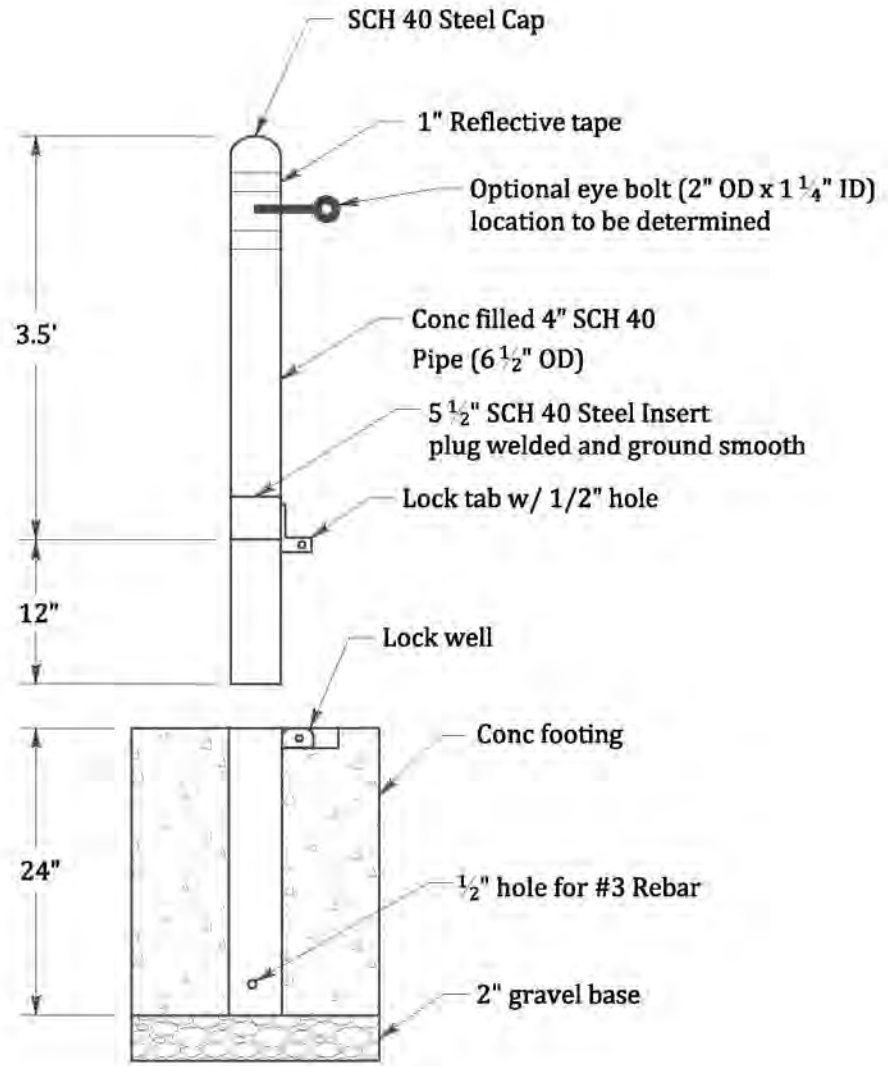
APPROVED BY	DATE		IRRIGATION ELECTRIC METER PEDESTAL	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			IR-14

PARK FURNISHINGS

ITEM	MANUFACTURER/MODEL OR APPROVED EQUAL	NOTES
PARK BENCH	DUMOR, Inc. MODEL: 119-60 (6' or 8')	Vertical Slat w/back, Non-skateboard, Black, Middle arm rest
PICNIC TABLE	OUTDOOR CREATIONS Inc. SIDE ENTRANCE TABLE, MODEL:100FSSE	Table color: Davis Sequoia Sand 11" x 5.2" City of Oakley Logo in full relief on legs of table (2), no color
BARBEQUE - METAL	PILOT ROCK, MODEL: B24/8 B2	
BARBEQUE - CONCRETE	OUTDOOR CREATIONS, Inc. CONCRETE FAMILY BARBEQUE MODEL: 300A	Barbeque color: Davis Sequoia Sand 11" x 5.2" City of Oakley logo in full relief on opposing sides (2) of receptacle, no color
DRINKING FOUNTAIN	HAWS BARRIER FREE STAINLESS STEEL PEDESTAL FOUNTAIN MODEL: 3500D-FR	Vandal resistant, green powder coated finish with pet fountain, use Freeze Resistant Bury Valve as specified by the City of Oakley
TRASH RECEPTACLE	OUTDOOR CREATIONS Inc. CONCRETE TRASH RECEPTACLE - ROUND MODEL: 500	Trash Receptacle color: Davis Sequoia Sand 16" X 6" City of Oakley Logo engraved and painted as specified on 1 side of trash can
RECYCLE RECEPTACLE	DUMOR, Inc. RECEPTACLE DWG NO. 360-0127-32-RC0075 SH1	Receptacle color: Blue
DOG WASTE DISPENSER	ZERO WASTE, MODEL JJ13008	

