# CITY COUNCIL
# REGULAR MEETING - REVISED AGENDA

**Tuesday, January 16, 2024**
**7:00 PM**

**Zoom and**
**City Council Chamber**
**200 Old Bernal Avenue**
**Pleasanton, CA 94566**

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The meeting will be held in-person and via video/teleconference and will be broadcast live on Channel 29 and at https://www.tri-valleytv.org and https://www.youtube.com/user/TheCityofPleasanton.

**Public participation:** It is requested that members of the public wishing to address the City Council submit a speaker card. When public comment is opened on an agenda item, individuals may speak once per agenda item.

To submit written public comment regarding an open session item on this meeting agenda visit https://forms.cityofpleasantonca.gov/f/writtenpubliccomment. Comments will be accepted by the City Clerk's Office until 12:00 p.m. on the day of the Council meeting.

Virtual or by phone call via Zoom:

- https://forms.cityofpleasantonca.gov/f/SpeakerCard
- Use the "raise hand" function when public comment is opened on the agenda item. You will be unmuted when your name is called and re-muted after the allotted time. To raise your hand, click the "raise hand" button or *9 on your telephone. To unmute your phone, press *6.
- Join the meeting using this URL: https://cityofpleasanton.zoom.us/j/85145185146
- Join by phone +1 (669) 444-9171. When prompted: Enter Webinar ID 851 4518 5146.

In Person at Council Chamber:

- Submit a physical speaker card to the City Clerk at the meeting. When your name is called, please provide comment at the podium.

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## CALL TO ORDER

- Pledge of Allegiance
- Remarks by Councilmember Arkin
- Roll Call

Resolution No. 2024-001
Ordinance No. 2273

## AGENDA AMENDMENTS

## CONSENT CALENDAR

*Items listed on the consent calendar are considered routine in nature and may be*

*enacted by one motion. If discussion is required, that particular item will be removed from the consent calendar and will be considered separately.*

City Manager

1. Approve meeting minutes of October 17 and November 7, 2023

Community Development

2. Actions of the Zoning Administrator and Planning Commission

3. Introduce and waive first reading of an Ordinance approving an application to establish development standards and construct tennis court fencing for an existing single-family residence located at 2207 Martin Avenue (PUD-148)

Finance

4. Accept the Monthly Disbursements and Investment Report for November 2023

Public Works

5. Adopt a Resolution of Summary Vacation for public service and access easements and acceptance of replacement public service and emergency vehicle access easements at 29 Grey Eagle Court

6. Approve the purchase of two Freightliner M2106 Dump Trucks with National Auto Fleet Group in the amount of $503,576

7. Approve third amendment to the agreement with Tri-Signal Integration, Inc. for fire alarm maintenance and repair services by increasing the not-to-exceed amount by $145,118 and extending the term through Fiscal Year 2024/25 for a total not-to-exceed amount of $395,118 over a five-year term

8. Approve plans and specifications, review bids, and award a construction contract to Golden State Construction & Utility, Inc. in the amount of $1,644,000 for the Bernal Avenue 18-Inch Water Main (F-4 Line) & Turnout No. 1 Improvements Project, CIP No. 24172

9. Approve plans and specifications, review bids, and award the construction contract for Library Lighting Improvements Project, CIP No. 23493 to American Wholesale Lighting of Livermore, CA, for the low bid amount of $997,212 and award a professional services agreement to Dahlin Group, Inc., for the not-to-exceed amount of $21,350 for construction support services

**MEETING OPEN TO THE PUBLIC**

10. Presentation of a Proclamation recognizing January 18, 2024 as Sandra J. Wing Day in Pleasanton

11. Public Comment regarding items not listed on the agenda – Speakers are limited to 3 minutes.

**PUBLIC HEARINGS AND OTHER MATTERS**

*If necessary to ensure completion of the following items, the Mayor may alter time limits.*

12. Receive an update on the diversity, equity, inclusion and belonging implementation plan

**MATTERS INITIATED BY COUNCIL**

**COUNCIL REPORTS**

*Brief reports on conferences, seminars, and meetings attended by the Council*

**ADJOURNMENT**

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**Notice**

Under Government Code §54957.5, any writings/documents regarding an open session item on this agenda and items received by the City Clerk's Office by 12:00 p.m. on the day of the meeting provided to a majority of the City Council after distribution of the agenda packet will be available for public inspection on the City's website https://www.cityofpleasantonca.gov/ and also at the Pleasanton Library located at 400 Old Bernal Ave., Pleasanton, CA 94566.

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders, which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure § 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code §65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting.

**Accessible Public Meetings**

The City of Pleasanton can provide special assistance for persons with disabilities to participate in public meetings. To make a request for a disability-related modification or accommodation (e.g., an assistive listening device), please contact the City Clerk's Office at 123 Main Street, Pleasanton, CA 94566 or (925) 931-5027 at the earliest possible time. If you need sign language assistance, please provide at least two working days' notice prior to the meeting date.

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# CITY OF PLEASANTON
# CITY COUNCIL MEETING MINUTES
# October 17, 2023

## CLOSED SESSION

### CALL TO ORDER
Mayor Brown called the meeting to order at the hour of 6:00 p.m. from the Remillard Conference Room located at 3333 Busch Road.

### ROLL CALL
Present: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Absent: None

### PUBLIC COMMENT

Mayor Brown opened public comment. There being no speakers, Mayor Brown closed public comment.

The Mayor adjourned to closed session in Conference Room 1.

### ADJOURN TO CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
   Paragraph (1) of subdivision (d) of Government Code Section 54956.9

   Name of case: *City of Pleasanton v. 3M Company, et al.* (United States District Court for the District of South Carolina Charleston Division (Civil Case No. 2:2021cv01119))

### ADJOURNMENT

The meeting adjourned at 6:25 p.m.

## SPECIAL MEETING

### CALL TO ORDER
Mayor Brown called the meeting to order at the hour of 6:30 p.m. from the Remillard Conference Room located at 3333 Busch Road.

### ROLL CALL
Present: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Absent: None

### PUBLIC COMMENT

Mayor Brown opened public comment. The following individuals provided comment: Marsha McInnis, John Bauer. Mayor Brown closed public comment.

### PRESENTATION

1. Presentation of League of California Cities 2023 Helen Putnam Award for Excellence for the City of Pleasanton's Alternative Response to Mental Health Program

Police Chief David Swing provided remarks about the Alternative Response to Mental Health Program.

League of California Cities representatives Sam Caygill and Jennifer Fathergill presented the Helen Putnam award to the City.

City Councilmembers provided comments.

The meeting adjourned at 7:00 p.m.

## REGULAR MEETING

### CALL TO ORDER

Mayor Brown called the meeting of the City Council to order at the hour of 7:05 p.m. from the Remillard Conference Room located at 3333 Busch Road.

Councilmember Testa provided opening remarks.

### ROLL CALL

Present: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Absent: None

### REPORT ON CLOSED SESSION

City Attorney Dan Sodergren stated there was no reportable action from 6:00 p.m. closed session.

### AGENDA AMENDMENTS

Councilmember Balch pulled item 2 from the consent calendar for further discussion. Item 2 was moved to the end of the agenda.

Prior to voting on the Consent Calendar, Mayor Brown provided a summary of the terms of the agreements of items 1 and 8.

### CONSENT CALENDAR

City Council

1. Approve amended and restated employment contract of City Manager Gerry Beaudin to provide for a six and one quarter percent (6.25%) salary increase to $26,031 monthly effective September 1, 2023, various other adjustments to the terms of the contract, and a six and one-quarter percent (6.25%) salary increase to $27,658 monthly effective February 1, 2024

   Recommendation: Approve amended and restated employment contract of City Manager Gerry Beaudin and authorize the Mayor to sign on behalf of the City.

City Manager

2. **Moved to Public Hearings and Other Matters –** Approve change at public meetings to allow virtual public comment only when required by state law when a councilmember is also attending virtually effective October 23, 2023

3. Adopt a resolution to set rates for commercial mixed recycling compactors and commercial 64-gallon mixed recycling carts as required by the Franchise Agreement between the City and Pleasanton Garbage Service Inc. and amend currently adopted rate schedule to include the newly set rates

   Recommendation: Waive the full reading and adopt **Resolution No. 23-1422** to set rates for commercial mixed recycling compactors and commercial 64-gallon mixed recycling carts as required by the Franchise Agreement between the City and Pleasanton Garbage Service Inc. and amend currently adopted rate schedule to include the newly set rates

Community Development

4. Actions of the Zoning Administrator and Planning Commission

   Recommendation: Approve the report.

5. Approve a $300,000 loan to Tri-Valley REACH to construct a two-bedroom accessory dwelling unit at an existing property for occupancy by very low-income adults with developmental disabilities and authorize the City Manager to execute all documents

   Recommendation: Adopt **Resolution No. 23-1425** approving the HOME Loan Agreement, Promissory Note, Deed of Trust, and Amendment to Regulatory Agreement, (collectively the Loan Documents) and authorize the City Manager to execute each such document substantially in the forms attached to the resolution, with non-substantive changes to these documents as may be approved by the City Attorney, as well as other documents related to the loan.

6. Accept $7,300,000 in 2024 Comprehensive Investment Plan funds from the Alameda County Transportation Commission for the West Las Positas Boulevard Multimodal Reconstruction Project, CIP No. 11514

   Recommendation:
   1. Adopt **Resolution No. 23-1438** accepting $7,300,000 of Measure BB discretionary grant funds from the Alameda County Transportation Commission for the West Las Positas Multimodal Reconstruction Project, CIP No. 11514
   2. Authorize the City Manager to execute the Project Funding Agreement for the West Las Positas Multimodal Reconstruction Project with the Alameda County Transportation Commission
   3. Authorize $1.3 million in Fiscal Year 2023/24 and $6 million in Fiscal Year 2024/25, for a total of$7.3 million, in Measure BB discretionary grant funds be allocated to the revenue and expenditure accounts for CIP No. 11514 (Revenue — 16230231-333252-11514; Expenditure — 16230231-440108-11514).

Finance

7. Accept the Monthly Disbursements and Investment Report for August 2023

   Recommendation: Accept the report.

Human Resources

8. Adopt a resolution approving the proposed pay schedule for management and confidential employees

   Recommendation: Waive the full reading and adopt **Resolution No. 23-1423** approving a 4.25 percent increase to the Management and Confidential control points

Library and Recreation

9. Adopt a resolution approving requirements for sports organization for co-sponsorship status and repeal Resolution No. 98-125

   Recommendation: Waive the full reading and adopt **Resolution No. 23-1424** approving requirements for sports organization for co-sponsorship status with the modification recommended by the Parks and Recreation Commission and a residency rate of 70 percent, and repeal resolution No. 98-125

Public Works

10. Approve the agreement with Wilson General Contractor, Inc. in the amount of $212,498 for insulation improvements to the Mechanic Shop for FY 2023/24

    Recommendation: Approve and authorize the City Manager to enter into a Maintenance and Trade Services Agreement with Wilson General Contractor Inc. in the amount of $212,498, which includes a 15 percent contingency for the insulation improvements at the Public Works mechanic shop.

11. Accept public improvements performed by QA Constructors, Inc. for the 2023 Streets Preventative Maintenance Project, CIP No. 23570

    Recommendation:
    1. Accept the project as complete and authorize the City Clerk to file a Notice of Completion.
    2. Authorize the release of the retention in the amount of $26,411.14 to QA Constructors, Inc., 30 days after the recordation of the Notice of Completion.
    3. Authorize the return of the project's balance of $38,211 to the Miscellaneous CIP - General Fund (Fund 201)

12. Accept public improvements performed by Miracle Playsystems, Inc. for the Annual Playground Renovations at Val Vista Community Park Project, CIP No. 23745

    Recommendation:
    1. Accept the project as complete and authorize the City Clerk to file a Notice of Completion.
    2. Authorize the transfer of$27,230 of the remaining project funds from the Parks CIP — General fund (Fund 221), CIP No. 23745, to CIP No. 24745, the Annual Playground Renovations.

13. Approve a task authorization with Carlson Management, Inc. for the not-to-exceed amount of $135,600 to provide staff augmentation through March 2024

    Recommendation: Authorize the City Manager to execute a task authorization with Carlson Management, Inc. for staff augmentation services through March 2024 for the not-to-exceed amount of $135,600.

14. Accept public improvements performed by Gradetech, Inc. for the downtown transportation corridor parking lot project, CIP No. 17448

Recommendation:
1. Accept the Downtown Transportation Corridor Parking Lot Project as complete and authorize the City Clerk to file a Notice of Completion.
2. Authorize the release of the retention in the amount of$139,856.27 to GradeTech, Inc. 30 days after the recordation of the Notice of Completion.
3. Authorize the return of the project's balance of$239,031 back to the Miscellaneous CIP - General Fund (Fund 201).

Mayor Brown opened public comment. The following individual provided comment: Pat O'Brien, John Asmussen, Sean Fogarty, Scott McMillin, Erin Sharpe and Mike Montoya.

The Mayor closed public comment.

**MOTION:** It was m/s by Nibert/Balch to approve the consent calendar as recommended except for item 2, and with a modification to item 9 to not include adult Sunday soccer and that when updates to the master fee schedule are made for co-sponsored groups that it be brought before the Council for review. Motion passed by the following vote:

Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Noes: None
Absent: None

**MEETING OPEN TO THE PUBLIC**

15. Presentation of a Proclamation Recognizing October 2023 as Arts & Humanities Month

Councilmember Testa introduced the proclamation recognizing October 2023 as Arts & Humanities Month.

Kelly Cousins, President of the Pleasanton Cultural Arts Council, and Meghana Mitragotri, President of the Pleasanton Art League, received the proclamation.

16. Public Comment regarding items not listed on the agenda

Mayor Brown opened public comment. The following individual provided comment: Sharon Piekarski, Jan Coleman-Knight, Patie Kopish and Bart Hughes.

The Mayor closed public comment.

**PUBLIC HEARINGS AND OTHER MATTERS**

17. Accept a report on the Water Supply Alternatives Study, approve the design and construction of two new wells as the preferred water supply alternative, establish a new Capital Improvement Project – Two New City Wells (Wells 9 and 10 and Associated Pipelines) CIP No. 24174, and appropriate funds from the Water Fund

Recommendation:
1. Accept the Water Supply Alternatives Study Draft Final Report October 12, 2023
2. Approve proceeding with planning and developing two new wells as the preferred water supply alternative, including evaluating a joint project with Zone 7 Water Agency

3. Establish anew Capital Improvement Project— Two New City Wells (Wells 9 & 10 and Associated Pipelines) CIP No. 2417
4. Appropriate $500,000 from the Water Enterprise Fund Balance to the Water Replacement Capital Improvement Program to fund the anticipated Fiscal Year 2023/24 costs for this project.

Interim Director of Public Works, Norm Dorais, and consultants Jenny Gain and Jerry Brown (Brown & Caldwell) presented the item.

The City Council asked questions of staff and the consultants.

Mayor Brown opened public comment. There being no speakers, Mayor Brown closed public comment.

**MOTION:** It was m/s by Nibert/Balch to approve the item as recommended. Motion passed by the following vote:

Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Noes: None
Absent: None

Mayor Brown recessed the meeting at 8:48 p.m. and reconvened the meeting at 8:55 p.m.

18. **Continued from October 3, 2023 –** Approve Lions Wayside and Delucchi Parks conceptual plan and approve a professional services agreement with Callander Associates Landscape Architecture, Inc. in the amount of $115,000 to prepare construction documents for the Lions Wayside and Delucchi Parks Project, CIP No. 06716

Recommendation:
1. Review the conceptual plan options for Lions Wayside and Delucchi Parks and provide direction on the Council's selected bandstand location, style, and prioritization of Phase 2 park amenities.
2. Approve a professional services agreement with Callander Associates Landscape Architecture, Inc. for the not-to-exceed amount of $115,000 for construction documents services for the proposed renovations for the Lions Wayside and Delucchi Parks Project, CIP No. 06716.
3. Authorize the City Manager to approve agreements and execute amendments for the project for up to $25,000 for additional design services, if necessary.

Interim Director of Public Works, Norm Dorais, and Landscape Architect, Matt Gruber presented the item.

The City Council asked questions of staff and the City’s consultant, Dave Ruben, with Callander Associates.

Mayor Brown opened public comment. The following individual provided comment: Gerard Rawson, Debbie Ayers, Christine Bourg, and Sharon Piekarski.

The Mayor closed public comment.

The City Council provided comments regarding amenities and park features. Assistant City Manager Pamela Ott clarified that a further discussion on amenities for Phase 2 will be brought to the City Council for direction and prioritization should funding become available.

**MOTION:** It was m/s by Arkin/Testa to approve conceptual plan A with the gazebo (option B) for the design of the bandstand, approve the professional services agreement with Callander Associates, and authorize the City Manager to approve and execute agreements for the project as recommended. Motion passed by the following vote:

Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Noes: None
Absent: None

19. Review the proposed recommendations regarding commission and committee reorganization and deferral of the fall 2023 recruitment

Recommendation:

- Review the proposed recommendation regarding commission and committee reorganization and provide input, toward formal approval at a future City Council meeting.
- Approve the deferral of the fall commission and committee recruitment process until the final reorganized structure is implemented, excepting for as-needed recruitments to ensure a commission/committee maintains a quorum.

Assistant City Manager Pamela Ott introduced the item. Heidi Murphy and Ellen Clark presented the item.

Mayor Brown opened public comment. The following individuals provided comment: Wendy Kimsey, Sharon Piekarski, and Jan Coleman-Knight.

The Mayor closed public comment.

The City Council provided direction on the proposed reorganization as follows:

- Economic Vitality Committee: Reduce from 22 to 9 members (Commercial Real Estate, Downtown Business, Retail, Information Technology, Life Sciences, Commercial Services, Professional Services, 2 at-large businesses), and reduce meeting frequency to meet every other month.
  Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
  Noes: None

- Bicycle, Pedestrian, and Trails Committee: Reduce from 13 to 9 members (1 Planning Commissioner, 1 Parks & Recreation/Arts Commissioner, 2 Youth Commissioners, 1 Energy & Environment Commissioner, 4 at-large members), with 1 youth member and 5 at-large members, and reduce meeting frequency to meet every other month.
  Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
  Noes: None

- Energy and Environment Committee: Change to a commission, no change to membership (7 members).
  Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
  Noes: None

- Youth Commission: Reduce term to 2 two-year terms, remove adult members (regular and alternate), total of 15 members of 3 middle school, 6 freshmen/sophomores, 6 juniors/seniors, meet monthly, September through May.

  Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
  Noes: None

- The City Council directed that staff return with a transition plan for the approved proposal to combine the Housing Commission and Planning Commission with no change to membership (6 members).

The City Council directed that the ad-hoc subcommittee meet to further discuss the proposals for the remaining commissions: Civic Arts, Human Services, Library, and Parks and Recreation.

The City Council agreed that the fall recruitment to fill commissions and committees vacancies is deferred unless an immediate term need is required for a board that will not be impacted by major membership changes.

At 11:10 p.m., by majority consensus, the City Council agreed to proceed with the meeting.

20. **Item 2 from Consent Calendar** – Approve change at public meetings to allow virtual public comment only when required by state law when a councilmember is also attending virtually effective October 23, 2023

    Recommendation: Approve change in practice to only accept in-person or written public comments, unless accepting virtual comment is required by state law effective October 23, 2023.

    **MOTION:** It was m/s by Nibert/Brown to approve the item as recommended. Motion passed by the following vote:

    Ayes: Councilmembers Arkin, Nibert, Mayor Brown
    Noes: Councilmembers Balch, Testa
    Absent: None

**MATTERS INITIATED BY COUNCIL**

By majority consensus, the City Council agreed that when the next discussion regarding development fees is scheduled on an agenda that it also includes a discussion of a percentage allocation for public art.

**COUNCIL REPORTS**

Councilmembers reported on regional and local agency meetings attended.

**ADJOURNMENT**

The Mayor adjourned the meeting at 12:02 a.m.

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Jocelyn Kwong, City Clerk

**CITY OF PLEASANTON**
**CITY COUNCIL MEETING MINUTES**
**November 7, 2023**

## CLOSED SESSION

### CALL TO ORDER

Mayor Brown called the meeting to order at the hour of 6:30 p.m. from the Remillard Conference Room located at 3333 Busch Road.

### ROLL CALL

Present: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Absent: None

### PUBLIC COMMENT

Mayor Brown opened public comment. There being no speakers, Mayor Brown closed public comment.

### ADJOURN TO CLOSED SESSION

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Paragraph (1) of subdivision (d) of Government Code Section 54956.9

a) Name of case: *Janet Riegel v. Livermore-Pleasanton Fire Department, et al. (Alameda County Superior Court Case No. RG20070492)*

b) Name of case: Claimant Joseph G. Garcia, Jr.; Workers Compensation Appeals Board Case Nos. ADJ15436582

Name of case: Claimant Joseph Fields; Workers Compensation Claim PLE24000010

### ADJOURNMENT

The meeting adjourned at 6:50 p.m.

## REGULAR MEETING

### CALL TO ORDER

Mayor Brown called the meeting of the City Council to order at the hour of 7:00 p.m. from the Remillard Conference Room at the Operations Services Center located at 3333 Busch Road.

Councilmember Arkin provided opening remarks.

### ROLL CALL

Present: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Absent: None

## REPORT ON CLOSED SESSION

City Attorney Dan Sodergren stated there was no reportable action.

## AGENDA AMENDMENTS

Vice Mayor Balch continued item 17 to the December 5, 2023, City Council meeting.

Councilmember Testa pulled item 3 from the consent calendar for further discussion. Item 3 was moved to item 18.

## CONSENT CALENDAR

City Manager

1. Adopt a resolution authorizing submittal of an application to CalRecycle for SB 1383 Local Assistance Grant Program (FY 2022/23) and related authorizations, and accept grant funds in the amount of $144,587

   Recommendation: Waive the full reading and adopt **Resolution No. 23-1426** authorizing the City Manager or designated staff to submit an application for the CalRecycle SB 1383 Local Assistance Grant Program Fiscal Year 2022/23 funding cycle and accept the allocation of $144,587 in grant funds

2. **Public Hearing –** Adopt a resolution levying the Downtown Pleasanton Business Improvement District Assessment for 2024

   Recommendation: Waive the full reading and adopt **Resolution No. 23-1427** levying the Downtown Pleasanton Business Improvement District assessment for 2024.

3. **Moved to Public Hearings and Other Matters –** Introduce and waive first reading of an ordinance amending Chapter 6.28 of the Municipal Code regarding consolidation of the newsracks located in the Pleasanton downtown area

4. Approve meeting minutes of September 19, 2023

   Recommendation: Approve the meeting minutes of September 19, 2023.

Community Development

5. Actions of the Zoning Administrator and Planning Commission

   Recommendation: Approve the actions of the Zoning Administrator and Planning Commission.

6. Approve a one-year renewal order with Accela for land management software licensing and support services in the amount of $97,678 for a new total license agreement cost of $321,008 for the four-year term through 2025

   Recommendation: Approve and authorize the City Manager to execute the attached Order Form with Accela for $97,678, extending the current license agreement for a period of one year (through December 13, 2024), for a new total licensing agreement cost of $321,008.

7. Adopt a resolution of local support authorizing the City of Pleasanton to submit a State Transportation Improvement Program application for grant funds in the amount of $6 million for the I-680/Sunol Boulevard Interchange Modernization Project, CIP No. 15551

   Recommendation: Waive the full reading and adopt **Resolution No. 23-1428** authorizing the City to submit a STIP application in the amount of $6 million for the I-680/Sunol Boulevard Interchange Modernization Project, CIP 15551.

Finance

8. Accept the monthly disbursements and investment report for September 2023

   Recommendation: Accept the monthly disbursements and investment report for September 2023.

Library and Recreation

9. Adopt a resolution approving updated Library Policies related to 1) Public Access to the Internet; 2) Library Materials Recovery; 3) Collection Development; 4) Request for Reconsideration of Material Form; and 5) Inclusiveness in Materials Statement

   Recommendation: Waive the full reading and adopt **Resolution No. 23-1429** approving updated library policies related to 1) Public Access to the Internet; 2) Library Materials Recovery; 3) Collection Development; 4) Request for Reconsideration of Material Form; and 5) Inclusiveness in Materials Statement.

10. Adopt resolutions accepting two California State Library grants for Adult Literacy Services in the amount of $43,776 for fiscal year 2023/24 and English-as-a-Second-Language services in the amount of $61,071 for fiscal year 2023/24; and approve budget amendments in the miscellaneous grant fund

    Recommendation: Waive the full reading and adopt **Resolution No. 23-1430** accepting a State Library Grant for Adult Literacy Services in the amount of $43,776 for Fiscal Year 2023/24 and **Resolution No. 23-1431** accepting a State Library Grant for English-as-a-Second-Language Services in an amount of $61,071 for Fiscal Year 2023/24, and amend the FY 2023/24 budget appropriation for the Miscellaneous Grant Fund.

11. Adopt a resolution accepting the Pacific Library Partnership grant for Memory Kits for adults and their caregivers and appropriate grant funds in the amount of $11,915 for fiscal year 2023/24 and approve a budget amendment in the Miscellaneous Grant Fund

    Recommendation: Waive the full reading and adopt **Resolution No. 23-1432** accepting the PLP grant for memory kits for adults and their caregivers in the amount of $11,915 for FY 2023/24 and amend the FY 2023/24 Budget Appropriation for the Miscellaneous Grant Fund.

12. Adopt a resolution approving required documents for the Community Grant Program and authorizing staff to make related administrative changes to the Community Grant Program

    Recommendation: Waive the full reading and adopt **Resolution No. 23-1433** approving required documents for the Community Grant Program and authorizing staff to make related administrative changes to the Community Grant Program.

Public Works

13. Approve the purchase of golf course maintenance equipment including utility carts, mowers, and a bunker rake, for Callippe Preserve Golf Course from Deere and Company in the amount of $380,127

    Recommendation: Approve the purchase of golf course maintenance equipment for Callippe Preserve Golf Course, and authorize the City Manager to execute a purchase order with Deere and Company in the amount of $380,127.

14. Approve the purchase of a Freightliner M2106 with 11-foot tree and vegetation chipper body in the amount of $224,472

    Recommendation: Approve the purchase of the Freightliner M2106, DD8 7.7L CYL single-stage engine, Allison 2200RDS transmission with 11-foot Chipper Body via Western Truck Fab in the amount of $224,472, which includes a 15 percent contingency.

**MOTION:** It was m/s by Arkin/Nibert to approve the consent calendar as recommended except for item 3 which was moved to public hearing item 18 for further discussion. Motion passed by the following vote:

Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Noes: None
Absent: None

**MEETING OPEN TO THE PUBLIC**

15. Public Comment regarding items not listed on the agenda

    Mayor Brown opened public comment. The following individual provided comment: Rosalind Rondash.

    Mayor Brown closed public comment.

**PUBLIC HEARINGS AND OTHER MATTERS**

16. **Continued from September 19, 2023 –** Hold a public hearing on proposed water and sewer rate increases and adopt resolutions to amend the master fee schedule for water and sewer rates effective January 1, 2024

    Recommendation: Waive the full reading and adopt **Resolution No. 23-1434** amending the master fee schedule (Resolution No. 92-100) to revise water rates and charges and **Resolution No. 23-1435** amending the master fee schedule (Resolution No. 92-100) to revise sewer rates and charges. The staff recommended water rate increases are 30 percent for FY 2024, 20 percent for FY 2025, and 12 percent for FY 2026. The modified alternative option for the water rate increase is for 30 percent in FY 2024 and 12 percent for FY 2025.

    City Manager Beaudin introduced the item and staff. Norm Dorais Interim Public Works Director, Tamara Baptista, Assistant Director of Public Works, and Brian Bass with Raftelis Financial Consultants presented the item and answered questions.

    Mayor Brown opened public comment. The following individuals provided comment: Jasbir Gujral, Rakesh, Sanjana, Jon Krueger, Jesse Chimni, Datta Junnarkar, Swapnil, Subhash Gaur, Kelly

Ceglio, Rakesh Jain, Prasad A, Nilima Sanr, Deepak Sanr, Rajender Pande, Denise Colvin, Vinod Moza, Mark Mullaney, Deepak, Yogesh, William Lam, Cathy Stoik, Nitin Bhandari, and Tim Krukiel.

Mayor Brown closed public comment.

Mayor Brown recessed the meeting at 9:28 p.m and reconvened the meeting at 9:40 p.m.

**SUBSTITUTE MOTION:** It was m/s by Balch/Arkin to approve the resolutions as recommended with modification to the water rate increases as follows: 15 percent water rate increase in year one, and 15 percent water rate increase in year two, and to bring back the budget for CIP items and other discretionary items for review. Motion failed by the following vote:

Ayes: Councilmembers Arkin, Balch
Noes: Councilmembers Nibert, Testa, Mayor Brown
Absent: None

**MOTION:** It was m/s by Testa/Nibert to approve the resolutions as recommended with the modified alternative water rate increases as follows: 30 percent water rate increase in year one, and a 12 percent increase in year two. Motion passed by the following vote:

Ayes: Councilmembers Nibert, Testa, Mayor Brown
Noes: Councilmembers Arkin, Balch
Absent: None

Mayor Brown recessed the meeting 10:35 p.m. and reconvened the meeting at 10:40 p.m.

17. **Continued to December 5, 2023 –** Introduce an ordinance to add a new Chapter 9.06 Leaf Blower Restrictions to the Municipal Code to ban gasoline-powered leaf blowers effective June 1, 2024, and waive first reading

18. **Item 3 from Consent Calendar –** Introduce and waive first reading of an ordinance amending Chapter 6.28 of the Municipal Code regarding consolidation of the newsracks located in the Pleasanton downtown area

    Recommendation: Waive first reading and introduce **Ordinance No. 2248** amending chapter 6.28 of the Municipal Code regarding consolidation of newsracks located in the Pleasanton downtown area.

    Assistant City Manager, Pamela Ott, gave a brief presentation and responded to questions.

    Mayor Brown opened public comment. There being no speakers, the Mayor closed public comment.

    A motion was made and seconded by Nibert/Brown to approve the item as recommended.

    Councilmember Arkin requested an amendment to the motion to include exploring the possibility of adding a lending library and painted artwork to the newsracks. The amendment was accepted.

**MOTION:** It was m/s by Nibert/Brown to approve as recommended with additional direction to explore the feasibility of the addition of a lending library and painting with artwork to the newsracks. Motion passed by the following vote:

Ayes: Councilmembers Arkin, Balch, Nibert, Mayor Brown
Noes: Councilmember Testa
Absent: None

**MATTERS INITIATED BY COUNCIL**

Vice Mayor Balch inquired whether the City would be commenting with an objection regarding the proposed route in the notice related to the Kiewit site and contaminated soils.

City Manager Beaudin confirmed that the City will be objecting and commenting formally, and the preferred route is the one that runs least through residential areas of the community.

Vice Mayor Balch requested clarification regarding the City's mailed notices regarding an upcoming item regarding Housing Opportunity Sites and that it is step 2 of the City's Housing Element process to entitle those sites.

City Manager Beaudin confirmed that it is a rezoning that implements the Housing Element.

Vice Mayor Balch requested a conversation about the meeting minutes documentation for the City Council and commissions and committees. The City Council agreed to receive an email update from staff to the City Council with suggestions.

**COUNCIL REPORTS**

Councilmembers reported on regional and local agency meetings attended.

**ADJOURNMENT**

The Mayor adjourned the meeting at 11:35 p.m.

_____
Jocelyn Kwong, City Clerk

THE CITY OF PLEASANTON

# CITY COUNCIL AGENDA REPORT

January 16, 2024
Community Development

**TITLE: ACTIONS OF THE ZONING ADMINISTRATOR AND PLANNING COMMISSION**

**P23-0896, Gary Yu**
Application for Administrative Design Review approval to construct an approximately 455-square-foot first-story addition to the front and an approximately 262-square-foot first-story addition to the rear of an existing residence located at 1133 Bordeaux Street.

*Project Information:*
*Existing floor area: 2,130 square feet*
*Total floor area with addition: 2,847 square feet*
*Lot size: 8,631 square feet*
*Existing floor area ratio: 24.68 percent*
*Total floor area ratio with addition: 32.99 percent*

Approved. (*15 days*)

**P23-0898, Daniel Ruiz/Chen + Ruiz Architecture & Consulting**
Application for Administrative Design Review approval to construct an approximately 607-square-foot single-story addition at the rear of the residence located at 1826 Brooktree Way.

*Project Information:*
*Existing floor area: 2,047 square feet*
*Total floor area with addition: 2,654 square feet*
*Lot size: 7,405 square feet*
*Existing floor area ratio: 27.64 percent*
*Total floor area ratio with addition: 35.84 percent*

Approved. (*11 days*)

**P23-0904, Umoja Akbar/Tom Wilson Architects**
Application for Design Review approval to remove an existing roll-up door, replace it with a new glass storefront and replace existing gates at 3440 Stanley Boulevard.

Approved. (*12 days*)

**P23-0900, Marcus Moliteus**
Application for Administrative Design Review approval to construct an approximately 958-square-foot, new second floor at the existing one-story residence located at 7717 Cottonwood Lane.

*Project Information:*
*Existing floor area: 1,587 square feet*
*Total floor area with addition: 2,545 square feet*
*Lot size: 7,789 square feet*
*Existing floor area ratio: 20.37 percent*
*Total floor area ratio with addition: 32.67 percent*

Approved. (*13 days*)

**PUD-81-30-64D-5M, Chris Mateo**
Application for Design Review approval to remove and replace landscaping along the Willow Road, Stoneridge Drive and Hacienda Drive frontages within the public service easements and modifications to the garden area located at 4300 Hacienda Drive.

Approved. (*1 days*)

**P23-0892, Mike Burgess**
Application for Administrative Design Review to enclose the existing single-story covered patio, replace doors and windows at the rear of the residence, construct a second-story balcony on the northwest corner of the residence, and create approximately 797 square feet of new living space at 4150 West Ruby Hill Drive.

*Project Information:*
*Existing floor area: 7,742 square feet*
*Total floor area with addition: 8,539 square feet*
*Lot size: 27,350 square feet*
*Existing floor area ratio: 28.31 percent*
*Total floor area ratio with addition: 31.22 percent*

Approved. (*33 days*)

**P23-0901, Douglas Harwood**
Application for Administrative Design Review approval to construct an approximately 504-square-foot, 12-foot-tall pavilion on the rear (south) of the existing residence at 1316 Piemonte Drive.

Approved. (*16 days*)

***Planning Commission, December 13, 2023***

Commissioners Present: Matt Gaidos, Anurag Jain, Ken Morgan, Stephanie Wedge, and Chair Brandon Pace
Commissioners Absent: Vivek Mohan

**PUD-148, Meenu Gochhwal, 2207 Martin Avenue**
Review and affirm the conditions of approval as modified by the Planning Commission at the August 23, 2023 public hearing, and finalize recommendation to the City Council for final approval.

Action Recommended: Adopt Resolution No. PC-2023-18 recommending City Council approve the addition of Item 4E, which states tennis court lighting above 8 feet shall require an Administrative Design Review

Action Taken: Approved Resolution No. PC-2023-18 recommending City Council approve the addition of Item 4E, which states tennis court lighting above 8 feet shall require an Administrative Design Review

Vote: *4-1*

| Prepared by: | Submitted by: | Approved by: |
|---|---|---|
| Melinda Denis<br>Zoning Administrator | Ellen Clark<br>Director of Community Development | Gerry Beaudin<br>City Manager |

CITY COUNCIL AGENDA REPORT

January 16, 2024
Community Development

**TITLE: INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE APPROVING AN APPLICATION TO ESTABLISH DEVELOPMENT STANDARDS AND CONSTRUCT TENNIS COURT FENCING FOR AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 2207 MARTIN AVENUE (PUD-148)**

## SUMMARY

The applicant/property owners are proposing to establish development standards for the subject parcel, and are seeking approval to construct fencing around an existing tennis court on the property located at 2207 Martin Avenue. The property includes an existing single-family residence constructed prior to the parcel's annexation into the city in 1997. Although the parcel is part of an area for which Planned Unit Development (PUD) zoning was previously approved, it does not have an approved PUD development plan, which is necessary to establish development standards and uses for any development of the parcel. Approval of the PUD development plan requires review and recommendation by the Planning Commission to the City Council for action. The Planning Commission recommended approval of the project at a hearing on August 23, 2023; and at its December 13, 2023, public hearing, affirmed its recommendation for approval of the project subject to modified conditions of approval. The item is now presented to the City Council for consideration and approval.

## RECOMMENDATION

1. Find the project is exempt from environmental review pursuant to the California Environmental Quality Act Guidelines (CEQA); and
2. Make the PUD considerations for the proposed development plan as stated in the draft ordinance provided as Attachment 1; and
3. Introduce and waive first reading of an Ordinance approving an application to establish development standards and construct tennis court fencing for an existing single-family residence located at 2207 Martin Avenue (Case No. PUD-148), subject to conditions of approval listed in Exhibit A of Attachment 1.

## BACKGROUND

The property at 2207 Martin Avenue is located near the north end of Martin Avenue and is part of the Mohr-Martin area, generally defined by Martin Avenue, Mohr Avenue, the former Southern Pacific Railroad right-of-way, and Stoneridge Drive. The Mohr-Martin area comprises predominantly residential uses of varying densities and home designs. Many of the properties within the area were originally located in unincorporated Alameda County but were progressively annexed into the city during the 1990s; thus, many of these properties were subdivided and developed in conformance to planning, zoning, and construction standards of Alameda County.

On April 1, 1997, the City Council adopted Ordinance No. 1709 for RZ-97-2 which pre-zoned the subject property to the PUD-LDR District as part of a larger approximately 34.5-acre area, for a maximum density “approaching” 2.0 dwelling units per acre (i.e. 1.999…du/ac). The property was annexed into the city in 1997.

In 2021, the City Council approved Case Nos. PUD-140 and P21-0079 through Ordinance 2223 at 2207 Martin Avenue, which included Minor Subdivision approval to subdivide the approximately 1.67-acre parcel into two parcels (A and B), and to adopt a PUD Development Plan to develop a second single-family home on Parcel A. No parcel map has since been approved and the PUD development plan expired on November 5, 2023. The current owners do not wish to pursue the previously approved subdivision and development of a second single-family home, and instead propose to retain the property as a single lot, maintaining the existing single-family home, with some site improvements as outlined below.

In August 2022, City staff was made aware of work on the property to construct a tennis court, including pouring a concrete slab, and erecting poles for fencing. After investigation and discussion with staff, the property owners were advised of the requirement for a PUD Development Plan to be approved to allow for any work requiring a building permit to be performed. Flatwork, such as pouring a concrete slab for a sports court, is not subject to a building permit, whereas most vertical construction (including fencing above specified heights) typically requires a building permit.

In March 2023, the applicant/property owners applied for a PUD development plan that would establish development standards for the subject parcel and allow the City to provide specific guidance for any future development on the subject parcel; among the standards are some that pertain to the tennis court.

## PLANNING COMISSION RECOMMENDATION

On December 13, 2023, the Planning Commission, by a 4-1 vote, recommended approval of the application, based on the PUD findings of approval and subject to conditions of approval listed in Exhibit A (in Attachment 1). The Planning Commission initially recommended approval of the project at a hearing on August 23, 2023, but, following the meeting, staff found there to be some ambiguity in the motion for approval, and based on this and further information submitted by the applicant, requested the item be returned to the Planning Commission to re-affirm its decision and clarify the conditions of approval. The discussion section below provides additional information.

## DISCUSSION

### Site and Area Description

The subject property is a flat, approximately 1.67-acre site located between Martin Avenue and Dennis Drive and is developed with an approximately 4,173-square-foot two-story, single-family residence with an attached garage built in 1977. There are several mature trees clustered in the center of the lot with established landscaping surrounding the existing residence. Single-family residences are located north, south, and west and Alameda County Flood Control District property is located east, across Martin Avenue, of the subject site (see Figures 1 and 2). Existing houses in the area are both one- and two-story and sited appropriately with their respective lot sizes, which generally range between 0.5 and 1 acre or more in size. On adjacent parcels, the nearest structures are setback approximately 5 feet from the property line (see Figures 4 and 5 in Attachment 2, Exhibit C). Additionally, the

general area is zoned Planned Unit Development-Low Density Residential (see Figure 6 in Attachment 2, Exhibit C).

**Figure 1: Aerial View**

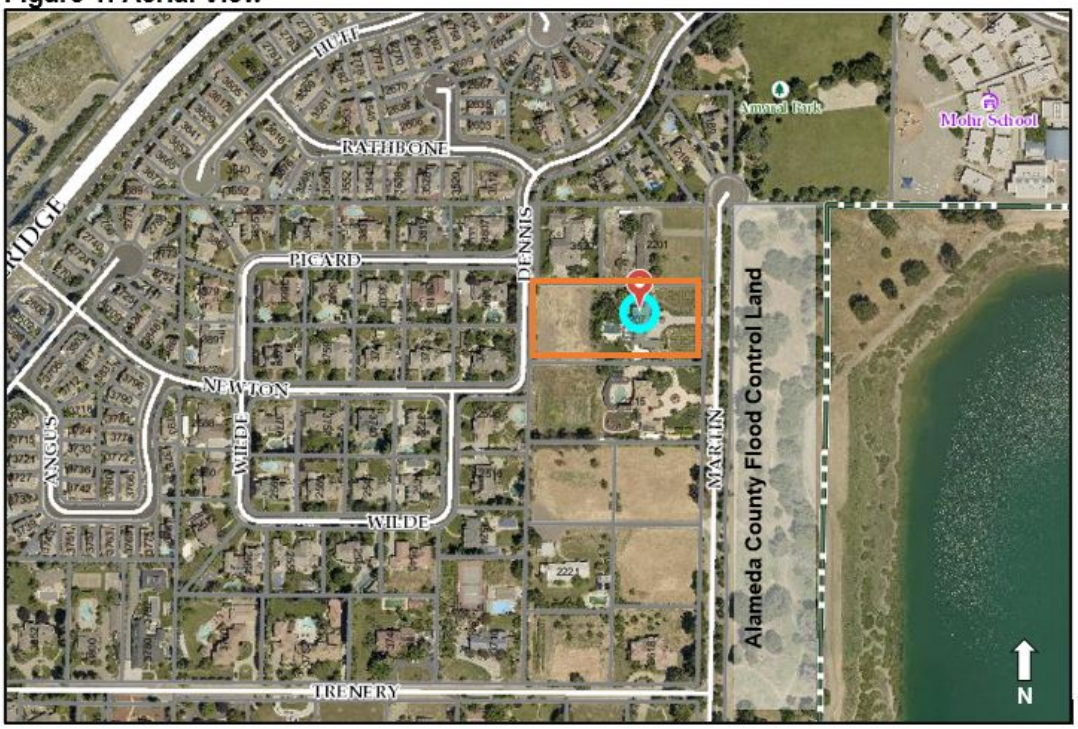



**Figure 2: Focused Aerial View from March 2023** (via Nearmap)

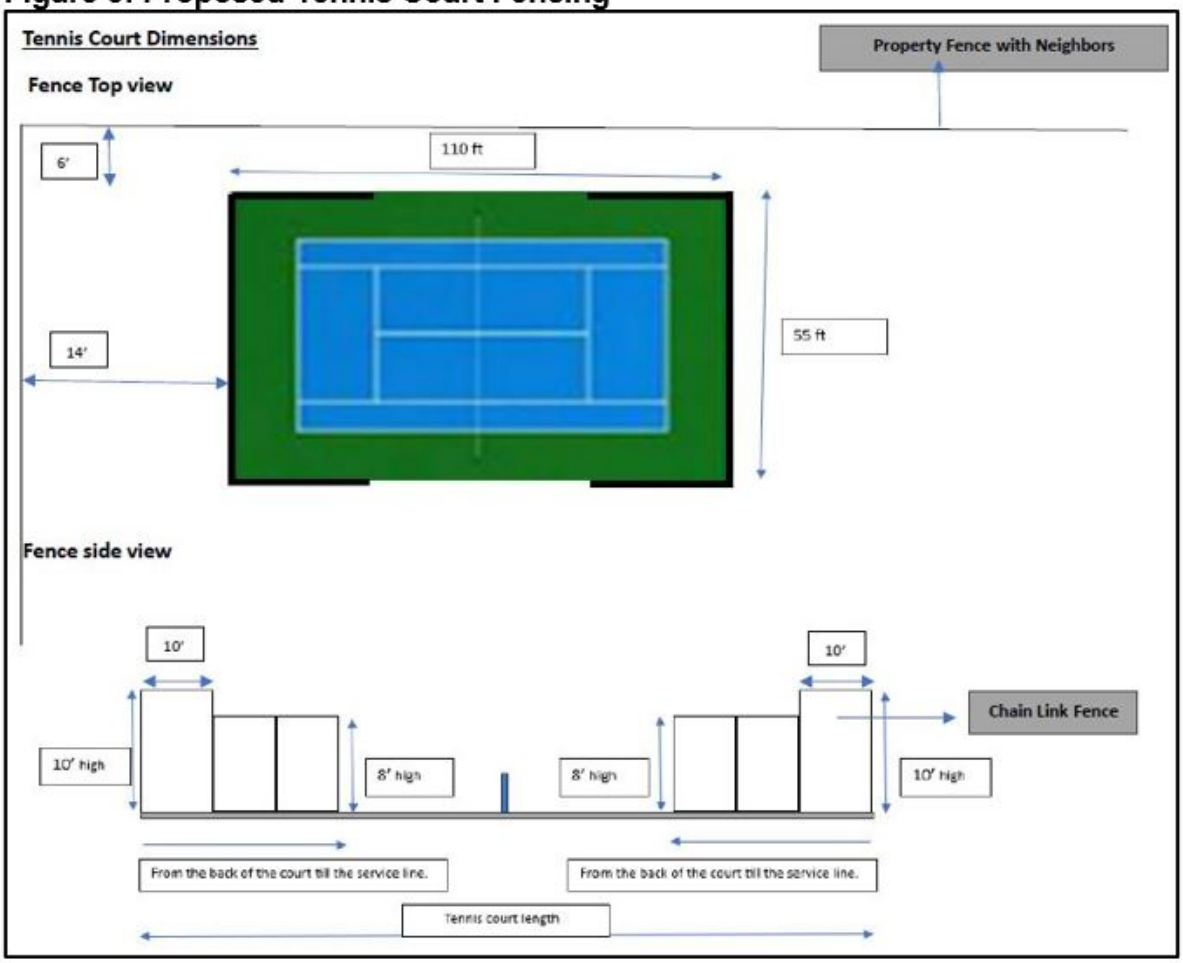
Project Description

The applicant/property owners propose to establish development standards for the subject

parcel for the existing residence and accessory structures. The proposal also includes specific provisions to establish development standards, and approve a tennis court measuring approximately 55 feet by 110 feet, with the intention of legalizing the existing (partially installed) fencing surrounding the court (see Figure 3).