NOT TO SCALE

APPROVED BY	DATE		PARK FURNISHINGS	STD. PLAN NO.
<i>Kevin Robani</i>	JUNE 2016			M-01
CITY ENGINEER				

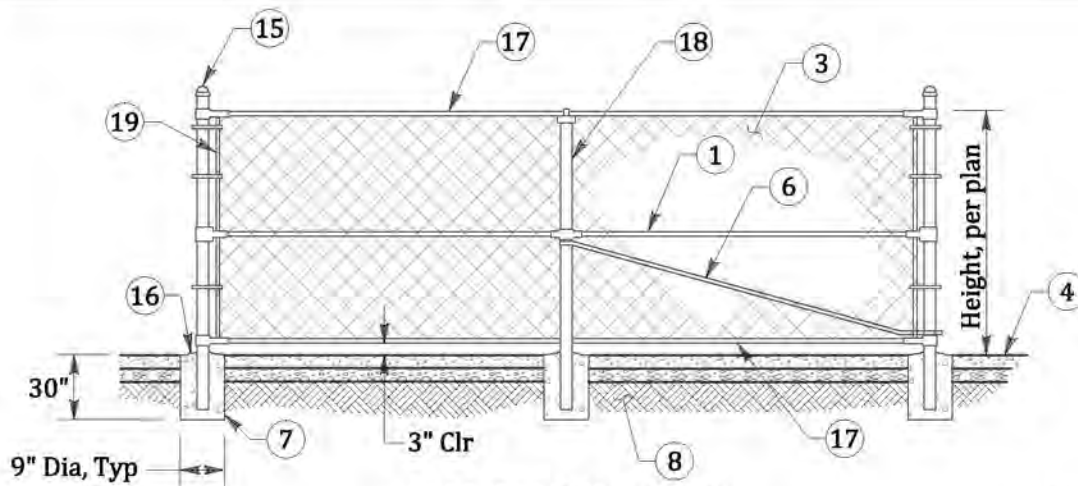


NOTES:

1. Add reflective tape , two 1" bands at top
2. Use manufactured product such as Patterson-Williams (i.e. Model 1100-04-LK removable metal bollard)

NOT TO SCALE

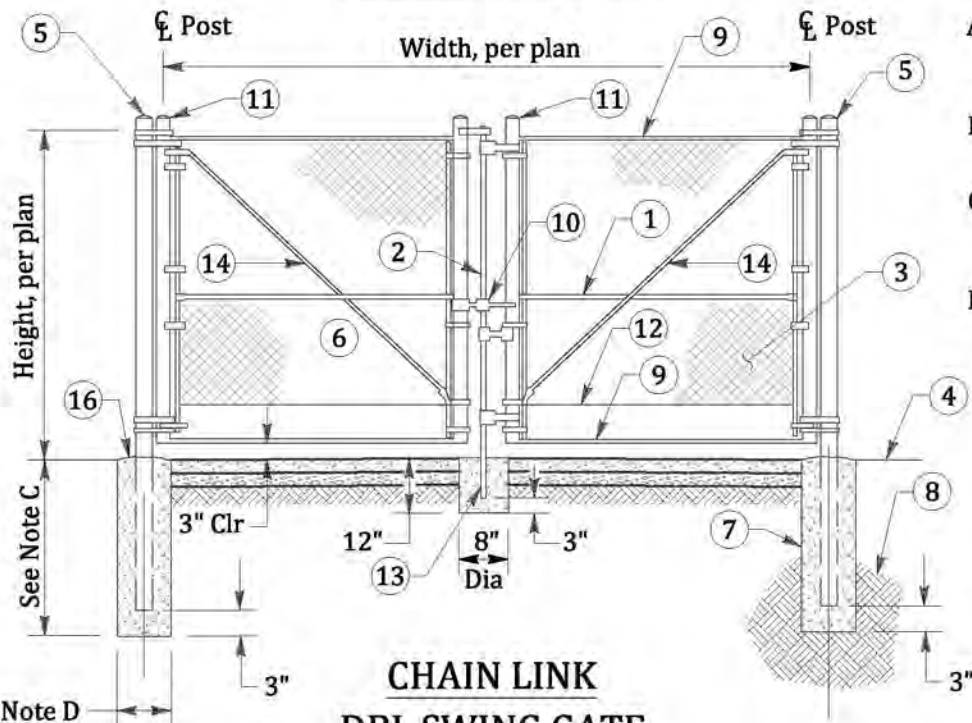
APPROVED BY	DATE		REMOVABLE BOLLARD PARK OR TRAIL	STD. PLAN NO.
<i>Kevin Rohan</i>	JUNE 2016			M-02
CITY ENGINEER				



CHAIN LINK FENCE

NOTES:

- A. Concrete for footings shall be Class "B" (2500 PSI) for more information, see Specifications.
- B. Provide Submittal for all materials.
- C. 36" depth for 4' high fence, 48" depth for 6' high fence and above.
- D. 12" diameter for 4' high fence, 18" diameter for 6' high fence and above.



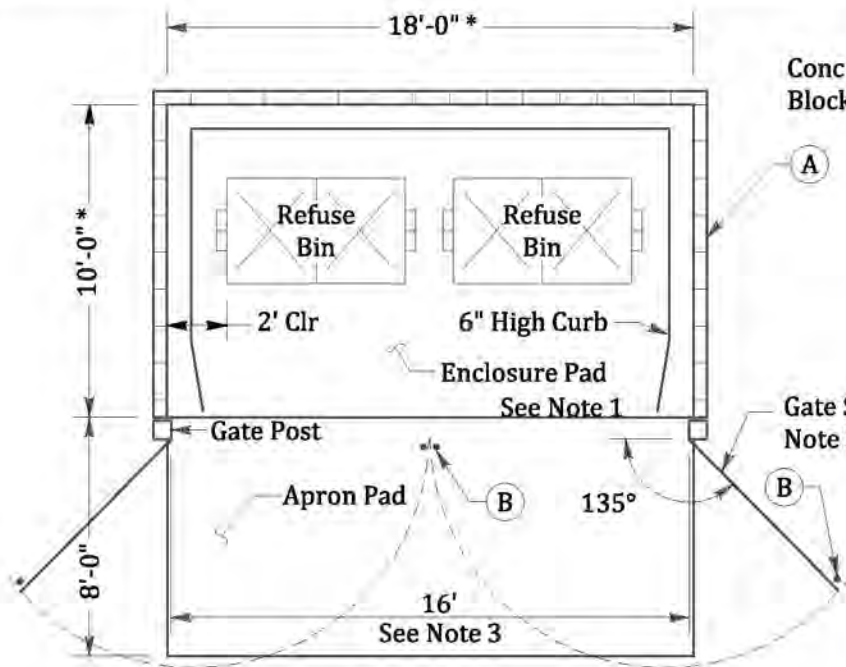
CHAIN LINK DBL SWING GATE

LEGEND:

- ① Midrail 1 5/8" diameter for Gates 6' high minimum
- ② Locking Mechanism
- ③ Chain Link wire Mesh, Galv & Vinyl Coated: black
- ④ Finish Grade, or Finish Surface
- ⑤ Terminal or Corner Post at Gate, 3" diameter
- ⑥ Truss Rod, at corners and ends
- ⑦ Post Concrete Footing, typical
- ⑧ Compacted subgrade to 90% Relative Compaction.
- ⑨ Gate Rail, 1 7/8" outside diameter
- ⑩ Gate Lock, NIC to be determined by owner.
- ⑪ Gate Frame vertical, 2 1/2" O.D. for 4' high fence, 3" O.D. for greater than 4' high fence.
- ⑫ Gate Bottom, per specifications.
- ⑬ Concrete footing w/sleeve to accept locking mechanism in closed position, typical of 2 (other location to be where gate is open, VIF)
- ⑭ Tension or Tensil, not compression.
- ⑮ Corner Post, 2 1/2" diameter, for corner post see 5.
- ⑯ Slope away from post.
- ⑰ Top & Bottom Rail, 1 5/8" diameter pipe.
- ⑱ Line Post, 2 1/4" diameter pipe.
- ⑲ Stretcher Bar, typical

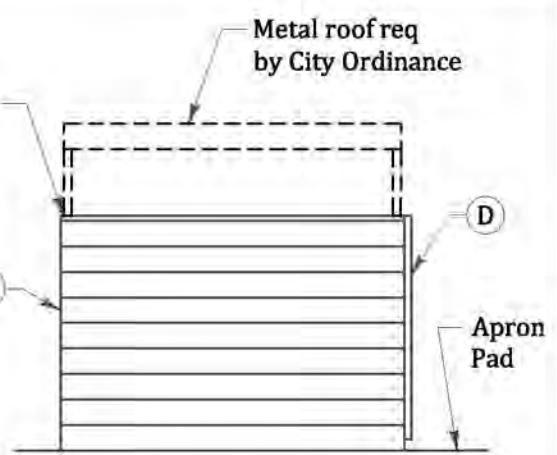
NOT TO SCALE

APPROVED BY	DATE		FENCE CHAIN LINK	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			M-03



TOP VIEW

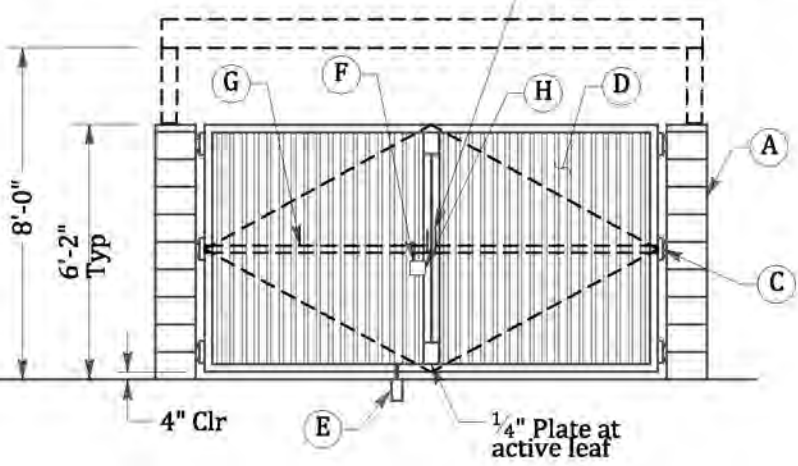
* Inside Dimension



SIDE ELEVATION

LEGEND:

- (A) Concrete Block or Reinforced Masonry Block shall be split face or decorative or the masonry be painted or plastered to match the main building.
- (B) Typ Receiving sleeve (ST-34a). Outside location 135° Min angle from closed gate position.
- (C) Stanley, or approved equal. Heavy duty surface mounted external hinges, weld to metal angle
- (D) ASC Pacific "HR-36" 18 GA G.I. Mtl Panels, or approved equal-Paint over shop prime.
- (E) Ideal 64-6813 or approved equal. Cane bolt & keeper interior.
- (F) King Arch. Metals 30-100 Weldable slide bolt latch or approved equal.
- (G) 1-1/2" Square Steel Tube weld to frame at interior, Typical.
- (H) 4" Sq. x 1/4" Plate Butt Weld w/rounded corners for bolt latch.



FRONT ELEVATION

NOTES:

1. Pad shall be Engineered to withstand 20,000 lbs of direct force from a single truck axle.
2. A minimum of 32' Vert. and 50' Horiz. clearance over the entire approach to and from the enclosure shall be provided.
3. Gates shall be solid metal with cane bolts sleeves in the open and closed position. Each gate, with a minimum total span width of 16' shall swing open a Min of 135° from closed position. Hung gates have a 4" Clearance off the finished pad or apron and surrounding curb.
4. The trash enclosure pad shall be designed to drain to a sewer connection as approved by the City of Oakley. A water connection may be required by the Contra Costa County Health Department.
5. The enclosure exterior shall comply with standard conditions of approval for commercial and industrial projects. No enclosure shall be installed behind parking spaces.
6. ONLY solid waste containers and recycle containers are allowed inside the enclosure. Grease storage bins, soiled rag storage, etc. shall never be stored in the enclosure.
7. Roof and gates shall be powder coated and match in color.