The overall development standards for primary and accessory structures are proposed to be consistent with those of the R-1-40,000 Zoning District. More specific standards are established for the tennis court fencing, including its design (e.g. a U-shape) and maximum heights specified for the sides and ends of the court. Additionally, measures to mitigate impacts to neighbors, such as installing vegetative screening and increasing the 'good neighbor' fence height (along adjacent property at 3520 Dennis Drive) to approximately 7 feet tall are included as conditions of approval. Further details concerning the proposed development standards are provided in the attached December 13, 2023, Planning Commission Agenda Report (Attachment 2).

**Figure 3: Proposed Tennis Court Fencing**




Planning Commission Action

The Planning Commission held a public hearing on August 23, 2023 (see Attachment 2, Exhibit C), to review the project and provide a recommendation to the City Council. Six members of the public, including the applicant/property owners, provided comments both in support of and against the project, with particular focus on the tennis court. Objections were raised regarding the height of the tennis court fence height, visual impacts, proximity to the

adjacent neighbor's residence (3520 Dennis Drive) at the shared side property line to the north, and tennis court lighting. To the latter item, the applicant/property owners commented that tennis court lighting was not being proposed.

After listening to public testimony and discussing the project, the Planning Commission, on a 5-0 vote, recommended approval of the project subject to modified conditions of approval. The modifications made were principally in response to neighbor concerns, and the motion articulated these conditions in detail, such as the design of the tennis court fencing, landscaping, and property-line fencing.

However, the motion was silent on several other aspects and did not reference the other staff-recommended conditions of approval. For this reason, the applicant/property owners contacted Planning staff to express their differing interpretation of the Planning Commission's motion. In response, staff requested the item be continued from the September 19, 2023, scheduled City Council agenda, to allow further discussion with the applicant/property owners and an opportunity to clarify any points of difference.

Following the August 23 hearing, in addition to meeting with staff to discuss the proposed conditions, the applicant/property owners submitted an updated narrative and more detailed plans of the tennis court, as well as photo documentation of existing evergreen landscaping along the fence line. This additional information allowed for several of the previously stated conditions to be simplified and/or removed. Although no lighting is currently proposed, the applicant requested that there be no outright prohibition on tennis court lighting, as had been stipulated in the August 23 conditions of approval. Staff was supportive of this request, noting that exterior lighting is commonplace within residential properties in Pleasanton and this neighborhood; lighting below 10 feet in height is not subject to special planning approvals, and lighting above 10 feet is also permitted, subject to Administrative Design Review. See the December 13, 2023, Planning Commission Agenda Report (Attachment 2) for further discussion of the revised conditions of approval.

The Planning Commission held a second public hearing on December 13, 2023 (see Attachment 2), to review and confirm the conditions of approval, as modified, and finalize its recommendation to the City Council. Two neighbors spoke in opposition to the project, and one written comment was submitted, citing similar concerns regarding the impacts of the tennis court as had been raised at the August Planning Commission hearing, including visual impacts and fencing.

Following the consideration of public testimony and deliberation on the project at the December 13, 2023, public hearing, the Planning Commission, on a 4-1 vote, voted to recommend approval of the project subject to modified conditions of approval (see Attachment 1).

<u>Consistency with General Plan and Zoning Land Uses</u>
Development on the project site is governed by the following land use designations and regulations:

- <u>General Plan:</u> The subject property has a General Plan Land Use Designation of Low Density Residential (LDR), which allows a maximum density of less than two dwelling units per gross acre (translating to a density of 1.999…dwelling units per acre) with a

mid-point density of one dwelling unit per gross-acre. The existing single-family dwelling unit and proposed development standards of the R-1-40,000 District would be consistent with the low-density designation.

- Zoning: The site is zoned PUD-LDR, meaning that development standards for the project would be established as part of the related PUD development plan. The zoning for the property does not currently include established development standards (e.g., setbacks, floor area ratio, parking, etc.), and would be determined as part of this application in accordance with the PUD Chapter of the Pleasanton Municipal Code (PMC).

The proposed application of R-1-40,000 standards is appropriate considering the existing 1.67-acre size of the subject parcel, and its location among similarly sized and zoned properties. The R-1-40,000 District requires a 40,000 square foot (approximately one-acre) minimum lot size, and setbacks and other development standards of the district are aligned accordingly. The proposed development standards would be compatible with those applicable in the surrounding neighborhood, which generally comprises large lots between approximately 0.5 and 1 acre or more in size.

While the PMC does not explicitly address sports court design or lighting, it regulates accessory structures under PMC 18.20.010 – Projects Subject to Design Review. Following the R-1 District development standards, construction of any accessory structure exceeding 10 feet in height is subject to Administrative Design Review (ADR) in line with the design review criteria. As outlined above, staff and the Planning Commission supported tennis court lighting being allowed, on the basis that exterior lighting is commonplace in residential yards throughout this neighborhood and elsewhere in Pleasanton. While ADR is typically required for structures (including lighting) over 10 feet in height, the Planning Commission included a more stringent condition to require ADR for any tennis court lighting over 8 feet, to be responsive to neighbor concerns and ensure taller lighting would be designed to eliminate off-site impacts. Other conditions of approval would also serve to mitigate off-site impacts, including requirements for planting of screening vegetation, and cooperation between neighbors to modify the height of an existing property-line fence from 6 to 7 feet. With these conditions, the Planning Commission found all the findings for approval of the PUD Development Plan and tennis court fencing could be made.

## EQUITY AND SUSTAINABILITY

Not applicable, as this item is a routine matter of City business.

## OUTREACH

Notice of this application was sent to surrounding property owners and tenants within a 1,000-foot radius of the site and published in the newspaper. The noticing map is included as Attachment 3. As of the time this report was published, staff has not received any public comments. However, neighbors who received notice of the August 23, 2023, Planning Commission public hearing expressed concerns regarding potential tennis court's lighting impacts to homes and light pollution, the proximity of the tennis court to adjacent residences, and requests for assurance the tennis court would obtain proper permits. Similar concerns with respect to lighting and proximity of the tennis court were also raised at the December 13, 2023 meeting.

## STRATEGIC PLAN ALIGNMENT

Not applicable, as this item is a routine matter of City business.

## FISCAL IMPACT

The are no financial impacts associated with the recommended action, beyond the possibility of standard building permitting fees being collected as any future work on the property requires.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Environmental review for the proposed project was undertaken with the Initial Study/Negative Declaration adopted by the City Council for RZ-97-2 in conformance with the standards of the California Environmental Quality Act (CEQA). There are not substantial changes to the project or the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects. Furthermore, there is no new information of substantial importance which was unknown at the time the Initial Study/Negative Declaration was adopted by the City Council regarding the project or its effects, mitigation measures, or alternatives. Any previously identified effects or impacts are mitigated to a level of insignificance, with the mitigation measures incorporated into the project's design or imposed on the project pursuant to the conditions of approval. Therefore, no new environmental document accompanies this agenda report.

| Prepared by: | Submitted by: | Approved by: |
|---|---|---|
| Diego Mora, Associate Planner | Ellen Clark, Director of Community Development | Gerry Beaudin, City Manager |

Attachments:

1. Ordinance with Exhibit A
2. December 13, 2023 Planning Commission Agenda Report with Exhibits
3. Location and Notification Map

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION FOR A PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT PLAN TO ESTABLISH DEVELOPMENT STANDARDS AND CONSTRUCT TENNIS COURT FENCING FOR 2207 MARTIN AVENUE, AS FILED UNDER CASE NO. PUD-148**

**WHEREAS**, on March 17, 2023, Meenu Gochhwal and Ashish Choudhary ("Applicant") applied for PUD development plan approval under case No. PUD-148 to establish development standards for 2207 Martin Ave ("Property"); and

**WHEREAS**, the Property is designated Low Density Residential in the General Plan; and

**WHEREAS**, the zoning for the Property is PUD-LDR (Planned Unit Development – Low Density Residential) District; and

**WHEREAS**, at its meeting of August 23, 2023, with a 5-0 vote, the Planning Commission determined the development plan is appropriate for the site, made the findings, and recommended to the Pleasanton City Council PUD-148 be approved; and

**WHEREAS**, following the August 23, 2023 hearing, staff determined there was a need to clarify and affirm certain details of the Planning Commission's approval; and, the applicant also submitted further information and requested changes to the conditions of approval. By staff direction, the item was redirected to the Planning Commission to review and affirm the conditions of approval as modified; and

**WHEREAS**, at its meeting of December 13, 2023, by a 4-1 vote, the Planning Commission determined the development plan is appropriate for the site, made the required findings, and recommended to the Pleasanton City Council PUD-148 be approved; and

**WHEREAS**, on January 16, 2024, the Pleasanton City Council held a duly noticed public hearing on this application and considered all public testimony, agenda reports, and related materials, and the recommendations of City staff and the Planning Commission; and

**WHEREAS**, after review of the materials presented, the Pleasanton City Council determined the proposed PUD development plan was consistent with the City's General Plan and purposes of the PUD ordinance, and by this reference adopted and reaffirmed all the conditions and findings set forth in Planning Commission resolution (Resolution No. PC-2023-18); and

**WHEREAS,** the Pleasanton City Council determined the proposed project was adequately analyzed in the Initial Study/Negative Declaration adopted by the City Council for RZ-97-2 in conformance with the standards of the California Environmental

Quality Act (CEQ) and no further environmental review is required pursuant to the California Environmental Quality Act (CEQA); and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HERBY ORDAIN AS FOLLOWS:**

**Section 1:** The City Council approves case PUD-148, the application of Meenu Gochhwal and Ashish Choudhary for PUD Development Plan approval to establish development standards and construct tennis court fencing for 2207 Martin Avenue, subject to the conditions as shown in Exhibit A, attached hereto and made part of this ordinance by this reference.

**Section 2:** A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen 15) days after its adoption.

**Section 3:** This ordinance shall become effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on January 16, 2024 by the following vote.

Ayes:
Noes:
Absent:
Abstain:

_____
Karla Brown, Mayor

ATTEST:

_____
Jocelyn Kwong, City Clerk

Dated: _____

APPROVED AS TO FORM:

_____
Daniel G. Sodergren, City Attorney

**EXHIBIT A**
**CONDITIONS OF APPROVAL**

**PUD-148**
**2207 Martin Avenue**
**January 16, 2024**

The applicant is hereby notified, as part of this approval, that (s)he is required to satisfy and maintain compliance with the conditions of approval below. Where approval by the Director of Community Development, Planning Division, Director of Engineering/City Engineer, City Attorney, Chief Building and Safety Official, Fire Department or other City staff is required, review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices related to the approval. In addition to complying with the conditions below, the applicant is required to comply with all applicable federal, state, and local laws that pertain to this project, whether or not specifically noted herein.

This approval is granted for a Planned Unit Development approval to establish development standards for an existing single-family residence zoned PUD (Planned Unit Development) - LDR (Low Density Residential) and construct tennis court fencing at the rear of the property at Assessor Parcel No. 946-1146-46 at 2207 Martin Avenue. Development shall be substantially as shown on the project materials listed below:

a. Project narrative and plan, Exhibit B, prepared by Meenu Gochhwal and Ashish Choudhary, owners, dated “Received” on June 17, 2023 and November 20, 2023 and kept on file in the Planning Division of the Community Development Department.

The project materials listed above are collectively the “Approved Development Plan.”

<u>THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:</u>

1. APPROVAL AND REVISIONS: All development on the subject parcel shall be in substantial conformance with the “Approved Development Plan”, except as modified by the following conditions. See Condition No. 4 below.

2. LIABILITY AND INDEMNIFICATION: To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employees and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including without limitation, reimbursing the City its attorneys’ fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

**PLANNING DIVISION – 925-931-5600**

Site Development and Building Design

3. DEVELOPMENT STANDARDS: Primary (existing single-family residence) and accessory structures uses shall be those of the R-1-40,000 (One-Family Residential) District of the Pleasanton Municipal Code. **Project Specific Condition**

4. TENNIS COURT: The tennis court, including tennis court fencing, shall be subject to the following development standards:
   a. Allow fencing approximately 10-feet maximum in height at the front and rear (narrow) ends of the tennis court.
   b. Allow fencing approximately 8-feet maximum in height on the long sides of the tennis court, extending from the 10-foot-high corner poles to the service lines.
   c. Vining vegetation will be planted to grow along the tennis court fencing, and tall, 5-gallon minimum vegetation, will be placed between the court and property line fencing.
   d. Applicant and neighbor will share repair costs of an approximately 7-foot-high solid wood fence along the property line between 2207 Martin Avenue and 3520 Dennis Drive. If the neighbors have not shared costs to pay for the repairs within six months of the effective date of this approval, the applicant shall be relieved of this condition.
   e. Tennis court lighting above eight feet in height shall require Administrative Design Review.
   **Project Specific Condition**

**END**

THE CITY OF PLEASANTON

# Planning Commission Agenda Report

December 13, 2023
Item 4

**SUBJECT:** **PUD-148**

**APPLICANT/ PROPERTY OWNERS:** Meenu Gochhwal & Ashish Choudhary

**PURPOSE:** Review and affirm the conditions of approval as modified by the Planning Commission at the August 23, 2023 public hearing, and finalize recommendation to the City Council for final approval.

**LOCATION:** 2207 Martin Avenue

**GENERAL PLAN:** Low Density Residential

**ZONING:** PUD-LDR (Planned Unit Development – Low Density Residential)

**EXHIBITS:**

A. Resolution and Draft Conditions of Approval
B. Project Plans dated "Received June 17, 2023, and November 20, 2023"
C. August 23, 2023 Planning Commission Agenda Report with Exhibits.
D. Location and Notification Map

## STAFF RECOMMENDATION

Staff recommends the Planning Commission review the conditions of approval as modified by the Planning Commission on August 23, 2023, and adopt the attached resolution recommending approval of PUD-148 to the City Council, based on the required findings and subject to the draft Conditions of Approval in Exhibit A.

## EXECUTIVE SUMMARY

The proposed project would establish development standards for the subject parcel, including a proposal to construct a tennis court with fencing. The site is zoned PUD, but no PUD development plan has been adopted, which would establish specific development standards for the residence and any accessory or ancillary structures. The Pleasanton Municipal Code (PMC) Chapter 18.68.050 restricts development of a site within a planned unit development district until all provisions of chapter 18.68 have been completed, including adoption of a development plan. The applicant/property owners are requesting approval of a PUD development plan to establish development standards for the subject parcel, including addition of site-specific standards for a tennis court.

On August 23, 2023, the Planning Commission considered and approved PUD-148, with modifications to the staff-recommended conditions of approval. Since the August 23 meeting,

the applicant submitted more detailed plans of the tennis court, and clarified information on existing landscaping, allowing some conditions to be simplified and clarified by staff. Staff is now seeking the Commission's review and affirmation of the modified conditions so that a recommendation can be forwarded to the City Council.

## SITE AND AREA DESCRIPTION

The subject property is a flat, approximately 1.67-acre site located between Martin Avenue and Dennis Drive and is developed with an approximately 4,173-square-foot two-story single-family residence with an attached garage built in 1977 (see Exhibit C, Figure 1). Additionally, the general area is zoned Planned Unit Development-Low Density Residential (see Exhibit C, Figure 6).

## PROPOSED PROJECT

The applicant/property owners propose to establish development standards for the subject parcel consistent with those of the R-1-40,000 Zoning District for the existing residence and accessory structures. The proposal also includes a new tennis court with specific provisions to establish development standards for sports court fencing (see Exhibit B).

Planning Commission Hearing and Action

The Planned Unit Development application (PUD-148) was heard by the Planning Commission on August 23, 2023. At the hearing, there were comments made both in support and against the application regarding development standards for a tennis court. Particular concern was raised by the adjacent property owners at 3520 Dennis Drive regarding potential lighting impacts, height of tennis court fencing, and proximity of the tennis court to their residence. In response, the applicant/property owners stated that no lighting is currently proposed and that they were amenable to reasonable mitigation measures, such as vegetation screening and increasing the height of the existing shared wood fence on the property line, with the latter based on an understanding that the neighbor at 3520 Dennis Drive was amenable to sharing the cost of increasing the height of the fence.

After discussion, the Planning Commission motioned to recommend approval to the City Council with modified Conditions of Approval for the tennis court and fencing.

The motion articulated some of the amended conditions in detail, such as the design of the tennis court fencing, landscaping, and property-line fencing. However, it was silent on several other aspects and did not reference the other staff-recommended conditions of approval.

Staff subsequently prepared a revised resolution reflecting an interpretation of the Planning Commission's motion, which was shared with the applicant in advance of the scheduled City Council hearing on September 19, 2023. The applicant/property owners contacted Planning staff to express their differing interpretation of Planning Commission's motion. In response, staff requested the item be continued from the scheduled City Council agenda, to allow further discussion with the applicant/property owners.

## DISCUSSION/ANALYSIS

Following the August 23 hearing, in addition to meeting with staff to discuss the proposed conditions, the applicant/property owner submitted an updated narrative and more detailed plans of the tennis court, as well as photo documentation of existing landscaping along the fence line. This additional information allows for several of the conditions to be simplified

and/or removed. Based on this further review, and additional information submitted by the applicant, staff has revised and clarified the conditions of approval.

Other revisions include removal of a specific reference to an Administrative Design Review (ADR) requirement for the current tennis court (since plans have since been provided and are considered part of the PUD approval). As for any other residential property, future property improvements would be subject to the City's standard processes and procedures, which include ADR for elements over 10 feet in height.

The amended conditions clarify that if the neighbors are unable to obtain cost-sharing for construction of a seven-foot-high fence at the property line, the condition would be invalidated. And, since the applicant has demonstrated that there are existing landscape plantings along the fence line, which they installed in recent months, there is no need to further condition the application in this manner.

Note that the applicant requested, and staff supports, removal of the prohibition on outdoor lighting that was stated in the original Conditions of Approval. While no outdoor lighting is currently proposed to be installed, staff notes that outdoor lighting is common throughout the surrounding neighborhood and the city as a whole; and lighting below 10 feet in height does not require any special City approval. If lighting above 10 feet were proposed in the future, it would be subject to an ADR, which would allow for consideration of factors such as positioning, shielding and hours of operation to minimize impacts to neighbors.

The revised Conditions of Approval are attached as Exhibit A. The location and design of the tennis court is not proposed to change. The proposed tennis court design and standards are proposed to meet the revised modified conditions of approval per Exhibit A. As noted above, any subsequent development on the lot, including sports court lighting, would be subject to the development standards of the R-1-40,000 District and subject to design review criteria outlined in the Pleasanton Municipal Code Chapter 18.20.010.

Staff recommends that the Planning Commission review the revised modified conditions of approval per Exhibit A including the proposed design of the tennis court and fencing per Exhibit B.

**PROJECT SITE ALTERNATIVES**

Staff believes the proposed development standards, as proposed and conditioned, would be compatible with the other parcels in the neighborhood and not create adverse impacts, and recommends the Planning Commission affirm the conditions of approval and recommendation for approval of the PUD development plan to the City Council. However, alternatives to the proposal that could be considered by the Planning Commission include:

1. Recommend denial of the PUD development plan to the City Council.
2. Recommend approval of the PUD development plan but with modifications.
3. Approve the PUD development plan as proposed by the applicant.

Staff believes the PUD development plan, as conditioned, will not adversely impact any surrounding properties or the surrounding neighborhood. Staff recommends none of the alternatives above be pursued.

## PLANNED UNIT DEVELOPMENT CONSIDERATIONS

The Pleasanton Municipal Code Section 18.68.110 sets forth the purpose of the Planned Unit Development District and considerations to be addressed in reviewing a PUD development plan. These purposes and considerations are set forth in the draft resolution included as Exhibit A and includes whether the development plan is in conformance with the City's General Plan, in the best interest of public health, safety, and general welfare, and whether the plan would be compatible with developed properties in the vicinity. As described in Exhibit A and based on the information and analysis provided in this agenda report, staff recommends the Commission make the required findings to recommend approval of the project to the City Council.

## PUBLIC NOTICE

Notice of this application was sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and notification maps as Exhibit D for reference. At the time this report was published, staff has not received any public comments about the project. Any additional public comments received after publication of this report will be forwarded to the Commission.

## ENVIRONMENTAL ASSESSMENT

Environmental review for the project was undertaken with the Initial Study/Negative Declaration adopted by the City Council for RZ-97-2 (prezone application) in conformance with the standards of the California Environmental Quality Act (CEQA). There are not substantial changes to the project or the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects. Therefore, no new environmental document accompanies this agenda report.

**Primary Author**: Diego Mora, Associate Planner, dmora@cityofpleasantonca.gov

**Reviewed/Approved By**:
Julie Harryman, Assistant City Attorney
Melinda Denis, Planning and Permit Center Manager/Deputy Director of Community Development
Ellen Clark, Director of Community Development

**EXHIBIT A**

# RESOLUTION NO. PC-2023-18

## A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RECOMMENDING THE CITY COUNCIL APPROVE AN APPLICATION FOR A PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT PLAN TO ESTABLISH DEVELOPMENT STANDARDS FOR 2207 MARTIN AVENUE, AS FILED UNDER CASE NO. PUD-148

**WHEREAS**, on March 17, 2023, Meenu Gochhwal and Ashish Choudhary ("Applicant") applied for PUD development plan approval under case No. PUD-148 to establish development standards for 2207 Martin Ave ("Property"); and

**WHEREAS**, the Property is designated Low Density Residential in the General Plan; and

**WHEREAS**, the zoning for the Property is PUD-LDR (Planned Unit Development – Low Density Residential) District; and

**WHEREAS,** environmental review for the project was undertaken with the Initial Study/Negative Declaration adopted by the City Council for RZ-97-2 in conformance with the standards of the California Environmental Quality Act (CEQA). There are not substantial changes to the project or the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects. Furthermore, there is no new information of substantial importance which was unknown at the time the Initial Study/Negative Declaration was adopted by the City Council regarding the project or its effects, mitigation measures, or alternatives. Any previously identified effects or impacts are mitigated to a level of insignificance, with the mitigation measures incorporated into the project's design or imposed on the project pursuant to the conditions of approval. Therefore, no new environmental document accompanied the project; and

**WHEREAS**, on August 23, 2023, the Planning Commission held a duly-noticed public hearing and considered relevant exhibits, recommendations of the City staff concerning this application, and received testimony from the applicant and interested parties.

**WHEREAS**, on August 23, 2023 with a 5-0 vote, the Planning Commission determined the development plan is appropriate for the site, made the necessary findings, including modifications to the staff-proposed conditions of approval, and recommended to the Pleasanton City Council PUD-148 be approved.

**WHEREAS**, case No. PUD-148 was scheduled for City Council consideration and action on September 19, 2023, but was removed from the consent calendar by staff to be redirected to the Planning Commission in order to review and affirm the motion made at the August 23, 2023 Planning Commission hearing.

**WHEREAS**, on December 13, 2023, the Planning Commission held a duly-noticed public hearing and considered relevant exhibits, recommendations of the City

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staff concerning this application, including clarification of the conditions of approval, and received testimony from the applicant and interested parties

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pleasanton, based on the entire record of proceedings, including the oral and written staff reports and all public comment and testimony:

**Section 1:** Findings for PUD Development Plan Approval
With respect to the approval of the PUD development plan, the Planning Commission makes the following findings and determinations with respect to each of the considerations for approval of a PUD Development Plan as required by Section 18.68.110 of the Pleasanton Municipal Code (PMC):

1. **Whether the proposed development plan is in the best interest of the public health, safety, and general welfare.**

   The Planning Commission finds the proposed development plan, as conditioned, meets all applicable City standards concerning public health, safety, and welfare, e.g., vehicle access, geologic hazards (new development not within a special study zone), and flood hazards. The proposed development plan will not generate volumes of traffic that cannot be accommodated by existing City streets and intersections in the area. The proposed development plan is designed in conformance with the Pleasanton General Plan designation for this site and all other relevant policies and programs. Any additional development on the subject parcel will be designed to meet the requirements of this development plan, the California Building Code, California Fire Code, and other applicable codes. As such, the Planning Commission concludes this finding can be made.

2. **Whether the proposed development plan is consistent with the Pleasanton General Plan and any applicable specific plan.**

   The proposed development plan includes establishing development standards of the R-1-40,000 District, site-specific development standards for sports courts, and retention of the existing single-family residence on an approximately 1.67-acre lot. The Planning Commission finds the existing single-family residence and lot size conforms to the General Plan Low Density Residential land use designation with a maximum of two dwelling units per gross developable acre. The Planning Commission finds that the site-specific development standards for sports courts minimize intrusions into existing neighborhoods. The proposed development plan promotes General Plan Programs and Policies encouraging the preservation of the existing housing stock and preserving and enhancing the character of existing residential neighborhoods. As such, the Planning Commission concludes this finding can be made.

**3. Whether the proposed development plan is compatible with the previously developed properties in the vicinity and the natural, topographic features of the site.**

The neighborhood includes a mixture of one-and-two-story residences with a variety of architectural styles sited appropriately with its lot. The proposed development standards would be consistent with those for those allowable within the R-1-40,000 zone, which are appropriate for the existing approximately 1.67-acre lot, and compatible with the land use pattern and existing developed properties in the vicinity. With consideration to existing accessory structures in the vicinity, the proposed sports court development standards are compatible with previously developed properties and established development standards of surrounding Planning Unit Development Districts. The subject parcel is flat with mature existing vegetation. As such, the Planning Commission finds the existing single-family residence is sensitive to the existing trees and vegetation on-site. The Planning Commission concludes this finding can be made.

**4. Whether grading in conjunction with the proposed development plan takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooring, and to have as minimal an effect upon the environment as possible.**

No grading is being proposed as part of this proposed development plan, and as such the project would be in keeping the existing environmental characteristics of the of the property. In addition, the flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate the subject property is not located in a flood hazard zone. The subject parcel will drain to the face-of-curb and excess stormwater runoff would be directed into public street storm drains. As such, the Planning Commission concludes this finding can be made.

**5. Whether streets, buildings, and other manmade structures have been designed and located in such a manner to complement the natural terrain and landscape.**

The proposed development plan does not include the extension of any new public streets. The subject parcel is relatively flat and consists of an existing single-family residence and accessory structures; no significant changes or modifications to the site or natural terrain are proposed. The Planning Commission finds the proposed development plan is sensitive to existing landscaping, maintaining a majority of the mature vegetation on-site. Given the existing single-family residence's large setbacks, extensive landscaping, and articulated building design the scale is appropriate. The architectural style and detailing of the existing single-family residence is compatible with the existing neighborhood. As such, the Planning Commission concludes this finding can be made.

6. **Whether adequate public safety measures have been incorporated into the design or the proposed development plan.**

   At this time, the proposed development plan does not propose a new site design or accessory structures, only a new sports court. The existing residence received approval from Alameda County at the time of its construction and was designed to meet the requirements of the California Building Code and applicable County codes at that time. The Planning Commission finds the subject parcel has adequate access to serve police, fire, and other emergency vehicles. All additional development on the subject parcel will be required to meet the requirements of the proposed development plan and all applicable City and State codes. As such, the Planning Commission concludes this finding can be made.

7. **Whether the proposed development plan conforms to the purposes of the PUD district.**

   The proposed development plan conforms to the purposes of the PUD district including to allow residential uses on the lots. In addition, the intent is to maintain adequate light, air, privacy, and separation between dwellings and requires specific landscape, fencing, lighting, and other design requirements unique to the district. The proposed development plan will help implement the intent of the district through large setbacks and context sensitive building and site design. As such, the Planning Commission concludes this finding can be made.

**Section 2:** The Planning Commission hereby recommends the City Council approve the application for a PUD development plan (PUD-148) as reflected in the Conditions of Approval in Attachment 1 attached hereto and incorporated into this resolution by reference to establish development standards for 2207 Martin Avenue.

**Section 3:** This resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Pleasanton at a regular meeting held on December 13, 2023, by the following vote:

Ayes:
Noes:
Absent:
Abstain:

**ATTEST:**

| | |
|---|---|
| _____ | _____ |
| Melinda Denis | Brandon Pace |

Secretary, Planning Commission Chair

**APPROVED AS TO FORM:**

_____
Julie Harryman
Assistant City Attorney

# EXHIBIT A
# DRAFT CONDITIONS OF APPROVAL

## PUD-148
## 2207 Martin Avenue

The applicant is hereby notified, as part of this approval, that (s)he is required to satisfy and maintain compliance with the conditions of approval below. Where approval by the Director of Community Development, Planning Division, Director of Engineering/City Engineer, City Attorney, Chief Building and Safety Official, Fire Department or other City staff is required, review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices related to the approval. In addition to complying with the conditions below, the applicant is required to comply with all applicable federal, state, and local laws that pertain to this project, whether or not specifically noted herein.

This approval is granted for a Planned Unit Development approval to establish development standards for an existing single-family residence zoned PUD (Planned Unit Development) - LDR (Low Density Residential) and construct a tennis court at the rear of the property at Assessor Parcel No. 946-1146-46 at 2207 Martin Avenue. Development shall be substantially as shown on the project materials listed below:

a. Project narrative and plan, Exhibit B, prepared by Meenu Gochhwal and Ashish Choudhary, owners, dated “Received” on June 17, 2023 and November 20, 2023 and kept on file in the Planning Division of the Community Development Department.

The project materials listed above are collectively the “Approved Development Plan.”

<u>THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:</u>

1. APPROVAL AND REVISIONS: All development on the subject parcel shall be in substantial conformance with the “Approved Development Plan”, except as modified by the following conditions. See Condition No. 4 below.

2. LIABILITY AND INDEMNIFICATION: To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employees and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including without limitation, reimbursing the City its attorneys’ fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

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**PLANNING DIVISION – 925-931-5600**

Site Development and Building Design

3. DEVELOPMENT STANDARDS: Primary (existing single-family residence) and accessory structures uses shall be those of the R-1-40,000 (One-Family Residential) District of the Pleasanton Municipal Code. **Project Specific Condition**

4. TENNIS COURT: The tennis court, including tennis court fencing, shall be subject to the following development standards:
   a. Allow fencing approximately 10-feet maximum in height at the front and rear (narrow) ends of the tennis court.
   b. Allow fencing approximately 8-feet maximum in height on the long sides of the tennis court, extending from the 10-foot-high corner poles to the service lines.
   c. Vining vegetation will be planted to grow along the tennis court fencing, and tall, 5-gallon minimum vegetation, will be placed between the court and property line fencing.
   d. Applicant and neighbor will share repair costs of an approximately 7-foot-high solid wood fence along the property line between 2207 Martin Avenue and 3520 Dennis Drive. If the neighbors have not shared costs to pay for the repairs within six months of the effective date of this approval, the applicant shall be relieved of this condition. **Project Specific Condition**

**END**

RECEIVED
06.17.23
PUD-148
CITY OF PLEASANTON
PLANNING DIVISION
EXHIBIT B

Description of Proposal:

We propose to build a 10 ft high sports court fencing for the tennis court that has been built in our backyard.

**Background:** We, the current owners, purchased this property in April 2022 and have been using this property as our primary residence since then. In August 2022, we reached out to Pleasanton City to seek approval for building a tennis court along with a 10ft high sports court fencing and 12ft high LED lights in our back yard. The city gave us the go ahead for the Tennis Court with sport court fencing however we were asked to submit an application for administrative design review to secure planning permit for the lights.

Subsequently we undertook the construction of the proposed Tennis Court and the sports court fencing (without LED lights). We also applied for planning permit for LED lights. By early December 2022, the flat work for the tennis court was fully completed and we put in the poles for the sport court fencing (The chain link had not been put in yet).

On or around December 10th 2022, we received a call from City Enforcement that our neighbour had complained about the tennis court and we were directed to contact the city. On further discussions with the city, we have been directed to submit this application.

We had built the sports court based on following two email communications from Planner on Duty

**Email dated November 9th, 2022 by Planner on Duty: <Quote Begin>** "The property is zoned PUD-LDR and subject to the R-1-20,000 development standards. Per the R-1-20,000 standards, accessory structures are required to be setback 5-feet from the rear setback line and 3-feet from the side property line (see Table 18.84.010)." **<Quote End>**
**Email dated August 22nd, 2022 by Planner on Duty: <Quote Begin>** "The tennis court would not require any Planning review or permits. The same for the 10-foot-high fence from a Planning perspective, but again it cannot exceed 10 feet at any point. A Building permit would be required for the fence." **<Quote End>**

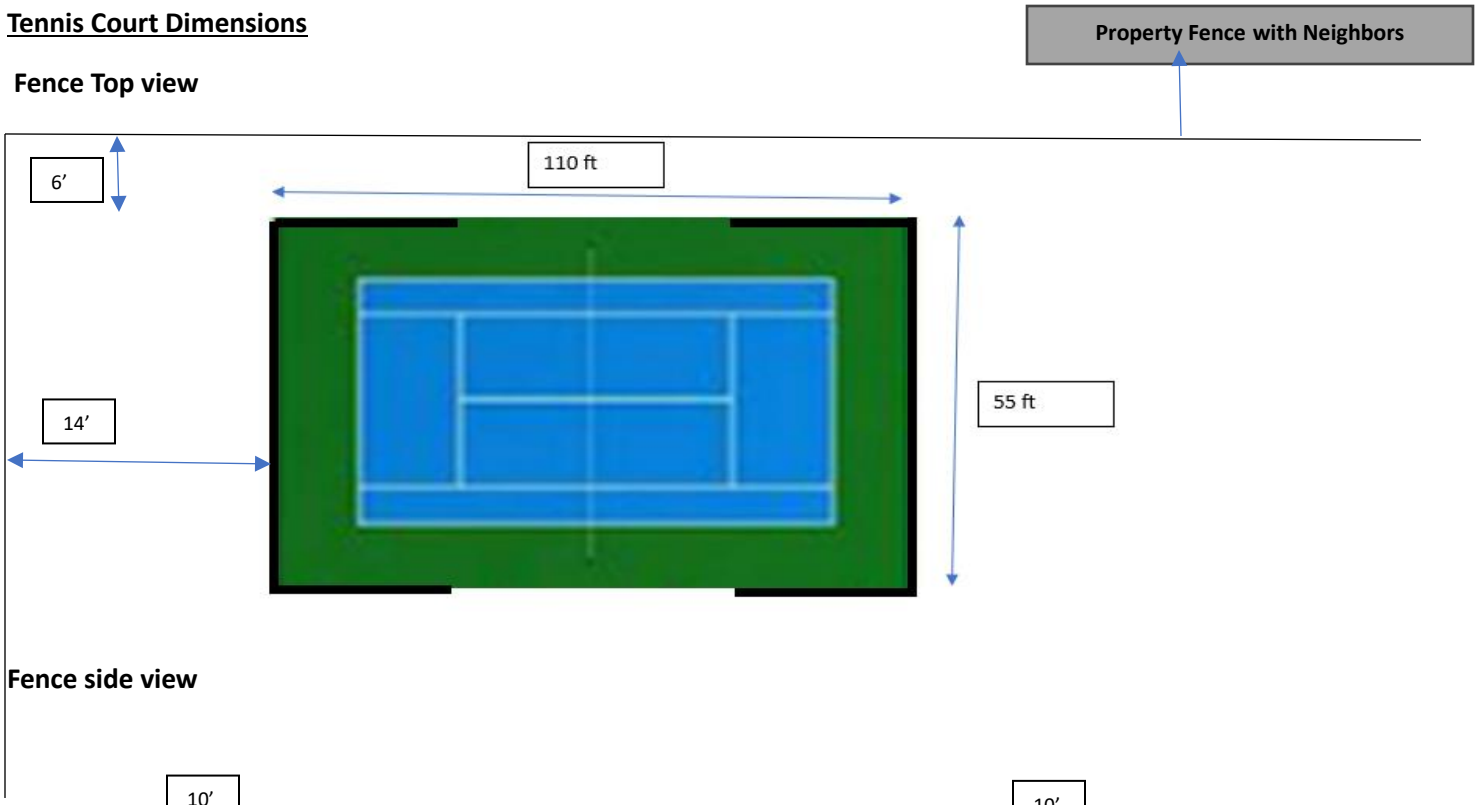
**Proposal:** We are proposing to go with the development standards of an established zone (R-1-40,000) with specific sport courts fencing standards.

The sports court fencing will have maximum height of 10 ft with other standards as follows:

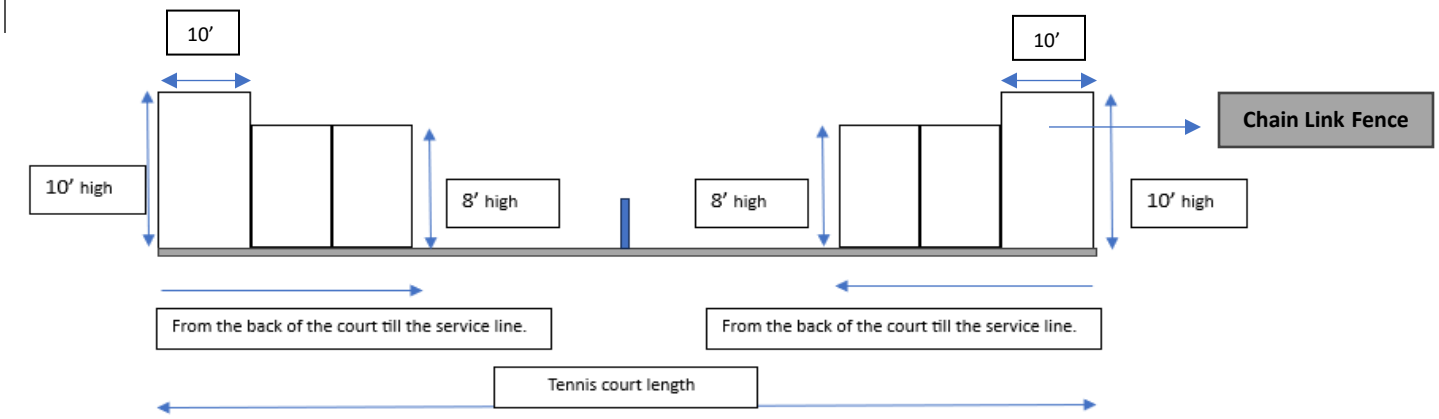
- Minimum Side Setback of 6 ft from side boundary of the property.
- Minimum Rear Setback of 10 ft from rear boundary of the property.
- Maximum sport court fence height of 10 ft
- Sports court will be in the backyard and will not be in the front yard of the house.
- The fencing screen will be chain link fence

## Tennis Court Dimensions

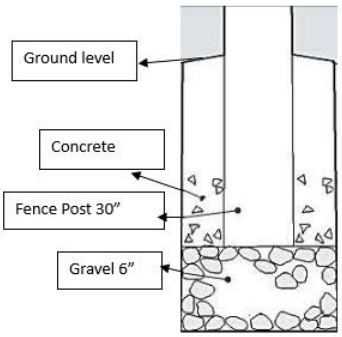
### Fence Top view




### Fence side view




### Post Footing

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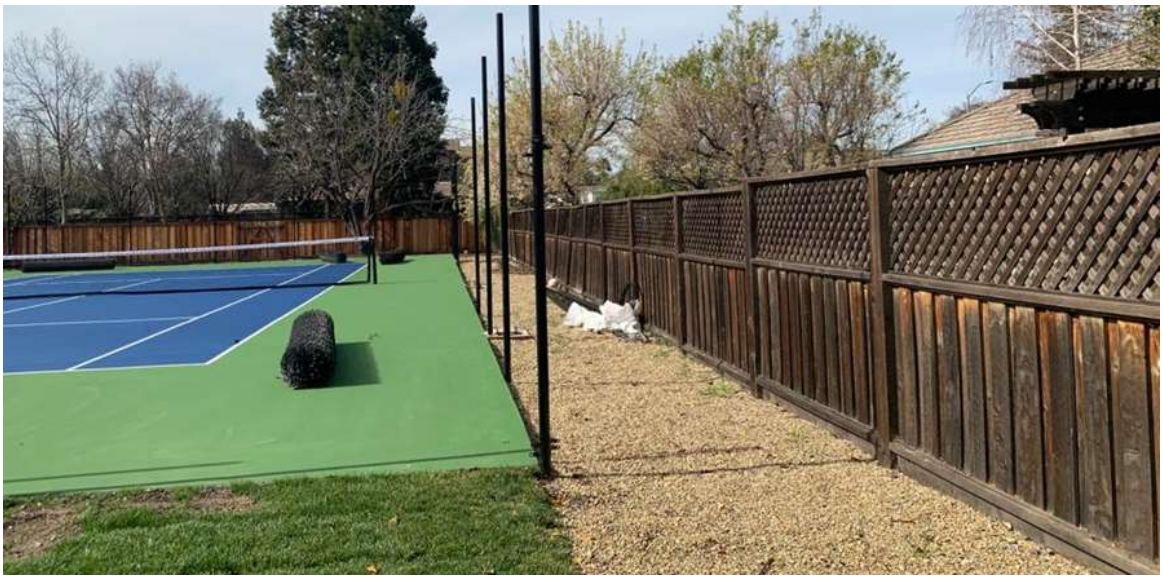
11/20/2023

PUD-148

CITY OF PLEASANTON
PLANNING DIVISION

**EXHIBIT B**

**Picture taken <u>BEFORE</u> the planting of vegetation**



**Picture taken <u>AFTER</u> the planting of vegetation**

- 5 Gallon evergreen Privets planted 3 ft apart all along the length of the neighboring fence

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11/20/23
PUD-148
CITY OF PLEASANTON
PLANNING DIVISION
EXHIBIT B

EXHIBIT C

# Planning Commission Agenda Report

August 23, 2023
Item 6

| | |
|---|---|
| **SUBJECT:** | **PUD-148** |
| **APPLICANT/ PROPERTY OWNERS:** | Meenu Gochhwal & Ashish Choudhary |
| **PURPOSE:** | Application for Planned Unit Development (PUD) development plan approval to establish development standards. |
| **LOCATION:** | 2207 Martin Avenue |
| **GENERAL PLAN:** | Low Density Residential |
| **ZONING:** | PUD-LDR (Planned Unit Development – Low Density Residential) |
| **EXHIBITS:** | A. Resolution and Draft Conditions of Approval<br>B. Project Plans dated "Received June 17, 2023"<br>C. Public Comments<br>D. Location and Notification Map |

## STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt the attached resolution recommending approval of PUD-148 to the City Council, based on the required findings and subject to the draft Conditions of Approval in Exhibit A.

## EXECUTIVE SUMMARY

The proposed project would establish development standards for the subject parcel, which includes an existing single-family residence constructed prior to the parcel's annexation into the City of Pleasanton in 1997. While PUD zoning was adopted for the entire annexation area in 1997, the prior approvals did not establish specific development standards for the residence or any ancillary structures via a PUD development plan. The Pleasanton Municipal Code (PMC) Chapter 18.68.050 restricts development of a site within a planned unit development district until all provision of chapter 18.68 have been completed, which includes a development plan. In addition, the absence of an approved PUD development plan for the subject parcel has precluded staff from providing guidance to the applicant/property owners for additional development on the subject parcel. The applicant/property owners are requesting approval of a PUD development plan to establish development standards for the subject parcel, including addition of site specific standards for sports courts. This application reference to an existing partially-built sports court constructed without City approvals and currently conflicts with aspects of staff's recommendations related to the proposed development standards for the subject parcel, and as explained in more detail later in this report. As conditioned, staff finds the proposed development standards would be consistent with the objectives of the General

Plan and zoning district, and that the partially-constructed sports court would be compliant with the proposed development standards if it is reconstructed in accordance with staff's recommendations. The application is now before the Planning Commission for consideration. The Planning Commission may recommend approval, approval with conditions, or denial of the application to the City Council.

**BACKGROUND**

The property at 2207 Martin Avenue is located near the north end of Martin Avenue and is part of the Mohr-Martin area, generally defined by Martin Avenue, Mohr Avenue, the former Southern Pacific Railroad right-of-way, and Stoneridge Drive. The Mohr-Martin area comprises predominantly residential uses of varying densities and home designs. Many of the properties within the area were originally located in unincorporated Alameda County, but were progressively annexed into the City of Pleasanton during the 1990's. Thus, many of these properties were subdivided and developed in conformance to planning, zoning, and construction standards of Alameda County.

On April 1, 1997, City Council adopted Ordinance No. 1709 for RZ-97-2, which pre-zoned the subject property to the PUD-LDR District, as part of a larger approximately 34.5-acre area, for a maximum density "approaching" 2.0 dwelling units per acre[1]. The property was annexed into the City of Pleasanton in 1997.

In 2021, the City Council approved PUD-140 and P21-0079 per Ordinance 2223 at 2207 Martin Avenue, which included Minor Subdivision approval to subdivide the approximately 1.67-acre parcel into two parcels (A and B). Parcel A, fronting Dennis Drive (no address), measuring approximately 21,794 square feet and Parcel B (2207 Martin Avenue) approximately 48,311 square feet. The application included a Planned Unit Development (PUD) development plan approval to retain the existing residence and related improvements on Parcel B and to construct a two-story residence and related site improvements on Parcel A. Although approved, per the conditions of approval, the PUD development plan would lapse two years from the effective date (November 5, 2021) of the ordinance unless a parcel map is approved. To date, a parcel map has not been approved and will expire on November 5, 2023. The applicant/property owners do not wish to pursue the approved PUD development plan that calls for a subdivision with required site improvements. Rather, the applicant/property owners intend to maintain the property as a single lot with the purpose to construct a tennis court with fencing where the two-story residence would be located under PUD-140.

In July 2022, the City's Code Enforcement staff received a complaint about concrete flatwork[2] being conducted on the subject parcel to create a sports court. While flatwork such as the sports court does not require a building permit, Code Enforcement staff contacted the applicant/property owners to inquire about the nature of the work taking place and notified them that any additional work, beyond flatwork, such as lighting or fencing for the sports court may require permits and/or planning approval, and to contact the Permit Center for specific information.

In August 2022, the applicant/property owners contacted Planning staff to request development standards for the construction of a tennis court with associated fencing and lighting. Due to the

[1] The Agenda Report for this item clarifies the allowable density as "*maximum density approaching 2 du/ac (i.e., 1.999…du/ac*).

[2] Flatwork includes work such as pouring a concrete slab or patio.

lack of existing development standards for the subject parcel, including for both accessory structures and sports courts, in response, staff directed the applicant/property owners to speak with the adjacent neighbors regarding their proposal to identify any potential concerns with their proposal, specifically if any structures (such as fencing and lighting) exceeding approximately 10 feet in height would be objectionable in the proposed sports court location. The applicant/property owners were also informed any structures associated with the proposed sports court above approximately 10 feet in height would require Planning approval and building permits.

In December 2022, the City's Code Enforcement staff received a complaint regarding posts that had been erected around the sports court without permits or approvals. Upon their inspection several posts approximately 10 feet in height had been erected around the perimeter of the existing sports court. Code Enforcement staff contacted and directed the applicant/property owners to stop all work and contact the Planning Division for direction.

The Planning Division determined the appropriate course of action would be to require the applicant/property owners to apply for a PUD development plan that would establish development standards for the subject parcel and allow staff to provide specific guidance for any future development on the subject parcel, including determining conformance with the proposed development standards with regard to the existing sports court.

**SITE AND AREA DESCRIPTION**

The subject property is a flat, approximately 1.67-acre site located between Martin Avenue and Dennis Drive and is developed with an approximately 4,173-square-foot two-story, single-family residence with an attached garage built in 1977 (see Figure 1). There are several mature trees clustered in the center of the lot with established landscaping surrounding the existing residence. Single-family residences are located north, south, and west and Alameda Flood Control property is located east, across Martin Avenue, of the subject site (see Figures 2 and 3). Existing houses in the area are both one- and two-story and sited appropriately with their respective lot size. On adjacent parcels, the nearest structures are setback approximately 5 feet from the property line (property to the north and south). Additionally, the general area is zoned Planned Unit Development-Low Density Residential (see Figure 6).

**Figure 1: Existing House** (via Google Maps)

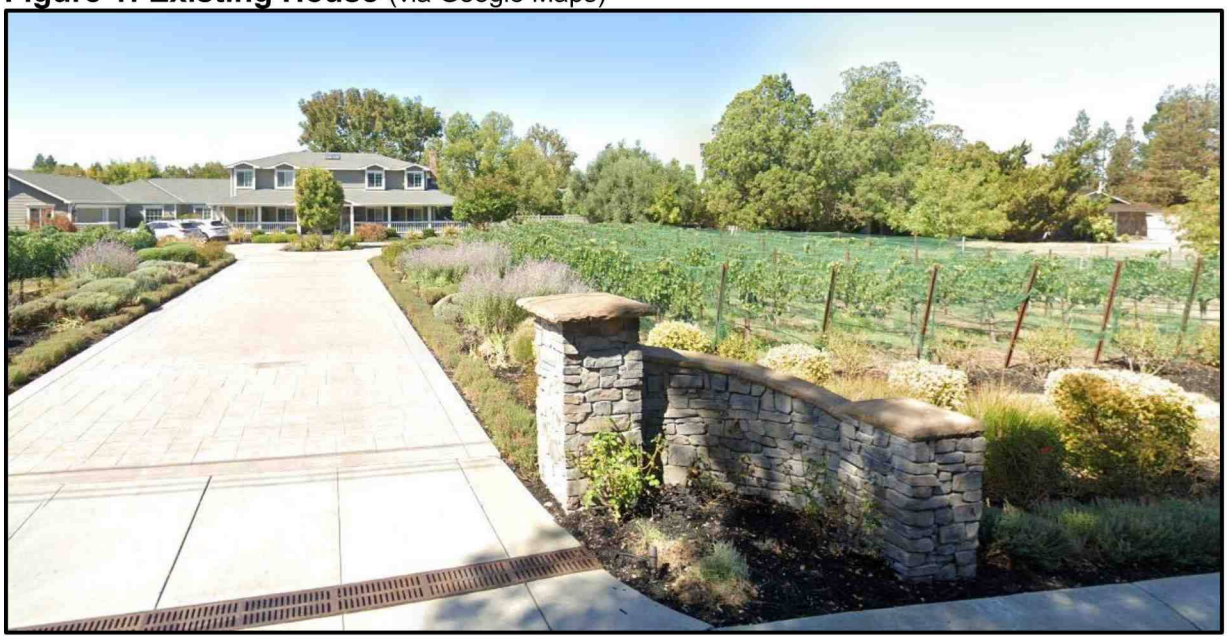


**Figure 2: Aerial View**

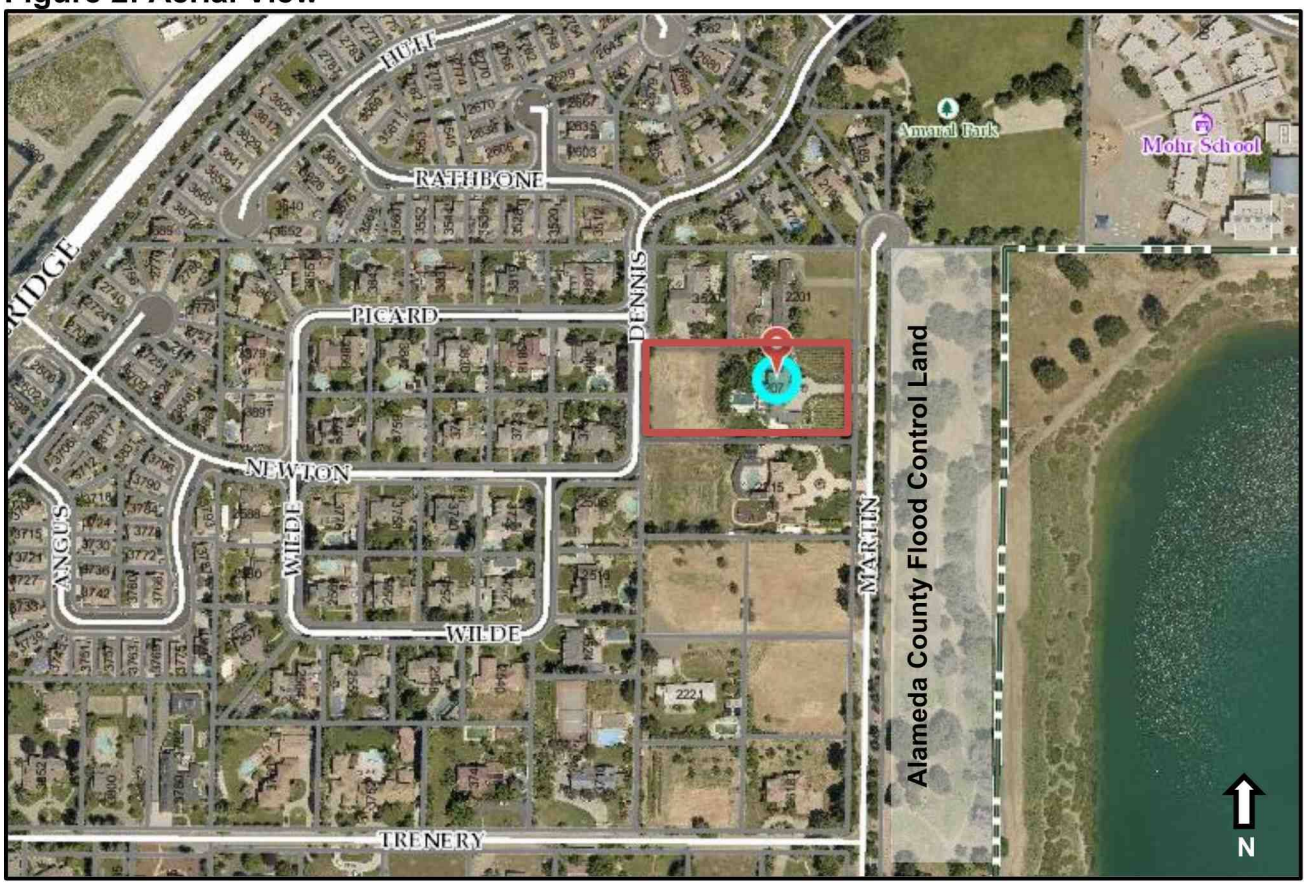


**Figure 3: Focused Aerial View from March 2023** (via Nearmap)

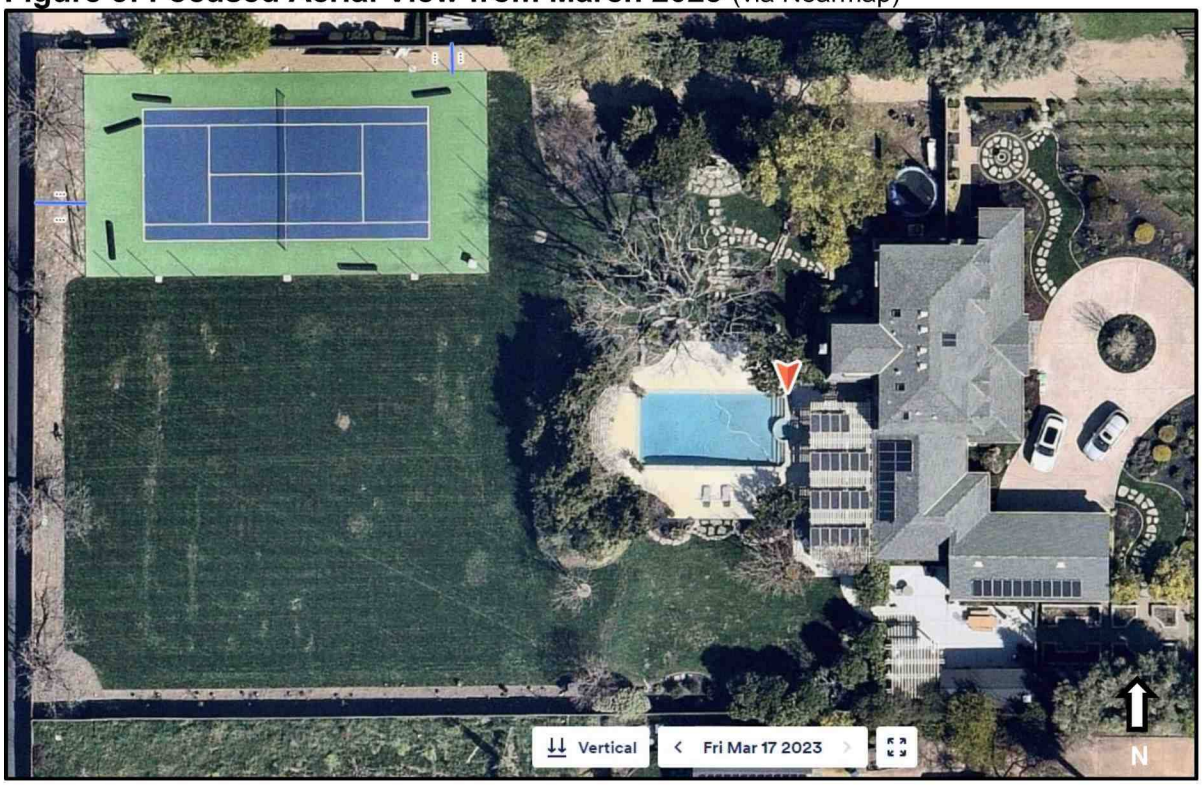
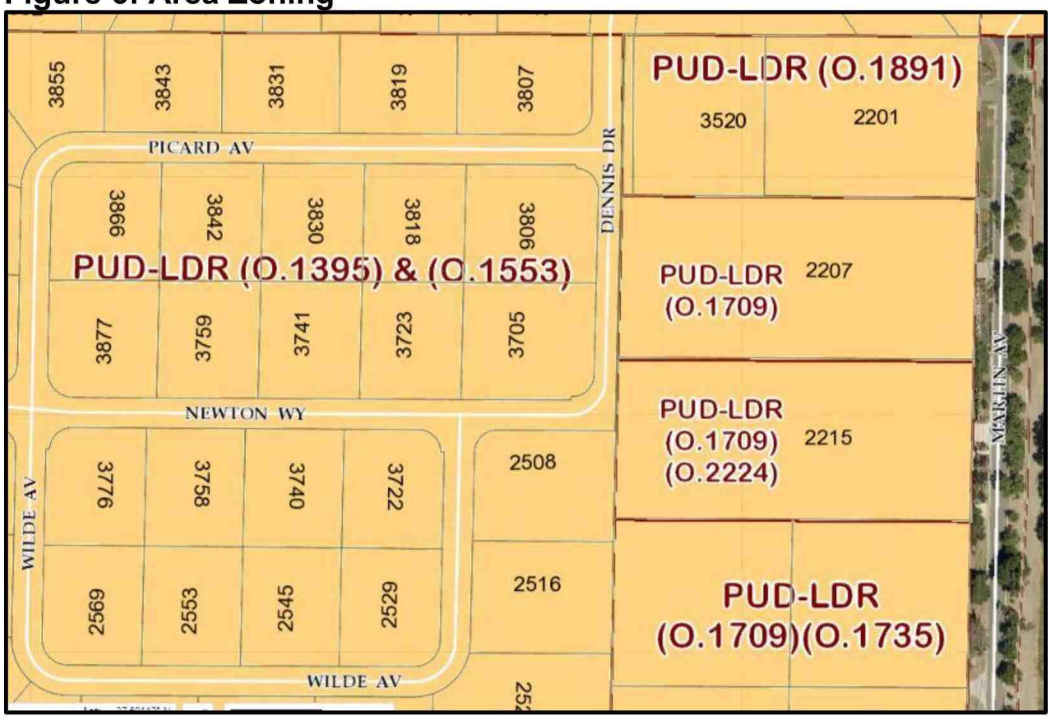



**Figure 4: Existing Accessory Structure at 2201 Martin Avenue** (via Google Maps)

**Figure 5: Existing Accessory Structure at 2215 Martin Avenue** (via Google Maps)

**Figure 6: Area Zoning**




## PROPOSED PROJECT

The applicant/property owners propose to establish development standards for the subject parcel consistent with those of the R-1-40,000 Zoning District for the existing residence and accessory structures. The proposal also includes specific provisions to establish development standards for sports court fencing, with the intention of legalizing the existing approximately

55-foot-wide by 110-foot-long sports court (see Figures 7 and 8). Proposed development standards are provided and analyzed in the discussion section below.

**Figure 7: Current Tennis Court – Facing Towards Dennis Dr.** (picture by applicant)

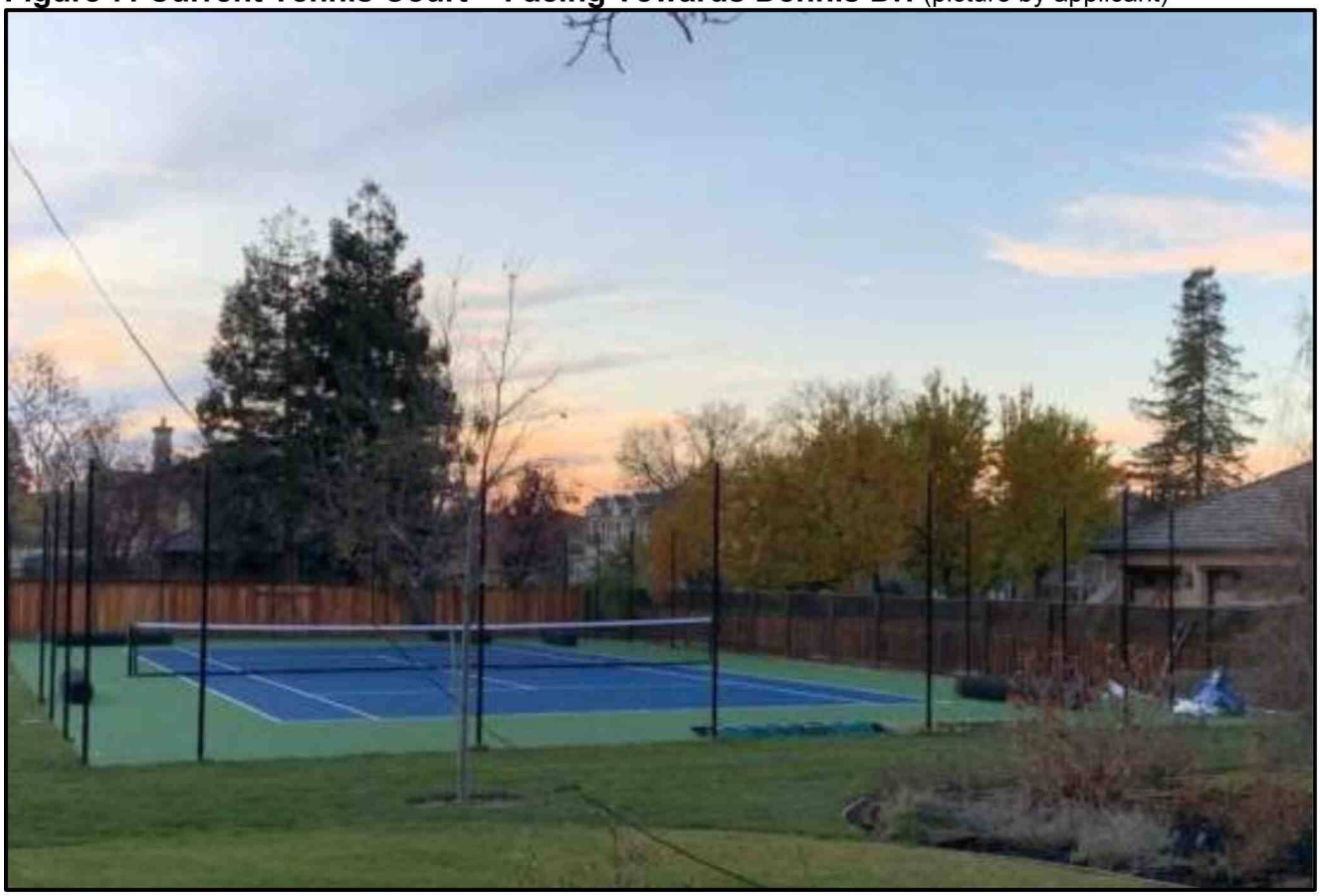
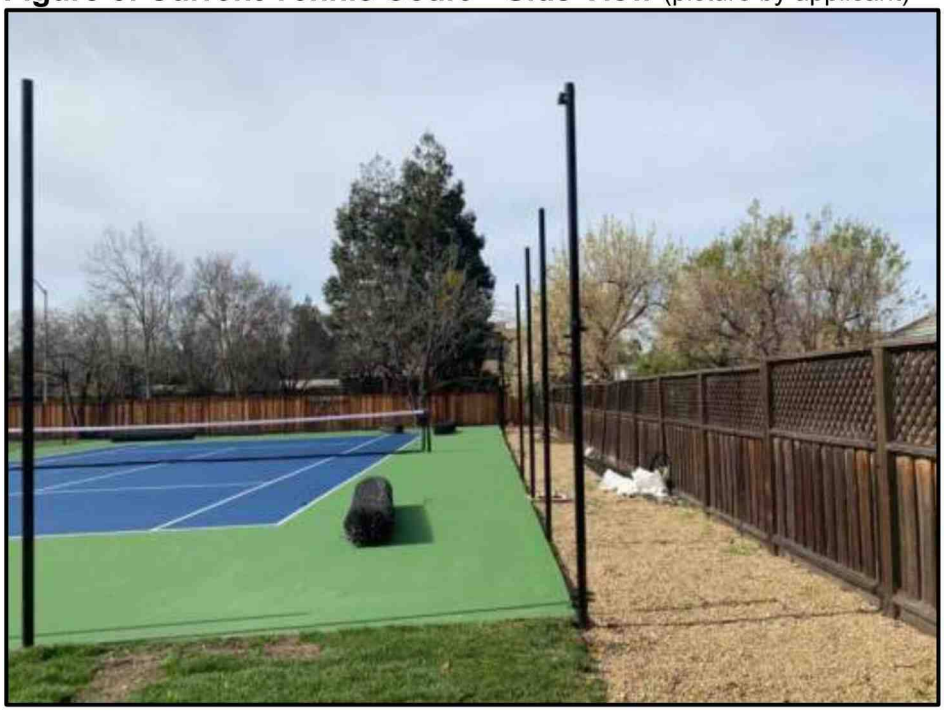


**Figure 8: Current Tennis Court – Side View** (picture by applicant)



## ANALYSIS

Consistency with General Plan and Zoning Land Uses:

*General Plan*

The density of any individual parcel must fall within the allowable density range for the General Plan land use designation. The subject property has a General Plan Land Use Designation of Low Density Residential (LDR), which allows a maximum density of less than two dwelling units per gross acre (translating to a density of 1.999…dwelling units per acre) with a mid-point density of one dwelling unit per gross-acre. The existing single-family dwelling unit and proposed development standards of the R-1-40,000 District would be consistent with the low-density designation.

The proposal, excluding the applicant/property owners proposed development standards for sports courts, is in keeping with the character of the low density residential and is consistent with the General Plan Land Use Policy and Programs listed below.

*Land Use: Residential*

Policy 8: Preserve and enhance the character of existing residential neighborhoods.

Program 8.1: Enforce the provisions of the City's Zoning Ordinance and related planning ordinances to maintain the character of existing residential neighborhoods.

Program 8.2: Use the City's development review procedures to minimize intrusions into existing neighborhoods.

*Zoning*

The site is zoned PUD-LDR, meaning that development standards for the project would be established as part of the related PUD development plan. The zoning for the property does not currently include established development standards (e.g., setbacks, floor area ratio, parking, etc.), and would be determined as part of this application in accordance with the PUD Chapter of the Pleasanton Municipal Code (PMC) (discussed later in this report).

Site Development Standards (excluding sports courts)

Given the existing size of the subject parcel and location of existing single-family residence, the subject parcel generally follows the development standards of the City's R-1-40,000 District, respectively, as shown in Table 1. Any additional development (e.g., additions, accessory structures, fences, etc.) beyond the existing single-family residence and existing accessory structures on the subject parcel would be required to adhere to the development standards established with the proposed PUD development plan herein. Sports Court development standards are excluded in Table 1 below and are analyzed in the ensuing section of this report.

**Table 1: Development Standards**

| | R-1-40,000 Zoning District[3] | 2207 Martin Ave. (Ex. House)[4] |
|---|---|---|
| **Minimum Lot Size** | | |
| Area | 40,000 sq.ft. | 72,647 sq.ft. |
| Width | 150 ft. | 181.58 ft. |
| Depth | 150 ft. | 399.92 ft. |
| **Primary Structure** | | |
| Front setback | 30' min. | 130'-4" |
| Side/both setback | 5'/50' min. | 46'-10"/77'-5" |
| Rear setback | 30' min. | 216'-2" |
| Height | 30' max. | 24' |
| Floor area ratio (FAR)[5] | 25% max. | 6.35% |
| Parking | 2 Spaces | 3 Spaces |
| **Class 1 Accessory Structures (PMC 18.84.160)** | | |
| Front setback | Not Allowed | N/A |
| Side Setback | 20' min. | N/A |
| Rear Setback | 20' min.. | N/A |
| Height | 15' max. | N/A |

As shown in City records, the existing single-family residence conforms to the recommended development standards; however, there are existing accessory structures (enclosed structure and trellis patios) which do not conform to the side yard setback requirements. Those accessory structures are considered legal non-conforming. Any additional development on the subject parcel would be required to adhere to the development standards established with the PUD development plan herein.

The PMC does not address guest parking within single-family developments, but the City encourages, and often requires, on-site guest parking for single-family projects when there is no on-street parking provided within the project, as is the case here. The existing single-family residence contains an attached three-car garage and includes a generous driveway apron in front of the garage, approximately 33 feet in width which can accommodate an additional two cars, to be used by the residents or guests of the residence. Overall, staff finds the proposed development standards (except for proposed sports court development standards) for the existing single-family residence and accessory structures would complement and be consistent with the surrounding residential neighborhood.

<u>Sports Court Development Standards</u>
In addition to the proposed R-1-40,000 District development standards, the applicant is proposing site-specific development standards for sports court fencing (as shown in Table 2 below and described in Exhibit B attached). The PMC does not address sports courts and associated fencing. However, fencing (generally) in the R-1-40,000 District is regulated by

[3] At least one space per dwelling unit of the off-street parking required shall be located in a garage or carport per PMC.
[4] Date from City Records
[5] Not including garage floor area.

PMC 18.84.080 (Front yards) and 18.84.090 (Side and Rear yards). Per the PMC, the maximum height of a fence located in a required side or rear yard is approximately 6 feet, or up to approximately 8 feet with approval by the Zoning Administrator. The maximum height for a fence located in the required front yard for the R-1-40,000 District is approximately 30 inches, or approximately 6 feet upon approval by the Zoning Administrator.

The existing/partially completed sports court is located approximately 6.5 feet away from the north side property line and approximately 15 feet from the rear (west direction) property line along Dennis Drive (See Figures 3, 7 and 8).

The proposed development standards for the sports court fencing are shown in Table 2 below. Currently, the existing sports court is located approximately 6.5 feet away from the north side property line and approximately 15 feet from the rear property line along Dennis Drive.

**Table 2: Proposed Sports Court Fencing Development Standards**

| | |
|---|---|
| Maximum height | 10-Feet |
| Minimum side setback | 6-Feet |
| Minimum rear setback | 10-Feet |
| Fencing Type | Chain Link |
| No sport courts allowed in the front yard of residence. | |

Per satellite imagery, there are currently six properties in the vicinity of the subject parcel that have an existing sports court (see Table 3 and Figure 9). It is unclear if any of the six sports courts include surrounding fencing. Of the six properties, two (properties, 1 and 2, per Table 3) contained an existing tennis court prior to annexation into the City. In addition, City records do not show that the City issued planning or building permits for any sports court for any of the six properties. However, as noted above, not all sports court improvements may require City permitting – e.g., a sports court consisting only of flat work (concrete slab) and striping would not require City permits.

**Table 3: Addresses of Numbered Properties with Sport Courts**

| | |
|---|---|
| 1 | 3711 Trenery Drive |
| 2 | 3710 Trenery Drive |
| 3 | 2556 Wilde Avenue |
| 4 | 2564 Wilde Avenue |
| 5 | 3614 Diablo Court |
| 6 | 3623 Cameron Avenue |

**Figure 9: Properties with Sport Courts**

The subject parcel is adjacent to single-family residences to the north that have a primary structure side setback of approximately 10 feet (per Ordinance 1891) and Dennis Drive runs adjacent to the rear property line. To minimize intrusions such as noise, illumination, and limit any visual obstruction for vehicles on public streets, staff recommends requiring sports court fencing to be located a minimum of approximately 10 feet from any side and rear property line, and to be prohibited within front yards. Staff further recommends limiting the height of sports court fencing and ancillary sport structures (e.g., goal posts) to no more than approximately 10 feet in height; and the prohibition of exterior illumination. Accordingly, staff is proposing modified sports court development standards from those proposed by the applicant/property owners for the subject parcel, which are shown in Table 4 and included as conditions of approval in Exhibit A.

The modified sports court development standards recommend by staff will require that the partially built tennis court at the subject parcel be modified to be brought into conformance, in particular to allow the fencing to be located a minimum of approximately 10 feet from the property line. As a result, the applicant/property owners will be required to, at a minimum, apply for an administrative design review application and modify the partially built tennis court (may include partial deconstruction).

Staff recommendations are based on the subject parcel and developed properties in the vicinity to achieve compatibility with respect to development. The applicant/property owners intend to build their tennis court at the rear of their property closest to adjacent neighbor at 3520 Dennis Drive, which is part of PUD-27 (per Ordinance 1891). PUD-27 has a minimum side setback of approximately 10 feet for the primary residence and approximately 5 feet for accessory structures. In addition, the subject parcel is adjacent to properties on both sides that have exiting accessory structures with an approximately 5-foot setback or less (see Figures 4 and 5). As such, staff proposes an approximately 10-foot side setback for sports courts, which would be more restrictive than existing and proposed accessory structures on adjacent properties. However, not more restrictive than the main residence side setback for the existing residence at 3520 Dennis Drive.

Furthermore, and derived from the PMC Chapter 18.20 requiring design review for all accessory structures over 10 feet in height, staff's recommendation incorporates the requirement that sports courts be subject to review per the City's Administrative Design Review process. The process would allow staff and neighbors to address future concerns regarding the design, location, and height of a proposed sports court.

**Table 4: Staff Proposed Sports Court Development Standards[6]**

| | |
|---|---|
| Sports Courts are subject to the City's Administrative Design Review Process. | |
| No sport courts are allowed in the front of residence and within the required front yard setback. | |
| Maximum height for ancillary sports courts structures* | 10 Feet (exception to height on a case-by-case basis by the Zoning Administrator) |
| Maximum sports courts fencing height ** | 10 Feet |
| Minimum side yard setback | 10 Feet |
| Minimum rear yard setback | 10 Feet |
| * Measured vertically from the top of the finished grade to the highest point of the play structure (For example: basketball backboard). | |
| ** Measured vertically from the natural grade or finished grade, whichever is lower, to the highest point of the structure. | |

[6] Setbacks exclude related flat work.

## PROJECT SITE ALTERNATIVES

As outlined in the above analysis, staff believes the proposed development standards, as proposed and conditioned, would be compatible with the other parcels in the neighborhood and not create adverse impacts, and recommend the Planning Commission recommend approval of the PUD development plan to the City Council as proposed and conditioned. However, alternatives to the proposal that could be considered by the Planning Commission include:

1. Recommend denial of the PUD development plan to the City Council;
2. Recommend approval of the PUD development plan but with modifications, e.g., the Planning Commission can have more (or less) restrictive setbacks, height limits, etc. than those proposed by staff; or
3. Approve the PUD development plan as proposed by the applicant and without staff's recommended modifications.

Staff believes the PUD development plan, as conditioned, will not adversely impact any surrounding properties or the surrounding neighborhood. Staff recommends none of the alternatives above be pursued.

## PLANNED UNIT DEVELOPMENT CONSIDERATIONS

The Pleasanton Municipal Code Section 18.68.110 sets forth the purpose of the Planned Unit Development District and considerations to be addressed in reviewing a PUD development plan. These purposes and considerations are set forth in the draft Resolution included as Exhibit A and includes whether the development plan is in conformance with the City's General Plan, in the best interest of public health, safety, and general welfare, and whether the plan would be compatible with developed properties in the vicinity. As described in Exhibit A, and based on the information and analysis provided in this Agenda Report, staff recommends the Commission make the required findings to recommend approval of the project to the City Council.

## PUBLIC NOTICE

Notice of this application was sent to surrounding property owners and tenants within a 1,000-foot radius of the site. At the time this report was published, staff received neighbor concerns regarding the existing tennis court. One of the public comments was sent via email and included in Exhibit C. Noticed neighbors expressed concerns regarding potential tennis court's lighting impacts to homes and light pollution, proximity of the tennis court to adjacent residences, height of existing poles, and requests for assurance the tennis court would obtain proper permitting.

## ENVIRONMENTAL ASSESSMENT

Environmental review for the proposed project was undertaken with the Initial Study/Negative Declaration adopted by the City Council for RZ-97-2 in conformance with the standards of the California Environmental Quality Act (CEQA). There are not substantial changes to the project or the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects. Furthermore, there is no new information of substantial importance which was unknown at the time the Initial Study/Negative Declaration was adopted by the City Council regarding the project or its effects, mitigation measures, or alternatives. Any previously identified effects or

impacts are mitigated to a level of insignificance, with the mitigation measures incorporated into the project's design or imposed on the project pursuant to the conditions of approval. Therefore, no new environmental document accompanies this agenda report.

## SUMMARY/CONCLUSION

Staff has reviewed the proposed development standards and as modified and conditioned, believes they are consistent with the General Plan and Zoning for the subject parcel and consistent with other development requirements in the vicinity. Therefore, the project, as conditioned, merits a favorable recommendation by the Planning Commission.

**Primary Author**: Diego Mora, Assistant Planner, dmora@cityofpleasantonca.gov

**Reviewed/Approved By**:
Eric Luchini, Senior Planner
Julie Harryman, Assistant City Attorney
Melinda Denis, Planning and Permit Center Manager/Deputy Director of Community Development
Ellen Clark, Director of Community Development

# RESOLUTION NO. PC-2023-14

## A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RECOMMENDING THE CITY COUNCIL APPROVE AN APPLICATION FOR A PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT PLAN TO ESTABLISH DEVELOPMENT STANDARDS FOR 2207 MARTIN AVENUE, AS FILED UNDER CASE NO. PUD-148

**WHEREAS**, on March 17, 2023, Meenu Gochhwal and Ashish Choudhary ("Applicant") applied for PUD development plan approval under case No. PUD-148 to establish development standards for 2207 Martin Ave ("Property"); and

**WHEREAS**, the Property is designated Low Density Residential in the General Plan; and

**WHEREAS**, the zoning for the Property is PUD-LDR (Planned Unit Development – Low Density Residential) District; and

**WHEREAS,** environmental review for the project was undertaken with the Initial Study/Negative Declaration adopted by the City Council for RZ-97-2 in conformance with the standards of the California Environmental Quality Act (CEQA). There are not substantial changes to the project or the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects. Furthermore, there is no new information of substantial importance which was unknown at the time the Initial Study/Negative Declaration was adopted by the City Council regarding the project or its effects, mitigation measures, or alternatives. Any previously identified effects or impacts are mitigated to a level of insignificance, with the mitigation measures incorporated into the project's design or imposed on the project pursuant to the conditions of approval. Therefore, no new environmental document accompanied the project; and

**WHEREAS**, on August 23, 2023, the Planning Commission held a duly-noticed public hearing and considered relevant exhibits, recommendations of the City staff concerning this application, and received testimony from the applicant and interested parties.

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pleasanton, based on the entire record of proceedings, including the oral and written staff reports and all public comment and testimony:

**Section 1:** Findings for PUD Development Plan Approval
With respect to the approval of the PUD development plan, the Planning Commission makes the following findings and determinations with respect to each of the considerations for approval of a PUD Development Plan as required by Section 18.68.110 of the Pleasanton Municipal Code (PMC):

1. **Whether the proposed development plan is in the best interest of the public health, safety, and general welfare.**

The Planning Commission finds the proposed development plan, as conditioned, meets all applicable City standards concerning public health, safety, and welfare, e.g., vehicle access, geologic hazards (new development not within a special study zone), and flood hazards. The proposed development plan will not generate volumes of traffic that cannot be accommodated by existing City streets and intersections in the area. The proposed development plan is designed in conformance with the Pleasanton General Plan designation for this site and all other relevant policies and programs. Any additional development on the subject parcel will be designed to meet the requirements of this development plan, the California Building Code, California Fire Code, and other applicable codes. As such, the Planning Commission concludes this finding can be made.

**2. Whether the proposed development plan is consistent with the Pleasanton General Plan and any applicable specific plan.**

The proposed development plan includes establishing development standards of the R-1-40,000 District, site-specific development standards for sports courts, and retention of the existing single-family residence on an approximately 1.67-acre lot. The Planning Commission finds the existing single-family residence and lot size conforms to the General Plan Low Density Residential land use designation with a maximum of two dwelling units per gross developable acre. The Planning Commission finds that the site-specific development standards for sports courts minimize intrusions into existing neighborhoods. The proposed development plan promotes General Plan Programs and Policies encouraging the preservation of the existing housing stock and preserving and enhancing the character of existing residential neighborhoods. As such, the Planning Commission concludes this finding can be made.

**3. Whether the proposed development plan is compatible with the previously developed properties in the vicinity and the natural, topographic features of the site.**

The neighborhood includes a mixture of one-and-two-story residences with a variety of architectural styles sited appropriately with its lot. The proposed development standards would be consistent with those for those allowable within the R-1-40,000 zone, which are appropriate for the existing 1.67-acre lot, and compatible with the land use pattern and existing developed properties in the vicinity. With consideration to existing accessory structures in the vicinity, the proposed sports court development standards are compatible with previously developed properties and established development standards of surrounding Planning Unit Development Districts. The subject parcel is flat with mature existing vegetation. As such, the Planning Commission finds the existing single-family residence is sensitive to the existing trees and vegetation on-site. The Planning Commission concludes this finding can be made.

DRAFT

4. **Whether grading in conjunction with the proposed development plan takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooring, and to have as minimal an effect upon the environment as possible.**

   No grading is being proposed as part of this proposed development plan, and as such the project would be in keeping the existing environmental characteristics of the of the property. In addition, the flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate the subject property is not located in a flood hazard zone. The subject parcel will drain to the face-of-curb and excess stormwater runoff would be directed into public street storm drains. As such, the Planning Commission concludes this finding can be made.

5. **Whether streets, buildings, and other manmade structures have been designed and located in such a manner to complement the natural terrain and landscape.**

   The proposed development plan does not include the extension of any new public streets. The subject parcel is relatively flat and consists of an existing single-family residence and accessory structures; no significant changes or modifications to the site or natural terrain are proposed. The Planning Commission finds the proposed development plan is sensitive to existing landscaping, maintaining a majority of the mature vegetation on-site. Given the existing single-family residence's large setbacks, extensive landscaping, and articulated building design the scale is appropriate. The architectural style and detailing of the existing single-family residence is compatible with the existing neighborhood. As such, the Planning Commission concludes this finding can be made.

6. **Whether adequate public safety measures have been incorporated into the design or the proposed development plan.**

   At this time, the proposed development plan does not propose a new site design or accessory structures, only a new sports court. The existing residence received approval from Alameda County at the time of its construction, and was designed to meet the requirements of the California Building Code and applicable County codes at that time. The Planning Commission finds the subject parcel has adequate access to serve police, fire, and other emergency vehicles. All additional development on the subject parcel will be required to meet the requirements of the proposed development plan and all applicable City and State codes. As such, the Planning Commission concludes this finding can be made.

7. **Whether the proposed development plan conforms to the purposes of the PUD district.**

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The proposed development plan conforms to the purposes of the PUD district including to allow residential uses on the lots. In addition, the intent is to maintain adequate light, air, privacy, and separation between dwellings and requires specific landscape, fencing, lighting, and other design requirements unique to the district. The proposed development plan will help implement the intent of the district through large setbacks and context sensitive building and site design. As such, the Planning Commission concludes this finding can be made.

**Section 2:** The Planning Commission hereby recommends the City Council approve the application for a PUD development plan (PUD-148) as reflected in the Conditions of Approval in Attachment 1 attached hereto and incorporated into this resolution by reference to establish development standards for 2207 Martin Avenue.

**Section 3:** This resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Pleasanton at a regular meeting held on August 23, 2023, by the following vote:

Ayes:
Noes:
Absent:
Abstain:

**ATTEST:**

| | |
|---|---|
| Melinda Denis<br>Secretary, Planning Commission | Brandon Pace<br>Chair |

**APPROVED AS TO FORM:**

Julie Harryman
Assistant City Attorney

DRAFT

# EXHIBIT A
# DRAFT CONDITIONS OF APPROVAL

## PUD-148
## 2207 Martin Avenue
## August 23, 2023

The applicant is hereby notified, as part of this approval, that (s)he is required to satisfy and maintain compliance with the conditions of approval below. Where approval by the Director of Community Development, Planning Division, Director of Engineering/City Engineer, City Attorney, Chief Building and Safety Official, Fire Department or other City staff is required, review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices related to the approval. In addition to complying with the conditions below, the applicant is required to comply with all applicable federal, state, and local laws that pertain to this project whether or not specifically noted herein.

This approval is granted for a Planned Unit Development approval to establish development standards for an existing single-family residence zoned PUD (Planned Unit Development) - LDR (Low Density Residential) at Assessor Parcel No. 946-1146-46 at 2207 Martin Avenue. Development shall be substantially as shown on the project materials listed below:

a. Project narrative, Exhibit B, prepared by Meenu Gochhwal and Ashish Choudhary, owners, dated “Received” on June 17, 2023, and kept on file in the Planning Division of the Community Development Department.

The project materials listed above are collectively the “Approved Development Plan.”

<u>THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:</u>

1. APPROVAL AND REVISIONS: All development on the subject parcel shall be in substantial conformance with the “Approved Development Plan”, except as modified by the following conditions. **Project Specific Condition**

2. LIABILITY AND INDEMNIFICATION: To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employee and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including without limitation, reimbursing the City its attorneys’ fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

**<u>PLANNING DIVISION – 925-931-5600</u>**

<u>Site Development and Building Design</u>

3. DEVELOPMENT STANDARDS: Primary (existing single-family residence) and accessory structures (non-sports courts and ancillary equipment) and uses shall be those of the R-1-40,000 (One-Family Residential) District of the Pleasanton Municipal Code, except that:

   a. Up to 600-square-feet of garage area may be exempted from the FAR calculation. However, garage floor area over 600-square-feet shall be included in the FAR calculation.

   **Project specific condition.**

4. Garages shall not be modified or used for storage in a manner that would interfere with the ability to park cars within the garages and shall utilize the garages for parking of vehicles only. **Project specific condition.**

5. SPORTS COURTS: Sports courts such as tennis, basketball, racquetball, pickleball, etc. (including associated fencing and ancillary sport structures such as goal posts, basketball hoops, etc.), are subject to the City's Administrative Design Review process and the following development standards:

   a. No sport courts allowed in the front of the existing single-family residence and within the required front yard setback.
   b. Minimum side yard setback: 10 feet (excludes related flat work).
   c. Minimum rear setback: 10 feet (excludes related flat work).
   d. Maximum ancillary structure height: 10 feet* (exception to height on a case-by-case basis by the Zoning Administrator)
   e. Maximum sports court fencing height: 10 feet**
   f. All sports court lighting prohibited.

   *Measured vertically from the top of the finished grade to the highest point of the play structure (For example: basketball backboard).

   ** Measured vertically from the natural grade or finished grade, whichever is lower, to the highest point of the structure.

   **Project specific condition.**

**END**

RECEIVED
06.17.23
PUD-148
CITY OF PLEASANTON
PLANNING DIVISION
EXHIBIT B

Description of Proposal:

We propose to build a 10 ft high sports court fencing for the tennis court that has been built in our backyard.

**Background:** We, the current owners, purchased this property in April 2022 and have been using this property as our primary residence since then. In August 2022, we reached out to Pleasanton City to seek approval for building a tennis court along with a 10ft high sports court fencing and 12ft high LED lights in our back yard. The city gave us the go ahead for the Tennis Court with sport court fencing however we were asked to submit an application for administrative design review to secure planning permit for the lights.

Subsequently we undertook the construction of the proposed Tennis Court and the sports court fencing (without LED lights). We also applied for planning permit for LED lights. By early December 2022, the flat work for the tennis court was fully completed and we put in the poles for the sport court fencing (The chain link had not been put in yet).

On or around December 10th 2022, we received a call from City Enforcement that our neighbour had complained about the tennis court and we were directed to contact the city. On further discussions with the city, we have been directed to submit this application.

We had built the sports court based on following two email communications from Planner on Duty

**Email dated November 9th, 2022 by Planner on Duty: <Quote Begin>** "The property is zoned PUD-LDR and subject to the R-1-20,000 development standards. Per the R-1-20,000 standards, accessory structures are required to be setback 5-feet from the rear setback line and 3-feet from the side property line (see Table 18.84.010)." **<Quote End>**
**Email dated August 22nd, 2022 by Planner on Duty: <Quote Begin>** "The tennis court would not require any Planning review or permits. The same for the 10-foot-high fence from a Planning perspective, but again it cannot exceed 10 feet at any point. A Building permit would be required for the fence." **<Quote End>**

**Proposal:** We are proposing to go with the development standards of an established zone (R-1-40,000) with specific sport courts fencing standards.

The sports court fencing will have maximum height of 10 ft with other standards as follows:

- Minimum Side Setback of 6 ft from side boundary of the property.
- Minimum Rear Setback of 10 ft from rear boundary of the property.
- Maximum sport court fence height of 10 ft
- Sports court will be in the backyard and will not be in the front yard of the house.
- The fencing screen will be chain link fence

EXHIBIT C

## 2207 Martin Ave

Karrie Smith [redacted]

Tue 8/8/2023 12:55 PM

To:Diego Mora DMora@cityofpleasantonca.gov

Cc:Randy Smith [redacted]

***** [EXTERNAL] This message comes from an external organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. *****

Hi Diego
Randy I
Would like the following to be addressed in regard to 2207 Martin Ave.
1-original plan to inform the City of design and building was done? And it
Was approved? Did it include tennis court with lights?
2-light pollution : are there timing guidelines for use?

Our concerns mainly rest upon tennis/sport court lighting and the aura that comes with that to our normally quiet, serene and dark skyline.
We assumed that such building details and planning would have included a "notification" by the city
To us as neighbors.
Thus far, only the fencing and green court painting indicates tennis court and some assumption that lighting will
Also happen. (It does look like lighting conduit and cement blocks with bolts for poles have been done. Tho no poles up yet).