NOT TO SCALE

APPROVED BY	DATE		SOLID WASTE TRASH ENCLOSURE	STD. PLAN NO.
 CITY ENGINEER	JUNE 2016			M-04

STAFF REPORT


Date: Tuesday, June 28, 2016

To: Bryan H. Montgomery, City Manager

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

Subject: Presentation on Requirements of the Municipal Regional Permit (MRP 2.0) for Green Infrastructure (Provision C.3.j)

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Background and Analysis

The City's National Pollution Discharge Elimination System (NPDES) Permit (No. CA0083313) is issued by the Central Valley Regional Water Quality Control Board. However, historically we have implemented the NPDES permit issued by the San Francisco Bay Regional Water Quality Control Board due to our geographical location between the Central and San Francisco Bay region boundaries. The City of Oakley is a co-permittee and 76 other agencies within the San Francisco Bay region. The City participates in the Contra Costa Clean Water Program (CCCWP) pertaining to coordinated efforts between municipalities within Contra Costa County. The previous San Francisco regional NPDES Permit, also known as the Municipal Regional Permit (MRP 1.0) became effective in December 2009 and was re-issued November 2015 (MRP 2.0, Permit No. CAS612008).

MRP 2.0 became effective on January 1, 2016. As part of the reporting requirements for the Permit, the City is required to report progress on the development of a Green Infrastructure Plan development and implementation on the FY 2015-2016 Annual Report.

In MRP 2.0, provisions C.11 and C.12 require the Permittees to reduce discharges of Mercury and Polychlorinated Biphenyl (PCB), respectively. A portion of these load reductions must be achieved by retrofitting existing impervious surfaces with Green Infrastructure. The Permit requires that municipalities assess each infrastructure project and add green infrastructure features where feasible.

The Permit defines Green Infrastructure as follows:

"Infrastructure that uses vegetation, soils, and natural process to manage water and create healthier urban environments. At the scale of a city or county, Green Infrastructure refers to the patchwork of natural

areas that provide habitat, flood protection, cleaner air, and cleaner water. At the scale of a neighborhood or site, green infrastructure refers to stormwater management systems that mimic nature by soaking up and storing water.”

Contra Costa Permittees, collectively, must implement Green Infrastructure to reduce – from 2014 levels – mercury loadings by 9 grams per year and PCB loading by 23 grams per year by 2020. Permittees must plan for substantially larger reductions in the following decades.

Green Infrastructure on both public and private land can serve to achieve these load reduction requirements. Implementation on private land is achieved by implementing stormwater requirements for new development and redevelopment, which are carried forward largely unchanged from MRP 1.0.

In MRP 2.0, Provision C.3.j includes requirements for Green Infrastructure planning and implementation. Provision C.3.j has two main elements to be implemented by municipalities:

1. Preparation of a Green Infrastructure Plan for the inclusion of Low Impact Development (LID) drainage design into storm drain infrastructure, including streets, roads, storm drains, etc.
2. Early Implementation of Green Infrastructure Projects

GREEN INFRASTRUCTURE PLAN

The Green Infrastructure Plan requirements and deadlines are as follows:

- Annually report progress on Green Infrastructure
- Prepare a framework or work plan to be approved by the City Council by June 30, 2017
- Submit a Green Infrastructure Plan with the 2019 Annual Report

The Green Infrastructure Plans are intended to describe how each jurisdiction will, in the coming decades, shift their impervious surfaces and storm drain infrastructure from gray, or conventional, storm drain infrastructure where runoff flows directly in to the storm drain and then to creeks and the Bay, to a more resilient, sustainable system that slows runoff by dispersing it to vegetated areas, harvest and uses runoff, promotes infiltration and evapotranspiration, and uses bioretention to detain, retain, and treat stormwater.

Among the specific requirements is to summarize the other planning documents that are updated or modified to incorporate Green Infrastructure requirements. These may include:

- General Plans
- Specific Plans

- Complete Streets Plans
- Transportation Plans
- Storm Drain Master Plans
- Pavement Management Plans
- Urban Forestry Plans
- Other plans that may affect the future alignment, configuration or design of impervious surfaces such as streets, parking lots, sidewalk and roofs

Staff is coordinating with other Contra Costa municipalities, through the CCCWP, to develop a model framework or workplan. This model will be adapted to meet the City's needs and brought to the City Council during FY 2016-17.

EARLY IMPLEMENTATION (No Missed Opportunities)

Provision C.3.j.ii requires that each Permittee review current infrastructure (capital improvement) projects planned for implementation during the permit term that have potential for Green Infrastructure measures to allow for no missed opportunities. This is a submittal requirement for each annual report including:

" ... a summary of how each public infrastructure project with green infrastructure potential will include green infrastructure measures to the maximum extent practical during the permit term. For any public infrastructure project where implementation of green infrastructure measures is not practicable, submit a brief description for the project and the reasons green infrastructure measures were impracticable to implement."

Staff has coordinated with other Contra Costa municipalities, through the Contra Costa Clean Water Program (CCCWP), to develop model guidance for reviewing capital improvement programs and projects, identifying green infrastructure potential, advancing planning and design of potential green infrastructure features, and documenting decisions regarding implementation of green infrastructure. Attachment B provides the guidance for identifying green infrastructure potential for municipal Capital Improvement Projects. The model guidance will be adopted to meet the City's needs and will be implemented by the Public Works and Engineering Department effective immediately.

Fiscal Impact

The fiscal impact of developing a Green Infrastructure Plan is to be determined, but is expected to be significant, as an unfunded mandate; particularly the cost of incorporating the Green Infrastructure Plan elements to future Capital Improvement Projects.

Attachments

- 1) Green Infrastructure Example Photos
- 2) Guidance for Identifying Green Infrastructure Potential for Municipal Capital Improvement Projects

Attachment 1 - GI Examples



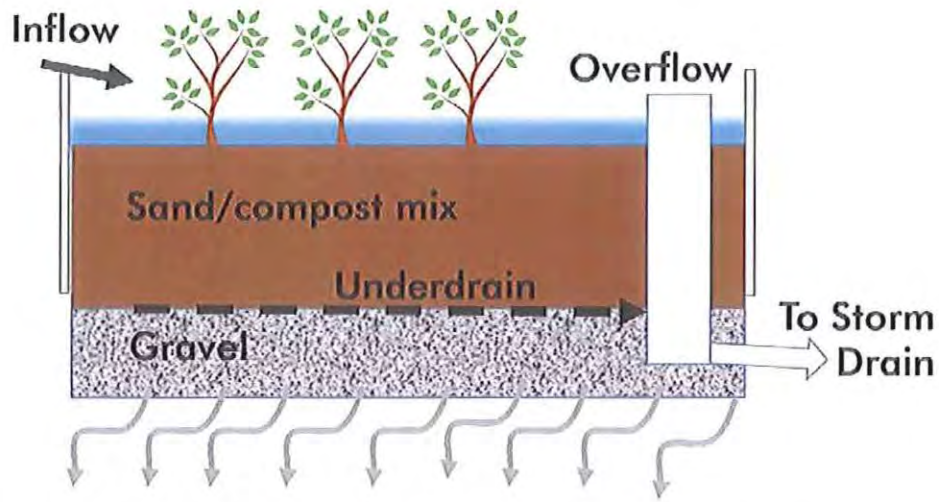
Green Infrastructure: Bioretention facility with active and passive landscape uses (El Cerrito)



Green Infrastructure: Bioretention facilities treating street runoff.



Green Infrastructure: Bioretention treating runoff from residences and a private street (Contra Costa County)



Green Infrastructure: Illustrative cross-section of Bioretention Facility

**Guidance for Identifying Green Infrastructure Potential
In Municipal Capital Improvement Projects (22 March 2016 DRAFT)**

Background

In MRP 2.0, Provisions C.11 and C.12 require the Permittees to reduce discharges of Mercury and PCBs, respectively. A portion of these load reductions must be achieved by implementing Green Infrastructure. Permittees, collectively, must implement Green Infrastructure to reduce mercury loading by 48 grams/year and PCB loading by 120 grams/year by 2020, and plan for substantially larger reductions in the following decades. Green Infrastructure on both public and private land can serve to achieve these load reduction requirements. Implementation on private land is achieved by implementing stormwater requirements for new development and redevelopment (Provision C.3.a. through Provision C.3.i.). These requirements were carried forward, largely unchanged, from MRP 1.0.

MRP 2.0 defines Green Infrastructure:

Infrastructure that uses vegetation, soils, and natural processes to manage water and create healthier urban environments. At the scale of a city or county, green infrastructure refers to the patchwork of natural areas that provides habitat, flood protection, cleaner air, and cleaner water. At the scale of a neighborhood or site, green infrastructure refers to stormwater management systems that mimic nature by soaking up and storing water.

In practical terms, most green infrastructure will take the form of diverting runoff from existing streets, roofs, and parking lots to one of two stormwater management strategies:

1. Dispersal to vegetated areas, where sufficient landscaped area is available and slopes are not too steep.
2. Bioretention facilities, built according to criteria similar to those currently required for regulated private development and redevelopment projects under Provision C.3.

In some cases (see "Preliminary Sizing and Drainage Analysis" below), the use of tree-box-type biofilters may be appropriate. In other cases, where conditions are appropriate, existing impervious pavements may be removed and replaced with pervious pavements.

In MRP 2.0, Provision C.3.j. includes requirements for Green Infrastructure planning and implementation. Provision C.3.j. has two main elements to be implemented by municipalities:

1. Preparation of a Green Infrastructure Plan for the inclusion of LID drainage design into storm drain infrastructure, including streets, roads, storm drains, etc.
2. Early implementation of Green Infrastructure Projects (No Missed Opportunities),

This guidance addresses the second of these requirements.

Provision C.3.j.ii. requires that each Permittee review current infrastructure (capital improvement) projects, prepare a list of infrastructure projects planned for implementation during the permit term that have potential for green infrastructure measures, and submit the list with each Annual Report, including:

... a summary of how each public infrastructure project with green infrastructure potential will include green infrastructure measures to the maximum extent practical during the permit term. For any public infrastructure project where implementation of green infrastructure measures is not practicable, submit a brief description for the project and the reasons green infrastructure measures were impracticable to implement.

This requirement has no specified start date; “during the permit term” means beginning January 1, 2016.

Processing a Capital Improvement Program (CIP) Project List and Annual Reporting

The CIP project list provides a good starting point for review of public infrastructure projects.

Some projects can be readily identified as having no Green Infrastructure potential. Other projects may appear on the list with only a title, and it may be too early to identify whether Green Infrastructure could be included. Still others have already progressed past the point where the design can reasonably be changed (roughly, this would be about 50% design, although that will vary from project to project).

Some “projects” listed in a Capital Improvement Program may provide budget for construction throughout the jurisdiction or a portion of the jurisdiction, such as a tree planting program, curb and sidewalk repair/upgrade, or ADA curb/ramp compliance. These should be addressed in a programmatic way, so that the personnel responsible for determining the scope of construction work in the field know how to review each work order to identify, assess, and implement green infrastructure opportunities.