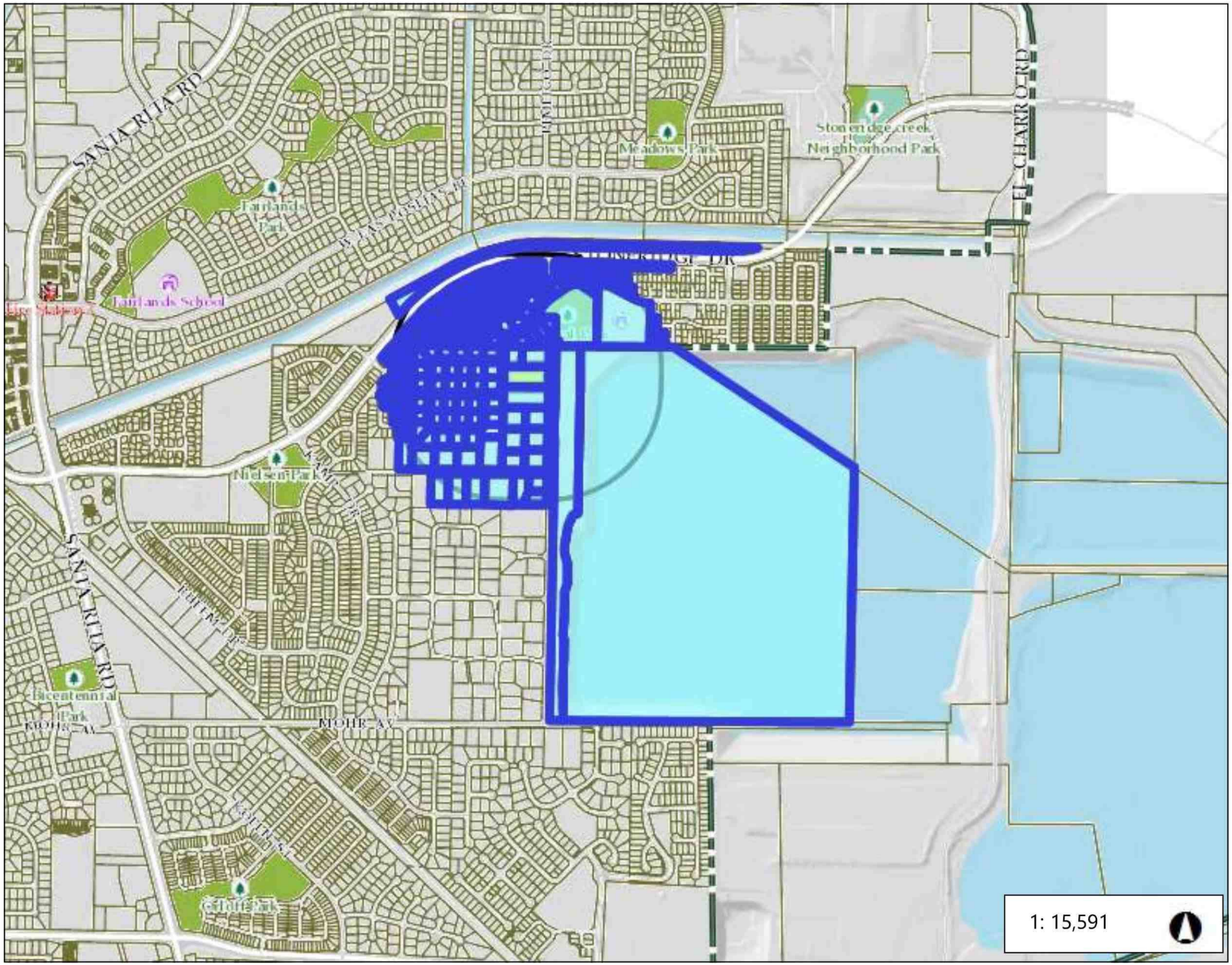
So summation:
two
Concerns

1-has tennis court been approved and legal
In all
Aspects
2-what are lighting guidelines for use

Live well & Carpe Diem !
Karrie smith [redacted]

# PUD-148, 2207 Martin Avenue

**EXHIBIT D**




## Legend

- Fire Station
- School
- Park
- Parcels

## Notes

Notes

2,598.5 0 1,299.26 2,598.5 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US

© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**SUPPLEMEMTAL MATERIAL**
**Provided to the Planning Commission after distribution of agenda packet**

**Date Distributed: 08/23/2023**

## Diego Mora

**From:** Jenny Grau [redacted]
**Sent:** Friday, August 18, 2023 2:19 PM
**To:** Diego Mora <DMora@cityofpleasantonca.gov>
**Subject:** PUD 148 / 2207 Martin Ave

***** [EXTERNAL] This message comes from an external organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. *****

I am an original homeowner in the Walnut Glen Development residing at [redacted] Wilde Avenue. I am somewhat familiar with the concerns of the tennis court installation at 2207 Martine Ave. My BIGGEST concern with all that is going on is the desperately needed sidewalk along Newton Way connecting to Dennis Drive that should've gone in when the development was built in 1995/96. Walking on Newton Way is incredibly unsafe due to awkward crossing from Wilde Avenue to Newton Way/Dennis Drive. The sidewalk stops completely and one must cross awkwardly to continue to Mohr School, etc. Before anything is decided with the tennis court, the city should provide safe access to Mohr School, the park and those that are taking leisurely walks in the neighborhood.

thank you,
Jenny Grau

August 21, 2023

Hello Commissioners –

I apologize for reaching out to you directly, but my email to the contact listed online was returned.
My name is Michele Peterson.
My husband, Ray, and I live at [redacted] Dennis Drive.
Our property is directly adjacent to 2207 Martin Avenue, the property being discussed in PUD-148, at the Planning Commission meeting Wednesday, August 23rd.

Would any of you be interested in coming out and taking a look at what is being proposed and what has already been constructed – without any design review or building permits?
We would be happy to show you around to give you a better perspective of what the Planning Department is recommending.
I know it is somewhat short notice but we just received their report late last week.

There are photos in the report but I have attached a few from our property.

Also, I have included Planning Commission meeting minutes from June 25, 2003 which discuss the widening of Dennis Drive when the adjacent properties are developed and a copy of the vesting tentative parcel map showing our offer of dedication for said widening.
This was a condition of approval of our PUD-27.

I believe the neighbors at [redacted] Martin are also developing their parcel, PUD-141.

Please let me know if you have any interest in viewing the project.
I am available anytime this week before the meeting.

Thank you for your consideration,
Michele and Ray Peterson
[redacted]

The applicants were invited to make final comments, but declined the opportunity.

**THE PUBLIC HEARING WAS CLOSED.**

Commissioner Kameny noted that he had no problem with the project *per se*, and noted that he visited the site. He agreed that the corner was very difficult, and would be inclined to include the same offer of dedication on Dennis Drive as was done for Martin Avenue. In that case, it would be funded for the City, and the improvements would not be done until the development of the houses.

Commissioner Maas believed the Dennis Drive issue was separate from this application.

Commissioner Kameny disagreed with that assessment, because the applicants had property frontage on the street. He noted that it was normal subdivision procedure to dedicate the street frontage to the City or the agency.

Commissioner Maas believed that the Dennis Drive issue was bigger than the application, and should be examined separately. She noted that she would like to hear from the Traffic Division before any widening of the street was addressed. She did not have any problem with the project, and believed that the design should blend with the other homes. She did not know whether widening the street would increase speeding, and did not want to give a false sense of security to children walking to school.

Commissioner Roberts believed that the sidewalk should not be built on the Petersons' side of the street, and noted that the road widening is a different issue. She believed that the money should be set aside for the widening of the road, and that the details could be settled at a later time. She agreed that the Traffic and Engineering Divisions should be included in the process. She believed that the road must be improved, and did not want to hold the application up because of that issue.

Commissioner Kameny noted that the two choices were for the applicant to widen the road now or not to widen the road and have the applicant give the offer of dedication and money to the City to widen the road when the adjacent properties are developed. If the City does not widen the road, the money would be refunded to the applicant.

Mr. Iserson concurred with Commissioner Kameny's analysis of the options.

Commissioner Maas could not agree to widening Dennis Drive without the input from the Traffic Division.

Mr. Iserson confirmed that the Traffic Division stated that the road widening would improve traffic conditions.

Commissioner Maas noted that she liked the road as it currently exists, and did not believe that every road must be widened.

RECORD OWNER/DEVELOPER
RAY & MICHELE PETERS
2201 MARTIN AVE.
PLEASANTON, CA

ENGINEER:
ALEXANDER & ASSOCIATES, INC.
147 OLD BERNAL AVENUE, SUITE 10
PLEASANTON, CALIFORNIA 94566
(925) 462-2255

SITE ADDRESS:
2201 MARTIN AVE.
PLEASANTON, CA

ASSESSOR'S PARCEL NUMBER:
946-1146-45

EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL SUBDIVISION

SMALLEST LOT: PARCEL 2 = 26,835± S.F.

ZONING: P.U.D. - 27

UTILITIES:
WATER: CITY OF PLEASANTON
SANITARY SEWER: CITY OF PLEASANTON
STORM: CITY OF PLEASANTON
TELEPHONE: PACIFIC BELL
GAS AND ELECTRIC: PACIFIC GAS AND ELECTRIC
CABLE T.V.: COMCAST
FIRE PROTECTION DISTRICT: LIVERMORE - PLEASANTON FIRE DEPARTMENT

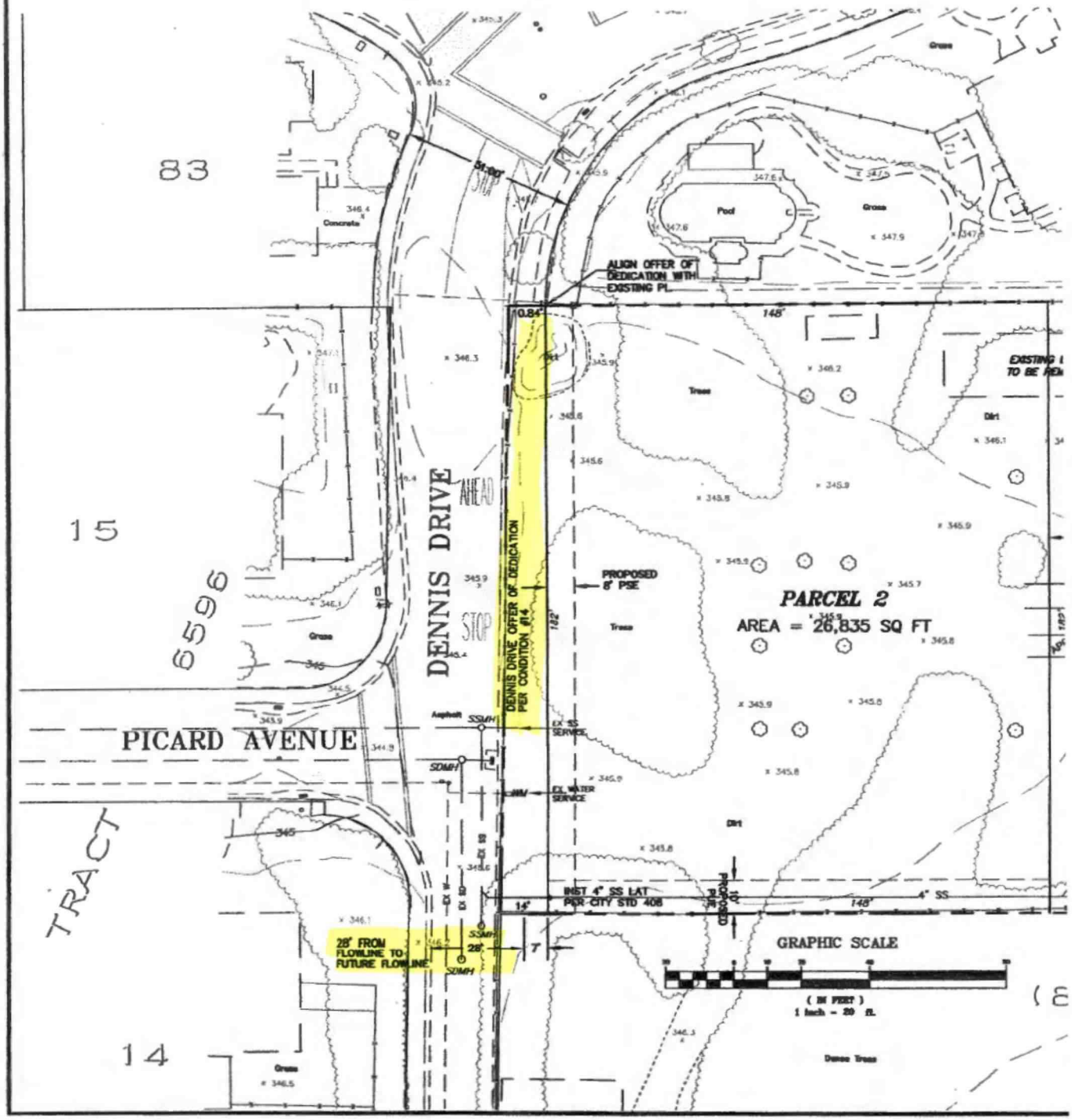
BENCHMARK:
ELEVATIONS SHOWN HEREON ARE BASED UPON THE NGS DATUM
R 1257. ELEVATION = 345.6336'

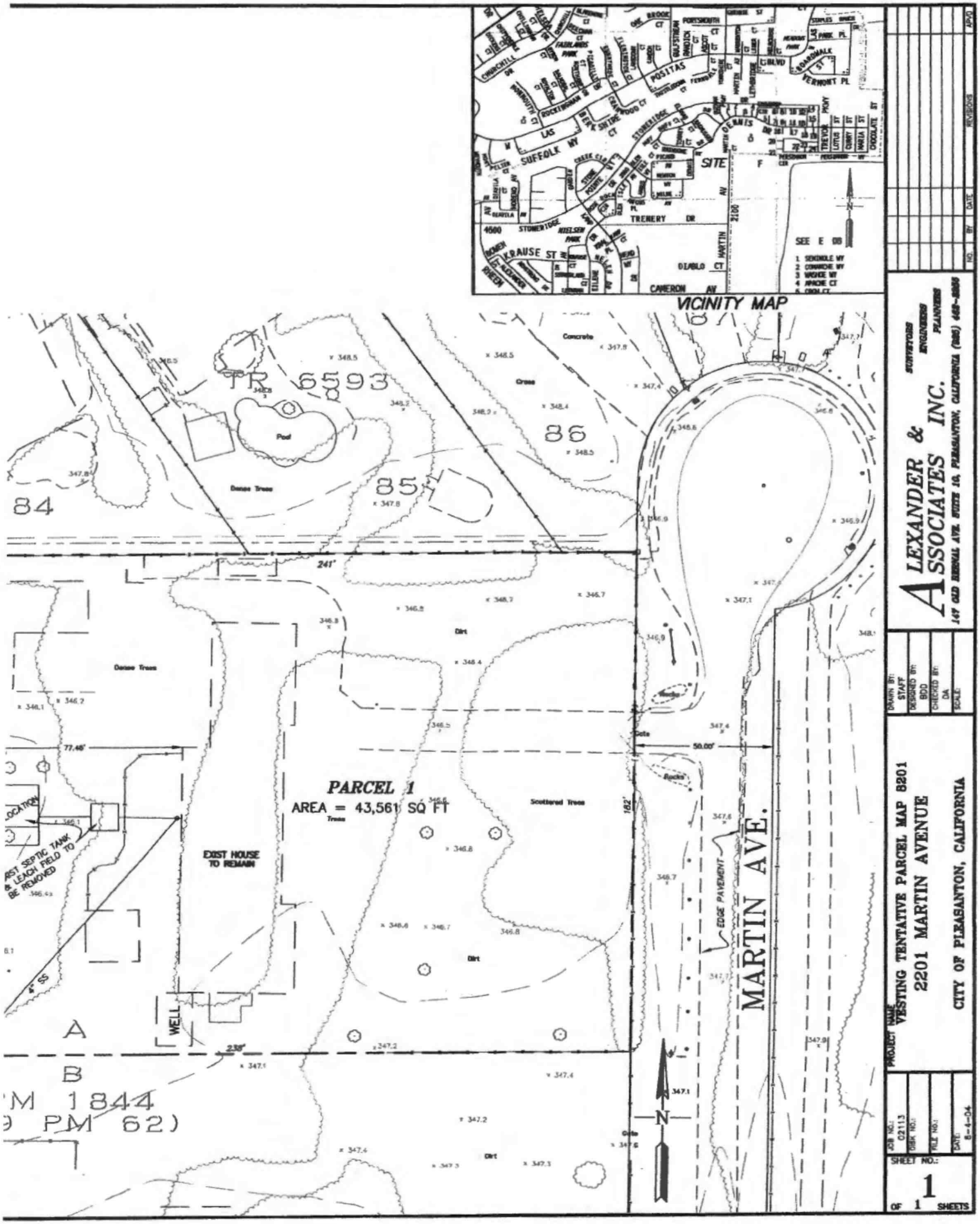
AREA PARCEL SUMMARY

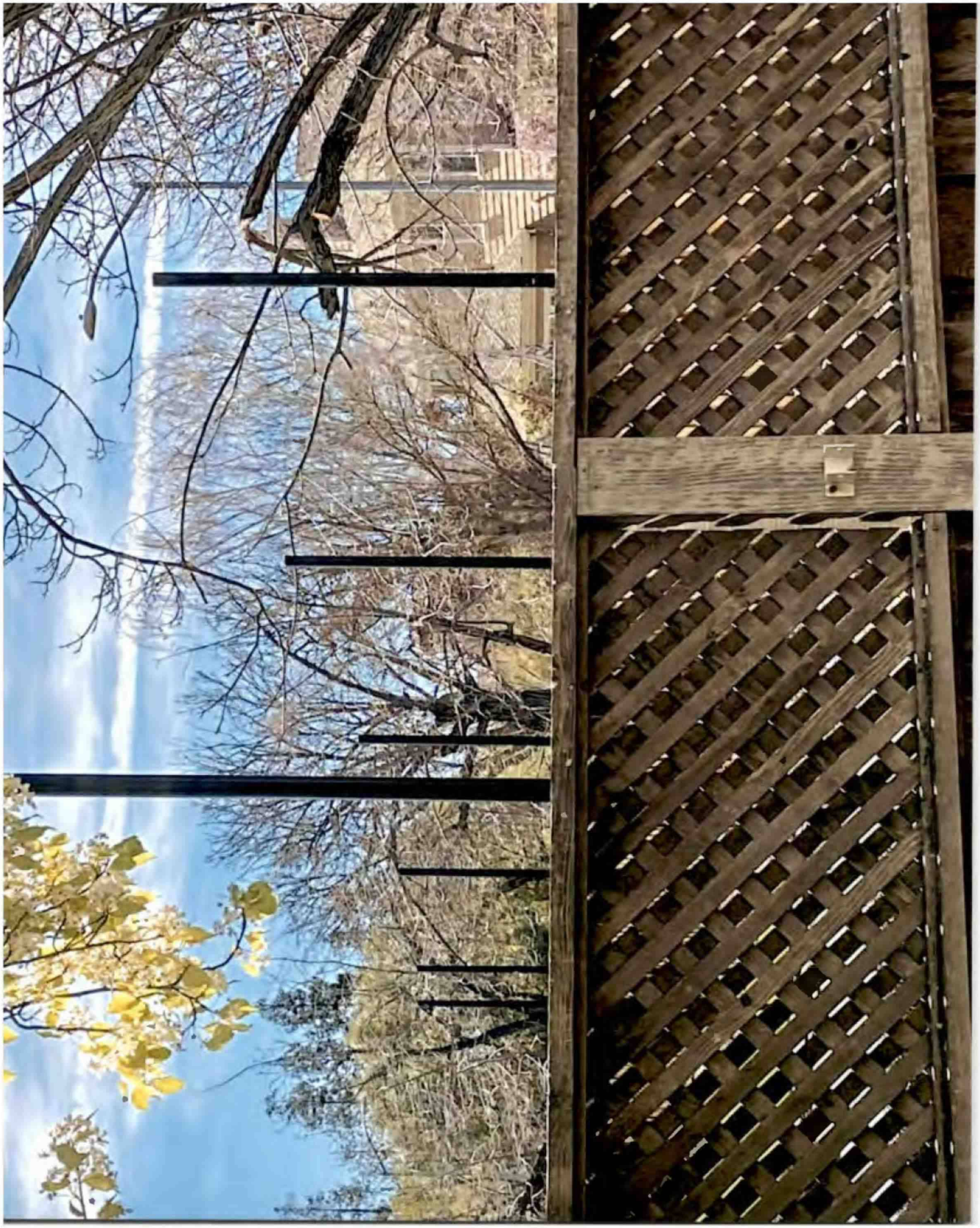
| PARCEL NUMBER | GROSS (SQ. FT.) |
|---|---|
| 1 | 43,561± |
| 2 | 26,835± |

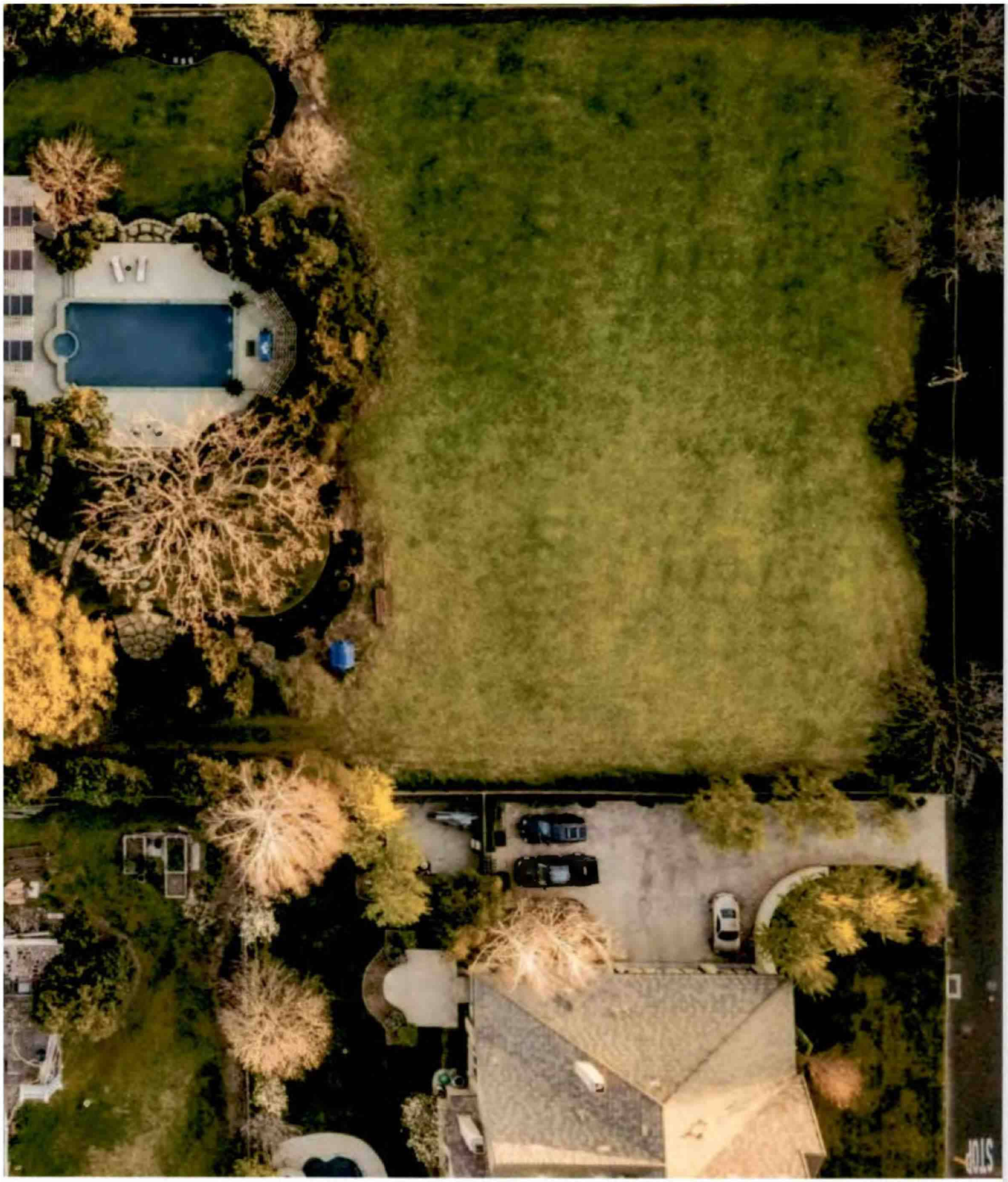
ABBREVIATIONS

| | |
|---|---|
| AC | ASPHALT CONCRETE |
| CL | CENTERLINE |
| CONC | CONCRETE |
| DI | DRAIN INLET |
| EVAE | EMERGENCY VEHICLE ACCESS EASEMENT |
| EX | EXISTING |
| FL | FLOWLINE |
| GB | GRADE BREAK |
| MH | MANHOLE |
| PAE | PUBLIC ACCESS EASEMENT |
| PSE | PUBLIC SERVICE EASEMENT |
| PUE | PRIVATE UTILITY EASEMENT |
| PVI | POINT OF VERTICAL INTERSECTION |
| SD | STORM DRAIN |
| SS | SANITARY SEWER |
| SDI | STORM WATER INLET |
| W | WATER |
| WS | WATER SERVICE |
| VC | VERTICAL CURVE |




VICINITY MAP
SITE
POSITAS
SUFFOLK WY
TRENERY DR
STONERIDGE
KRAUSE ST
DIABLO CT
CAMERON AV
VERMONT PL
SEE E 00
TR 6593
Pool
Dense Trees
Concrete
Grass
86
85
84
241'
Dirt
Dense Trees
77.48'
PARCEL 1
AREA = 43,561 SQ FT
Scattered Trees
EXIST HOUSE TO REMAIN
EXIST SEPTIC TANK & LEACH FIELD TO BE REMOVED
WELL
4" SS
238'
182'
50.00'
EDGE PAVEMENT
MARTIN AVE.
Dirt
A
B
M 1844
PM 62)
N
ALEXANDER & ASSOCIATES INC.
SURVEYORS ENGINEERS PLANNERS
147 OLD BERNAL AVE. SUITE 10, PLEASANTON, CALIFORNIA (925) 462-9555
DRAWN BY: STAFF
DESIGNED BY: BDD
CHECKED BY: DA
SCALE:
PROJECT NAME
VESTING TENTATIVE PARCEL MAP 8201
2201 MARTIN AVENUE
CITY OF PLEASANTON, CALIFORNIA
JOB NO.: 02113
DISK NO.:
FILE NO.:
DATE: 8-4-04
SHEET NO.: 1 OF 1 SHEETS




STOP

**Subject:** Comments and questions from applicants of PUD-148 (Meenu Gochhwal & Ashish Choudhary, 2207 Martin Avenue, Pleasanton, CA, 94588) with regards to the Application.

**Exhibits Attached:** **A** – Development Standards received from City Planning Department regarding Tennis Court via email dated 08/22/2022

**B** – Setback standards received from Planning in email dated November 9th, 2022 in response to our ADR application for putting in lights on the Tennis Court

**C** – Our attempts to reach out to our Neighbors (our neighbor residing at 3520 Dennis Dr, Pleasanton)

**D** – Permit and initial application for addition to main residence in 2008. (PADR-1919)

**E** – Property Details and Google Earth pictures of existing Tennis Courts in the neighborhood

As the applicants we are left somewhat confused with the narrative, staff recommendation, and development standards proposed in the August 23, 2023, Item Six Agenda report.

From our perspective, there are many additional relevant details and questions not included in the Agenda Report and recommendation.

First, the Executive Summary and Background do not make it clear that the property owners (Robert and Beth Borchard) that applied for the PUDs (s) in 2021 are no longer the property owners and are not the owners interested in a tennis court on the property. That PUD 140 approval expires in November 2023, if no final parcel map is submitted. We wish to maintain this property as a single lot and not split it (as initiated by PUD 140 in 2021).

Second, the document fails to mention that in 2008, an expansion was made to the existing residence in accordance with the PADR-1919 approval. The project was required to adhere to LDR standards for R-1-40,000. **That permit approval documentation is provided as Exhibit D for reference.** The City has retained no record of it, but it is included in Exhibit

Third, there is a statement indicating that the "partially built sports court has been constructed **without City Approval**." We would like to express our disagreement with this assertion. Exhibit A, an email we requested, dated August 22,2022, from the Planner on Duty Eric Luchini, clearly says that as long as the fence posts and lights do not exceed ten feet in height no permit or Administrative Review is required. Our actions throughout

the development of the Tennis Court have been in full accordance with the guidance provided by the Planning Department.

Fourth, we have following specific comments on the Agenda Item 6 report:

Page 9 - regarding Sports Court Development Standards, *"The PMC does not address sports courts and associated fencing*" The applicant chose to place a fence at 6.5 feet from the side yard fence, which is farther than the required 5 feet for an accessory structure or shed. The fence is a chain link, not opaque like a shed.

Top of page 10 para 1: The tennis court is completed. The fence has not been installed. The existing pedestals for a fence are described in Table 2. If the Staff wants Table 4 to be a City code, it can be applied equally to all future sports courts.

Page 12 The tennis court and proposed fence is already 10 feet behind an opaque six-foot wooden fence (nearly seven feet from street level) that has been on Dennis Drive for 25 years. "Intrusions such as noise, illumination, and limiting visual obstruction for vehicles on public streets" seems highly unlikely, and hardly seems to justify creating a new PMC standard.

The no-illumination clause seems to come from nowhere. At this time there is no electricity or plan for illumination. If at some future time, lights are considered, they will be limited by the PMC. Anything else would require administrative review.

Following, on page 13 (2nd par) of the Agenda Report, it specifically says:

"*Staff recommends none of the alternatives above be pursued. "*

Applicant proposes to modify the #3 alternative. Since this paperwork has been developed, and staff says that future reviews would necessitate a Development Standard be attached to the property, the Applicant would actually prefer that the Council simply approve the R-1-40,000 PUD Zoning to this parcel with no conditions.

There is nothing special enough about the parcel on Martin that it needs to be encumbered with minutiae. If and whenever the City Council chooses to change the PMC regarding fences, lights, noise, and sports courts, those codes should apply to this parcel.

**A review of the sequence of events might help clarify our points and our further questions.**

We purchased the property on April 22, 2022. We did not know until just a few months ago (i.e. this year) that the original owners had filed a PUD (140) to split the property, into two residential properties nor its implications.

We decided that a good use of the rear yard would be to install a tennis court. We were told that there are no Pleasanton codes on tennis courts in rear yards.

We arranged for a contractor to install the Tennis Court.

Starting the week of August 15, 2022, the contractor notified the neighbors about the construction (he gave us the names and phone information). The contractor said nobody complained or raised concerns at the time and so the concrete slab was installed. However, we were subsequently contacted by the Code Enforcement Officer.

The officer, acting on a neighbor's complaint, asked if we were building an accessory unit. On being told it was a tennis court, he mentioned no objectionable code violations and did recommend we contact the planning department for the next steps.

My email of August 22, 2022 and the reply by the Planner on Duty, Eric Luchini, on the same date are attached as **Exhibit A**.

Mr Luchini's email was very clear:

> *"Thanks for your inquiry. The tennis court would not require any Planning review or permits. The same for the 10-foot-high fence from a Planning perspective, but again it cannot exceed 10 feet at any point. A Building permit would be require for the fence.*
>
> *Regarding the lights, if they exceed 10 feet in height, they would be required to go through Administrative Design Review with the Planning Division first and then obtain Building Permits. I have attached the submittal requirements and application for the Administrative Design Review process."*

We conformed to the conditions explained by Mr Luchini, i.e.10 feet on the fence height (which does not require planning approval) and to file for an Administrative Design Review for lights if we wanted to install them at 12 ft height.

The fence posts that have been installed are 10 feet high, and while we do not have current plans for lights, back then the ADR Application for installing lights was filed by our contractor in November 2022. On November 9th, 2022 our contractor received an email response from Mr. Diego that is attached in **Exhibit B**

Mr. Diego's email stated that our ADR application was incomplete, and it needed more information. The email instructed:

> *"The property is zoned PUD-LDR and subject to the R-1-20,000 development standards. Per the R-1-20,000 standards, accessory structures are required to be setback 5-feet from the rear setback line and 3-feet from the side property line (see Table 18.84.010). Please label setbacks of the proposed light poles to property lines accordingly."*

We have since decided not to install the lights. However, this email provided us with setbacks we should propose in case we wanted to install 12 ft high lights.

In its current state, the Tennis Court maintains a side yard setback of 6.5 feet and a rear yard setback of 14 feet which is well in conformance with the standards provided.

**Consequently, we are fully aligned with the regulations provided by the City Planning department and disagree with their assertion that "partially built sports court has been constructed without City Approval.". The construction of the Tennis Court was carried out in accordance with the specified standards.**

On December 13th, 2022 we received a call from Code Enforcement stating that the 10 ft high fence poles are in nonconformance and directed us to contact the Planning Department. Since then, the Planning Department has changed their position and we have been put on this new path requiring the filing of this PUD.

Once we learned that our neighbors (3520 Dennis Dr.) have expressed concerns about the Tennis Court, we have made consistent efforts to reach out to them evite invitation, text and driveway intercept. To summarize, the neighbors listened, but refused to discuss any options including landscaping, additional screens, fence height changes between the properties, or other hiding methods. The last communication from them on February 24th, 2023 is “We are still waiting to hear back from the city before we discuss any other options”. The text message conversations with the neighbor have been enclosed and can be found in **Exhibit C.**

Based on the above sequence of events, **we have following questions**:

1. Is the development standard recommended by staff for the Sports Court exclusively for our property, or will it be uniformly applied throughout the City of Pleasanton? If the Planning Staff recommends changing the PMC setbacks for all sports courts (tennis, pickle ball, basketball, etc) in Pleasanton, existing courts should be grandfathered.

2. If these sports court development standards apply only to our property, what distinct characteristics set our property apart from others that necessitate these specific development standards? Within our neighborhood, at least four other properties already have tennis courts, their presence evident via Google Earth imagery. Certain instances also feature visible fence and light installations. To the best of our knowledge, none of these properties have secured permits for the installation of lights or fences. **Property Details and *The Google Earth pictures are attached in Exhibit E***

3. Page 3 of the Agenda Report: “The Planning Division determined the appropriate course of action would be to require the applicant/property owners to apply for a PUD development plan that would establish development standards for the subject parcel”. **What factors lead staff to the conclusion that a development plan is necessary for an otherwise conforming sports court?**

4. The staff's suggested standard for the side yard setback derives from neighbor's PUD-27 guidelines, which dictate a minimum side yard setback of 10 feet for Primary Residences and 5 feet for accessory structures, but sports courts are not treated as accessory structures or residences, and thee side yard setback for the fence is 6.5 feet.

   What is the rationale behind recommending more stringent requirements compared to the existing standards for accessory structures on the neighboring property? The property is in the middle of the block and is behind a six-foot fence, with the existing rear lot setback of 14 ft it seems unlikely to impact or endanger traffic.

5. No argument is presented by Staff as to why the conditions for this tennis court fence and lights are more stringent than any other in the annexed parcels or any location in Pleasanton. Even if this PUD development standards are approved, why will any fence or illumination that meets PMC require a City's Administrative Design Review process just because it is in this PUD? (page 12 para 2 of Agenda Item 6 Report)

6. Staff has recommended to disallow exterior illumination. Given the broad nature of this recommendation, are there any specific limitations, including height related, connected to this recommendation?

7. The 'dispute' is about 3.5 feet of side yard setback on one corner of the property. Why would a Development Standard attached to a PUD for the whole parcel be encumbered? e.g. Why would a nine-foot gazebo in the middle of the yard not be allowed to have lights because of this PUD filing?

Since 2012, Pleasanton has been our cherished home, and we have lived in the immediate neighborhood. Our children have attended local schools—Mohr Elementary School, Harvest Park School, and Amador Valley High School. Embracing our role as law-abiding residents, we hold a deep affection for our community.

We have pursued every avenue to heed the City's guidance, extending our outreach to neighbors to thoughtfully address their concerns. We've shown adaptability by embracing changes directed by the City, including letting go of the light installations. In conformance with City directives, we've invested over $90,000 in developing the Tennis Court, which includes resources for a 10-foot fence, and more than $15,000 in legal, advisory, and city-related expenses. Currently, less than 4 feet separates the placement of the 10-foot poles from the City Staff's recommendation to where they are now. With respect, we kindly urge the Planning Commission to consider the journey that has led us to this juncture and answer the questions we have raised in this submission.

As poured, we can play tennis on the existing court. The fence's purpose is to reduce the number of balls going into the neighbor's yard and onto the street. That would seem to be enough reason to allow the planned fence.

We therefore propose to modify the #3 alternative. Since this paperwork has been developed, and staff says that future reviews would necessitate a Development Standard be attached to the property, the Applicant would actually prefer that the Council simply approve the R-1-40,000 PUD Zoning to this parcel with no conditions.

Gmail

Ashish Choudhary [redacted]

# Re: Question on permit requirement for Tennis Court

1 message

**pod** <pod@cityofpleasantonca.gov> Mon, Aug 22, 2022 at 4:35 PM
To: Ashish Choudhary [redacted]
Cc: Meenu Gochhwal [redacted]

Hello Ashish,

Thanks for your inquiry. The tennis court would not require any Planning review or permits. The same for the 10-foot-high fence from a Planning perspective, but again it cannot exceed 10 feet at any point. A Building permit would be require for the fence.

Regarding the lights, if they exceed 10 feet in height, they would be required to go through Administrative Design Review with the Planning Division first and then obtain Building Permits. I have attached the submittal requirements and application for the Administrative Design Review process.

Once you are ready to submit, please do so to the Planner on Duty using this link:

http://www.cityofpleasantonca.gov/gov/depts/cd/planning/electronic_planning_submittal.asp

Please note the Administrative Design Review process requires the City to send notice to the neighbors. As the Zoning Administrator who sits on hearings regarding neighbor disputes, I would highly recommend you speak with the neighbors regarding your proposal. We do not get many applications for tennis courts, especially with lighting, and so speaking with the neighbors in advance may settle any concerns before they arise.

Additionally, please make sure you provide full specs. on the lights including their height (15-foot-tall maximum) and proposed shielding, operational times, etc.

Please let us know if you have any questions.

Best,

Eric Luchini
*Planner on Duty, Planning Division*
*Community Development Department*
C: 925-437-4009
F: 925-931-5483
pod@cityofpleasantonca.gov

City of Pleasanton | P.O. Box 520, Pleasanton, CA 94566

**From:** Ashish Choudhary [redacted]
**Sent:** Monday, August 22, 2022 3:01 PM
**To:** pod <pod@cityofpleasantonca.gov>
**Cc:** Meenu Gochhwal [redacted]
**Subject:** Question on permit requirement for Tennis Court

Hi,
My name is Ashish Choudhary and my property address is 2207 Martin Avenue, Pleasanton, CA 94588

I want to build a tennis court in our backyard and 10 foot high chain link fence around it. We will also install 6, 1000 W LED lights to light up the court.

Please let me know if there is any permit required for the same.

Thanks
Ashish

Click here to report this email as spam.

**2 attachments**

**ADR Handout -September 2021.pdf**
166K

**Application Development Review_20220103.pdf**
232K

**EXHIBIT B**

Gmail

# Fwd: Fw: Electronic Planning Submittal

1 message

**From:** pod <pod@cityofpleasantonca.gov>
**Date:** November 9, 2022 at 16:23:24 PST
**To** [redacted]
**Subject: Re: Electronic Planning Submittal**

Hello,

Thank you for submitting an Administrative Design Review application. However, the application is incomplete and requires the following information:

- Include a Project Data table: A table detailing the lot size, address, zoning, and scope of work.
- Provide a specification sheet of the proposed lighting poles.
  - Specs should indicate the type of lighting proposed (e.g. LED).
  - The lighting poles shall have shields to prevent lighting to adjacent properties.
  - Please include specification sheet of proposed shields.
  - Label color and material of proposed lighting poles.
- The property is zoned PUD-LDR and subject to the R-1-20,000 development standards. Per the R-1-20,000 standards, accessory structures are required to be setback 5-feet from the rear setback line and 3-feet from the side property line (see Table 18.84.010). Please label setbacks of the proposed light poles to property lines accordingly.
- Satellite image shows trees near the proposed area of work. Accurately show the trunk and dripline of all existing trees six inches in diameter and greater on or off of the project site adjacent to the proposed construction. Indicate if any trees are proposed to be removed or pruned to accommodate the project.

Once addresses, please resubmit all material through the online Planning portal.

Best,
Diego

# EXHIBIT C

(Communication with our neighbor residing at [redacted] Dennis Dr, Pleasanton)

Mon, Oct 17 at 7:50 PM

Michele Peterson.

Hello - thank you for the invite. Ray and I will be traveling the next few weeks but would really like to meet you when we return. Perhaps over the holidays? Enjoy your party and let's touch base after Thanksgiving. Michele

Sounds good Michele. We look forward to meeting you / Ray. Let us know if you want us to take care of your mails or anything at all. Enjoy your travels !

Sat, Dec 17 at 4:05 PM

Hi Michele - Meenu & I stopped by at your place just to say hello and introduce ourselves. Let us know a good day / time that works for you & Ray. Would love to meet you guys. Happy Holidays!!

Wed, Jan 11 at 7:23 PM

Hi Michele,
Happy New Year !! Hope you have had wonderful time over the holidays. Ray mentioned to us that you folks have some concerns regarding the tennis court. Just wanted to let you know that we would be more than happy to discuss/ understand this matter further with you to find a solution and address any concerns or questions you may have. Let's get together for a coffee. Would you be available this weekend? Thanks Ashish/Meenu

Wed, Jan 11 at 8:35 PM

Michele Peterson.

Happy New Year to you as well. Let me check with Ray - we have a few things on the calendar this weekend.
I'll let you know, ok?
Thanks, Michele

Sounds good Michele. 👍🙂

Fri, Jan 13 at 10:40 AM

Michele Peterson.

Hi there -
Looks this weekend won't work. Another time...?

Hey Michele - no problems. How about Monday or Tuesday afternoon? Anytime after 3 PM is good with us. Let us know if either works.

Michele Peterson.

Next week we could do Thursday, possibly Friday?

Fri, Jan 13 at 12:29 PM

Sure. Friday looks better for us. How about 3 Pm on Friday? Would love to host you guys over coffee

Michele Peterson.

Ok let's plan on that. No coffee needed😊

Thu, Jan 19 at 5:18 PM

Michele Peterson.

MP

Hello neighbors -
We are up in Tahoe digging out our decks.
There is more work here than anticipated and unfortunately we will not make it back until Saturday or Sunday.
Sorry about that.

Fri, Jan 20 at 8:42 AM

Oh dear. No problems Michele. We can connect once you guys are back in town. Will check with you early next week. Enjoy your weekend. Hope you get to take some rest 😊

Mon, Jan 23 at 4:02 PM

Hi Michele - I see you guys are back. Hope Tahoe was fun. Let us know if you have time to get together on Thursday or Friday this week. Looking forward to meet you!

Mon, Jan 23 at 4:02 PM

Hi Michele - I see you guys are back. Hope Tahoe was fun. Let us know if you have time to get together on Thursday or Friday this week. Looking forward to meet you!

Mon, Jan 23 at 5:27 PM

Michele Peterson.

MP

Yes we can meet Thursday.
Maybe after3?

Mon, Jan 23 at 6:31 PM

Thursday after 3 sounds great Michele. See you then 👍😊

Michele Peterson.

MP

Ok

Thu, Jan 26 at 2:37 PM

Hi Michele - looking forward to meet you and see Ray later today. Let us know what time works for you post 3 PM. We are around until 6 PM or so. See you shortly!

iMessage
Wed, Feb 8 at 8:56 AM

Good Morning **Michelle** ,
I was wondering if you are available today for a quick chat ? We can either meet or get on a call whatever works better. Let me know
Thanks Meenu
Your neighbor on 2207 Martin
😊

No sorry, we are out of the country.

When would you be back if you don't mind sharing?

Fri, Feb 24 at 3:59 PM

Hey **Michelle**
Checking to see if you folks are back in town. We are hiring a landscape designer and would like to get your feedback in options that we discussed last time or if you have any new suggestions.
Pls let us know your availability to further talk about the same.
Thanks
Meenu

Delivered

Fri, Feb 24 at 5:56 PM

Hi Meenu -
Yes we returned a couple of days ago.
As we said when we met last time, we are still waiting to hear back from the city before we discuss any other options.

**EXHIBIT D**

*July* 30. 2008

Mr. and Mrs, Borchers
[redacted] Martin Avenue
Pleasanton, CA 94588

Subject PREV-724, Living Area Addition and Garage

Dear Bob and Beth:

ft was a pleasure working with both of you in order to determine the best way to process your request to construct an addition of living area and a new garage to your existing home.

Your property was annexed into the City in 1997 and was pre-zoned as PUD-LDR (Planned Unit Development - Low Density Residential) District. No development plan for the properties was submitted at that time. Many of the properties existed and continue to exist as large-lot, single-family homes.

When sites are zoned PUD-LDR, a set of development standards are generally established in the event that future modifications to those structures are requested. No such standards were adopted for your development at that time. However, the enclosed Planning Commission staff report for RZ-97-1, dated February 12, 1997, addresses the issue of development on existing developed lots, as follows:

> *"All existing buildings and uses on these sites which were legally permitted by applicable County Codes and Ordinances at the time of construction or operation would be allowed to continue in the City".*

*Your* proposed project would fail under this directive and would be required to meet the LDR development standards for R-1-40,000. In this regard, you will need to submit to the planner on duty an application for administrative design review (PADR), which is a review process on the Zoning Administrator level, together with one copy of your plan. The planner on duty, who will be the planner assigned to your project, will then send out a notice of your proposed project to your neighbors. Your neighbors will be given seven days to bring forth any concerns they may have related to the proposed project's design, height, screening, etc. The City, therefore, encourages you to discuss your

Box 520, Pleasanton, CA 94566-0802
200 Old Bernal Aven

M & Community Development
31-5600
31-5483

Building Inspection
1425!93! -5300
Fax; 931-5478

Utility Billing
(925)931-5425
Fax: 931-5405

Business Licx
(925)931-5454
Fax 931-5484

*plans with your* neighbors so that they are made aware of your proposal by the time they receive the notice from the City. Your project planner will inform you of any concerns that may arise during the review process. Additionally, if anyone contests your application, it may be necessary to hold a Zoning Administrator hearing on your project.

*I hope* this assists you in understanding the process required for your proposal. Thank you for your patience, and should you have any questions related to your project, please do not hesitate to contact me at (925) 931-5604.

Sincerely,

Donna Decker
Principal Planner
Planning Division
Community Development Department

*Enclosure*
*c: Julie* Harryman, Assistant City Attorney
Brian Dolan, Director of Planning and Community Development
Marion Pavan. Associate Planner

THE CUY O F

PLEASANTON.

August 15, 2008

Beth Borchers
[redacted] Martin Avenue
Pleasanton* CA 94588

Dear Ms. Borchers:

**Re: Approval of PADR-1919, Addition**
**ERecti vc Date: September 2, 2008**

The City of Pleasanton Planning Department has completed design review for your proposal **to convert the existing 730-square-foot garage into living space and to construct an approximately 500-square-foot front porch and an approximately 790-squ are-foot attached garage to the front of the existing residence located at 2207 Martin Avenue.** Your proposed *project* meets all of the necessary requirements as outlined in the Pleasanton Zoning Ordinance. In accordance with Section 18.20.040(B)(2) of the Pleasanton Municipal Code, notice of your proposal was sent to your adjacent neighbors on August 7, 2008. No request was made for a public hearing. The project is therefore approved with the following conditions:

1. The addition shall conform substantially to the approved elevations, site plans and other materials (Exhibit A) on file at the Planning Division. Minor changes to the plans may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved exhibits.

2. The colors and materials of the addition shall match those of the existing structure.

3. All site improvements and construction activities shall be limited to the hours of 8:00 am. to 5.00 p.m., Monday through Saturday. In addition, no construction shall be allowed on Federal Holidays. If complaints are received regarding the Saturday construction hours, the Planning Director may modify or revoke the Saturday construction hours. The Planning Director may allow earlier "start-times" for specific construction activities (e.g., concrete-foundation/floor pouring), if it can be demonstrated to the satisfaction of the Planning Director that the construction and construction traffic noise will not affect nearby residents. All construction equipment must meet DMV noise standards and shall be equipped with muffling devices.

4. All appropriate City permits shall be obtained prior to the construction of the ^addition.

**P. O. Box 520, Pleasanton, CA 94566-0802** **200 Old Bernal Avenue**

P ann ng & Commun ty Deve opment
[925) 9J1-S600
Eax: 931-5483

Bu d ng Inspect on
(925)931-5300
Fax: 931-5478

Ut ty B ng
(925) 931-5425
Fax: 931-5485

Bus ness L cense
(925) 931-5440
Fax: 931-5485

5. All conditions of approval for this ease shall be reprinted and included as a plan shect(s) with the building pennit plan check sets submitted for review and approval. At all times these conditions of approval shall be on all grading and construction *plans kept* on the project site.

You may apply for a building permit after completion of the design review procedure's 15-day *appeal period* or, if you wish to apply for a building permit before the end of the appeal period, upon submittal of a signed Waiver Form to the Planning Division. The waiver acknowledges that plan check fees tnay be forfeited in the event that the approval is overturned or the design is significantly changed as a result of an appeal. In no ease will a building permit be issued before the end of the appeal period.

At the *time of* building permit submittal, you must:

a. submit a completed and signed Building Permit Questionnaire (attached) to the **PLANNING DIVISION;** and
b. present a copy of this letter to the Building and Safety Division along with required plans

If you have any questions about building permit fees or the building permit process, please contact the Building and Safety Division at (925) 931-5300.

***This* approval will become effective on September 2, 2008, unless appealed prior to that time. Design review approval shall lapse and become void one year following the effectivi date of project approval, unless prior to the expiration of one year, a building permit is issued and construction is commenced and diligently pursued toward completion, or an extension has been approved by the City.**

If you have any questions, please feel free to give me a call at (925) 931-5607.

Sincerely,

Rosalind Rondash

Rosalind Rondash
Assistant Planner

EFFECT V E DATE: SEI* I EMBER 2,2006

H m,,D NG PERMITQIIESI ÕNNA RE

Th s quest onna re s be ng sent to you to be comp eted and returned to the P ann ng D v s on when you h e tor a budd ng, perm t for your recent y approved project Its purpose s to ensure that your p ans arc checked m a t me y manner ant w the project s bu t accord ng to the approved p t ns
We apprec ate your eoopcrn on If you have any quest ons, p ease ca the P ann ng D v s on

I App cant's Name, and Address:

Beth Borchers
[redacted] Martin Avenue* Pleasanton, CA 94588

2. Prqject Addrcss.'1 ocat on:

2207 Martin Avenue, Pleasanton* CA 94588

3. Description of project for which a permit is being requested:

to convert the existing 730-square-foot garage into living space and to construct an approximately 500-square-foot front porch and an approximately 790-square-foot attached garage

4. lhe building project for which this permit is being requested has been approved by the:

__X Planning Division Planning Commission
___ City Council

5. Planning Division Project Number PAD R~ 1478

6. **Do you certify that the plans being submitted for issuance of building permits conform in every respect to the approved plans and to all conditions of approval required by the above bodies?Yes No**

7. If the answer to Question No. 6 is "No", please list every item on the submitted building permit plans which differs from the approved plans or conditions of approval. Use the reverse side or attach additional sheets if necessary. All changes to the approved plans should be clouded with delta numbers!).

*I hereby attest* that the above is true and correct. I understand that failure to correctly answer these questions may result m a delay of issuance of building permits and that if changes are discovered after the permit is issued, I am responsible for revising fie *project to* conform to the plans approved by the City boards and/or commissions.

Da te S ignature and T itle

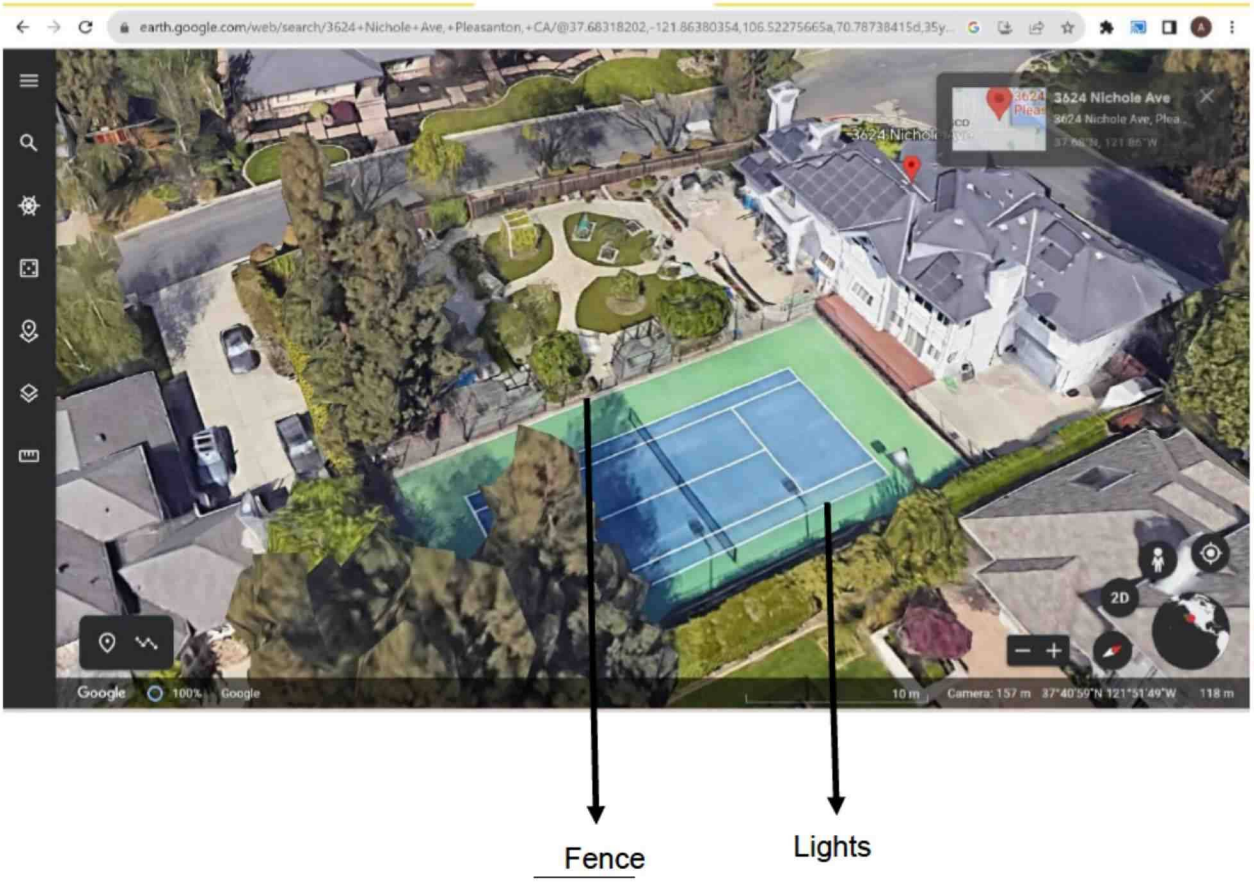
Phone Number

# EXHIBIT E

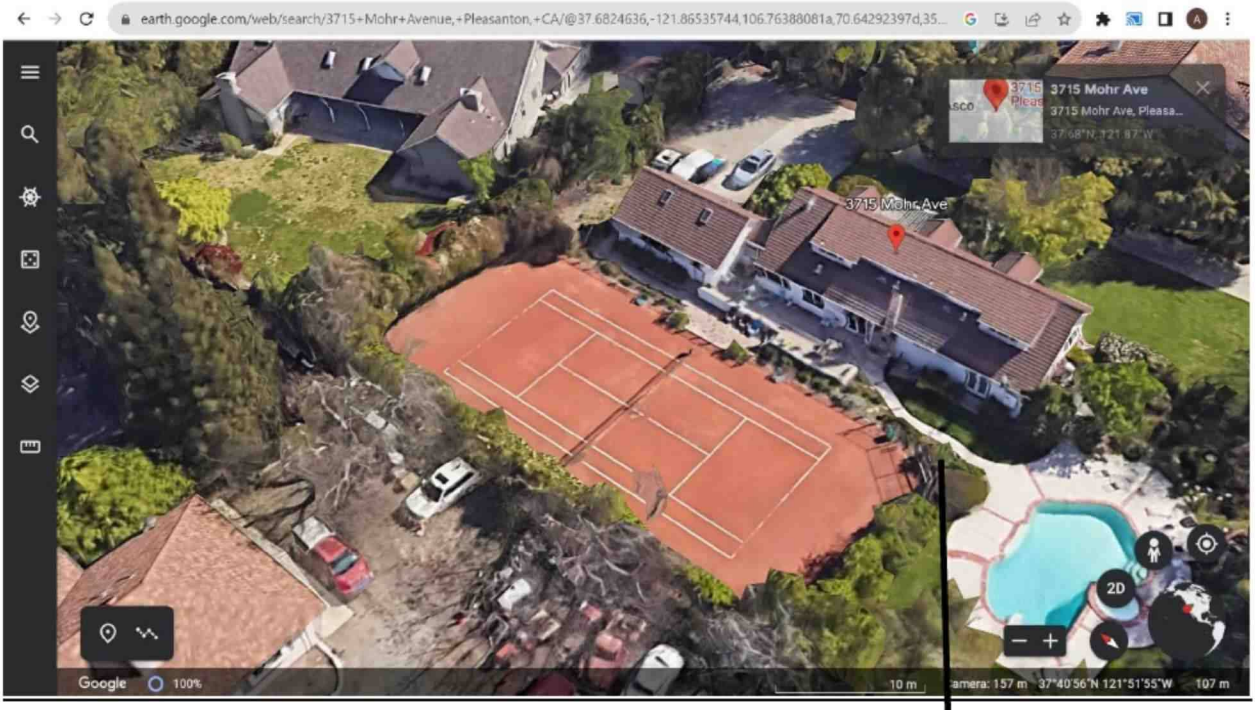
**List of properties in neighborhood with existing Tennis Courts**

| | | |
|---|---|---|
| 1 | 3711 Trenery Drive | Lights and Fence are visibly installed |
| 2 | 3710 Trenery Drive | Fence is visibly installed |
| 3 | 3624 Nichole Avenue | Lights and Fence are visibly installed |
| 4 | 3715 Mohr Avenue | Fence is visibly installed |

**3624 Nichole Avenue**



**3715 Mohr Avenue**




Fence

# Statement for 23 August 2023 Planning Agenda Item 6, 2107 Martin Ave

Hello, **my name is Jay Galvin.** I live at [redacted] Torrey Court, Pleasanton, which is a property 200 yards away from the PUD parcel and the sports court fence under discussion. In other cities. I have served eight years as a Planning Commissioner/ Zoning Board of Appeals chair, subsequently in Pleasanton I have served 16 years on the Housing Commission, Economic Vitality Committee, and various task forces. I am also a board member of the Stoneridge Park Homeowners Association, which has five houses abutting the [redacted] Martin Ave complainant property adjacent to the one with the sports court.

I have known the PUD applicants Ashish and Meenu for seven years, they lived next-door to me for four years, were very good neighbors, sociable, and friendly to other members of our Association. I was surprised to receive the Notice of this hearing regarding a PUD for Development Standards on this property. I was aware Ashish had talked to Planning Staff in the past regarding his plans. I thought everything would work out.

I knew these 30+ parcels were annexed in the 1990s under special conditions but was not aware of the lack of PUD Development Standards. It is amazing how many dozens of sports courts, garages, and ancillary structures, have been built before this became an issue.

I do understand why Planning Staff recommended that Ashish and Meenu request the Development Standards for this property at R 1–40,000 be established to cover any future development.

What I do not understand is how a complaint to the City's Code Enforcement turned into a project with so much effort.

Sports courts can include tennis courts, pickle ball, basketball hoops, batting cages, soccer practice areas, chid jumping structures, and a variety of other uses that have varying needs of shielding the sport from surrounding properties. Pleasanton has not undertaken the responsibility for creating standards for any of these uses.

Pleasanton does have PMC specifications for setbacks for residential properties, ancillary units, lighting over ten feet, and fences between property lines.

Ashish wanted to build a tennis sports court with a fence and at one time have lights on the fence. He initially contacted the Building Department in August of 2022 and was told that as long as the fence was not over 10 feet high and the lights were not higher

than 10 feet there was no need for permits or development review by the planning staff.

After multiple discussions with the Staff, the current plans are for a fence that meets the current PMC, i.e. under ten feet, no attached lighting. The fence, as laid out exceeds the ancillary structure side yard requirements - even though it is not an ancillary structure.

Regarding any conditions on the R-1-40,000:

Attached is a photo of Dennis Street in question. With the exception of a house at the end of the block that was added over 10 years ago, the street has had a nearly 7 foot fence (including curb) for the last 25 years. So it is not apparent how a fence inside of that fence by 10 feet, that reduces the number of tennis balls that reach the Dennis Ave or the neighboring yards changes the nature of the neighborhood.

In most cases, for a City Staff, Planning Commission, or Council, to add special conditions onto a parcel that don't apply to any other parcels in the city, there needs to be some special circumstances regarding the subject property. It is not presented that the staff has found anything special, other than a complaint from a single property owner regarding lights (which are not planned), and a fence that is conforming to the existing PMC. The fence is not required to be built per PMC, it is only intended to be used to protect errant tennis balls from flying onto that property and the street.

One irony of the situation is that the complainant owns the contiguous property on [redacted] Martin, next door to 2107 Martin. That property has been unoccupied for a few years, and is used to store both a camper and a basketball hoop over 10 feet high. That property also has two ancillary structures closer than the 5 foot setback to property owners of my homeowners association. The Agenda Report Figure 4 on page 5 of 14, cuts off those eyesores clearly visible from the street.

Attached is a photo the [redacted] Martin side yard owned by the complainant.

To summarize, I believe the application for changing the Development Standards to R-1-40,000 should be approved with no conditions. If there arise any code violations in the future, then that becomes the concern of the Code Enforcement Department.

I plan to attend the Hearing to answer questions or for clarifications.

Respectfully,

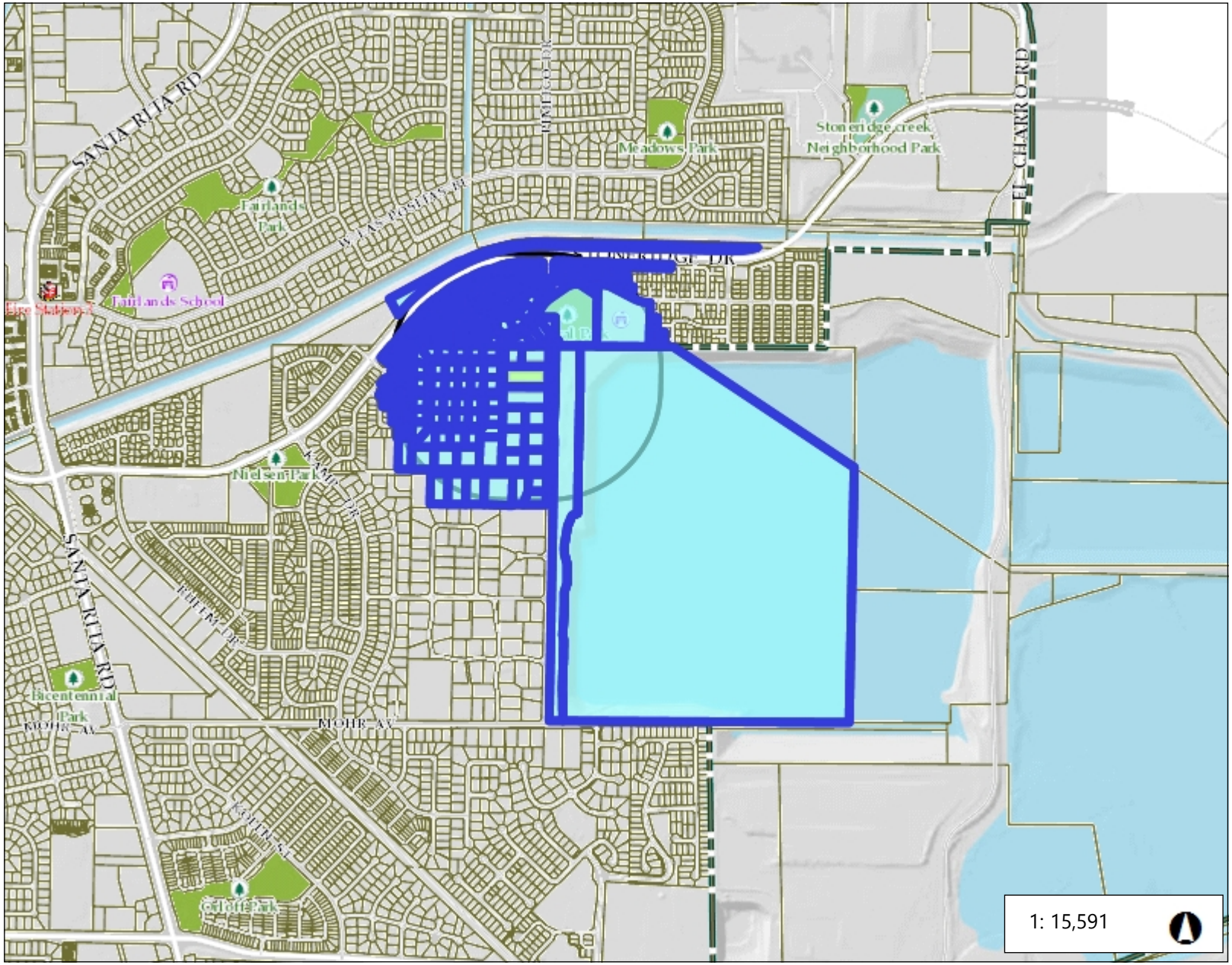
Jay Galvin

Dennis Ave. Tennis court behind fence on the right.

[redacted] Martin Side yard with basketball hop, stored camper and two ancillary sheds.

# PUD-148, 2207 Martin Avenue

**EXHIBIT D**




Legend

- Fire Station
- School
- Park
- Parcels

Notes

Notes

2,598.5 0 1,299.26 2,598.5 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US

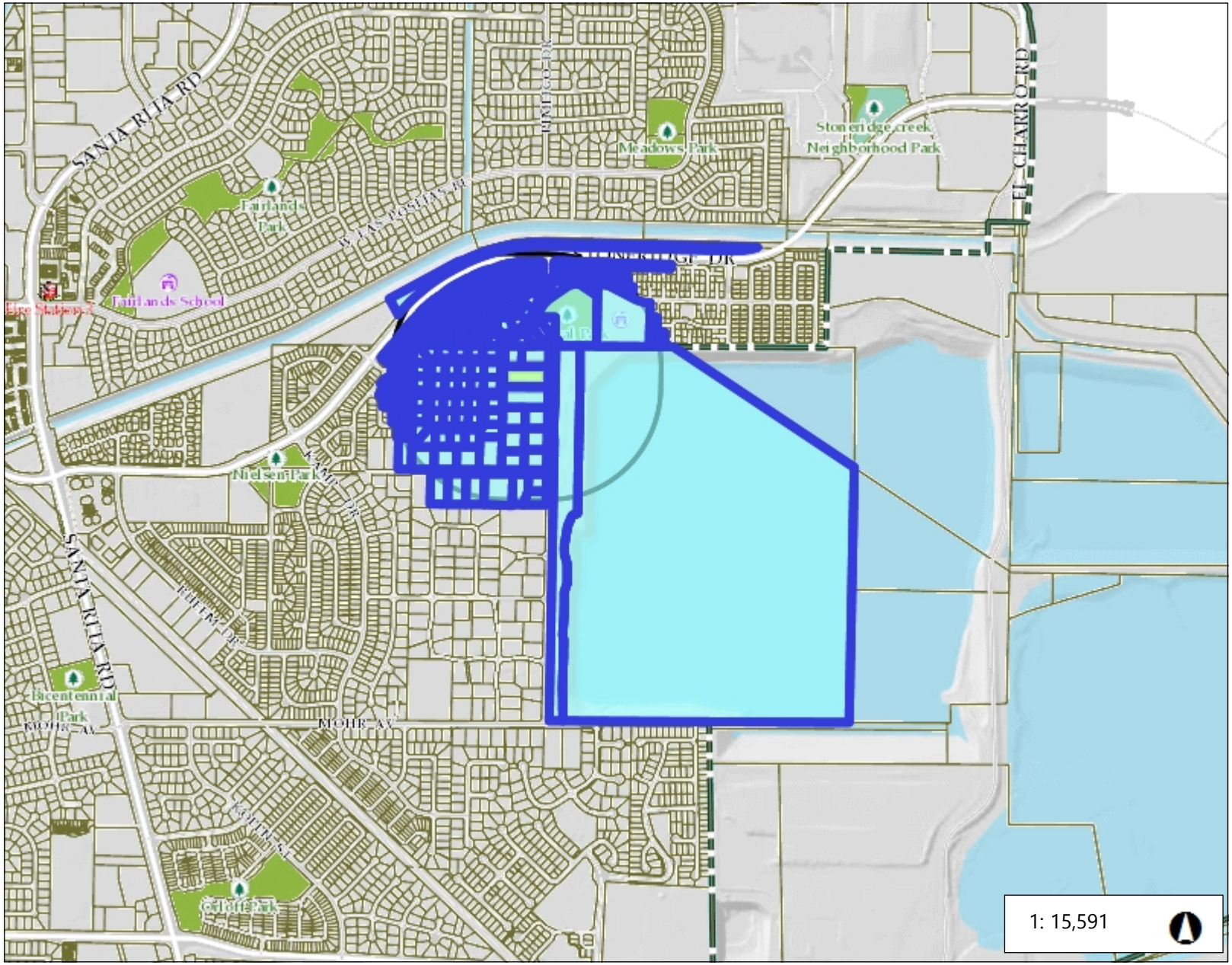
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

# PUD-148, 2207 Martin Avenue

ATTACHMENT 3




## Legend

- Fire Station
- School
- Park
- Parcels

## Notes

Notes

2,598.5 0 1,299.26 2,598.5 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US

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CITY COUNCIL AGENDA REPORT

January 16, 2024
Finance

**TITLE: ACCEPT THE MONTHLY DISBURSEMENTS AND INVESTMENT REPORT FOR NOVEMBER 2023**

## SUMMARY

Attached is the City of Pleasanton monthly disbursements and investment report for November 2023.

## RECOMMENDATION

Staff recommends the City Council accept claim disbursements in the amount of $16,884,521 and the investment report for the month of November 2023.

## BACKGROUND

The City's Investment Policy requires the Director of Finance to submit a monthly transaction report to the City Council within 60 days of the end of the reporting period in accordance with California Government Code Section 53607.

The Investment Policy also requires the Director of Finance to submit a quarterly report to the City Council on the status of the City's investment portfolio no later than 45 days after the end of each month. This report shall include the types of investments, the amount of money invested with various institutions, purchase and maturity dates, and yield on investments. The Director of Finance certifies that the investment portfolio is in compliance with the investment policy and that it will meet cash flow needs for the next six months.

This report also includes check and electronic payment information for November 2023.

## DISCUSSION

The monthly disbursements and investment report provides the City’s financial transactions and payments for review by the City Council.

## EQUITY AND SUSTAINABILITY

Not applicable, as this item is a routine administrative matter of City business.

## OUTREACH

No outreach was conducted, as this item is a routine administrative matter of City business.

## STRATEGIC PLAN ALIGNMENT

Not applicable, as this item is a routine administrative matter of City business.

## FISCAL IMPACT

There is no fiscal impact associated with this action.

| Prepared by: | Submitted by: | Approved by: |
| --- | --- | --- |
| Thinh Lucero, Supervising Senior Accountant | Susan Hsieh, Director of Finance | Gerry Beaudin, City Manager |

Attachments:

1. Disbursements and Investment Report

THE CITY OF PLEASANTON

# NOVEMBER 2023 DISBURSEMENTS

## CHECK REGISTER*

| DATE | CHECK NUMBER | AMOUNT |
|---|---|---|
| 11/7/2023 | 58088-58221 | $ 4,211,427 |
| 11/9/2023 | 58233-58353 | 1,446,412 |
| 11/16/2023 | 58362-58467 | 980,407 |
| | | $ 6,638,247 |

## ACH PAYMENTS

| DATE | CHECK NUMBER | AMOUNT |
|---|---|---|
| 11/7/2023 | 58222-58232 | $ 2,246,492 |
| 11/9/2023 | 58354-58361 | 810,136 |
| 11/16/2023 | 58468-58477 | 499,936 |
| | Payroll & Tax related ACH Payments | 1,023,082 |
| | | $ 4,579,647 |

## WIRE TRANSFERS

| | AMOUNT |
|---|---|
| Wire Transfers | - |
| Investment of Funds | |
| | $ - |

## PAYROLL TRANSFERS

| DATE | AMOUNT |
|---|---|
| 11/2/2023 | $ 2,216,408 |
| 11/16/2023 | 1,653,757 |
| 11/30/2023 | 1,796,462 |
| | $ 5,666,627 |

**TOTAL DISBURSEMENTS** **$ 16,884,521**

* Detailed registers available upon request.

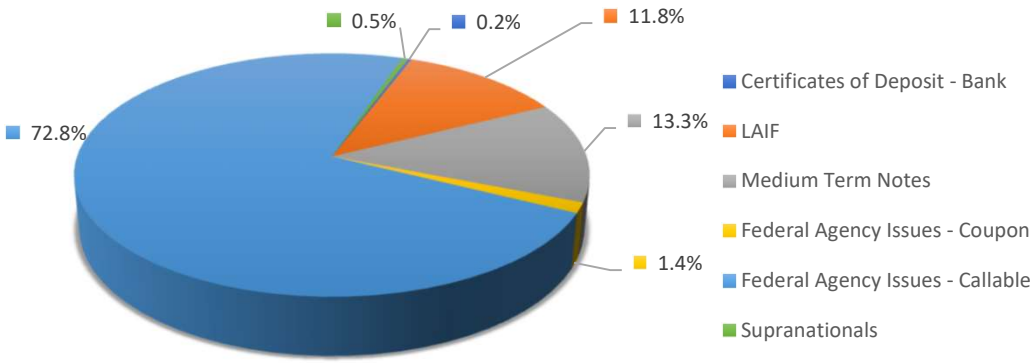
# Portfolio Snapshot

November 30, 2023

## Portfolio Characteristics

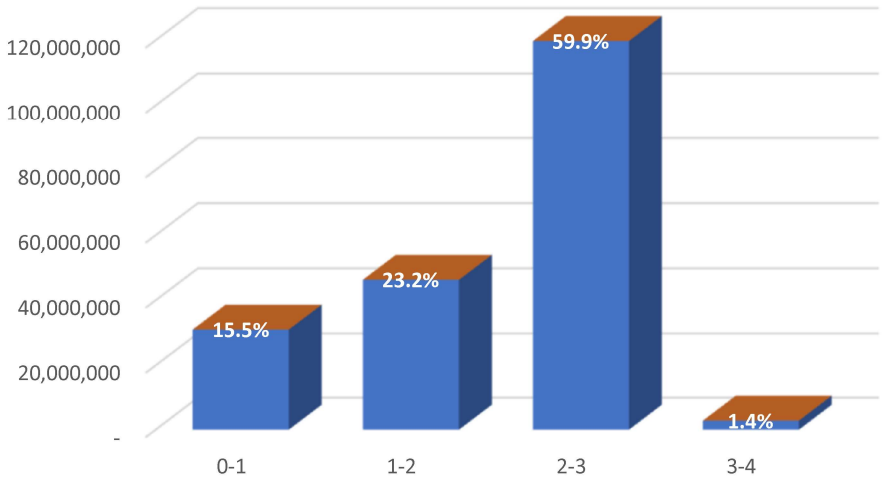
| | |
|---|---|
| Total Market Value | $199,865,497 |
| Effective Rate of Return | 1.49% |
| Average Days to Maturity | 718 |

## Sector Allocation*

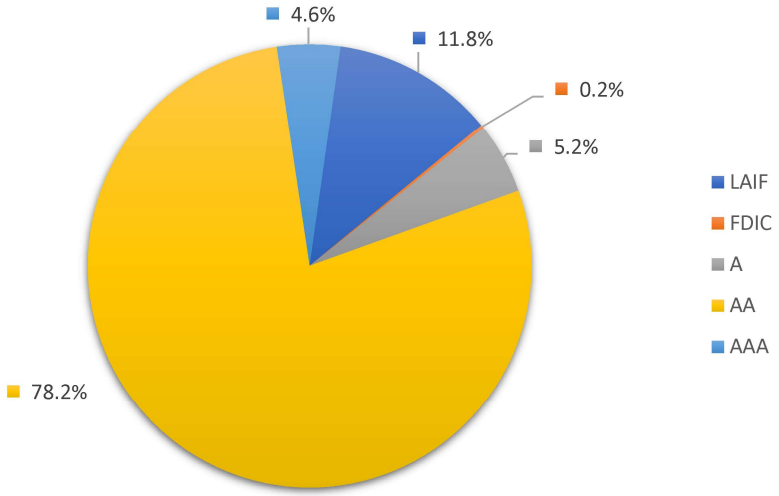



*Based on Market value

## Maturity Distribution




## Assigned Credit Ratings of Investments



# CITY OF PLEASANTON
## Portfolio Management
## Portfolio Summary
## November 30, 2023

| Investments | Par Value | Market Value | Book Value | % of Portfolio | Term | Days to Maturity | YTM 360 Equiv. | YTM 365 Equiv. |
|---|---|---|---|---|---|---|---|---|
| Certificates of Deposit - Bank | 491,206.57 | 491,206.57 | 491,206.57 | 0.23 | 560 | 137 | 2.110 | 2.139 |
| LAIF | 24,000,000.00 | 23,671,385.74 | 24,000,000.00 | 11.14 | 1 | 1 | 3.790 | 3.843 |
| Medium Term Notes | 27,970,000.00 | 26,618,866.80 | 28,578,889.47 | 13.26 | 1,788 | 545 | 1.585 | 1.607 |
| Federal Agency Issues - Coupon | 3,000,000.00 | 2,720,940.00 | 2,995,657.09 | 1.39 | 1,825 | 1,116 | 1.262 | 1.280 |
| Federal Agency Issues - Callable | 158,630,000.00 | 145,455,957.55 | 158,420,440.80 | 73.52 | 1,822 | 851 | 0.903 | 0.916 |
| Supranationals | 1,000,000.00 | 907,140.00 | 980,200.00 | 0.45 | 1,704 | 818 | 0.922 | 0.935 |
| **Investments** | **215,091,206.57** | **199,865,496.66** | **215,466,393.93** | **100.00%** | **1,612** | **718** | **1.323** | **1.342** |

| Total Earnings | November 30 Month Ending | Fiscal Year To Date |
|---|---|---|
| Current Year | 243,947.47 | 1,399,523.88 |
| **Average Daily Balance** | **215,466,393.93** | **224,512,979.45** |
| **Effective Rate of Return** | **1.38%** | **1.49%** |

I hereby certify that, to the best of my knowledge, this report includes all investments in the cash management program, is in accordance with the City's current investment policy dated June 20, 2023 and will meet the City's cash flow needs for the next six months. Market value amounts are from Bank of New York Mellon (safekeeping bank) month-end statements. Book value amounts include premiums or discounts and are adjusted at year end on the general ledger.

CG for 12/26/2023

SUSAN HSIEH, DIRECTOR OF FINANCE

**Reporting period 11/01/2023-11/30/2023**

Portfolio PLST
CC

Run Date: 12/26/2023 - 13:53

PM (PRF_PM1) 7.3.11
Report Ver. 7.3.11

# CITY OF PLEASANTON
## Portfolio Management
### Portfolio Details - Investments
### November 30, 2023



| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | YTM 360 | YTM 365 | Days to Maturity | Maturity Date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Certificates of Deposit - Bank** | | | | | | | | | | | | |
| SYS 1093 | 1093 | Fremont Bank | | 04/21/2023 | 230,000.00 | 230,000.00 | 230,000.00 | 4.000 | 3.945 | 4.000 | 142 | 04/21/2024 |
| UBB1091 | 1091 | United Business Bank | | 04/11/2022 | 261,206.57 | 261,206.57 | 261,206.57 | 0.500 | 0.493 | 0.500 | 132 | 04/11/2024 |
| | | **Subtotal and Average** | **491,206.57** | | **491,206.57** | **491,206.57** | **491,206.57** | | **2.110** | **2.139** | **137** | |
| **LAIF** | | | | | | | | | | | | |
| SYS5 | 5 | LOCAL AGENCY INVESTMENT FUND | | | 24,000,000.00 | 23,671,385.74 | 24,000,000.00 | 3.843 | 3.790 | 3.843 | 1 | |
| | | **Subtotal and Average** | **24,000,000.00** | | **24,000,000.00** | **23,671,385.74** | **24,000,000.00** | | **3.790** | **3.843** | **1** | |
| **Medium Term Notes** | | | | | | | | | | | | |
| 88579YBH3 | 6053 | 3M Company | | 02/14/2020 | 2,000,000.00 | 1,915,440.00 | 2,016,869.48 | 2.000 | 1.798 | 1.823 | 441 | 02/14/2025 |
| 037833CU2 | 6045 | Apple Inc. | | 05/03/2019 | 2,000,000.00 | 1,979,420.00 | 2,009,000.00 | 2.850 | 2.716 | 2.753 | 162 | 05/11/2024 |
| 037833DM9 | 6048 | Apple Inc. | | 01/07/2020 | 1,040,000.00 | 1,012,939.20 | 1,040,000.00 | 1.800 | 1.775 | 1.800 | 285 | 09/11/2024 |
| 037833DF4 | 6049 | Apple Inc. | | 01/13/2020 | 1,000,000.00 | 975,700.00 | 1,037,212.20 | 2.750 | 1.938 | 1.965 | 409 | 01/13/2025 |
| 037833EB2 | 6065 | Apple Inc. | | 02/08/2021 | 2,000,000.00 | 1,833,820.00 | 1,996,860.00 | 0.700 | 0.722 | 0.732 | 800 | 02/08/2026 |
| 037833BY5 | 6066 | Apple Inc. | | 02/23/2021 | 3,000,000.00 | 2,902,170.00 | 3,331,380.00 | 3.250 | 0.967 | 0.981 | 815 | 02/23/2026 |
| 17325FAS7 | 6051 | CitiBank NA | | 01/23/2020 | 1,000,000.00 | 997,120.00 | 1,065,374.39 | 3.650 | 1.917 | 1.943 | 53 | 01/23/2024 |
| 46632FSCO | 6068 | JPMorgan Chase Bank NA | | 06/22/2021 | 3,000,000.00 | 2,652,540.00 | 3,000,000.00 | 1.100 | 1.085 | 1.100 | 934 | 06/22/2026 |
| 69371RQ25 | 6062 | PACCAR FINANCIAL CORP | | 03/31/2020 | 1,330,000.00 | 1,298,771.60 | 1,294,196.40 | 2.150 | 2.770 | 2.808 | 258 | 08/15/2024 |
| 89236TGL3 | 6046 | Toyota Motor Credit Corp | | 10/24/2019 | 1,600,000.00 | 1,554,016.00 | 1,599,984.00 | 2.000 | 1.973 | 2.000 | 311 | 10/07/2024 |
| 89236THW8 | 6067 | Toyota Motor Credit Corp | | 03/09/2021 | 3,000,000.00 | 2,748,690.00 | 2,959,140.00 | 0.800 | 1.075 | 1.090 | 770 | 01/09/2026 |
| 89788JAA7 | 6058 | Truist Bank | | 03/13/2020 | 2,000,000.00 | 1,889,920.00 | 1,969,486.00 | 1.500 | 1.796 | 1.821 | 465 | 03/10/2025 |
| 30231GAF9 | 6056 | EXXON MOBIL CORPORATION | | 03/11/2020 | 3,000,000.00 | 2,912,280.00 | 3,145,587.00 | 2.709 | 1.667 | 1.690 | 461 | 03/06/2025 |
| 30231GBH4 | 6064 | EXXON MOBIL CORPORATION | | 04/20/2020 | 2,000,000.00 | 1,946,040.00 | 2,113,800.00 | 2.992 | 1.753 | 1.777 | 474 | 03/19/2025 |
| | | **Subtotal and Average** | **28,578,889.47** | | **27,970,000.00** | **26,618,866.80** | **28,578,889.47** | | **1.585** | **1.607** | **545** | |
| **Federal Agency Issues - Coupon** | | | | | | | | | | | | |
| 3130AQF65 | 3576 | FEDERAL HOME LOAN BANK | | 12/22/2021 | 3,000,000.00 | 2,720,940.00 | 2,995,657.09 | 1.250 | 1.262 | 1.280 | 1,116 | 12/21/2026 |
| | | **Subtotal and Average** | **2,995,657.09** | | **3,000,000.00** | **2,720,940.00** | **2,995,657.09** | | **1.262** | **1.280** | **1,116** | |
| **Federal Agency Issues - Callable** | | | | | | | | | | | | |
| 3133ELQ49 | 4537 | FEDERAL FARM CREDIT BANK | | 07/06/2020 | 3,000,000.00 | 2,805,480.00 | 2,997,750.00 | 0.700 | 0.706 | 0.715 | 577 | 06/30/2025 |
| 3133EMBJ0 | 4548 | FEDERAL FARM CREDIT BANK | | 10/05/2020 | 3,340,000.00 | 3,089,433.20 | 3,336,660.00 | 0.530 | 0.543 | 0.550 | 668 | 09/29/2025 |
| 3133EMUK6 | 4575 | FEDERAL FARM CREDIT BANK | | 03/25/2021 | 3,000,000.00 | 2,750,280.00 | 3,000,000.00 | 1.050 | 1.036 | 1.050 | 845 | 03/25/2026 |
| 3133EMH21 | 4595 | FEDERAL FARM CREDIT BANK | | 06/24/2021 | 3,000,000.00 | 2,726,130.00 | 2,997,000.00 | 0.900 | 0.908 | 0.921 | 927 | 06/15/2026 |
| 3130AJZ36 | 4544 | FEDERAL HOME LOAN BANK | | 08/27/2020 | 3,000,000.00 | 2,773,800.00 | 2,997,000.00 | 0.600 | 0.612 | 0.620 | 635 | 08/27/2025 |
| 3130AKGD2 | 4553 | FEDERAL HOME LOAN BANK | | 11/25/2020 | 3,000,000.00 | 2,763,780.00 | 2,996,250.00 | 0.570 | 0.587 | 0.595 | 725 | 11/25/2025 |
| 3130AKQ74 | 4555 | FEDERAL HOME LOAN BANK | | 01/22/2021 | 3,000,000.00 | 2,749,500.00 | 3,000,000.00 | 0.625 | 0.616 | 0.625 | 783 | 01/22/2026 |
| 3130AKRN8 | 4557 | FEDERAL HOME LOAN BANK | | 01/28/2021 | 3,000,000.00 | 2,741,820.00 | 3,000,000.00 | 0.650 | 0.641 | 0.650 | 789 | 01/28/2026 |

# CITY OF PLEASANTON
## Portfolio Management
## Portfolio Details - Investments
## November 30, 2023



| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | YTM 360 | YTM 365 | Days to Maturity | Maturity Date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Federal Agency Issues - Callable** | | | | | | | | | | | | |
| 3130AKXQ4 | 4558 | FEDERAL HOME LOAN BANK | | 02/12/2021 | 3,000,000.00 | 2,730,600.00 | 3,000,000.00 | 0.600 | 0.109 | 0.110 | 804 | 02/12/2026 |
| 3130AKZ25 | 4559 | FEDERAL HOME LOAN BANK | | 02/26/2021 | 3,000,000.00 | 2,733,210.00 | 3,000,000.00 | 0.650 | 0.641 | 0.650 | 818 | 02/26/2026 |
| 3130AL3S1 | 4560 | FEDERAL HOME LOAN BANK | | 02/17/2021 | 3,000,000.00 | 2,743,470.00 | 3,000,000.00 | 0.625 | 0.616 | 0.625 | 809 | 02/17/2026 |
| 3130AL5X8 | 4561 | FEDERAL HOME LOAN BANK | | 02/24/2021 | 3,000,000.00 | 2,743,200.00 | 3,000,000.00 | 0.650 | 0.641 | 0.650 | 816 | 02/24/2026 |
| 3130AKXJ0 | 4562 | FEDERAL HOME LOAN BANK | | 02/24/2021 | 3,125,000.00 | 2,854,250.00 | 3,122,500.00 | 0.600 | 0.608 | 0.616 | 816 | 02/24/2026 |
| 3130ALCV4 | 4563 | FEDERAL HOME LOAN BANK | | 02/24/2021 | 3,000,000.00 | 2,739,330.00 | 3,000,000.00 | 0.750 | 0.740 | 0.750 | 816 | 02/24/2026 |
| 3130ALDN1 | 4565 | FEDERAL HOME LOAN BANK | | 03/16/2021 | 3,000,000.00 | 2,747,250.00 | 3,000,000.00 | 0.800 | 0.789 | 0.800 | 836 | 03/16/2026 |
| 3130ALGC2 | 4569 | FEDERAL HOME LOAN BANK | | 03/23/2021 | 3,000,000.00 | 2,750,280.00 | 3,000,000.00 | 0.875 | 0.863 | 0.875 | 843 | 03/23/2026 |
| 3130ALMM3 | 4571 | FEDERAL HOME LOAN BANK | | 03/30/2021 | 3,000,000.00 | 2,757,180.00 | 3,000,000.00 | 1.000 | 0.986 | 1.000 | 850 | 03/30/2026 |
| 3130ALGR9 | 4572 | FEDERAL HOME LOAN BANK | | 03/15/2021 | 3,000,000.00 | 2,755,260.00 | 2,989,560.00 | 0.850 | 0.909 | 0.922 | 818 | 02/26/2026 |
| 3130ALGR9 | 4574 | FEDERAL HOME LOAN BANK | | 03/18/2021 | 3,000,000.00 | 2,755,260.00 | 2,985,960.00 | 0.850 | 0.934 | 0.947 | 818 | 02/26/2026 |
| 3130ALGC2 | 4576 | FEDERAL HOME LOAN BANK | | 03/23/2021 | 3,000,000.00 | 2,750,280.00 | 2,987,700.00 | 0.875 | 0.946 | 0.959 | 843 | 03/23/2026 |
| 3130ALGR9 | 4577 | FEDERAL HOME LOAN BANK | | 03/22/2021 | 3,000,000.00 | 2,755,260.00 | 2,982,510.00 | 0.850 | 0.958 | 0.971 | 818 | 02/26/2026 |
| 3130ALNT7 | 4578 | FEDERAL HOME LOAN BANK | | 03/30/2021 | 3,000,000.00 | 2,755,440.00 | 2,998,050.00 | 0.980 | 0.980 | 0.993 | 850 | 03/30/2026 |
| 3130ALGR9 | 4579 | FEDERAL HOME LOAN BANK | | 03/31/2021 | 3,000,000.00 | 2,755,260.00 | 2,978,517.00 | 0.850 | 0.986 | 1.000 | 818 | 02/26/2026 |
| 3130ALUC6 | 4580 | FEDERAL HOME LOAN BANK | | 04/15/2021 | 3,000,000.00 | 2,745,060.00 | 2,995,500.00 | 1.020 | 1.036 | 1.051 | 866 | 04/15/2026 |
| 3130ALMM3 | 4581 | FEDERAL HOME LOAN BANK | | 04/05/2021 | 3,000,000.00 | 2,757,180.00 | 2,996,250.00 | 1.000 | 1.012 | 1.026 | 850 | 03/30/2026 |
| 3130AMCL4 | 4585 | FEDERAL HOME LOAN BANK | | 05/20/2021 | 2,795,000.00 | 2,561,142.35 | 2,795,000.00 | 1.020 | 1.006 | 1.020 | 900 | 05/19/2026 |
| 3130AMH62 | 4587 | FEDERAL HOME LOAN BANK | | 05/26/2021 | 3,000,000.00 | 2,745,960.00 | 2,998,500.00 | 1.000 | 0.996 | 1.010 | 907 | 05/26/2026 |
| 3130AMGW6 | 4588 | FEDERAL HOME LOAN BANK | | 05/26/2021 | 3,000,000.00 | 2,744,580.00 | 2,998,950.00 | 0.980 | 0.974 | 0.987 | 907 | 05/26/2026 |
| 3130AMHB1 | 4590 | FEDERAL HOME LOAN BANK | | 06/02/2021 | 2,750,000.00 | 2,509,182.50 | 2,746,562.50 | 0.875 | 0.888 | 0.901 | 907 | 05/26/2026 |
| 3130AMH62 | 4591 | FEDERAL HOME LOAN BANK | | 06/02/2021 | 1,500,000.00 | 1,372,980.00 | 1,500,000.00 | 1.000 | 0.986 | 1.000 | 907 | 05/26/2026 |
| 3130AMSL7 | 4592 | FEDERAL HOME LOAN BANK | | 06/30/2021 | 3,000,000.00 | 2,738,910.00 | 3,000,000.00 | 1.030 | 1.016 | 1.030 | 942 | 06/30/2026 |
| 3130AMYA4 | 4594 | FEDERAL HOME LOAN BANK | | 06/30/2021 | 3,000,000.00 | 2,741,790.00 | 3,000,000.00 | 1.070 | 1.055 | 1.070 | 942 | 06/30/2026 |
| 3130AN2Q2 | 4596 | FEDERAL HOME LOAN BANK | | 06/30/2021 | 1,500,000.00 | 1,358,460.00 | 1,500,000.00 | 1.000 | 0.986 | 1.000 | 942 | 06/30/2026 |
| 3130AMWK4 | 4597 | FEDERAL HOME LOAN BANK | | 07/14/2021 | 3,000,000.00 | 2,733,000.00 | 2,999,250.00 | 1.020 | 1.011 | 1.025 | 956 | 07/14/2026 |
| 3130AP2P9 | 4598 | FEDERAL HOME LOAN BANK | | 09/30/2021 | 3,000,000.00 | 2,706,690.00 | 2,983,500.00 | 0.920 | 1.019 | 1.033 | 1,034 | 09/30/2026 |
| 3130APC94 | 4599 | FEDERAL HOME LOAN BANK | | 10/14/2021 | 3,000,000.00 | 2,718,240.00 | 2,997,750.00 | 1.070 | 1.071 | 1.085 | 1,048 | 10/14/2026 |
| 3130APU78 | 4600 | FEDERAL HOME LOAN BANK | | 12/09/2021 | 530,000.00 | 481,823.00 | 526,947.20 | 1.300 | 1.401 | 1.421 | 1,089 | 11/24/2026 |
| 3130APUR4 | 4601 | FEDERAL HOME LOAN BANK | | 12/09/2021 | 1,840,000.00 | 1,672,744.00 | 1,829,401.60 | 1.300 | 1.401 | 1.421 | 1,089 | 11/24/2026 |
| 3130APVC6 | 4602 | FEDERAL HOME LOAN BANK | | 12/09/2021 | 3,000,000.00 | 2,733,630.00 | 2,988,000.00 | 1.375 | 1.439 | 1.459 | 1,096 | 12/01/2026 |
| 3130AQEC3 | 4603 | FEDERAL HOME LOAN BANK | | 12/30/2021 | 3,000,000.00 | 2,726,790.00 | 3,000,000.00 | 1.370 | 1.351 | 1.370 | 1,125 | 12/30/2026 |
| 3130AQEF6 | 4604 | FEDERAL HOME LOAN BANK | | 12/30/2021 | 3,000,000.00 | 2,727,210.00 | 2,998,500.00 | 1.375 | 1.366 | 1.385 | 1,125 | 12/30/2026 |
| 3130AQG80 | 4605 | FEDERAL HOME LOAN BANK | | 01/03/2022 | 3,000,000.00 | 2,731,170.00 | 2,999,250.00 | 1.420 | 1.406 | 1.425 | 1,124 | 12/29/2026 |
| 3130AQG80 | 4606 | FEDERAL HOME LOAN BANK | | 01/10/2022 | 3,000,000.00 | 2,731,170.00 | 2,982,750.00 | 1.420 | 1.519 | 1.541 | 1,124 | 12/29/2026 |
| 3130AQLD3 | 4607 | FEDERAL HOME LOAN BANK | | 02/08/2022 | 3,000,000.00 | 2,748,420.00 | 2,975,010.00 | 1.750 | 1.900 | 1.926 | 1,154 | 01/28/2027 |
| 3130AQW66 | 4608 | FEDERAL HOME LOAN BANK | | 03/08/2022 | 3,000,000.00 | 2,771,190.00 | 2,995,500.00 | 2.080 | 2.083 | 2.112 | 1,182 | 02/25/2027 |
| 3134GVZ68 | 4535 | FREDDIE MAC | | 06/23/2020 | 3,000,000.00 | 2,798,010.00 | 2,998,950.00 | 0.700 | 0.697 | 0.707 | 570 | 06/23/2025 |