It is recommended to apply one of the following identifiers to each project on the CIP list:

1. **No Potential** - Identified in initial screening as having no Green Infrastructure potential. For example, the project does not include any exterior work. *Reporting:* Keep a record of the reason for the “no potential” determination. It is not necessary to list these projects in Annual Reports.
2. **Too Early** – There is not yet enough information to assess the project for Green Infrastructure potential—an assessment is to be conducted if and when the project moves forward to conceptual design. *Reporting:* In the Annual Report, list the project as a “potential” Green Infrastructure project, and note the status. In the “GI Included?” column, state “to be determined” or “TBD.”
3. **Too Late** – Project is under construction or has moved to a late design phase (roughly, past 50% design). *Reporting:* In the Annual Report, list the project as a “potential” Green Infrastructure project, and note the design or construction phase in the “Status” column. In the “GI Included?” column, state “too late.”
4. **Programmatic Approach** – Green Infrastructure potential will be assessed, and green infrastructure implemented where practicable, on a work order basis as the project budget is expended. *Reporting:* In the Annual Report, list the project as a “potential” Green Infrastructure project. In the “GI Included?” column, state “Programmatic.”
5. **Yes** – Project may have Green Infrastructure potential pending further assessment of feasibility, incremental cost, and availability of funding. If the public infrastructure project is subject to stormwater requirements for new developments (Provision C.3), follow current guidance. *Reporting:* If funding for the project has been identified, list the project in the “Planned Green Infrastructure Projects” table in the Annual Report. If funding has not been identified, list the project in the “potential” Green Infrastructure projects table and note the funding and other contingencies for inclusion of Green Infrastructure in the project.
6. **No** – A project-specific assessment has been completed, and Green Infrastructure is impracticable. *Reporting:* In the Annual Report, list the project as a “potential” Green Infrastructure project. In the “GI Included?” column, state “No.” Briefly state the reasons for the determination in the rightmost column. If needed, prepare a more detailed statement of the reasons for the determination and keep in project files.

Process for Assessing Green Infrastructure Potential of a Capital Improvement Project

Initial Assessment of Green Infrastructure Potential

Consider opportunities that may be associated with:

- Alterations to roof drainage from existing buildings
- New or replaced pavement or drainage structures (including gutters, inlets, or pipes)
- Concrete work
- Landscaping, including tree planting
- Streetscape improvements and intersection improvements (other than signals)

Step 1: Information Collection/Reconnaissance

For projects that include alterations to building drainage, identify the locations of roof leaders and downspouts, and where they discharge or where they are connected to storm drains.

For street and landscape projects:

- Identify and locate drainage structures, including storm drain inlets or catch basins
- Identify and locate drainage pathways, including curb and gutter

Identify landscaped areas, and paved areas that not required for pedestrian or vehicle movement, that are adjacent to, or down gradient from, roofs or pavement. These are potential facility locations. *If there are any such locations, continue to the next step.*

Step 2: Preliminary Sizing and Drainage Analysis

Beginning with the potential facility locations that seem most feasible, identify possible pathways to direct drainage from roofs and/or pavement to potential facility locations—by sheet flow, valley gutters, trench drains, or (where gradients are steeper) via pipes.

Delineate (roughly) the drainage area tributary to the potential facility location. Typically, this requires site reconnaissance, which may or may not include the use of a level to measure relative elevations.

Calculate a preliminary sizing factor (facility area/tributary area) for the potential facility location. Note the following guidelines (not strict rules, but targets):

- Sizing factor ≥ 0.5 for dispersal to landscape
- Sizing factor ≥ 0.04 for bioretention
- Sizing factor ≥ 0.004 (or less) for tree-box-type biofilters

For bioretention facilities and tree-box-type biofilters, note if there are potential connections from the underdrain (typically 2.0 feet below soil surface for bioretention facilities, 3.5 feet below surface, if possible, for tree-box-type biofilters).

If, in this step, you have confirmed there may be feasible potential facility locations, *continue to the next step.*

Step 3: Barriers and Conflicts

Note that barriers and conflicts do not necessarily mean implementation is infeasible; however, they need to be identified and taken into account in future decision-making.

Note issues such as:

- Confirmed or potential conflicts with subsurface utilities
- Known or unknown issues with property ownership, or need for acquisition or easements
- Availability of water supply for irrigation, or lack thereof
- Nexus to the CIP project—extent to which green infrastructure is an “add on” vs. integrated with the rest of the project

Step 4: Project Budget and Schedule

Note constraints on the CIP project schedule, such as a regulatory mandate to complete the project by a specific date, grant requirements, etc., that could complicate aligning a separate funding stream for the green infrastructure element.

Step 5: Assessment—Does the Project Have Green Infrastructure Potential?

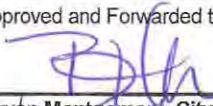
Consider the ancillary benefits of green infrastructure, including opportunities for improving the quality of public spaces, providing parks and play areas, providing habitat, urban forestry, mitigating heat island effects, aesthetics, and other valuable enhancements to quality of life.

Based on the information above, would it make sense to include green infrastructure into this project—if the addition could be made cost-neutral? Identify any additional conditions that would have to be met for green infrastructure elements to be constructed consequent with the project.



STAFF REPORT

Approved and Forwarded to the City Council:


Bryan Montgomery, City Manager

Date: June 28, 2016

To: Bryan H. Montgomery, City Manager

From: Troy Edgell, Code Enforcement Manager

Subject: Replacement of OMC 4.18—Shopping Cart Retrieval and Prevention of Shopping Cart Removal

Background and Analysis

Resident complaints of abandoned shopping carts have increased dramatically and Code Enforcement investigations reveal the complaints are valid. As a result of this upsurge in occurrences and follow-up investigations, it has been determined the current municipal code (4.18) is not effective in encouraging owners of shopping carts to actively seek out and retrieve abandoned, off-site shopping carts. As currently written, the retailer bears no costs if the City collects the abandoned carts and then notifies the retailer they are available for retrieval. Essentially the City is acting as the Cart Retrieval Service.