# CITY OF PLEASANTON
## Portfolio Management
## Portfolio Details - Investments
## November 30, 2023



| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Stated Rate | YTM 360 | YTM 365 | Days to Maturity | Maturity Date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Federal Agency Issues - Callable** | | | | | | | | | | | | |
| 3134GWA55 | 4545 | FREDDIE MAC | | 09/09/2020 | 3,000,000.00 | 2,772,480.00 | 2,998,950.00 | 0.650 | 0.648 | 0.657 | 648 | 09/09/2025 |
| 3134GWW93 | 4547 | FREDDIE MAC | | 09/30/2020 | 3,000,000.00 | 2,772,360.00 | 3,000,000.00 | 0.550 | 0.542 | 0.550 | 669 | 09/30/2025 |
| 3134GWWT9 | 4549 | FREDDIE MAC | | 10/07/2020 | 3,000,000.00 | 2,775,720.00 | 2,997,600.00 | 0.550 | 0.559 | 0.566 | 669 | 09/30/2025 |
| 3134GW3F1 | 4550 | FREDDIE MAC | | 10/28/2020 | 3,000,000.00 | 2,753,610.00 | 3,000,000.00 | 0.600 | 0.592 | 0.600 | 697 | 10/28/2025 |
| 3134GXDM3 | 4554 | FREDDIE MAC | | 12/01/2020 | 3,000,000.00 | 2,756,610.00 | 3,000,000.00 | 0.620 | 0.612 | 0.620 | 731 | 12/01/2025 |
| 3136G4YH0 | 4538 | FEDERAL NATIONAL MORTGAGE ASSN | | 07/14/2020 | 3,250,000.00 | 3,035,142.50 | 3,248,862.50 | 0.700 | 0.697 | 0.707 | 591 | 07/14/2025 |
| 3136G4A45 | 4541 | FEDERAL NATIONAL MORTGAGE ASSN | | 07/22/2020 | 3,000,000.00 | 2,800,200.00 | 3,000,000.00 | 0.710 | 0.700 | 0.710 | 599 | 07/22/2025 |
| 3135GA3W9 | 4552 | FEDERAL NATIONAL MORTGAGE ASSN | | 11/25/2020 | 3,000,000.00 | 2,765,460.00 | 3,000,000.00 | 0.600 | 0.592 | 0.600 | 725 | 11/25/2025 |
| 3135G06R9 | 4556 | FEDERAL NATIONAL MORTGAGE ASSN | | 01/28/2021 | 3,000,000.00 | 2,743,290.00 | 3,000,000.00 | 0.550 | 0.542 | 0.550 | 789 | 01/28/2026 |
| | | **Subtotal and Average** | **158,420,440.80** | | **158,630,000.00** | **145,455,957.55** | **158,420,440.80** | | **0.903** | **0.916** | **851** | |
| **Supranationals** | | | | | | | | | | | | |
| 45950VPS9 | 7000 | International Finance Corp | | 06/28/2021 | 1,000,000.00 | 907,140.00 | 980,200.00 | 0.500 | 0.922 | 0.935 | 818 | 02/26/2026 |
| | | **Subtotal and Average** | **980,200.00** | | **1,000,000.00** | **907,140.00** | **980,200.00** | | **0.922** | **0.935** | **818** | |
| | | **Total and Average** | **215,466,393.93** | | **215,091,206.57** | **199,865,496.66** | **215,466,393.93** | | **1.323** | **1.342** | **718** | |

# CITY OF PLEASANTON
## Portfolio Management
### Portfolio Details with Earnings - Investments
### November 30, 2023



| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Current Rate | Days To Maturity | YTM | Accrued Interest | Unrealized Gain/Loss | Maturity Date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Certificates of Deposit - Bank** | | | | | | | | | | | | | |
| SYS 1093 | 1093 | FREMON | | 04/21/2023 | 230,000.00 | 230,000.00 | 230,000.00 | 4.000 | 142 | 4.000 | 5,646.03 | 0.00 | 04/21/2024 |
| UBB1091 | 1091 | VCB | | 04/11/2022 | 261,206.57 | 261,206.57 | 261,206.57 | 0.500 | 132 | 0.500 | 2,143.32 | 0.00 | 04/11/2024 |
| | **Subtotal and Average** | | **491,206.57** | | **491,206.57** | **491,206.57** | **491,206.57** | 2.139 | 137 | 2.139 | 7,789.35 | 0.00 | |
| **LAIF** | | | | | | | | | | | | | |
| SYS5 | 5 | LAIF | | | 24,000,000.00 | 23,671,385.74 | 24,000,000.00 | 3.843 | 1 | 3.843 | 118,261.33 | -328,614.26 | |
| | **Subtotal and Average** | | **24,000,000.00** | | **24,000,000.00** | **23,671,385.74** | **24,000,000.00** | 3.843 | 1 | 3.843 | 118,261.33 | -328,614.26 | |
| **Medium Term Notes** | | | | | | | | | | | | | |
| 88579YBH3 | 6053 | 3M | | 02/14/2020 | 2,000,000.00 | 1,915,440.00 | 2,016,869.48 | 2.000 | 441 | 1.822 | 11,888.89 | -101,429.48 | 02/14/2025 |
| 037833CU2 | 6045 | APPL | | 05/03/2019 | 2,000,000.00 | 1,979,420.00 | 2,009,000.00 | 2.850 | 162 | 2.753 | 3,166.67 | -29,580.00 | 05/11/2024 |
| 037833DM9 | 6048 | APPL | | 01/07/2020 | 1,040,000.00 | 1,012,939.20 | 1,040,000.00 | 1.800 | 285 | 1.799 | 4,160.00 | -27,060.80 | 09/11/2024 |
| 037833DF4 | 6049 | APPL | | 01/13/2020 | 1,000,000.00 | 975,700.00 | 1,037,212.20 | 2.750 | 409 | 1.964 | 10,541.67 | -61,512.20 | 01/13/2025 |
| 037833EB2 | 6065 | APPL | | 02/08/2021 | 2,000,000.00 | 1,833,820.00 | 1,996,860.00 | 0.700 | 800 | 0.732 | 4,394.44 | -163,040.00 | 02/08/2026 |
| 037833BY5 | 6066 | APPL | | 02/23/2021 | 3,000,000.00 | 2,902,170.00 | 3,331,380.00 | 3.250 | 815 | 0.980 | 26,541.67 | -429,210.00 | 02/23/2026 |
| 17325FAS7 | 6051 | CITIBN | | 01/23/2020 | 1,000,000.00 | 997,120.00 | 1,065,374.39 | 3.650 | 53 | 1.943 | 12,977.78 | -68,254.39 | 01/23/2024 |
| 46632FSCO | 6068 | JP | | 06/22/2021 | 3,000,000.00 | 2,652,540.00 | 3,000,000.00 | 1.100 | 934 | 1.100 | 14,575.00 | -347,460.00 | 06/22/2026 |
| 69371RQ25 | 6062 | PCAR | | 03/31/2020 | 1,330,000.00 | 1,298,771.60 | 1,294,196.40 | 2.150 | 258 | 2.808 | 8,419.64 | 4,575.20 | 08/15/2024 |
| 89236TGL3 | 6046 | TOYOTA | | 10/24/2019 | 1,600,000.00 | 1,554,016.00 | 1,599,984.00 | 2.000 | 311 | 2.000 | 4,800.00 | -45,968.00 | 10/07/2024 |
| 89236THW8 | 6067 | TOYOTA | | 03/09/2021 | 3,000,000.00 | 2,748,690.00 | 2,959,140.00 | 0.800 | 770 | 1.090 | 9,466.66 | -210,450.00 | 01/09/2026 |
| 89788JAA7 | 6058 | TRU | | 03/13/2020 | 2,000,000.00 | 1,889,920.00 | 1,969,486.00 | 1.500 | 465 | 1.821 | 6,750.00 | -79,566.00 | 03/10/2025 |
| 30231GAF9 | 6056 | XOM | | 03/11/2020 | 3,000,000.00 | 2,912,280.00 | 3,145,587.00 | 2.709 | 461 | 1.689 | 19,188.75 | -233,307.00 | 03/06/2025 |
| 30231GBH4 | 6064 | XOM | | 04/20/2020 | 2,000,000.00 | 1,946,040.00 | 2,113,800.00 | 2.992 | 474 | 1.777 | 11,968.00 | -167,760.00 | 03/19/2025 |
| | **Subtotal and Average** | | **28,578,889.47** | | **27,970,000.00** | **26,618,866.80** | **28,578,889.47** | 2.101 | 545 | 1.607 | 148,839.17 | -1,960,022.67 | |
| **Federal Agency Issues - Coupon** | | | | | | | | | | | | | |
| 3130AQF65 | 3576 | FHLB | | 12/22/2021 | 3,000,000.00 | 2,720,940.00 | 2,995,657.09 | 1.250 | 1116 | 1.280 | 16,666.66 | -274,717.09 | 12/21/2026 |
| | **Subtotal and Average** | | **2,995,657.09** | | **3,000,000.00** | **2,720,940.00** | **2,995,657.09** | 1.250 | 1116 | 1.280 | 16,666.66 | -274,717.09 | |
| **Federal Agency Issues - Callable** | | | | | | | | | | | | | |
| 3133ELQ49 | 4537 | FFCB | | 07/06/2020 | 3,000,000.00 | 2,805,480.00 | 2,997,750.00 | 0.700 | 577 | 0.715 | 8,808.33 | -192,270.00 | 06/30/2025 |
| 3133EMBJ0 | 4548 | FFCB | | 10/05/2020 | 3,340,000.00 | 3,089,433.20 | 3,336,660.00 | 0.530 | 668 | 0.550 | 3,048.68 | -247,226.80 | 09/29/2025 |
| 3133EMUK6 | 4575 | FFCB | | 03/25/2021 | 3,000,000.00 | 2,750,280.00 | 3,000,000.00 | 1.050 | 845 | 1.050 | 5,775.00 | -249,720.00 | 03/25/2026 |
| 3133EMH21 | 4595 | FFCB | | 06/24/2021 | 3,000,000.00 | 2,726,130.00 | 2,997,000.00 | 0.900 | 927 | 0.920 | 12,450.00 | -270,870.00 | 06/15/2026 |
| 3130AJZ36 | 4544 | FHLB | | 08/27/2020 | 3,000,000.00 | 2,773,800.00 | 2,997,000.00 | 0.600 | 635 | 0.620 | 4,700.00 | -223,200.00 | 08/27/2025 |
| 3130AKGD2 | 4553 | FHLB | | 11/25/2020 | 3,000,000.00 | 2,763,780.00 | 2,996,250.00 | 0.570 | 725 | 0.595 | 285.00 | -232,470.00 | 11/25/2025 |
| 3130AKQ74 | 4555 | FHLB | | 01/22/2021 | 3,000,000.00 | 2,749,500.00 | 3,000,000.00 | 0.625 | 783 | 0.625 | 6,718.75 | -250,500.00 | 01/22/2026 |
| 3130AKRN8 | 4557 | FHLB | | 01/28/2021 | 3,000,000.00 | 2,741,820.00 | 3,000,000.00 | 0.650 | 789 | 0.650 | 6,662.50 | -258,180.00 | 01/28/2026 |
| 3130AKXQ4 | 4558 | FHLB | | 02/12/2021 | 3,000,000.00 | 2,730,600.00 | 3,000,000.00 | 0.600 | 804 | 0.110 | 5,450.00 | -269,400.00 | 02/12/2026 |

# CITY OF PLEASANTON
## Portfolio Management
## Portfolio Details with Earnings - Investments
## November 30, 2023



| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Current Rate | Days To Maturity | YTM | Accrued Interest | Unrealized Gain/Loss | Maturity Date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Federal Agency Issues - Callable** | | | | | | | | | | | | | |
| 3130AKZ25 | 4559 | FHLB | | 02/26/2021 | 3,000,000.00 | 2,733,210.00 | 3,000,000.00 | 0.650 | 818 | 0.650 | 5,145.83 | -266,790.00 | 02/26/2026 |
| 3130AL3S1 | 4560 | FHLB | | 02/17/2021 | 3,000,000.00 | 2,743,470.00 | 3,000,000.00 | 0.625 | 809 | 0.625 | 5,416.67 | -256,530.00 | 02/17/2026 |
| 3130AL5X8 | 4561 | FHLB | | 02/24/2021 | 3,000,000.00 | 2,743,200.00 | 3,000,000.00 | 0.650 | 816 | 0.650 | 5,254.17 | -256,800.00 | 02/24/2026 |
| 3130AKXJ0 | 4562 | FHLB | | 02/24/2021 | 3,125,000.00 | 2,854,250.00 | 3,122,500.00 | 0.600 | 816 | 0.616 | 5,052.08 | -268,250.00 | 02/24/2026 |
| 3130ALCV4 | 4563 | FHLB | | 02/24/2021 | 3,000,000.00 | 2,739,330.00 | 3,000,000.00 | 0.750 | 816 | 0.750 | 6,062.50 | -260,670.00 | 02/24/2026 |
| 3130ALDN1 | 4565 | FHLB | | 03/16/2021 | 3,000,000.00 | 2,747,250.00 | 3,000,000.00 | 0.800 | 836 | 0.800 | 5,000.00 | -252,750.00 | 03/16/2026 |
| 3130ALGC2 | 4569 | FHLB | | 03/23/2021 | 3,000,000.00 | 2,750,280.00 | 3,000,000.00 | 0.875 | 843 | 0.875 | 4,958.33 | -249,720.00 | 03/23/2026 |
| 3130ALMM3 | 4571 | FHLB | | 03/30/2021 | 3,000,000.00 | 2,757,180.00 | 3,000,000.00 | 1.000 | 850 | 1.000 | 5,083.33 | -242,820.00 | 03/30/2026 |
| 3130ALGR9 | 4572 | FHLB | | 03/15/2021 | 3,000,000.00 | 2,755,260.00 | 2,989,560.00 | 0.850 | 818 | 0.922 | 6,729.17 | -234,300.00 | 02/26/2026 |
| 3130ALGR9 | 4574 | FHLB | | 03/18/2021 | 3,000,000.00 | 2,755,260.00 | 2,985,960.00 | 0.850 | 818 | 0.947 | 6,729.17 | -230,700.00 | 02/26/2026 |
| 3130ALGC2 | 4576 | FHLB | | 03/23/2021 | 3,000,000.00 | 2,750,280.00 | 2,987,700.00 | 0.875 | 843 | 0.959 | 4,958.33 | -237,420.00 | 03/23/2026 |
| 3130ALGR9 | 4577 | FHLB | | 03/22/2021 | 3,000,000.00 | 2,755,260.00 | 2,982,510.00 | 0.850 | 818 | 0.971 | 6,729.17 | -227,250.00 | 02/26/2026 |
| 3130ALNT7 | 4578 | FHLB | | 03/30/2021 | 3,000,000.00 | 2,755,440.00 | 2,998,050.00 | 0.980 | 850 | 0.993 | 4,981.67 | -242,610.00 | 03/30/2026 |
| 3130ALGR9 | 4579 | FHLB | | 03/31/2021 | 3,000,000.00 | 2,755,260.00 | 2,978,517.00 | 0.850 | 818 | 1.000 | 6,729.17 | -223,257.00 | 02/26/2026 |
| 3130ALUC6 | 4580 | FHLB | | 04/15/2021 | 3,000,000.00 | 2,745,060.00 | 2,995,500.00 | 1.020 | 866 | 1.050 | 3,910.00 | -250,440.00 | 04/15/2026 |
| 3130ALMM3 | 4581 | FHLB | | 04/05/2021 | 3,000,000.00 | 2,757,180.00 | 2,996,250.00 | 1.000 | 850 | 1.025 | 5,083.33 | -239,070.00 | 03/30/2026 |
| 3130AMCL4 | 4585 | FHLB | | 05/20/2021 | 2,795,000.00 | 2,561,142.35 | 2,795,000.00 | 1.020 | 900 | 1.019 | 950.30 | -233,857.65 | 05/19/2026 |
| 3130AMH62 | 4587 | FHLB | | 05/26/2021 | 3,000,000.00 | 2,745,960.00 | 2,998,500.00 | 1.000 | 907 | 1.010 | 416.67 | -252,540.00 | 05/26/2026 |
| 3130AMGW6 | 4588 | FHLB | | 05/26/2021 | 3,000,000.00 | 2,744,580.00 | 2,998,950.00 | 0.980 | 907 | 0.987 | 408.33 | -254,370.00 | 05/26/2026 |
| 3130AMHB1 | 4590 | FHLB | | 06/02/2021 | 2,750,000.00 | 2,509,182.50 | 2,746,562.50 | 0.875 | 907 | 0.900 | 334.20 | -237,380.00 | 05/26/2026 |
| 3130AMH62 | 4591 | FHLB | | 06/02/2021 | 1,500,000.00 | 1,372,980.00 | 1,500,000.00 | 1.000 | 907 | 0.999 | 208.33 | -127,020.00 | 05/26/2026 |
| 3130AMSL7 | 4592 | FHLB | | 06/30/2021 | 3,000,000.00 | 2,738,910.00 | 3,000,000.00 | 1.030 | 942 | 1.030 | 12,960.83 | -261,090.00 | 06/30/2026 |
| 3130AMYA4 | 4594 | FHLB | | 06/30/2021 | 3,000,000.00 | 2,741,790.00 | 3,000,000.00 | 1.070 | 942 | 1.070 | 13,464.17 | -258,210.00 | 06/30/2026 |
| 3130AN2Q2 | 4596 | FHLB | | 06/30/2021 | 1,500,000.00 | 1,358,460.00 | 1,500,000.00 | 1.000 | 942 | 1.000 | 6,291.67 | -141,540.00 | 06/30/2026 |
| 3130AMWK4 | 4597 | FHLB | | 07/14/2021 | 3,000,000.00 | 2,733,000.00 | 2,999,250.00 | 1.020 | 956 | 1.025 | 11,645.00 | -266,250.00 | 07/14/2026 |
| 3130AP2P9 | 4598 | FHLB | | 09/30/2021 | 3,000,000.00 | 2,706,690.00 | 2,983,500.00 | 0.920 | 1034 | 1.033 | 4,676.67 | -276,810.00 | 09/30/2026 |
| 3130APC94 | 4599 | FHLB | | 10/14/2021 | 3,000,000.00 | 2,718,240.00 | 2,997,750.00 | 1.070 | 1048 | 1.085 | 4,190.83 | -279,510.00 | 10/14/2026 |
| 3130APU78 | 4600 | FHLB | | 12/09/2021 | 530,000.00 | 481,823.00 | 526,947.20 | 1.300 | 1089 | 1.420 | 133.97 | -45,124.20 | 11/24/2026 |
| 3130APUR4 | 4601 | FHLB | | 12/09/2021 | 1,840,000.00 | 1,672,744.00 | 1,829,401.60 | 1.300 | 1089 | 1.420 | 465.11 | -156,657.60 | 11/24/2026 |
| 3130APVC6 | 4602 | FHLB | | 12/09/2021 | 3,000,000.00 | 2,733,630.00 | 2,988,000.00 | 1.375 | 1096 | 1.458 | 20,625.00 | -254,370.00 | 12/01/2026 |
| 3130AQEC3 | 4603 | FHLB | | 12/30/2021 | 3,000,000.00 | 2,726,790.00 | 3,000,000.00 | 1.370 | 1125 | 1.370 | 17,239.17 | -273,210.00 | 12/30/2026 |
| 3130AQEF6 | 4604 | FHLB | | 12/30/2021 | 3,000,000.00 | 2,727,210.00 | 2,998,500.00 | 1.375 | 1125 | 1.385 | 17,302.08 | -271,290.00 | 12/30/2026 |
| 3130AQG80 | 4605 | FHLB | | 01/03/2022 | 3,000,000.00 | 2,731,170.00 | 2,999,250.00 | 1.420 | 1124 | 1.425 | 17,986.67 | -268,080.00 | 12/29/2026 |
| 3130AQG80 | 4606 | FHLB | | 01/10/2022 | 3,000,000.00 | 2,731,170.00 | 2,982,750.00 | 1.420 | 1124 | 1.540 | 17,986.67 | -251,580.00 | 12/29/2026 |
| 3130AQLD3 | 4607 | FHLB | | 02/08/2022 | 3,000,000.00 | 2,748,420.00 | 2,975,010.00 | 1.750 | 1154 | 1.926 | 17,937.50 | -226,590.00 | 01/28/2027 |
| 3130AQW66 | 4608 | FHLB | | 03/08/2022 | 3,000,000.00 | 2,771,190.00 | 2,995,500.00 | 2.080 | 1182 | 2.111 | 16,640.00 | -224,310.00 | 02/25/2027 |
| 3134GVZ68 | 4535 | FHLMC | | 06/23/2020 | 3,000,000.00 | 2,798,010.00 | 2,998,950.00 | 0.700 | 570 | 0.707 | 9,216.67 | -200,940.00 | 06/23/2025 |
| 3134GWA55 | 4545 | FHLMC | | 09/09/2020 | 3,000,000.00 | 2,772,480.00 | 2,998,950.00 | 0.650 | 648 | 0.657 | 4,441.67 | -226,470.00 | 09/09/2025 |

# CITY OF PLEASANTON
## Portfolio Management
## Portfolio Details with Earnings - Investments
## November 30, 2023



| CUSIP | Investment # | Issuer | Average Balance | Purchase Date | Par Value | Market Value | Book Value | Current Rate | Days To Maturity | YTM | Accrued Interest | Unrealized Gain/Loss | Maturity Date |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Federal Agency Issues - Callable** | | | | | | | | | | | | | |
| 3134GWW93 | 4547 | FHLMC | | 09/30/2020 | 3,000,000.00 | 2,772,360.00 | 3,000,000.00 | 0.550 | 669 | 0.550 | 2,795.83 | -227,640.00 | 09/30/2025 |
| 3134GWWT9 | 4549 | FHLMC | | 10/07/2020 | 3,000,000.00 | 2,775,720.00 | 2,997,600.00 | 0.550 | 669 | 0.566 | 2,795.83 | -221,880.00 | 09/30/2025 |
| 3134GW3F1 | 4550 | FHLMC | | 10/28/2020 | 3,000,000.00 | 2,753,610.00 | 3,000,000.00 | 0.600 | 697 | 0.600 | 1,650.00 | -246,390.00 | 10/28/2025 |
| 3134GXDM3 | 4554 | FHLMC | | 12/01/2020 | 3,000,000.00 | 2,756,610.00 | 3,000,000.00 | 0.620 | 731 | 0.620 | 9,300.00 | -243,390.00 | 12/01/2025 |
| 3136G4YH0 | 4538 | FNMA | | 07/14/2020 | 3,250,000.00 | 3,035,142.50 | 3,248,862.50 | 0.700 | 591 | 0.707 | 8,657.64 | -213,720.00 | 07/14/2025 |
| 3136G4A45 | 4541 | FNMA | | 07/22/2020 | 3,000,000.00 | 2,800,200.00 | 3,000,000.00 | 0.710 | 599 | 0.710 | 7,632.50 | -199,800.00 | 07/22/2025 |
| 3135GA3W9 | 4552 | FNMA | | 11/25/2020 | 3,000,000.00 | 2,765,460.00 | 3,000,000.00 | 0.600 | 725 | 0.600 | 300.00 | -234,540.00 | 11/25/2025 |
| 3135G06R9 | 4556 | FNMA | | 01/28/2021 | 3,000,000.00 | 2,743,290.00 | 3,000,000.00 | 0.550 | 789 | 0.550 | 5,637.50 | -256,710.00 | 01/28/2026 |
| | | **Subtotal and Average** | **158,420,440.80** | | **158,630,000.00** | **145,455,957.55** | **158,420,440.80** | 0.898 | 851 | 0.916 | 376,011.99 | -12,964,483.25 | |
| **Supranationals** | | | | | | | | | | | | | |
| 45950VPS9 | 7000 | IFC | | 06/28/2021 | 1,000,000.00 | 907,140.00 | 980,200.00 | 0.500 | 818 | 0.935 | 1,319.44 | -73,060.00 | 02/26/2026 |
| | | **Subtotal and Average** | **980,200.00** | | **1,000,000.00** | **907,140.00** | **980,200.00** | 0.500 | 818 | 0.935 | 1,319.44 | -73,060.00 | |
| | | **Total and Average** | **215,466,393.93** | | **215,091,206.57** | **199,865,496.66** | **215,466,393.93** | 1.391 | 718 | 1.342 | 668,887.94 | -15,600,897.27 | |

# CITY OF PLEASANTON
## Portfolio Management
### Investment Status Report - Investments
### November 30, 2023



| CUSIP | Investment # | Issuer | Par Value | Stated Rate | Maturity Date | Purchase Date | YTM | S&P | Moody's | Accrued Interest At Purchase | Current Principal | Book Value |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Certificates of Deposit - Bank** | | | | | | | | | | | | |
| SYS 1093 | 1093 | FREMON | 230,000.00 | 4.000 | 04/21/2024 | 04/21/2023 | 4.000 | | | | 230,000.00 | 230,000.00 |
| UBB1091 | 1091 | VCB | 261,206.57 | 0.500 | 04/11/2024 | 04/11/2022 | 0.500 | | | | 261,206.57 | 261,206.57 |
| | **Certificates of Deposit - Bank Totals** | | **491,206.57** | | | | **2.139** | | | **0.00** | **491,206.57** | **491,206.57** |
| **LAIF** | | | | | | | | | | | | |
| SYS5 | 5 | LAIF | 24,000,000.00 | 3.843 | | | 3.843 | | | | 24,000,000.00 | 24,000,000.00 |
| | | **LAIF Totals** | **24,000,000.00** | | | | **3.843** | | | **0.00** | **24,000,000.00** | **24,000,000.00** |
| **Medium Term Notes** | | | | | | | | | | | | |
| 88579YBH3 | 6053 | 3M | 2,000,000.00 | 2.000 | 02/14/2025 | 02/14/2020 | 1.823 | A | A | | 2,016,869.48 | 2,016,869.48 |
| 037833CU2 | 6045 | APPL | 2,000,000.00 | 2.850 | 05/11/2024 | 05/03/2019 | 2.753 | AA | Aaa | Received | 2,009,000.00 | 2,009,000.00 |
| 037833DM9 | 6048 | APPL | 1,040,000.00 | 1.800 | 09/11/2024 | 01/07/2020 | 1.800 | AA | Aaa | Received | 1,040,000.00 | 1,040,000.00 |
| 037833DF4 | 6049 | APPL | 1,000,000.00 | 2.750 | 01/13/2025 | 01/13/2020 | 1.965 | AA | Aaa | | 1,037,212.20 | 1,037,212.20 |
| 037833EB2 | 6065 | APPL | 2,000,000.00 | 0.700 | 02/08/2026 | 02/08/2021 | 0.732 | AA | Aa | | 1,996,860.00 | 1,996,860.00 |
| 037833BY5 | 6066 | APPL | 3,000,000.00 | 3.250 | 02/23/2026 | 02/23/2021 | 0.981 | AA | Aaa | | 3,331,380.00 | 3,331,380.00 |
| 17325FAS7 | 6051 | CITIBN | 1,000,000.00 | 3.650 | 01/23/2024 | 01/23/2020 | 1.943 | A | Aa | | 1,065,374.39 | 1,065,374.39 |
| 46632FSCO | 6068 | JP | 3,000,000.00 | 1.100 | 06/22/2026 | 06/22/2021 | 1.100 | AA | Aa | | 3,000,000.00 | 3,000,000.00 |
| 69371RQ25 | 6062 | PCAR | 1,330,000.00 | 2.150 | 08/15/2024 | 03/31/2020 | 2.808 | A | A | Received | 1,294,196.40 | 1,294,196.40 |
| 89236TGL3 | 6046 | TOYOTA | 1,600,000.00 | 2.000 | 10/07/2024 | 10/24/2019 | 2.000 | A | A | Received | 1,599,984.00 | 1,599,984.00 |
| 89236THW8 | 6067 | TOYOTA | 3,000,000.00 | 0.800 | 01/09/2026 | 03/09/2021 | 1.090 | A | A | Received | 2,959,140.00 | 2,959,140.00 |
| 89788JAA7 | 6058 | TRU | 2,000,000.00 | 1.500 | 03/10/2025 | 03/13/2020 | 1.821 | A | A | Received | 1,969,486.00 | 1,969,486.00 |
| 30231GAF9 | 6056 | XOM | 3,000,000.00 | 2.709 | 03/06/2025 | 03/11/2020 | 1.690 | AA | Aa | Received | 3,145,587.00 | 3,145,587.00 |
| 30231GBH4 | 6064 | XOM | 2,000,000.00 | 2.992 | 03/19/2025 | 04/20/2020 | 1.777 | AA | Aa | Received | 2,113,800.00 | 2,113,800.00 |
| | **Medium Term Notes Totals** | | **27,970,000.00** | | | | **1.607** | | | **0.00** | **28,578,889.47** | **28,578,889.47** |
| **Federal Agency Issues - Coupon** | | | | | | | | | | | | |
| 3130AQF65 | 3576 | FHLB | 3,000,000.00 | 1.250 | 12/21/2026 | 12/22/2021 | 1.280 | AA | Aaa | | 2,995,657.09 | 2,995,657.09 |
| | **Federal Agency Issues - Coupon Totals** | | **3,000,000.00** | | | | **1.280** | | | **0.00** | **2,995,657.09** | **2,995,657.09** |
| **Federal Agency Issues - Callable** | | | | | | | | | | | | |
| 3133ELQ49 | 4537 | FFCB | 3,000,000.00 | 0.700 | 06/30/2025 | 07/06/2020 | 0.715 | AA | Aaa | Received | 2,997,750.00 | 2,997,750.00 |
| 3133EMBJ0 | 4548 | FFCB | 3,340,000.00 | 0.530 | 09/29/2025 | 10/05/2020 | 0.550 | AA | Aaa | Received | 3,336,660.00 | 3,336,660.00 |
| 3133EMUK6 | 4575 | FFCB | 3,000,000.00 | 1.050 | 03/25/2026 | 03/25/2021 | 1.050 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3133EMH21 | 4595 | FFCB | 3,000,000.00 | 0.900 | 06/15/2026 | 06/24/2021 | 0.921 | AA | Aaa | Received | 2,997,000.00 | 2,997,000.00 |
| 3130AJZ36 | 4544 | FHLB | 3,000,000.00 | 0.600 | 08/27/2025 | 08/27/2020 | 0.620 | AA | Aaa | | 2,997,000.00 | 2,997,000.00 |
| 3130AKGD2 | 4553 | FHLB | 3,000,000.00 | 0.570 | 11/25/2025 | 11/25/2020 | 0.595 | AA | Aaa | | 2,996,250.00 | 2,996,250.00 |
| 3130AKQ74 | 4555 | FHLB | 3,000,000.00 | 0.625 | 01/22/2026 | 01/22/2021 | 0.625 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |

# CITY OF PLEASANTON
## Portfolio Management
### Investment Status Report - Investments
### November 30, 2023



| CUSIP | Investment # | Issuer | Par Value | Stated Rate | Maturity Date | Purchase Date | YTM | S&P | Moody's | Accrued Interest At Purchase | Current Principal | Book Value |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Federal Agency Issues - Callable** | | | | | | | | | | | | |
| 3130AKRN8 | 4557 | FHLB | 3,000,000.00 | 0.650 | 01/28/2026 | 01/28/2021 | 0.650 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130AKXQ4 | 4558 | FHLB | 3,000,000.00 | 0.600 | 02/12/2026 | 02/12/2021 | 0.110 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130AKZ25 | 4559 | FHLB | 3,000,000.00 | 0.650 | 02/26/2026 | 02/26/2021 | 0.650 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130AL3S1 | 4560 | FHLB | 3,000,000.00 | 0.625 | 02/17/2026 | 02/17/2021 | 0.625 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130AL5X8 | 4561 | FHLB | 3,000,000.00 | 0.650 | 02/24/2026 | 02/24/2021 | 0.650 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130AKXJ0 | 4562 | FHLB | 3,125,000.00 | 0.600 | 02/24/2026 | 02/24/2021 | 0.616 | AA | | | 3,122,500.00 | 3,122,500.00 |
| 3130ALCV4 | 4563 | FHLB | 3,000,000.00 | 0.750 | 02/24/2026 | 02/24/2021 | 0.750 | AA | | | 3,000,000.00 | 3,000,000.00 |
| 3130ALDN1 | 4565 | FHLB | 3,000,000.00 | 0.800 | 03/16/2026 | 03/16/2021 | 0.800 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130ALGC2 | 4569 | FHLB | 3,000,000.00 | 0.875 | 03/23/2026 | 03/23/2021 | 0.875 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130ALMM3 | 4571 | FHLB | 3,000,000.00 | 1.000 | 03/30/2026 | 03/30/2021 | 1.000 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130ALGR9 | 4572 | FHLB | 3,000,000.00 | 0.850 | 02/26/2026 | 03/15/2021 | 0.922 | AA | Aaa | Received | 2,989,560.00 | 2,989,560.00 |
| 3130ALGR9 | 4574 | FHLB | 3,000,000.00 | 0.850 | 02/26/2026 | 03/18/2021 | 0.947 | AA | Aaa | Received | 2,985,960.00 | 2,985,960.00 |
| 3130ALGC2 | 4576 | FHLB | 3,000,000.00 | 0.875 | 03/23/2026 | 03/23/2021 | 0.959 | AA | Aaa | | 2,987,700.00 | 2,987,700.00 |
| 3130ALGR9 | 4577 | FHLB | 3,000,000.00 | 0.850 | 02/26/2026 | 03/22/2021 | 0.971 | AA | Aaa | Received | 2,982,510.00 | 2,982,510.00 |
| 3130ALNT7 | 4578 | FHLB | 3,000,000.00 | 0.980 | 03/30/2026 | 03/30/2021 | 0.993 | AA | Aaa | | 2,998,050.00 | 2,998,050.00 |
| 3130ALGR9 | 4579 | FHLB | 3,000,000.00 | 0.850 | 02/26/2026 | 03/31/2021 | 1.000 | AA | Aaa | Received | 2,978,517.00 | 2,978,517.00 |
| 3130ALUC6 | 4580 | FHLB | 3,000,000.00 | 1.020 | 04/15/2026 | 04/15/2021 | 1.051 | AA | Aaa | | 2,995,500.00 | 2,995,500.00 |
| 3130ALMM3 | 4581 | FHLB | 3,000,000.00 | 1.000 | 03/30/2026 | 04/05/2021 | 1.026 | AA | Aaa | Received | 2,996,250.00 | 2,996,250.00 |
| 3130AMCL4 | 4585 | FHLB | 2,795,000.00 | 1.020 | 05/19/2026 | 05/20/2021 | 1.020 | AA | Aaa | Received | 2,795,000.00 | 2,795,000.00 |
| 3130AMH62 | 4587 | FHLB | 3,000,000.00 | 1.000 | 05/26/2026 | 05/26/2021 | 1.010 | AA | Aaa | | 2,998,500.00 | 2,998,500.00 |
| 3130AMGW6 | 4588 | FHLB | 3,000,000.00 | 0.980 | 05/26/2026 | 05/26/2021 | 0.987 | AA | Aaa | | 2,998,950.00 | 2,998,950.00 |
| 3130AMHB1 | 4590 | FHLB | 2,750,000.00 | 0.875 | 05/26/2026 | 06/02/2021 | 0.901 | AA | Aaa | Received | 2,746,562.50 | 2,746,562.50 |
| 3130AMH62 | 4591 | FHLB | 1,500,000.00 | 1.000 | 05/26/2026 | 06/02/2021 | 1.000 | AA | Aaa | Received | 1,500,000.00 | 1,500,000.00 |
| 3130AMSL7 | 4592 | FHLB | 3,000,000.00 | 1.030 | 06/30/2026 | 06/30/2021 | 1.030 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130AMYA4 | 4594 | FHLB | 3,000,000.00 | 1.070 | 06/30/2026 | 06/30/2021 | 1.070 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130AN2Q2 | 4596 | FHLB | 1,500,000.00 | 1.000 | 06/30/2026 | 06/30/2021 | 1.000 | AA | Aaa | | 1,500,000.00 | 1,500,000.00 |
| 3130AMWK4 | 4597 | FHLB | 3,000,000.00 | 1.020 | 07/14/2026 | 07/14/2021 | 1.025 | AA | Aaa | | 2,999,250.00 | 2,999,250.00 |
| 3130AP2P9 | 4598 | FHLB | 3,000,000.00 | 0.920 | 09/30/2026 | 09/30/2021 | 1.033 | AA | Aaa | | 2,983,500.00 | 2,983,500.00 |
| 3130APC94 | 4599 | FHLB | 3,000,000.00 | 1.070 | 10/14/2026 | 10/14/2021 | 1.085 | AA | Aaa | | 2,997,750.00 | 2,997,750.00 |
| 3130APU78 | 4600 | FHLB | 530,000.00 | 1.300 | 11/24/2026 | 12/09/2021 | 1.421 | AA | Aaa | Received | 526,947.20 | 526,947.20 |
| 3130APUR4 | 4601 | FHLB | 1,840,000.00 | 1.300 | 11/24/2026 | 12/09/2021 | 1.421 | AA | Aaa | Received | 1,829,401.60 | 1,829,401.60 |
| 3130APVC6 | 4602 | FHLB | 3,000,000.00 | 1.375 | 12/01/2026 | 12/09/2021 | 1.459 | AA | Aaa | Received | 2,988,000.00 | 2,988,000.00 |
| 3130AQEC3 | 4603 | FHLB | 3,000,000.00 | 1.370 | 12/30/2026 | 12/30/2021 | 1.370 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3130AQEF6 | 4604 | FHLB | 3,000,000.00 | 1.375 | 12/30/2026 | 12/30/2021 | 1.385 | AA | Aaa | | 2,998,500.00 | 2,998,500.00 |
| 3130AQG80 | 4605 | FHLB | 3,000,000.00 | 1.420 | 12/29/2026 | 01/03/2022 | 1.425 | AA | Aaa | Received | 2,999,250.00 | 2,999,250.00 |
| 3130AQG80 | 4606 | FHLB | 3,000,000.00 | 1.420 | 12/29/2026 | 01/10/2022 | 1.541 | AA | Aaa | Received | 2,982,750.00 | 2,982,750.00 |
| 3130AQLD3 | 4607 | FHLB | 3,000,000.00 | 1.750 | 01/28/2027 | 02/08/2022 | 1.926 | AA | Aaa | Received | 2,975,010.00 | 2,975,010.00 |

# CITY OF PLEASANTON
## Portfolio Management
### Investment Status Report - Investments
### November 30, 2023



| CUSIP | Investment # | Issuer | Par Value | Stated Rate | Maturity Date | Purchase Date | YTM | S&P | Moody's | Accrued Interest At Purchase | Current Principal | Book Value |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Federal Agency Issues - Callable** | | | | | | | | | | | | |
| 3130AQW66 | 4608 | FHLB | 3,000,000.00 | 2.080 | 02/25/2027 | 03/08/2022 | 2.112 | AA | Aaa | Received | 2,995,500.00 | 2,995,500.00 |
| 3134GVZ68 | 4535 | FHLMC | 3,000,000.00 | 0.700 | 06/23/2025 | 06/23/2020 | 0.707 | AA | Aaa | | 2,998,950.00 | 2,998,950.00 |
| 3134GWA55 | 4545 | FHLMC | 3,000,000.00 | 0.650 | 09/09/2025 | 09/09/2020 | 0.657 | AA | Aaa | | 2,998,950.00 | 2,998,950.00 |
| 3134GWW93 | 4547 | FHLMC | 3,000,000.00 | 0.550 | 09/30/2025 | 09/30/2020 | 0.550 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3134GWWT9 | 4549 | FHLMC | 3,000,000.00 | 0.550 | 09/30/2025 | 10/07/2020 | 0.566 | | Aaa | Received | 2,997,600.00 | 2,997,600.00 |
| 3134GW3F1 | 4550 | FHLMC | 3,000,000.00 | 0.600 | 10/28/2025 | 10/28/2020 | 0.600 | | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3134GXDM3 | 4554 | FHLMC | 3,000,000.00 | 0.620 | 12/01/2025 | 12/01/2020 | 0.620 | | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3136G4YH0 | 4538 | FNMA | 3,250,000.00 | 0.700 | 07/14/2025 | 07/14/2020 | 0.707 | AA | | | 3,248,862.50 | 3,248,862.50 |
| 3136G4A45 | 4541 | FNMA | 3,000,000.00 | 0.710 | 07/22/2025 | 07/22/2020 | 0.710 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3135GA3W9 | 4552 | FNMA | 3,000,000.00 | 0.600 | 11/25/2025 | 11/25/2020 | 0.600 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| 3135G06R9 | 4556 | FNMA | 3,000,000.00 | 0.550 | 01/28/2026 | 01/28/2021 | 0.550 | AA | Aaa | | 3,000,000.00 | 3,000,000.00 |
| | **Federal Agency Issues - Callable Totals** | | **158,630,000.00** | | | | **0.916** | | | **0.00** | **158,420,440.80** | **158,420,440.80** |
| **Supranationals** | | | | | | | | | | | | |
| 45950VPS9 | 7000 | IFC | 1,000,000.00 | 0.500 | 02/26/2026 | 06/28/2021 | 0.935 | AAA | Aaa | Received | 980,200.00 | 980,200.00 |
| | | **Supranationals Totals** | **1,000,000.00** | | | | **0.935** | | | **0.00** | **980,200.00** | **980,200.00** |
| | | **Investment Totals** | **215,091,206.57** | | | | **1.342** | | | **0.00** | **215,466,393.93** | **215,466,393.93** |

# CITY OF PLEASANTON
## Portfolio Management
### Activity By Type
### November 1, 2023 through November 30, 2023



| CUSIP | Investment # | Issuer | Stated Rate | Transaction Date | Purchases or Deposits | Redemptions or Withdrawals | Balance |
|---|---|---|---|---|---|---|---|
| **Certificates of Deposit - Bank** | | | | | | | |
| | | Subtotal | | | | | 491,206.57 |
| **LAIF (Monthly Summary)** | | | | | | | |
| | | Subtotal | | | | | 24,000,000.00 |
| **Fidelity - Government Fund (Monthly Summary)** | | | | | | | |
| | | Subtotal | | | | | 0.00 |
| **Medium Term Notes** | | | | | | | |
| | | Subtotal | | | | | 28,578,889.47 |
| **Federal Agency Issues - Coupon** | | | | | | | |
| | | Subtotal | | | | | 2,995,657.09 |
| **Federal Agency Issues - Callable** | | | | | | | |
| | | Subtotal | | | | | 158,420,440.80 |
| **Supranationals** | | | | | | | |
| | | Subtotal | | | | | 980,200.00 |
| | | Total | | | 0.00 | 0.00 | 215,466,393.93 |

# CITY OF PLEASANTON
## Portfolio Management
### Activity Summary
### November 2022 through November 2023



| Month End | Year | Number of Securities | Average Balance | Yield to Maturity 360 Equivalent | Yield to Maturity 365 Equivalent | Managed Pool Rate | Number of Investments Purchased | Number of Investments Redeemed | Average Term | Average Days to Maturity |
|---|---|---|---|---|---|---|---|---|---|---|
| **November** | **2022** | 84 | 212,338,987.16 | 1.144 | 1.160 | 2.007 | 0 | 0 | 1,743 | 1,076 |
| **December** | **2022** | 84 | 220,877,676.97 | 1.250 | 1.268 | 2.173 | 0 | 0 | 1,564 | 939 |
| **January** | **2023** | 84 | 233,064,439.11 | 1.258 | 1.276 | 2.425 | 0 | 2 | 1,566 | 924 |
| **February** | **2023** | 82 | 229,597,008.52 | 1.262 | 1.280 | 2.624 | 0 | 2 | 1,569 | 912 |
| **March** | **2023** | 80 | 231,116,718.72 | 1.352 | 1.371 | 2.831 | 0 | 0 | 1,503 | 848 |
| **April** | **2023** | 81 | 250,326,071.57 | 1.496 | 1.516 | 2.870 | 1 | 2 | 1,359 | 751 |
| **May** | **2023** | 79 | 257,676,478.70 | 1.506 | 1.527 | 2.993 | 0 | 1 | 1,368 | 738 |
| **June** | **2023** | 78 | 255,218,414.18 | 1.530 | 1.551 | 3.167 | 0 | 0 | 1,384 | 723 |
| **July** | **2023** | 78 | 241,332,522.47 | 1.392 | 1.411 | 3.305 | 0 | 1 | 1,523 | 773 |
| **August** | **2023** | 75 | 226,572,122.96 | 1.363 | 1.382 | 3.434 | 0 | 1 | 1,547 | 767 |
| **September** | **2023** | 74 | 222,199,727.26 | 1.319 | 1.338 | 3.534 | 0 | 0 | 1,589 | 761 |
| **October** | **2023** | 74 | 216,627,684.25 | 1.304 | 1.322 | 3.670 | 0 | 0 | 1,612 | 744 |
| **November** | **2023** | 74 | 215,466,393.93 | 1.323 | 1.342 | 3.843 | 0 | 0 | 1,612 | 718 |
| | **Average** | **79** | **231,748,103.80** | **1.346%** | **1.365%** | **2.990** | **0** | **1** | **1,534** | **821** |

# CITY OF PLEASANTON
## Portfolio Management
### Distribution of Investments By Type
### November 2022 through November 2023



| Security Type | November 2022 | December 2022 | January 2023 | February 2023 | March 2023 | April 2023 | May 2023 | June 2023 | July 2023 | August 2023 | September 2023 | October 2023 | November 2023 | Average by Period |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Certificates of Deposit - Bank** | 0.3 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 | 0.2% |
| **Certificates of Deposit - S & L** | | | | | | | | | | | | | | |
| **LAIF** | 2.9 | 12.8 | 13.0 | 13.2 | 16.8 | 24.9 | 24.5 | 23.6 | 16.1 | 14.7 | 12.4 | 11.1 | 11.1 | 15.2% |
| **Fidelity - Government Fund** | | | | | | | | | | | | | | |
| **MONEY MARKET (GENERAL)** | | | | | | | | | | | | | | |
| **Managed Pool Accounts -4** | | | | | | | | | | | | | | |
| **Passbook/Checking Accounts** | | | | | | | | | | | | | | |
| **Medium Term Notes** | 18.6 | 16.7 | 15.6 | 14.5 | 13.9 | 12.7 | 12.3 | 12.4 | 13.2 | 12.7 | 13.1 | 13.3 | 13.3 | 14.0% |
| **Bankers Acceptances** | | | | | | | | | | | | | | |
| **Commercial Paper - Discount** | | | | | | | | | | | | | | |
| **Federal Agency Issues - Coupon** | 2.4 | 2.1 | 2.2 | 2.2 | 2.1 | 1.2 | 1.2 | 1.2 | 1.3 | 1.3 | 1.4 | 1.4 | 1.4 | 1.6% |
| **Federal Agency Issues - Discount** | | | | | | | | | | | | | | |
| **Treasury Securities - Coupon** | | | | | | | | | | | | | | |
| **Treasury Securities - Discount** | | | | | | | | | | | | | | |
| **Federal Agency Issues - Callable** | 75.4 | 67.7 | 68.6 | 69.5 | 66.6 | 60.7 | 61.5 | 62.3 | 68.8 | 70.6 | 72.5 | 73.5 | 73.5 | 68.6% |
| **Supranationals** | 0.5 | 0.4 | 0.4 | 0.4 | 0.4 | 0.4 | 0.4 | 0.4 | 0.4 | 0.4 | 0.5 | 0.5 | 0.5 | 0.4% |
| **Miscellaneous Securities - Discount** | | | | | | | | | | | | | | |

# CITY OF PLEASANTON
## Portfolio Management
### Interest Earnings Summary
### November 30, 2023



| | November 30Month Ending | Fiscal Year To Date |
|---|---|---|
| **CD/Coupon/Discount Investments:** | | |
| Interest Collected | 124,940.75 | 838,099.25 |
| Plus Accrued Interest at End of Period | 550,626.61 | 550,626.61 |
| Less Accrued Interest at Beginning of Period | ( 504,128.16) | ( 525,527.83) |
| Less Accrued Interest at Purchase During Period | ( 0.00) | ( 0.00) |
| Interest Earned during Period | 171,439.20 | 863,198.03 |
| Adjusted by Capital Gains or Losses | 0.00 | 47,979.75 |
| Earnings during Periods | 171,439.20 | 911,177.78 |
| **Pass Through Securities:** | | |
| Interest Collected | 0.00 | 0.00 |
| Plus Accrued Interest at End of Period | 0.00 | 0.00 |
| Less Accrued Interest at Beginning of Period | ( 0.00) | ( 0.00) |
| Less Accrued Interest at Purchase During Period | ( 0.00) | ( 0.00) |
| Interest Earned during Period | 0.00 | 0.00 |
| Adjusted by Premiums and Discounts | 0.00 | 0.00 |
| Adjusted by Capital Gains or Losses | 0.00 | 0.00 |
| Earnings during Periods | 0.00 | 0.00 |
| **Cash/Checking Accounts:** | | |
| Interest Collected | 0.00 | 807,516.75 |
| Plus Accrued Interest at End of Period | 118,261.33 | 118,261.33 |
| Less Accrued Interest at Beginning of Period | ( 45,753.06) | ( 437,431.98) |
| Interest Earned during Period | 72,508.27 | 488,346.10 |
| **Total Interest Earned during Period** | **243,947.47** | **1,351,544.13** |
| **Total Capital Gains or Losses** | **0.00** | **47,979.75** |
| **Total Earnings during Period** | **243,947.47** | **1,399,523.88** |

CITY COUNCIL AGENDA REPORT

January 16, 2024
Public Works - Engineering Division

**TITLE: ADOPT A RESOLUTION OF SUMMARY VACATION FOR PUBLIC SERVICE AND ACCESS EASEMENTS AND ACCEPTANCE OF REPLACEMENT PUBLIC SERVICE AND EMERGENCY VEHICLE ACCESS EASEMENTS AT 29 GREY EAGLE COURT**

## SUMMARY

In 1984, Tract 5189 dedicated public easements within Grey Eagle Estates, including easements that encumber the property at 29 Grey Eagle Court as currently owned by Allen Roberts and Shiera Brady. The encumbrances include overlapping 20-foot-wide public service and public access easements that extend from the cul-de-sac terminus to the southern boundary of the Roberts/Brady property, a distance of approximately 800 feet. The public service easement was granted for the installation and operation of public utilities, whereas the public access easement granted the public a right to cross the property.

A portion of the public service easement currently contains City-operated water infrastructure associated with the Bonde II reservoir, which adjoins the Roberts/Brady property such that the City and Roberts/Brady share the paved driveway that resides atop the easement. The origin of the public access easement is unknown since the roadways within Grey Eagle Estates are privately owned and operated. It is possible the City acquired the public access easement in preparation for development south of the Roberts/Brady property, but the passage of Measures PP and QQ in 2008 precluded further development in this adjoining hillside area.

On March 14, 2022, the City granted approval for Roberts/Brady to construct a custom home on their property. The custom home plans include features that conflict with the public easements. As part of the approval process, Roberts/Brady asked the City to vacate the public easements while offering to grant replacement easements that are compatible with their planned use of the property. Specifically, the public service easement would be realigned, the public access easement would be removed, and a new emergency vehicle access easement would be granted for the benefit of the Livermore-Pleasanton Fire Department. This can be accomplished by following the regulatory process prescribed by California Streets and Highways Code §8330 et seq.

## RECOMMENDATION

Adopt a resolution of summary vacation for public service and access easements and acceptance of replacement public service and emergency vehicle access easements at 29 Grey Eagle Court. The Resolution of Summary Vacation affirms that:

1. The City Council may summarily vacate a public service easement if the easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement (§8333(c)).
2. The City Council may summarily vacate a public access easement if said easement

area is deemed an excess right-of-way of a street or highway not required for street or highway purposes (§8334(a)).

3. The City Council may vacate a street, highway, or public service easement by adopting a Resolution of Summary Vacation (§8335(a)(1)).
4. The Resolution of Summary Vacation shall state the following (§8335(b)):
    a. That the vacation is made under this chapter.
    b. That the vacation area is precisely described.
    c. That the facts under which this summary vacation is made are as stated in this report.
    d. That from and after the date this Resolution of Summary Vacation is recorded with the Alameda County Recorder's Office, the street, highway, or public service easement vacated no longer constitutes a street, highway, or public service easement.
    e. That notice of the Resolution of Summary Vacation has been provided to all entities having any right, title, or interest in the public service easement.
5. The City Manager has been authorized by City Council Resolution No. 89-31 to accept on behalf of the City deeds or grants conveying any interest in or easement upon real estate to the City of Pleasanton, including replacement easements.

**BACKGROUND**

On September 11, 1984, the City Council adopted Resolution 84-470 approving a final map for Tract 5189, Grey Eagle Estates, a subdivision that included the grant of public service and public access easements to the City. Said final map was subsequently recorded on October 23, 1984 (Book 148 of maps at pages 46 to 51). An amended version of the final map was recorded on May 19, 1985 (Book 153 of maps at pages 34 to 39), yet the amended map included no changes to the granted easements.

On November 15, 2002, the City entered into an *Agreement for Purchase and Sale of Real Property* with Allen and Sally Roberts for land necessary to construct the Bonde II water reservoir.

On July 1, 2005, a *First Amendment to Agreement for Purchase and Sale of Real Property* was executed by Allen Roberts and the City that contained within Provision 10 specific requirements for improvement of the easement areas granted to the City, and included the following language:

> "*If, at any time in the future, Buyer* [Roberts] *desires to relocate the Current Easement so that the driveway of a new home ("New Home Driveway") would be within such relocated easement, the Buyer will grant to City, in a location acceptable to City, a new twenty (20) foot easement at such location and for such purpose ("New Easement"), and City shall concurrently abandon that portion of the Current Easement that is replaced by the New Easement.*"

On March 14, 2022, the Planning Division approved a custom home application (P23-1171) for 29 Grey Eagle Court, subject to Conditions of Approval. Condition 40 of the approval requires the applicant to work with the City to adjust previously dedicated public easements to accommodate the development of the property.

## DISCUSSION

The City Council, as a legislative body, has been granted the authority to summarily vacate public easements that are no longer needed or relevant, provided the regulatory procedure prescribed by the California Streets and Highways Code is followed. The public easements dedicated by Tract 5189 across the property at 29 Grey Eagle Court require adjustment to address changes in development rights as well as the owner's proposed use of the property.

Adjustments to the easements were anticipated in 2005 according to the City's agreement with the owners when the land was purchased for the Bonde II water reservoir. Now that the owners have obtained approval for a custom home on the property, the adjustments are warranted.

Adoption of a Resolution of Summary Vacation for Public Service and Access Easements and Acceptance of Replacement Public Service and Emergency Vehicle Access Easements (Attachment 1) and approval of the *Quitclaim of Easement and Grant of Public Service and Emergency Vehicle Access Easements* (Attachment 2) would effectuate the easement adjustments without adverse impact to the City's rights or obligations.

## EQUITY AND SUSTAINABILITY

Not applicable, as this item is an administrative matter of City business.

## OUTREACH

Notification letters were sent to utility purveyors who operate in Pleasanton as required by California Streets and Highways Code §8335(b)(5). Although Pacific Gas & Electric Company operates equipment within the public service easement, its rights are protected by an easement granted specifically to them by Robert and Pamela Grove (predecessors to Roberts/Brady) on February 17, 1988 (Document No. 88-041251). No other utility purveyor requested reservation of the easement areas to be vacated.

## STRATEGIC PLAN ALIGNMENT

Not applicable, as this item is an administrative matter of City business.

## FISCAL IMPACT

There is no fiscal impact associated with this action.

| Prepared by: | Submitted by: | Approved by: |
|---|---|---|
| Michael Stella, Senior Civil Engineer | Norm Dorais, Director of Public Works | Gerry Beaudin, City Manager |

Attachments:

1. Resolution of Summary Vacation for Public Service and Access Easements & Acceptance of Replacement Public Service & Emergency Vehicle Access Easements
2. Quitclaim of Easement and Grant of Public Service and Emergency Vehicle Access Easements

3. Vicinity Map

Attachment 1

**RESOLUTION NO. 23-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON OF SUMMARY VACATION FOR PUBLIC SERVICE AND ACCESS EASEMENTS AND ACCEPTANCE OF REPLACEMENT PUBLIC SERVICE AND EMERGENCY VEHICLE ACCESS EASEMENTS AT 29 GREY EAGLE COURT**

**WHEREAS**, on September 11, 1984, the City Council adopted Resolution 84-470 approving a final map for Tract 5189, Grey Eagle Estates, a subdivision that included the grant of public service and public access easements to the City. Said final map was subsequently recorded on October 23, 1984 (Book 148 of maps at pages 46 to 51). An amended version of the final map was recorded on May 19, 1985 (Book 153 of maps at pages 34 to 39), yet the amended map included no changes to the granted easements; and

**WHEREAS**, on November 15, 2002, the City entered into an *Agreement for Purchase and Sale of Real Property* with Allen and Sally Roberts for land necessary to construct the Bonde II water reservoir; and

**WHEREAS**, on July 1, 2005, a *First Amendment to Agreement for Purchase and Sale of Real Property* was executed by Allen Roberts and the City that contained within Provision 10 specific requirements for improvement of the easement areas granted to the City, and included the following language:

> "*If, at any time in the future, Buyer* [Roberts] *desires to relocate the Current Easement so that the driveway of a new home ("New Home Driveway") would be within such relocated easement, the Buyer will grant to City, in a location acceptable to City, a new twenty (20) foot easement at such location and for such purpose ("New Easement"), and City shall concurrently abandon that portion of the Current Easement that is replaced by the New Easement.*"; and

**WHEREAS**, on March 14, 2022, the Planning Division approved a custom home application (P23-1171) for 29 Grey Eagle Court subject to Conditions of Approval. Condition 40 of the approval requires the applicant to work with the City to adjust previously dedicated public easements to accommodate development of the property; and

**WHEREAS**, the City Council, as legislative body, has been granted the authority to summarily vacate public easements that are no longer needed or relevant according to the regulatory procedure prescribed by §8330 et seq. of the California Streets and Highways Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:**

**SECTION 1**. This Resolution of Summary Vacation for Public Service and Access Easements and Acceptance of Replacement Public Service and Emergency Vehicle Access Easements at 29 Grey Eagle Court is hereby adopted based on the following:

- The summary vacation of Public Service and Access Easements is made under California Streets and Highways Code §8330 et seq.
- The Public Service and Public Access Easements to be summarily vacated were granted across Parcels 10 and 11 of Tract 5189 "Grey Eagle Estates" recorded in Book 148 of maps at pages 46 to 51 on October 23, 1984 (currently 29 Grey Eagle Court) as accepted by the City Clerk and as described in detail in the *Quitclaim of Easement and Grant of Public Service and Emergency Vehicle Access Easements* to be recorded together with this Resolution.
- This Resolution is prima facie evidence that the Public Service and Access Easements are superseded by relocation or determined to be excess.
- That from and after the date this Resolution is recorded, the vacated Public Service and Access Easements no longer constitute a street, highway, or public service easement.
- That all entities having any right, title, or interest in the Public Service Easement being vacated have been notified of this action.

**SECTION 2**. The City Manager shall execute the *Quitclaim of Easement and Grant of Public Service and Emergency Vehicle Access Easements* as authorized by City Council Resolution No. 89-31.

**SECTION 3**. The City Clerk shall cause a certified copy of this Resolution, as attested under seal, to be recorded without acknowledgment, certificate of acknowledgment, or further proof in the office of the Alameda County Recorder together with the fully executed *Quitclaim of Easement and Grant of Public Service and Emergency Vehicle Access Easements.*

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Pleasanton at a regular meeting held on January 16, 2024.

I, Jocelyn Kwong, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 16th day of January 2024 by the following vote:

Ayes:
Noes:

Absent:
Abstain:

_____
Jocelyn Kwong, City Clerk

APPROVED AS TO FORM:

_____
Daniel G. Sodergren, City Attorney

*RECORDED AT THE REQUEST OF:*

Allen Roberts & Shiera Brady, Trustees
Gemeaux Trust

*WHEN RECORDED PLEASE RETURN TO:*

Matthew Henderson
Miller Starr Regalia
1331 N. California Blvd., Ste. 600
Walnut Creek, CA 94596

APN 946-4599-006-01 & 946-4599-02

Space Above This Line for Recorder's Use Only

# QUITCLAIM OF EASEMENT AND

# GRANT OF PUBLIC SERVICE AND EMERGENCY VEHICLE ACCESS EASEMENTS

This Quitclaim of Easement and Grant of Public Service and Emergency Vehicle Access Easements ("**Quitclaim and Grant**") is made and entered into this 1st day of December, 2023, by and between ALLEN W. ROBERTS AND SHIERA BRADY AS TRUSTEES OF THE GEMEAUX TRUST dated April 28, 2022 ("**Grantor**") and the CITY OF PLEASANTON, a municipal corporation ("**Grantee**").

## RECITALS

WHEREAS, Grantor owns that certain real property known as 29 Grey Eagle Court, City of Pleasanton, County of Alameda, State of California, more particularly described in Exhibit A attached hereto and incorporated herein by this reference (the "**Property**"); and

WHEREAS, the Property is located in the Grey Eagle Estates Subdivision according to the Tract 5189 recorded on October 23, 1984, Recorder's Series No. 84-213488 in Book 148 of Maps at Pages 46-51, Alameda County Records; and

WHEREAS, on the map creating Tract 5189 in the Grey Eagle Estates Subdivision ("**Tract 5189 Map**") a certain 20 foot wide public access easement across the Property, identified and created by the language "AND THE UNDERSIGNED ALSO DO HEREBY DEDICATE TO THE CITY OF PLEASANTON OR ITS DESIGNEE A 20 FOOT WIDE ACCESS EASEMENT, SAID ACCESS EASEMENT WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION OF GREY EAGLE ESTATES", was granted to Grantee, which grant Grantee accepted in Resolution No. 84-470 on September 11, 1984, approving the Tract 5189 Map; and

WHEREAS, on the Tract 5189 Map a certain 20 foot wide Public Service easement across the Property, identified and created by the language "THE UNDERSIGNED DO HEREBY DEDICATE TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT AND MAINTAIN ALL PUBLIC SERVICE FACILITIES, INCLUDING POLES, WIRE, CONDUITS, STREET TREES, AND GAS, WATER AND HEAT MAINS AND ALL PUBLIC

UTILITIES AND ANY AND ALL APPURTENANCES TO THE ABOVE, UNDER, ON OR OVER THOSE CERTAIN STRIPS OF LAND LYING BETWEEN THE LINES OF LOT AND THE DASHED LINES DESIGNATED AS PUBLIC SERVICE EASEMENT…" was granted to Grantee, which Grantee accepted in Resolution No. 84-470; and

WHEREAS, said20 foot wide access easement (AE) and said20 foot wide Public Service easement (PSE) are coterminous on the Property, and for the purposes of this Quitclaim and Grant that AE and PSE on the Property is referred to herein as "**Current Easements**"; and

WHEREAS, Grantor has made application to Grantee for the requisite permits to construct a new home on the Property; and

WHEREAS, Grantor and Grantee now desire to substitute new easement rights, portions of which are in a different location on the Property than the Current Easements; and

WHEREAS, Grantee agrees to quitclaim all of its right, title and interest in the Current Easements on the Property; and

WHEREAS, Grantor and Grantee (collectively, the "**Parties**") agree that, in place and stead of the Current Easements, Grantor shall grant to Grantee new easement rights pursuant to the terms and conditions set forth in this Quitclaim and Grant.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee agree as follows:

AGREEMENT

1. Quitclaim of Current Easements. Grantee hereby quitclaims all of Grantee's right, title and interest in and to the Current Easements on the Property having previously followed the regulatory process prescribed in California Streets and Highways Code Section 8300 et seq.

2. Grant of Easement. Grantor hereby grants to Grantee a non-exclusive twenty (20) foot wide easement in gross for public services and emergency vehicle access (the "**New Easement**"), on, over, across and above a portion of the Property, as such is shown on Exhibit B-1 and described on Exhibit B-2 attached hereto and incorporated herein by reference. Public Service easements are further defined in Pleasanton Municipal Code §19.36.110. The New Easement is delineated into sections and subject to the conditions set forth in paragraph 3, below.

3. Scope of New Easement. The New Easement is further delineated into three (3) sections as set forth and subject to the terms and conditions below, as shown on Exhibit C attached hereto and incorporated herein by reference.

a. Section A, as more particularly described in Exhibit D attached hereto and incorporated herein by reference, includes approximately eighteen (18) feet wide of existing paving within the twenty (20) foot wide New Easement. Routine maintenance of Section A and the paving thereon shall be to the standards required by the Livermore-Pleasanton Fire Department and/or California Fire Code in the reasonable professional determination of the Fire

Marshal, and shall be the responsibility of Grantor, unless Grantor is able to demonstrate that maintenance has been assumed by the Grey Eagle Estates Homeowner's Association as provided in the Tract 5189 Map Owner's Certificate paragraph 4. Maintenance and/or repair of Section A required solely as a result of Grantee's operation of the Bonde II water reservoir shall be performed by Grantee to the standard required by this provision.

b. Section B, as more particularly described in Exhibit E attached hereto and incorporated herein by reference is currently unpaved. Grantor shall, at its sole expense and responsibility, pave Section B to a width of no less than twelve (12) feet where the pavement surface is to the standards required by the Livermore-Pleasanton Fire Department and California Fire Code in the reasonable professional determination of the Fire Marshal. Maintenance of such road shall be the responsibility of Grantor, unless Grantor is able to demonstrate that maintenance has been assumed by the Grey Eagle Estates Homeowner's Association as provided in the Tract 5189 Map Owner's Certificate paragraph 4.

c. Section C, as more particularly described in Exhibit F attached hereto and incorporated herein by reference, is and will remain unpaved. Section C will be graded, improved, and/or maintained to the standards required by the Livermore-Pleasanton Fire Department and California Fire Code in the reasonable professional determination of the Fire Marshal to accommodate a 4x4 off-road vehicle. In no event shall Grantee require that the surface be improved to a higher, more durable, or more weather-resistant standard.

4. No Dedication. Nothing contained in this Quitclaim and Grant shall be or be deemed to be a gift or dedication of any portion of Grantor's lands to the general public, nor to create a general right of public access to or upon the New Easement or across the Property.

5. No Third Party Beneficiaries. There are no third party beneficiaries to this Quitclaim and Grant, and no third parties shall have any right, title or interest therein or right of enforcement thereof.

6. Subject to Existing Encumbrances. This Quitclaim and Grant is subject to all valid and existing contracts, leases, licenses, encumbrances and claims of title that may affect the Property and the use of the word "grant" herein shall not be construed as a covenant against the existence of any thereof. Grantor makes no warranties or representations as to the existence or non-existence of encumbrances or other matters that may affect Grantee's use of the New Easement, and Grantee takes such New Easement "AS IS, WITH ANY AND ALL FAULTS" and warrants that it has relied on its own investigations or decisions whether to undertake any investigations in accepting this Quitclaim and Grant.

7. Compliance with Laws. Grantee, in the exercise of the rights herein granted, shall at all times comply with all applicable laws and lawful regulations of the City of Pleasanton, the County of Alameda, the State of California and the United States of America.

8 Exhibits. The Exhibits attached hereto are incorporated herein by this reference.

9 Attorneys' Fees. Should any dispute arise over the terms or conditions of this Quitclaim and Grant, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees and costs.

10 Entire Agreement. This Quitclaim and Grant contains the entire understanding and agreement of the Parties relating to the rights herein granted and the obligations herein set forth. Any prior, contemporaneous, or subsequent written or oral representations and modifications concerning this Quitclaim and Grant shall be of no force or effect, except a subsequent modification of this Quitclaim and Grant in writing, signed by Grantor or its successor-in-interest and Grantee and properly recorded in the Official Records of the County of Alameda, State of California.

11. Covenants Running with the Land. All of the provisions contained in this Quitclaim and Grant runs with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective successors, heirs, administrators and assigns, and all other persons acquiring all or a portion of the Property, or any interest therein. All of the provisions contained in this Quitclaim and Grant shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code §1468.

IN WITNESS WHEREOF, the Parties have caused this Quitclaim of Easement and Grant of Public Service and Emergency Vehicle Access Easements to be executed as of the date first written above.

**GRANTOR:**

GEMEAUX TRUST dated 4/28/2022

By: _____
~~Allen W~~. Roberts
Its: Trustee

By: _____
Shiera Brady
Its: Trustee

**ATTEST:**

_____
Jocelyn Kwong, City Clerk

**GRANTEE:**

CITY OF PLEASANTON, a Municipal corporation

**APPROVED AS TO FORM:**

By: _____
Gerry Beaudin, City Manager

_____
Daniel Sodergren, City Attorney

# EXHIBIT "A"
Legal Description

**For APN/Parcel ID(s): 946-4599-002-00 and 946-4599-006-01**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE

A Portion of Lot 11 of Amended Tract 5189 Grey Eagle Estates, filed May 10, 1985 in Book 153 Page 34 through 39 inclusive of Maps, Records of Alameda County, more particularly described as follows:

Beginning at the Southeasterly corner of said Lot 11, thence northwesterly along the easterly line of said Lot 11, North 25 ° 35' 02" West 461.46 feet; thence leaving said easterly line South 30 ° 33' 54" West 123.20 feet; thence South 64 ° 24' 58" West 127.10 feet; thence South 25 ° 35' 02" East 282.72 feet to the Southerly line of said Lot 11; thence Southeasterly along said southerly line South 89 ° 56' 37" east 254.47 feet to the point of beginning.

PARCEL TWO

Being a portion of Parcel 1 as shown upon Lot Line Adjustment PLLA-04 recorded August 11, 2000 instrument no. 2000-240795 of Official Records, Alameda County Records, described as follows:

Beginning at the Southwesterly corner of said Parcel 1 said point also being the Southeasterly corner of Lot 11 of Amended Tract 5189 Grey Eagle Estates, filed May 10, 1985 in Book 153 Page 34 through 39 inclusve of Maps; Alameda County Records; thence Northwesterly along the common line of said parcel 1 and said Lot 11, North 25 ° 35' 02" west 847.83 feet to a point on the center line of Grey Eagle Court as said Court is shown upon said Amended Tract 5189; said point also being the northeast corner or Lot 11; thence leaving said common line South 56 ° 00' 13" East 39.50 feet to a point on the Right of Way of said Grey Eagle Court; thence South 25 ° 35' 02" East 265.18 feet, more or less to the Northwesterly corner of that certain parcel of land described as Parcel 1 of Lot Line Adjustment PLLA-02 by Quitclaim Deed recorded March 2, 2000 as instrument no. 2000-64313 of Official Records of Alameda County; thence continuing along the Westerly side of said parcel 1 of PLLA-02; South 25 ° 35' 02" East 506.71 feet to the Southerly corner of said Parcel 1 of said PLLA-02; thence Northerly along the Easterly line of said parcel 1 of said PLLA-02 North 00 ° 03' 36" West 425.90 feet; thence leaving said easterly line North 77 ° 50' 36" East 168.52 feet, more or less, to a point on the easterly line of said parcel 1 of PLLA-04 North 70 ° 19' 39" East 71.52 feet; thence South 76 ° 54' 31" East 74.02 feet; thence South 29 ° 10' 39" East 230.40 feet; thence South 40 ° 07' 36" West 67.50 feet; thence South 54 ° 24' 04" West 120.68 feet; thence South 50 ° 23' 52" West 92.69 feet; thence South 7 ° 25' 09" West 134.30 feet more or less, to the Southerly line of parcel G, also being a direct projection easterly of the Southerly line of said Amended Tract 5189; Thence Westerly along said Southerly line North 89 ° 56' 37" West 185.62 feet to the Point of Beginning.

PARCEL THREE

Easements for Private Roadway over those certain Roadways as shown upon said Amended Tract 5189.

ABOVE PARCEL ONE AND TWO SHALL BE MERGED IN ORDER TO FORM A SINGLE LOT IN CONFORMANCE WITH LINE LINE ADJUSTMENT PLLA-36 APPROVED BY THE CITY OF PLEASANTON

PARCEL FOUR

A portion of Lot 10 of Amended Tract 5189, Grey Eagle Estates filed May 10, 1985 in Book 153 Page 34 through 39 inclusive of Maps, Alamenda County Records, more particularly described as follows:

A portion of Parcel 1 (City Parcel ) as described in PLLA-02 recorded as instrument no. 2000-64313 of Official Records, Alameda County Records, described as follows:

# EXHIBIT "A"

Legal Description
(continued)

Beginning at the southerly corner of said parcel 1; thence northerly along the easterly line of said Parcel 1; North 00 ° 03' 36" West 255.32 feet; thence leaving said easterly line South 68 ° 55' 42" West 110.36 feet to the westerly line of said Parcel 1; thence Southeasterly along said westerly line South 25 ° 35' 02" East 239.09 feet to the point of beginning.

PARCEL FIVE

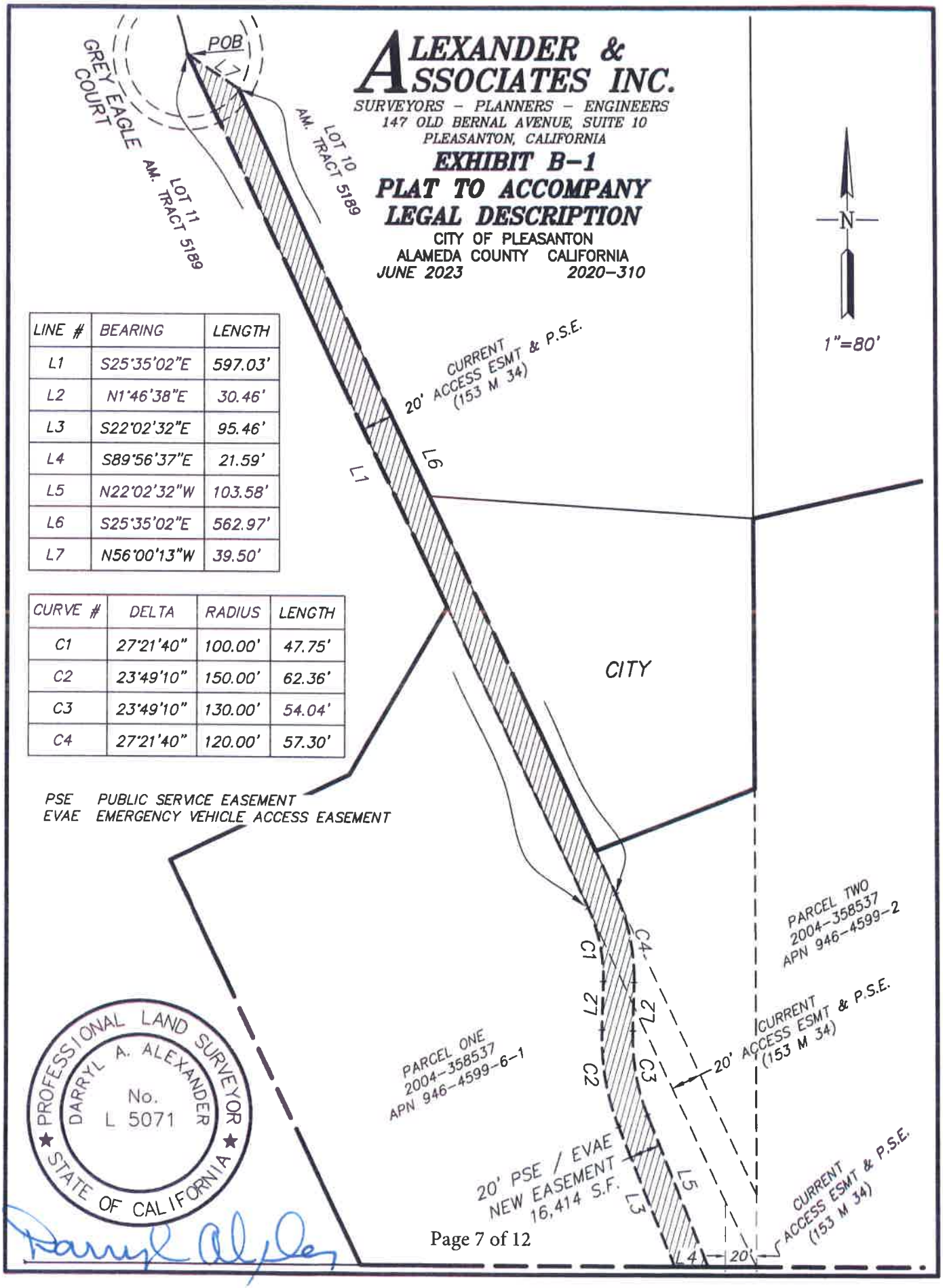
A non-exclusive easement 10 feet wide for the installation and maintence of sanitary sewer lines and appurtences thereto, including the right to enter for said installation and maintenance as described in the Grant of Sewer Easement recorded July 22, 2003 as instrument no. 2003422792 of Official Records

# ALEXANDER & ASSOCIATES INC.

SURVEYORS – PLANNERS – ENGINEERS
147 OLD BERNAL AVENUE, SUITE 10
PLEASANTON, CALIFORNIA

## EXHIBIT B-1
## PLAT TO ACCOMPANY LEGAL DESCRIPTION

CITY OF PLEASANTON
ALAMEDA COUNTY CALIFORNIA
JUNE 2023 2020-310




| LINE # | BEARING | LENGTH |
|---|---|---|
| L1 | S25°35'02"E | 597.03' |
| L2 | N1°46'38"E | 30.46' |
| L3 | S22°02'32"E | 95.46' |
| L4 | S89°56'37"E | 21.59' |
| L5 | N22°02'32"W | 103.58' |
| L6 | S25°35'02"E | 562.97' |
| L7 | N56°00'13"W | 39.50' |

| CURVE # | DELTA | RADIUS | LENGTH |
|---|---|---|---|
| C1 | 27°21'40" | 100.00' | 47.75' |
| C2 | 23°49'10" | 150.00' | 62.36' |
| C3 | 23°49'10" | 130.00' | 54.04' |
| C4 | 27°21'40" | 120.00' | 57.30' |

PSE PUBLIC SERVICE EASEMENT
EVAE EMERGENCY VEHICLE ACCESS EASEMENT

**EXHIBIT "B-2"**
**LEGAL DESCRIPTION**
**PUBLIC SERVICE EASEMENT**
**& EMERGENCY VEHICLE ACCESS EASEMENT**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING PORTIONS OF PARCEL ONE AND PARCEL TWO AS SAID PARCELS ARE DESCRIBED IN THE GRANT DEED TO ALLEN W. ROBERTS RECORDED AUGUST 5, 2004, UNDER SERIES NO. 2004358537, IN OFFICIAL RECORDS OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST NORTHERLY CORNER OF PARCEL TWO (2004358537), THENCE SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID PARCEL TWO SOUTH 25°35'02" EAST, 597.03 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 100.00 FEET; THENCE LEAVING SAID LINE AND ALONG SAID CURVE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY 47.75 FEET THROUGH A CENTRAL ANGLE OF 27°21'40"; THENCE SOUTH 01°46'38" WEST, 30.46 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 150.00 FEET; THENCE SOUTHWESTERLY, SOUTHERLY, AND SOUTHEASTERLY 62.36 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°49'10"; THENCE SOUTH 22°02'32" EAST, 95.46 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF PARCEL ONE (2004358537), THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°56'37" EAST, 21.59 FEET; THENCE LEAVING SAID SOUTHERLY LINE NORTH 22°02'32" WEST, 103.58 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 130.00 FEET; THENCE NORTHWESTERLY, NORTHERLY, AND NORTHEASTERLY 54.04 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE 23°49'10"; THENCE NORTH 01°46'38" EAST, 30.46 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 120.00 FEET; THENCE NORTHEASTERLY, NORTHERLY, AND NORTHWESTERLY 57.30 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°21'40"; THENCE NORTH 25°35'02" WEST, 562.97 FEET; THENCE NORTH 56°00'13" WEST, 39.50 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 16,414 SQUARE FEET

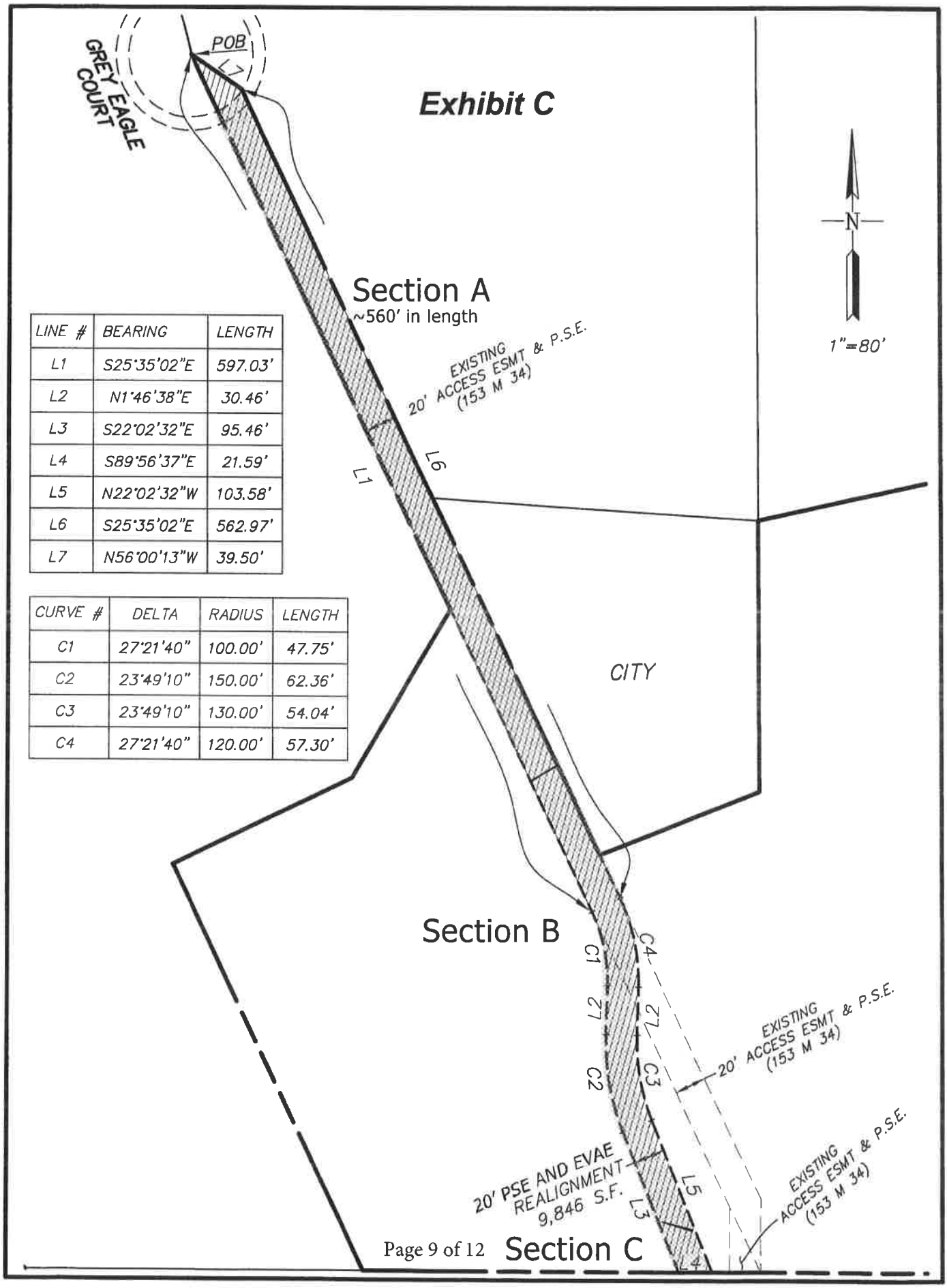
ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT "B-1" WHICH BY THIS REFERENCE IS MADE A PART HEREOF.