To address this concern and prepare for the growth of future retail services in Oakley, the attached Ordinance has been drafted to bring Oakley's shopping cart policy up to date taking into account new anti-theft technology being used, and often required for new retail establishments, and incorporating incentives that encourage the retailer to take a more proactive role in employing their Abandoned Cart Prevention Plan.

The new Ordinance addresses these concerns by making the following changes:

1. Requires owners of shopping carts retrieved by the City to reimburse the City for the actual costs to retrieve and store the cart.
2. Exempts owners who install a Cart Self-Locking (Disabling) System from the requirement to submit an annual Abandoned Cart Retrieval Plan, penalties associated with non-submission, and administrative costs and fines associated with the retrieval and impound of the abandoned cart.
3. Requires all owners (retailers) possessing more than twenty-five (25) carts and beginning operations after adoption of this ordinance to install a self-locking cart containment system prior to opening for business.

It is anticipated adoption of this Ordinance will immediately reduce the amount of carts abandoned throughout Oakley and eventually incentivize shopping cart owners to

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aggressively implement their Abandoned Cart Prevention Plan or invest in a cart self-locking system.

Fiscal Impact

It is anticipated adoption of the ordinance will have no measurable fiscal impact.

Recommendation

Staff recommends the Council adopt the ordinance.

Attachments

1. Draft Ordinance 4.18

ORDINANCE NO. _____

AN ORDINANCE REPEALING AND RE-ENACTING CHAPTER 18 OF TITLE 4 OF THE OAKLEY MUNICIPAL CODE, DEALING WITH SHOPPING CARTS

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

Section 1. Chapter 18 of Title 4 of the Oakley Municipal Code is hereby rescinded and repealed.

Section 2. Chapter 18 of Title 4 of the Oakley Municipal Code is hereby re-enacted to read as follows:

CHAPTER 18 SHOPPING CARTS

4.18.002 Findings and Purpose.

- a. In enacting this ordinance, the City hereby finds that abandoned shopping carts constitute a nuisance, create potential hazards to the health and safety of the public, and interfere with pedestrian and vehicular traffic with the City of Oakley. The accumulation of wrecked, abandoned, and dismantled shopping carts on public or private property also tends to create conditions that reduce property values and promote blight and deterioration.
- b. The purpose of this chapter is to ensure that measures are taken by store owners to prevent the removal of shopping carts from store premises and parking lots and to facilitate the retrieval of abandoned shopping carts as permitted by State law. This chapter implements the provisions of California Business and Professions Code Section 22435, et seq.

4.18.004 Applicability.

This chapter applies to:

- a. Each business owner in the City if the business provides shopping carts for customer use at any one business location; and
- b. Any person in possession of an off-site shopping cart.

4.18.006 Definitions.

For the purpose of this chapter, the following words and phrases shall have the following meanings:

- a. "Abandoned Cart" means any cart that has been removed, without written consent of the owner, from the owner's business premises or parking area of the retail establishment of which the cart owner's

business premises are located and is located on either public or private property. The owner's business premises may include a multi-store shopping center with shared areas of parking and public access.

b. "Abandoned Cart Prevention Plan" shall mean a document submitted by the owner pursuant to the article that provides a plan for how the owner will prevent carts from becoming abandoned and, if accepted by the Director as adequate, an implied promise by the owner to comply with the plan.

c. "Cart or Shopping Cart" means a basket which is mounted on wheels or a similar device generally used in a retail establishment by a customer for transporting goods of any kind, including, but not limited to, grocery store shopping carts.

d. "Director" means the Community Development Director or designee.

e. "Off-Site" means any area outside of the Owner Premises.

f. "Owner" means any person, firm, partnership, corporation, association, or other entity who owns, possesses, or makes a shopping cart available for the use of the owner's customers or the public in connection with the management and operation of the owner's business. For purposes of this chapter, "owner" shall also include the owner's on-site business manager or designated agent that provides shopping carts for use by owner's customers or the public.

g. "Premises" means the entire area owned, utilized or under the control of the business establishment that provides shopping carts for use by customers, including any parking area or other off-street area provided by or for use by a customer of said business establishment.

h. "Unidentifiable shopping cart" means any shopping cart that does not have a shopping cart identification sign as provided in Section 4.18.010.

4.18.008 Exemption

Any owner that has a cart self-locking (disabling) cart containment system installed is exempt from Sections 4.18.010 (c) (d) and 4.18.016.

4.18.010 Mandatory Cart Owner Requirements.

All owners of carts shall comply with the requirements of this section.

a. **Cart Identification Required.** Every owner of shopping carts, as defined by this article, shall mark or cause the cart to be marked and identified conspicuously with: the name, address, and telephone number

of the owner; a notice that provides that the removal of the cart from the premises of the owner is a violation of State law.

b. Daily Cart Retrieval. All owners, regardless of the number of carts owned, shall ensure that all carts are secured from public access after close of business

c. Abandoned Cart Prevention Plan. Every owner who provides more than twenty-five (25) carts to their customers shall develop, implement, and comply with the terms and conditions of an Abandoned Cart Prevention Plan to prevent the unauthorized removal by any person of any carts from the owner's premises and, if removed, to retrieve the cart within seventy-two (72) hours of the removal or notice of the removal. The Abandoned Cart Prevention Plan shall be submitted on a renewable annual basis and shall include the following:

1) Name of Business/Owner. The name of the owner and the business name, the physical address where the business is conducted, name, address and phone number(s) of the on-site and off-site owner if different.

3) Notice to the public that the unauthorized removal of the shopping cart from the premises of the business establishment, or the unauthorized possession of the shopping cart, is a violation of State law;

4) Notice to the public of the procedure for authorized removal of the shopping cart from the premises.

5) Required signs on property. Signs shall be placed in pertinent places near door that warn customers that cart removal is prohibited and constitute a violation of state and local law.

5) Physical Loss Prevention Measures. A description of the specific measures that the owner shall implement to prevent cart removal from the premises. These measures may include, but are not limited to, electronic or other disabling devices on the carts so they cannot be removed from the premises, effective management practices, use of courtesy clerks to accompany customers and return the carts to the store, use of security personnel to prevent removal, security deposit for use of cart, or other demonstrable measures acceptable to the Director that are likely to prevent cart removal from the premises.

6) Mandatory Cart Retrieval Plan. A plan for retrieval of abandoned carts within 72 hours of being notified the cart is on private property or within 72 hours of being notified the City has recovered the cart. This plan must include either a plan for the owner's employees to retrieve the carts or for the

owner to have entered into a contract for cart retrieval services that is approved by the City. The plan for retrieval shall include providing the to the City, the name and phone number of the party who will be responsible for the retrieval of the carts which the city may publish. Whoever is identified by the owner as the party responsible for retrieval of the carts shall be made available for cart retrieval six (6) days a week, eight (8) hours a day or during the owner's business hours, whichever is shorter.

a. Multiple Businesses. Two or more businesses may collaborate and submit a single plan.

d. Penalties for Failing to Submit an Abandoned Cart Prevention Plan. Any owner that fails to submit a plan, implement the proposed plan measures, or implement any required modifications to the plan by the City within the time frames specified in this Chapter is a violation and the City may pursue any available remedy provided under the Code for a code violation, including the issuance of an administrative citation.

e. Any new owner opening a business with twenty-five (25) or more carts after adoption of this ordinance is required to install and maintain a self-locking (disabling) cart containment system prior to commencing operations.

4.18.012 Unauthorized Removal or Possession of a Shopping Cart.

It is unlawful for any person to do any of the following, if a shopping cart has a permanently affixed sign pursuant to Section 4.18.010:

- a. To remove a shopping cart from the premises of a business establishment with the intent to temporarily or permanently deprive the owner of its possession.
- b. To leave or abandon a shopping cart at a location other than the premises of the retail establishment, with the intent to temporarily or permanently deprive the owner or retailer of possession of the shopping cart.
- c. To alter, convert, or tamper with a shopping cart, or to remove any part or portion thereof or to remove, obliterate or alter serial numbers on a shopping cart, with the intent to temporarily or permanently deprive the owner or retailer of possession of the cart.
- d. To be in possession of any shopping cart while that shopping cart is not located on the premises of the owner's business establishment, with the intent to temporarily or permanently deprive the owner or retailer of possession of the shopping cart.

These provisions do not apply to the owner of a shopping cart, to their agents or employees, or to a customer of a retail establishment who has written consent from the owner of a shopping cart to be in

possession of the shopping cart or to remove the shopping cart from the premises of the owner's business establishment or to do any of the acts specified in this section.

4.18.014 City Retrieval of Carts

The City may retrieve an abandoned cart from public property (or private property with the consent of the property owner) in the following circumstances:

- a. Where the location of the shopping cart will impede emergency services, when the abandoned cart does not identify the owner of the cart as required in Section 4.18.010, when the City has contacted either the owner, the owner's agent, or the entity contracted with by the owner under the Abandoned Cart Prevention Plan and actually notified them of the abandoned cart and the cart has not been retrieved within seventy-two (72) hours, and when the cart is in a public right of way.
- b. Alternative to Section 4.18.014 (a). Alternatively, the City may immediately abate, remove and impound an off-site shopping cart that has a sign affixed to it as set forth in Section 4.18.008 if the City provides the owner or whoever is identified by the owner as the party responsible for retrieval of the carts with actual notice within twenty-four (24) hours following the impound and informs the owner or responsible party of the location where the off-site shopping cart may be claimed. Notice may be made telephonically, in-person, if applicable email (Cart Retrieval Service Vendor as identified in the Cart Retrieval Plan), or via U.S.P.S. Notification made telephonically, via web-based submission, or in-person will be documented by the City employee noting the time, date, and point of contact notified. The owner of the off-site cart is allowed three (3) business days to retrieve the cart without penalty. If notification is made by U.S.P.S. then the owner is permitted 10 business days to claim the off-site shopping cart without penalty.

4.18.016 Impound, Retrieval, Administrative Costs and Fines

- a. If the City retrieves a cart, the City shall hold the cart at a location that is reasonably convenient to the owner of the shopping cart and is open for at least six (6) hours on a business day. The City shall notify the owner or the responsible party as identified in Section 4.18.010 of the cart(s) location, how the cart may be retrieved, that failure to retrieve the cart may result in the cart's sale or destruction, that the owner will be responsible for the City's costs, and that the City may fine owners fifty dollars (\$50) after the City has picked up the owner's cart more than three (3) times in a calendar year. If the cart does not provide adequate identification or markings to determine its owner, the City shall only be required to notify the cart owner if the City obtains actual knowledge of the owner's identity.

- b. If a cart is not retrieved by its owner within thirty (30) days after the owner has received notice of the cart being impounded, or if the cart's owner cannot be determined, within thirty (30) days after the cart has been impounded, the cart may be sold or destroyed by the City or its agents and/or contractors.
- c. The Director may issue an administrative citation of fifty dollars (\$50) per cart to any owner who fails to retrieve off-site shopping carts in accordance with this chapter on three (3) or more occasions in a calendar year. An occurrence includes all off-site shopping carts owned by owner that are impounded by the City within a one-day period.
- d. Administrative Costs. No cart shall be released to its owner under the procedures in this section unless the owner pays a fee for the City's actual costs to retrieve and store the cart. The City's costs to retrieve and store may be provided for in the Overhead and Inter-Fund Charges Schedule.

Section 3. This ordinance shall take effect and be in full force and effect thirty (30) days from and after its date of passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the Office of the City Clerk at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

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

AYES:

NOES:

ABSENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date