PREPARED BY:

DARRYL A. ALEXANDER, P.L.S. 5071

PROFESSIONAL LAND SURVEYOR
DARRYL A. ALEXANDER
No 5071
STATE OF CALIFORNIA

# Exhibit C

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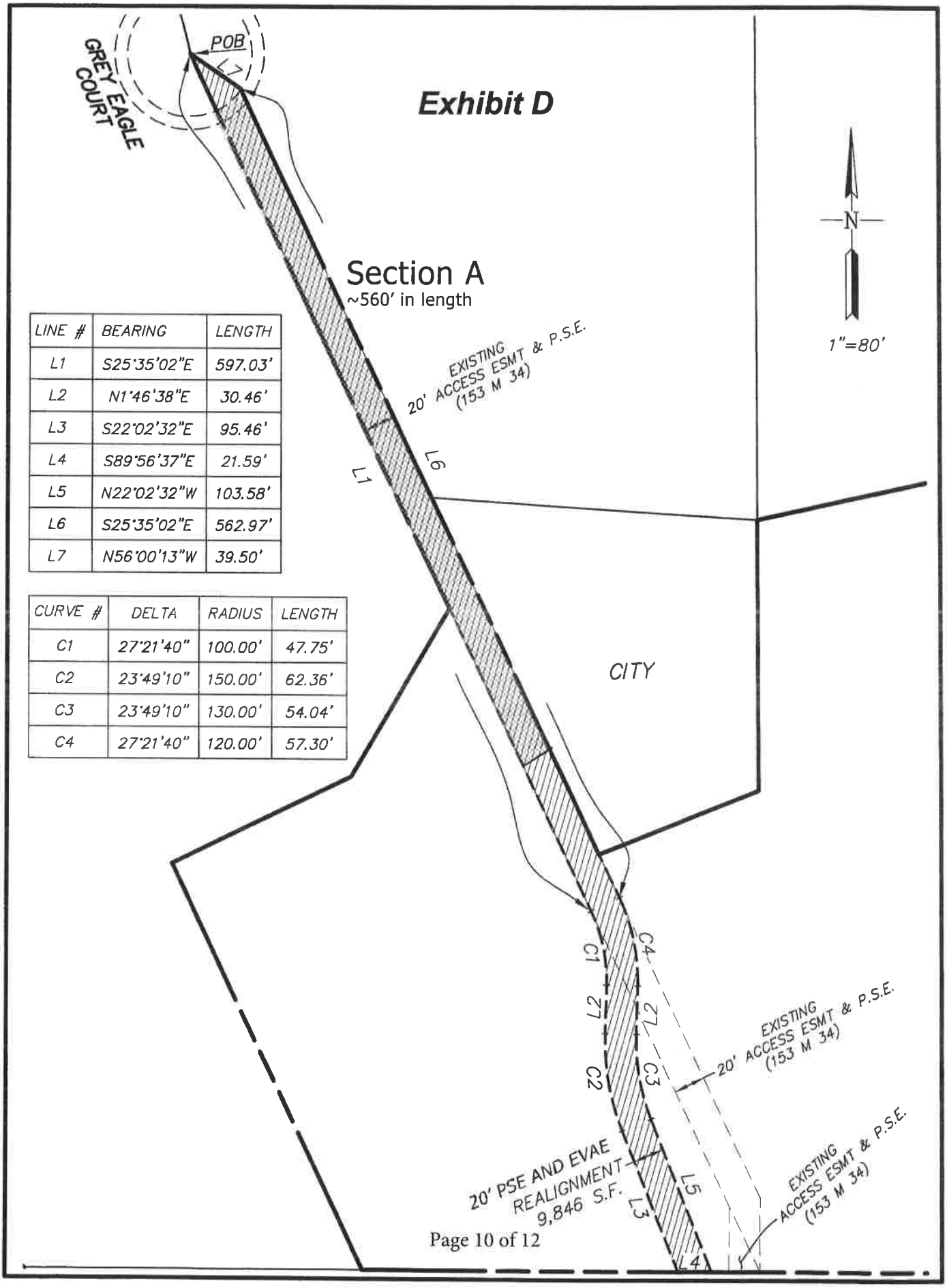
| C3 | 23°49'10" | 130.00' | 54.04' |
| C4 | 27°21'40" | 120.00' | 57.30' |

# Exhibit D

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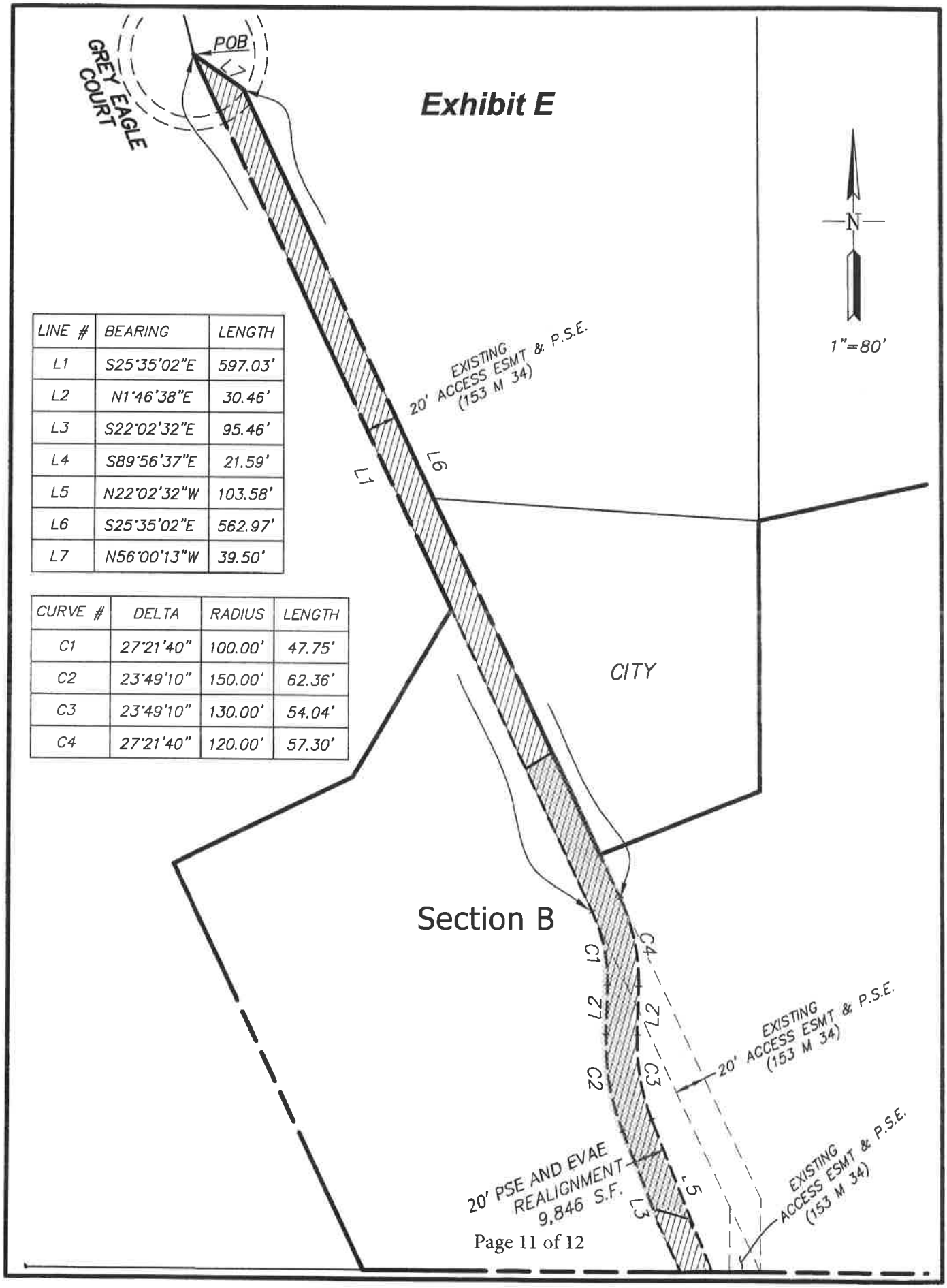
# Exhibit E

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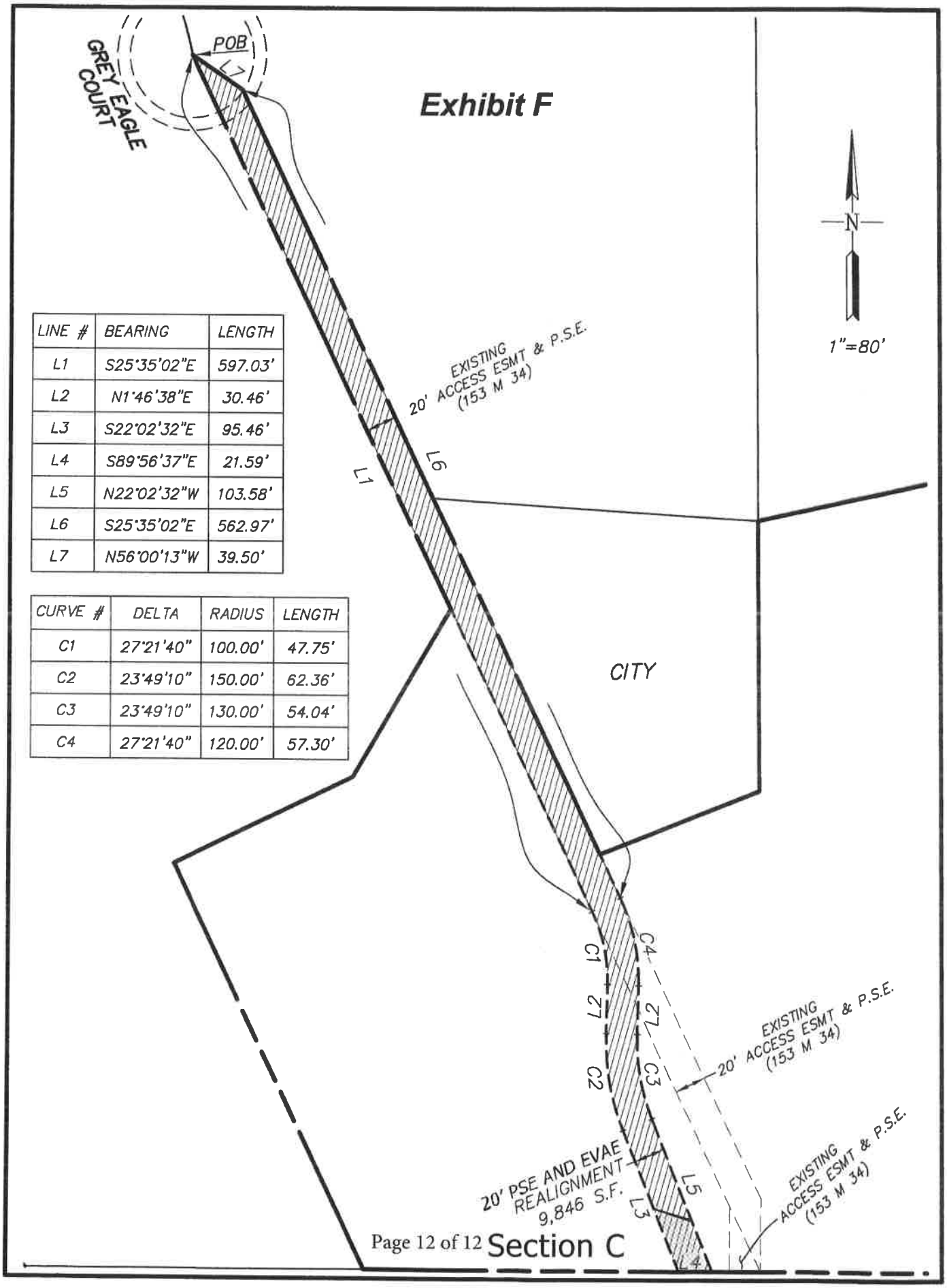


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# CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Alameda }

On 12/01/2023 before me, Alex Blyakherov notary public
(Here insert name and title of the officer)

personally appeared Allen W. Roberts and Shiera Brady,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public Signature (Notary Public Seal)

ALEY BLYAKHEROV
COMM. NO. 2361636
NOTARY PUBLIC - CALIFORNIA
ALAMEDA COUNTY
MY COMM. EXPIRES JULY 14, 2025

HRS2

## ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Quitclaim of Easement
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date_____

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other _____

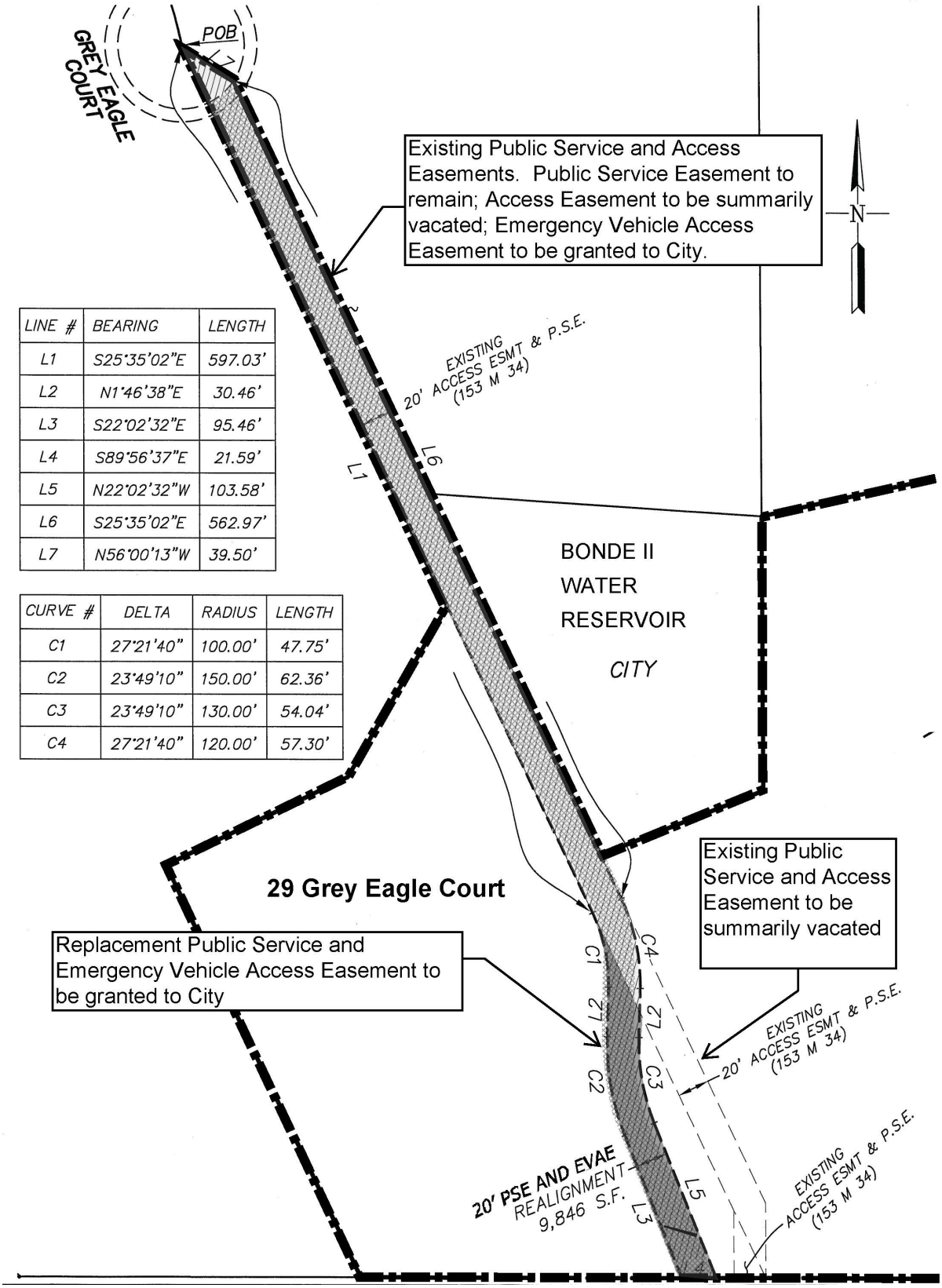
## INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they,~~ is /~~are~~ ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

2015 Version www.NotaryClasses.com 800-873-9865

# Vicinity Map

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CITY COUNCIL AGENDA REPORT

January 16, 2024
Public Works - Operations Division

**TITLE: APPROVE THE PURCHASE OF TWO FREIGHTLINER M2106 DUMP TRUCKS WITH NATIONAL AUTO FLEET GROUP IN THE AMOUNT OF $503,576**

## SUMMARY

As scheduled in the Vehicle Replacement Plan, the expected replacement of Units 223 and 224 (large dump trucks) is essential for operational efficiency as these trucks play a crucial role in towing and hauling materials and debris to and from work sites. The current units are Freightliner FL70 models with a 7–yard dump box; both are scheduled for replacement in the current fiscal year (FY 2023/24). Both units have been out of compliance with emissions standards since January 1, 2020, per the California Air Resources Board. The standard useful lifespan of a dump truck is 10–15 years; units 223 and 224 have exceeded the standard useful lifespan at 22 and 23 years old, respectively. The proposed dump trucks come equipped with backup cameras and ABS braking systems and are priced at $218,946 ($437,892 for both vehicles), and with a 15 percent contingency the total amount for City Council approval is $503,576.

## RECOMMENDATION

1. Authorize the purchase of two 2025 Freightliner M2106, DD8 7.7L 6 CYL Dual Stage 330 HP Engine, Allison 3500 RDS Transmission with 12’ Duraclass 7 Yard Dump Body dump trucks.
2. Authorize the City Manager to execute a Purchase Order with National Auto Fleet Group in the amount of $503,576, inclusive of a 15 percent contingency.

## BACKGROUND

The standard useful lifespan of a dump truck is 10–15 years; units 223 and 224 have exceeded the standard useful lifespan at 22 and 23 years old, respectively. Their replacement is necessary given their daily usage for the City's maintenance operations. The current units are a Freightliner FL70 with a 7–yard dump box. Both units have been out of compliance with emissions standards since January 1, 2020, per the California Air Resources Board. The table below shows the number of miles, engine hours, and the maintenance costs to date on each vehicle:

| Vehicle | Miles | Engine hours | Maintenance Costs |
|---|---|---|---|
| **Unit 233** | 53,228 | 7,143 | $53,629 |
| **Unit 224** | 43,353 | 6,562 | $66,187 |

## DISCUSSION

Based on current operations, the requirement for the new vehicle(s) is to increase the Gross

Vehicular Weight Rating (GVWR) from 33,000 pounds to 35,000 pounds to increase the size of the dump bed for hauling and to increase the towing capacity to tow construction equipment such as a trailer and back-hoe and equipped to accommodate air brake trailers.

Staff researched potential manufacturers to select a vendor. The proposed replacement units are two Freightliner M2106 dump trucks fully equipped with up-to-date safety features and Tier 4 final California Air Resource Board-rated engines, which are the industry's most current engine. The proposed purchase includes dealer preparation and delivery inspection, as well as training at the customer's work site location. Staff found the bid to be fair and reasonable.

This purchase of two Freightliner M2106 dump trucks is recommended to be bought through the Sourcewell contract # 060920-NAF. Sourcewell (formerly known as NJPA) was established with the statutory purpose of assisting public agencies in meeting specific needs that are more efficiently delivered cooperatively than by an entity individually. Jurisdiction clients can utilize cooperative purchasing contracts through similar joint powers, intergovernmental cooperation, or cooperative purchasing laws in their respective jurisdictions. Participating agencies include all eligible government, education, and nonprofit agencies nationwide and in Canada. This purchasing method complies with the City's Purchasing Policy. Staff researched the types and styles of dump trucks; while there are many available options, those available through National Auto Fleet Group were selected given its California location and familiarity with the City's fleet and operational and vehicle needs.

While replacement of these units is scheduled in the Vehicle Replacement Plan and there is currently fund balance available - on which the staff recommendation is based - there may not be sufficient funds to replace all scheduled vehicles in future years. Adding to the financial challenges, costs to purchase and maintain vehicles have increased significantly in recent years due to supply chain constraints and inflation such that increased funding will be needed to meet future repair and replacement needs.

## EQUITY AND SUSTAINABILITY

This purchase was evaluated within the framework of the City's Climate Action Plan 2.0 (CAP). Notwithstanding the City's commitment to sustainability, there were no viable alternatives to an internal combustion engine vehicle for this specific application. However, as technology continues to advance, staff will continue to explore electric options in the future.

## OUTREACH

No outreach was conducted, as this item is a routine matter of City business.

## STRATEGIC PLAN ALIGNMENT

This item is a routine matter of City business.

## FISCAL IMPACT

The FY 2023/24 budget includes $580,000 in Fund 510 (51040130-440107) for vehicle replacement. Due to higher than expected replacement costs and the City Council approved purchase of a street sweeper to meet CARB compliance, a $500,000 allocation from the VEhicle Replacement Fund will be requested as part of the upcoming mid-year update to the City Council; there are sufficient funds in the Vehicle Replacement Fund to cover the proposed budget adjustment.

| Prepared by: | Submitted by: | Approved by: |
| --- | --- | --- |
| David Luera, Operations & Maintenance Manager | Norm Dorais, Director of Public Works | Gerry Beaudin, City Manager |

Attachments:

1. National Auto Fleet Group Quote #2580HD

# National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076

(855) 289-6572 • (831) 480-8497 Fax

Fleet@NationalAutoFleetGroup.com


11/8/2023

**Quote ID#2580HD (R1)**

Mr. Jon Engelbrektson

City of Pleasanton
3333 Busch Road
Pleasanton, CA 94566

Dear Jon Engelbrektson,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration. Two (2) New/Unused (**2025 Freightliner M2106, DD8 7.7L 6 CYL Dual Stage 330 HP Engine, Allison 3500 RDS Transmission with 12' Duraclass 7 Yard Dump Body via Western Truck Fab**) and provided by Mr. Russ Gebhard with Freightliner, each for:

| | Contract Price | Two Units (2) |
|---|---|---|
| Chassis and Option | $ 131,974.00 | $ 263,948.00 |
| WTF Quote | $ 66,607.00 | $ 133,214.00 |
| Tax (10.25%) | $ 20,354.55 | $ 40,709.10 |
| Tire Fee | $ 10.50 | $ 21.00 |
| Total | $ 218,946.05 | $ 437,892.10 |

This vehicle(s) is available under the Sourcewell (Formerly Known as NJPA) Contract 060920-NAF. Please reference this Bid Number on all Purchase Orders.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,


Ben Rodriguez
HD Contract Manager
BEN@NationalAutoFleetGroup.com
Office (855) 289-6572
Fax (831) 480-8497

MANUFACTURES OF TRUCK BODIES AND EQUIPMENT

# Western Truck Fabrication, Inc.

1923 West Winton Avenue
Hayward, CA 94545

Phone: 510-785-9994
.

Fax: 510-785-9986
www.westerntruckfab.com

# Quotation

| | |
|---|---|
| Date | 11/3/2023 |
| Quote # | **82148** |
| WTF Rep | JL |

**Customer Name / Address**

GOLDEN GATE TRUCK CENTER
8200 BALDWIN ST
OAKLAND, CA 94621

**End User's Name** City of Pleasanton
**End User's Phone** 925-519-8617

Contact Phone
Vehicle Year 2025 FREIGHTLI...
Make / Model M2 106 PLUS
W.B.
C.A. 108

**Dealer Contact** Russ Gebhard
**Fuel Type** DIESEL

| Part # | Qty | Description | Tax |
|---|---|---|---|
| | | ***PRICE IS FOR TWO (2) UNITS***** | |
| **MATERIALS DB** | **2** | **FURNISH AND INSTALL DURACLASS 7 YARD DUMP BODY<br>12' LONG, 46" FRONT, 28" SIDE HEIGHT, 38" TAIL GATE HEIGHT, 84" I.D. WIDTH, 96" I.D. WIDTH<br>1/4" AR 400 FLOOR<br>10 GA SIDES, 10 GA FRONT, 3/16" TAIL GATE<br>TUBULAR LONGBEAMS, WESTERN STYLE UNDERSTRUCTURE (NO CROSSMEMBERS)<br>FULL DEPTH REAR CORNER POSTS<br>DIRT SHEDDING SIDES AND TAIL GATE<br>HALF CAB SHIELD – 10GA STEEL<br>AIR RELEASE TAILGATE<br>HI-LIFT TAILGATE<br>DURACLASS HPT-53-90 FRONT MOUNT TELESCOPIC HOIST,<br>HOT SHIFT PTO WITH DIRECT MOUNT PUMP FOR AUTOMATIC TRANSMISSION<br>BODY UP WARNING LIGHT<br>LED TAIL LIGHTS IN CORNER POST, OEM TAIL LIGHTS MOUNTED UNDERBODY<br>PAINTED WHITE** | |
| **DB-HPRE2200A** | **2** | **FURNISH AND INSTALL 45 TON AIR CUSHION PINTLE HITCH<br>****TRUCK TO HAVE FACTORY TRAILER AIR AND ELECTRICAL TO REAR OF FRAME*****<br>5/8" HITCH PLATE WITH GUSSETS TO FRAME<br>TWO 5/8" D RINGS<br>RUN FACTORY TRAILER AIR AND ELECTRICAL TO REAR HITCH PLATE<br>HEIGHT - SAME AS JOB 81113<br>TWO ( 2) TRAILER CONNECTORS. 7 PIN ROUND AND A 6 PIN ROUND** | |

PLEASE REVIEW AND READ QUOTE CAREFULLY.
SPECIAL ORDERS ARE NON RETURNABLE AND NON REFUNDABLE.
ALL RETURNED PARTS ARE SUBJECT TO A 25% RESTOCKING FEE.
UPON ACCEPTANCE OF THIS QUOTE CIRCLE OPTIONS DESIRED, SIGN & FAX BACK TO 510.785.9986

**THIS QUOTE IS GOOD FOR 30 DAYS FROM THE DATE OF CREATION.**
**CREDIT CARD PAYMENTS OVER $1,000 ARE SUBJECT TO A 3% PROCESSING FEE.**

Accepted By: _____ Date: _____

PO# _____ Chassis ETA: _____

VIN #:

**THANK YOU FOR THE OPPORTUNITY TO QUOTE THIS JOB**



****NOT RESPONSIBLE FOR LOST OR MISSING EQUIPMENT****

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Contact Phone
Vehicle Year 2025 FREIGHTLI...
Make / Model M2 106 PLUS
W.B.
C.A. 108

**Dealer Contact** Russ Gebhard
**Fuel Type** DIESEL

| Part # | Qty | Description | Tax |
|---|---|---|---|
| **DB-PULLTARP-E** | **2** | **PULLTARPS ELECTRIC TARP SYSTEM:<br>STEEL SIDE ARMS<br>*** TARP MATERIAL, same as Job #81113<br>SIDE GROMMETS ON APPROXIMATE 36" CENTERS<br>IN-CAB CONTROL** | |
| **DB-STEP-PULL2** | **2** | **FURNISH AND INSTALL GRIP STRUT STEP<br>GRAB HANDLES ON BOTH SIDES<br>PAINTED BLACK - SEE PHOTOS REF. JOB 81113** | |
| **MATERIALS DB** | **2** | **FURNISH & INSTALL CHOCK BLOCK HOLDERS<br>MOUNTED DRIVER SIDE TRUCK FRAME W/ RETAINERS** | |
| **DB-UB36** | **4** | **FOUR (4), TWO (2) PER TRUCK FRAME MOUNTED 48"X18"X18"<br>UNDERBODY BOX, BLACK-DUMP MOUNT CURBSIDE MOUNTED.** | |
| **EC-WHWIONSMA** | **2** | **FURNISH & INSTALL SIX (6) PER TRUCK WHELEN WIONSMA LED LIGHTHEAD,<br>SURFACE MOUNTED WIDE ANGLE AMBER LED FLASHERS,<br>VERIFY MOUNTING LOCATION<br>WIRED TO DASH MOUNTED SWITCH WITH ENGRAVED LABEL<br>*** VERIFY LOCATIONS *** ** | |
| **EC-BUCAM** | **2** | **FURNISH & INSTALL PROVISION BACK-UP CAMERA SYSTEM<br>7" HD LCD MONITOR<br>NIGHT VISION<br>130 DEGREE LENS ANGLE<br>WATERPROOF CAMERA & CONNECTORS<br>1 REAR CAMERA AND 2 SIDE CAMERAS.** | |
| **MATERIAL MISC** | **2** | **FLAPS - UP / EQUIVALENT OPERATOR FOR THE REAR MUDFALPS.** | |

PLEASE REVIEW AND READ QUOTE CAREFULLY.
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ALL RETURNED PARTS ARE SUBJECT TO A 25% RESTOCKING FEE.
UPON ACCEPTANCE OF THIS QUOTE CIRCLE OPTIONS DESIRED, SIGN & FAX BACK TO 510.785.9986

**THIS QUOTE IS GOOD FOR 30 DAYS FROM THE DATE OF CREATION.**
**CREDIT CARD PAYMENTS OVER $1,000 ARE SUBJECT TO A 3% PROCESSING FEE.**

Accepted By: _____ Date: _____

PO# _____ Chassis ETA: _____

VIN #:

**THANK YOU FOR THE OPPORTUNITY TO QUOTE THIS JOB**



****NOT RESPONSIBLE FOR LOST OR MISSING EQUIPMENT****

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# Quotation

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**Customer Name / Address**

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**End User's Name** City of Pleasanton
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Contact Phone
Vehicle Year 2025 FREIGHTLI...
Make / Model M2 106 PLUS
W.B.
C.A. 108

**Dealer Contact** Russ Gebhard
**Fuel Type** DIESEL

| Part # | Qty | Description | Tax |
|---|---|---|---|
| **EC-BRAKECONT** | **2** | **FURNISH & INSTALL ELECTRIC TRAILER BRAKE CONTROLLER<br>***VERIFY TRAILER PLUG TYPE***** | |
| **MATERIAL MISC** | **2** | **SHOVEL HOLDER ON DRIVER SIDE** | |
| **WEIGHT CERT** | **2** | **WEIGHT CERTIFICATION** | |
| | | **PAYMENT TERMS: DUE 30 DAYS AFTER DELIVERY/ COMPLETION.<br>2 % DISCOUNT IF PAID WITHIN 10 DAYS AFTER DELIVERY/ COMPLETION.** | |

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**THIS QUOTE IS GOOD FOR 30 DAYS FROM THE DATE OF CREATION.**
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Accepted By: _____ Date: _____

PO# _____ Chassis ETA: _____

VIN #:

**THANK YOU FOR THE OPPORTUNITY TO QUOTE THIS JOB**

| | |
|---|---|
| Subtotal | **$133,214.00** |
| Sales Tax (0.0%) | **$0.00** |
| **Total** | **$133,214.00** |



****NOT RESPONSIBLE FOR LOST OR MISSING EQUIPMENT****

**Prepared for:**
Jon Engelbrektson
PLEASANTON CITY OF
3333 Busch Rd
Pleasanton, CA 94566
Phone: 9259315588

**Prepared by:**
Russ Gebhard
GOLDEN GATE TRUCK CENTER
8200 BALDWIN STREET
OAKLAND, CA 94621
Phone: 5106323535

*A proposal for*

***PLEASANTON CITY OF***

*Prepared by*

***GOLDEN GATE TRUCK CENTER***

*Russ Gebhard*

*Sep 12, 2023*

# Freightliner M2 106 Plus
# Dump Truck Spec

Components shown may not reflect all spec'd options and are not to scale

**Prepared for:**
Jon Engelbrektson
PLEASANTON CITY OF
3333 Busch Rd
Pleasanton, CA 94566
Phone: 9259315588

**Prepared by:**
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8200 BALDWIN STREET
OAKLAND, CA 94621
Phone: 5106323535

# S P E C I F I C A T I O N  P R O P O S A L

| | Description | Weight Front | Weight Rear |
|---|---|---|---|
| **Price Level** | | | |
| | M2 PRL-28M (EFF:MY25 ORDERS) | | |
| **Data Version** | | | |
| | SPECPRO21 DATA RELEASE VER 011 | | |
| **Vehicle Configuration** | | | |
| | M2 106 PLUS CONVENTIONAL CHASSIS | 5,709 | 3,450 |
| | 2025 MODEL YEAR SPECIFIED | | |
| | SET BACK AXLE - TRUCK | | |
| | TRAILER TOWING PROVISION AT END OF FRAME WITH SAE J560 | 10 | 10 |
| | LH PRIMARY STEERING LOCATION | | |
| **General Service** | | | |
| | TRUCK/TRAILER CONFIGURATION | | |
| | DOMICILED, USA 50 STATES (INCLUDING CALIFORNIA AND CARB OPT-IN STATES) | | |
| | CARB EMISSIONS CERTIFICATION FOR INITIAL REGISTRATION IN CALIFORNIA AND CARB OPT-IN STATES - CARB CLEAN IDLE (INCLUDES 6X4 INCH LABELS ON LEFT OF HOOD) | | |
| | INITIAL REGISTRATION CALIFORNIA | | |
| | UTILITY/REPAIR/MAINTENANCE SERVICE | | |
| | GOVERNMENT BUSINESS SEGMENT | | |
| | DIRT/SAND/ROCK COMMODITY | | |
| | TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS | | |
| | MAXIMUM 8% EXPECTED GRADE | | |
| | SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE | | |
| | MEDIUM TRUCK WARRANTY | | |
| | EXPECTED FRONT AXLE(S) LOAD : 12000.0 lbs | | |

**Prepared for:**
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PLEASANTON CITY OF
3333 Busch Rd
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Phone: 9259315588

**Prepared by:**
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GOLDEN GATE TRUCK CENTER
8200 BALDWIN STREET
OAKLAND, CA 94621
Phone: 5106323535

| | Description | Weight Front | Weight Rear |
|---|---|---|---|
| | EXPECTED REAR DRIVE AXLE(S) LOAD : 23000.0 lbs | | |
| | EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 35000.0 lbs | | |
| | EXPECTED GROSS COMBINATION WEIGHT : 40000.0 lbs | | |
| **Truck Service** | | | |
| | END DUMP BODY | | |
| | WESTERN TRUCK FAB | | |
| | EXPECTED BODY/PAYLOAD CG HEIGHT ABOVE FRAME "XX" INCHES : 32.0 in | | |
| **Engine** | | | |
| | DD8 7.7L 6 CYL DUAL STAGE 330 HP @ 2200 RPM, 2600 GOV RPM, 1000 LB-FT @ 1200 RPM | 450 | 30 |
| **Electronic Parameters** | | | |
| | 70 MPH ROAD SPEED LIMIT | | |
| | CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT | | |
| | FLEET MANAGEMENT - DAILY ENGINE USAGE ENABLED | | |
| | PTO RPM CONTROL WITH STEERING WHEEL SWITCHES | | |
| | PTO MODE RPM INCREMENT - 100 RPM | | |
| | PTO GOVERNOR RAMP RATE - 100 RPM PER SECOND | | |
| | ONE DASH MOUNTED PTO SPEED WITH PTO SWITCH ENGAGEMENT | | |
| | PTO SPEED 1 SETTING - 900 RPM | | |
| | PTO MINIMUM RPM - 600 | | |
| | ENABLE AUTO ENGINE RPM ELEVATE FOR EXTENDED IDLE | | |
| | PTO 1, DASH SWITCH, ENGAGE WHILE DRIVING | | |
| **Engine Equipment** | | | |
| | EPA 2010 GHG 2024/CARB 2024 ULTRALOW NOX CONFIGURATION | | |
| | STANDARD OIL PAN | | |
| | ENGINE MOUNTED OIL CHECK AND FILL | | |
| | SIDE OF HOOD AIR INTAKE WITH FIREWALL MOUNTED DONALDSON AIR CLEANER | | |
| | DR 12V 160 AMP 36-SI BRUSHLESS QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE | 10 | |

**Prepared for:**
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PLEASANTON CITY OF
3333 Busch Rd
Pleasanton, CA 94566
Phone: 9259315588

**Prepared by:**
Russ Gebhard
GOLDEN GATE TRUCK CENTER
8200 BALDWIN STREET
OAKLAND, CA 94621
Phone: 5106323535

| Description | Weight Front | Weight Rear |
|---|---|---|
| (2) DTNA GENUINE, FLOODED STARTING, MIN 2000CCA, 370RC, THREADED STUD BATTERIES | 10 | |
| BATTERY BOX FRAME MOUNTED | | |
| STANDARD BATTERY JUMPERS | | |
| SINGLE BATTERY BOX FRAME MOUNTED LH SIDE UNDER CAB | | |
| WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN | | |
| NON-POLISHED BATTERY BOX COVER | | |
| POSITIVE LOAD DISCONNECT WITH CAB MOUNTED CONTROL SWITCH MOUNTED OUTBOARD DRIVER SEAT | 2 | |
| POSITIVE AND NEGATIVE POSTS FOR JUMPSTART LOCATED ON FRAME NEXT TO STARTER | 2 | |
| PROGRESSIVE LOW VOLTAGE DISCONNECT AT 12.3 VOLTS FOR DESIGNATED CIRCUITS | | |
| WABCO 20.0 CFM SINGLE CYLINDER AIR COMPRESSOR | | |
| STANDARD MECHANICAL AIR COMPRESSOR GOVERNOR | | |
| AIR COMPRESSOR DISCHARGE LINE | | |
| ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM | | |
| DETROIT MD COMPRESSION BRAKE WITH ON/OFF SWITCH | | |
| RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE | 30 | 25 |
| ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND VIRTUAL REGENERATION REQUEST SWITCH IN CLUSTER | | |
| 10 FOOT 06 INCH (126 INCH+0/-5.9 INCH) EXHAUST SYSTEM HEIGHT | | |
| RH CURVED VERTICAL TAILPIPE B-PILLAR MOUNTED ROUTED FROM STEP | | |
| 6 GALLON DIESEL EXHAUST FLUID TANK | | |
| 100 PERCENT DIESEL EXHAUST FLUID FILL | | |
| LH MEDIUM DUTY STANDARD DIESEL EXHAUST FLUID TANK LOCATION | | |
| STANDARD DIESEL EXHAUST FLUID PUMP MOUNTING | | |
| STANDARD DIESEL EXHAUST FLUID TANK CAP | | |

| | Description | Weight Front | Weight Rear |
|---|---|---|---|
| | STAINLESS STEEL AFTERTREATMENT DEVICE/MUFFLER/TAILPIPE SHIELD | | |
| | AIR POWERED ON/OFF ENGINE FAN CLUTCH | | |
| | AUTOMATIC FAN CONTROL WITHOUT DASH SWITCH, NON ENGINE MOUNTED | | |
| | DETROIT ENGINE MOUNTED FUEL/WATER SEPARATOR WITH WATER-IN-FUEL SENSOR AND ESOC | | |
| | FULL FLOW OIL FILTER | | |
| | 900 SQUARE INCH ALUMINUM RADIATOR | 15 | |
| | ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT | | |
| | GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT | | |
| | CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES | | |
| | RADIATOR DRAIN VALVE | | |
| | LOWER RADIATOR GUARD | | |
| | ALUMINUM FLYWHEEL HOUSING | | |
| | DELCO 12V 31MT STARTER WITH INTEGRATED MAGNETIC SWITCH | | |
| **Transmission** | | | |
| | ALLISON 3500 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION | 200 | 60 |
| **Transmission Equipment** | | | |
| | ALLISON VOCATIONAL PACKAGE 223 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODELS RDS, HS, MH AND TRV | | |
| | ALLISON VOCATIONAL RATING FOR ON/OFF HIGHWAY APPLICATIONS AVAILABLE WITH ALL PRODUCT FAMILIES | | |
| | PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY | | |
| | SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY | | |
| | PRIMARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE | | |
| | SECONDARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE | | |

| Description | Weight Front | Weight Rear |
|---|---|---|
| PRIMARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE | | |
| SECONDARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE | | |
| ENGINE BRAKE RANGE PRESELECT RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE | | |
| ENGINE BRAKE RANGE ALTERNATE PRESELECT RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE | | |
| FUEL SENSE 2.0 DISABLED - PERFORMANCE - TABLE BASED | | |
| DRIVER SWITCH INPUT - DEFAULT - NO SWITCHES | | |
| QUICKFIT BODY LIGHTING CONNECTOR UNDER CAB, WITH BLUNTCUTS | | |
| ELECTRONIC TRANSMISSION WIRING TO CUSTOMER INTERFACE CONNECTOR | | |
| CUSTOMER INSTALLED CHELSEA 280 SERIES PTO | | |
| PTO MOUNTING, LH SIDE OF MAIN TRANSMISSION ALLISON | | |
| MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION DRAIN, AXLE(S) FILL AND DRAIN | | |
| PUSH BUTTON ELECTRONIC SHIFT CONTROL, DASH MOUNTED | | |
| TRANSMISSION PROGNOSTICS - ENABLED 2013 | | |
| WATER TO OIL TRANSMISSION COOLER, IN RADIATOR END TANK | | |
| TRANSMISSION OIL CHECK AND FILL WITH ELECTRONIC OIL LEVEL CHECK | | |
| SYNTHETIC TRANSMISSION FLUID (TES-295 COMPLIANT) | | |
| **Front Axle and Equipment** | | |
| DETROIT DA-F-12.0-3 12,000# FF1 71.5 KPI/3.74 DROP SINGLE FRONT AXLE | | |
| MERITOR 15X4 Q+ CAM FRONT BRAKES | | |
| NON-ASBESTOS FRONT BRAKE LINING | | |
| CAST IRON OUTBOARD FRONT BRAKE DRUMS | | |
| FRONT OIL SEALS | | |
| VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL | | |

| | Description | Weight Front | Weight Rear |
|---|---|---|---|
| | STANDARD SPINDLE NUTS FOR ALL AXLES | | |
| | MERITOR AUTOMATIC FRONT SLACK ADJUSTERS | | |
| | TRW THP-60 POWER STEERING | | |
| | POWER STEERING PUMP | | |
| | 2 QUART SEE THROUGH POWER STEERING RESERVOIR | | |
| | MINERAL SAE 80/90 FRONT AXLE LUBE | | |
| **Front Suspension** | | | |
| | 12,000# DUAL TAPERLEAF FRONT SUSPENSION | 42 | |
| | MAINTENANCE FREE RUBBER BUSHINGS - FRONT SUSPENSION | | |
| | FRONT SHOCK ABSORBERS | | |
| **Rear Axle and Equipment** | | | |
| * | RS-23-240 23,000# R-SERIES 2-SPEED SINGLE REAR AXLE | | 160 |
| * | 5.57/7.60 REAR AXLE RATIO | | |
| | IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING | | |
| | MXL 17T MERITOR EXTENDED LUBE MAIN DRIVELINE WITH HALF ROUND YOKES | | |
| | MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES | | |
| | NON-ASBESTOS REAR BRAKE LINING | | |
| | BRAKE CAMS AND CHAMBERS ON FORWARD SIDE OF DRIVE AXLE(S) WITH AUXILIARY SUPPORT BRACKETS | | |
| | CONMET CAST IRON REAR BRAKE DRUMS | | |
| | REAR OIL SEALS | | |
| | WABCO TRISTOP D LONGSTROKE 1-DRIVE AXLE SPRING PARKING CHAMBERS | | |
| | MERITOR AUTOMATIC REAR SLACK ADJUSTERS | | |
| | ELECTRIC OVER AIR CONTROL WITH INDICATOR LAMP FOR 2-SPEED REAR AXLE | | |
| | LOW RANGE TWO-SPEED DEFAULT WITH IGNITION OFF | | |
| | AIR SHIFTER FOR 2-SPEED REAR AXLE | | |
| | CURRENT AVAILABLE SYNTHETIC 75W-90 REAR AXLE LUBE | | |
| **Rear Suspension** | | | |

| Description | Weight Front | Weight Rear |
|---|---|---|
| AIRLINER 23,000# REAR SUSPENSION WITH CHAIN CLEARANCE | | 180 |
| AIRLINER HIGH POSITION RIDE HEIGHT | | |
| STANDARD AXLE SEATS IN AXLE CLAMP GROUP | | |
| IGNITION CONTROLLED ELECTRIC DUMP SWITCH FOR AIR SUSPENSION WITH STATE RETENTION | | |
| REAR AIR SUSPENSION DUMP VALVE AUTOFILL >5 MPH WITH INDICATOR LIGHT | | |
| SINGLE AIR REAR SUSPENSION LEVELING VALVE | | |
| TRANSVERSE CONTROL RODS | | |
| REAR SHOCK ABSORBERS - ONE AXLE (AIR RIDE SUSPENSION) | | |
| **Pusher / Tag Equipment** | | |
| NO PUSHER/TAG BRAKE DUST SHIELDS | | |
| **Brake System** | | |
| AIR BRAKE PACKAGE | | |
| WABCO 4S/4M ABS WITH TRACTION CONTROL | | |
| REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES | | |
| FIBER BRAID PARKING BRAKE HOSE | | |
| STANDARD BRAKE SYSTEM VALVES | | |
| STANDARD AIR SYSTEM PRESSURE PROTECTION SYSTEM | | |
| STD U.S. FRONT BRAKE VALVE | | |
| RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE | | |
| WABCO SYSTEM SAVER HP WITH INTEGRAL AIR GOVERNOR AND HEATER | | |
| AIR DRYER FRAME MOUNTED | | |
| STEEL AIR TANKS MOUNTED AFT INSIDE AND/OR BELOW FRAME JUST FORWARD OF REAR SUSPENSION, NO TRIPLE OR TORPEDO TANKS | | |
| PULL CABLE ON WET TANK, PETCOCK DRAIN VALVES ON ALL OTHER AIR TANKS | | |
| **Trailer Connections** | | |
| NO TRAILER AIR HOSE | | |
| NO AIR HOSE HANGER | | |
| AIR CONNECTIONS TO END OF FRAME WITH GLAD HANDS FOR TRUCK AND NO DUST COVERS | | |

| | Description | Weight Front | Weight Rear |
|---|---|---|---|
| | PRIMARY CONNECTOR/RECEPTACLE WIRED FOR COMBINATION STOP/TURN, CENTER PIN POWERED THROUGH IGNITION WITH STOP SIGNAL PREWIRE PACKAGE | | |
| | PDI INSTALLED ELECTRIC BRAKE CONTROLLER | | |
| | SAE J560 7-WAY PRIMARY TRAILER CABLE RECEPTACLE MOUNTED END OF FRAME | | |
| | NO TRAILER ELECTRICAL CABLE | | |
| **Wheelbase & Frame** | | | |
| | 4400MM (173 INCH) WHEELBASE | | |
| | 11/32X3-1/2X10-3/16 INCH STEEL FRAME (8.73MMX258.8MM/0.344X10.19 INCH) 120KSI | -10 | 90 |
| | 1600MM (63 INCH) REAR FRAME OVERHANG | | |
| | FRAME OVERHANG RANGE: 61 INCH TO 70 INCH | | |
| | CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 107.68 in | | |
| | CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 104.68 in | | |
| | CALC'D FRAME LENGTH - OVERALL : 275.2 in | | |
| | CALCULATED FRAME SPACE LH SIDE : 73.96 in | | |
| | CALCULATED FRAME SPACE RH SIDE : 76.06 in | | |
| | SQUARE END OF FRAME | | |
| | FRONT CLOSING CROSSMEMBER | | |
| | STANDARD WEIGHT ENGINE CROSSMEMBER | | |
| | STANDARD CROSSMEMBER BACK OF TRANSMISSION | | |
| | STANDARD MIDSHIP #1 CROSSMEMBER(S) | | |
| | STANDARD REARMOST CROSSMEMBER | | |
| | HEAVY DUTY SUSPENSION CROSSMEMBER | | 30 |
| **Chassis Equipment** | | | |
| | THREE-PIECE 14 INCH PAINTED STEEL BUMPER WITH COLLAPSIBLE ENDS | 30 | |
| | FRONT TOW HOOKS - FRAME MOUNTED | 15 | |
| | SINGLE LICENSE PLATE BUMPER MOUNTING ON LH SIDE | | |
| | NO MUDFLAP BRACKETS | | |
| | NO REAR MUDFLAPS | | |
| | FENDER AND FRONT OF HOOD MOUNTED FRONT MUDFLAPS | | |
| | GRADE 8 THREADED HEX HEADED FRAME FASTENERS | | |

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| | Description | Weight Front | Weight Rear |
|---|---|---|---|
| | EXTERIOR HARNESSES WRAPPED IN ABRASION TAPE | | |
| **Fifth Wheel** | | | |
| | NO FIFTH WHEEL | | |
| **Fuel Tanks** | | | |
| | 50 GALLON/189 LITER SHORT RECTANGULAR ALUMINUM FUEL TANK - LH | 20 | |
| | RECTANGULAR FUEL TANK(S) | | |
| | PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS | | |
| | FUEL TANK(S) FORWARD | | |
| | BLACK STEP FINISH | | |
| | FUEL TANK CAP(S) | | |
| | DAVCO 245 FUEL/WATER SEPARATOR | 5 | |
| | EQUIFLO INBOARD FUEL SYSTEM | | |
| | HIGH TEMPERATURE REINFORCED NYLON FUEL LINE | | |
| **Tires** | | | |
| | GOODYEAR FUEL MAX RSA 11R22.5 14 PLY RADIAL FRONT TIRES | 6 | |
| | GOODYEAR G182 RSD 11R22.5 14 PLY RADIAL REAR TIRES | | 88 |
| **Hubs** | | | |
| | CONMET PRESET PLUS PREMIUM IRON FRONT HUBS | | |
| | CONMET PRESET PLUS PREMIUM IRON REAR HUBS | | |
| **Wheels** | | | |
| | ACCURIDE 28828 22.5X8.25 10-HUB PILOT 6.18 INSET 2-HAND HD STEEL DISC FRONT WHEELS | 26 | |
| | ACCURIDE 28828 22.5X8.25 10-HUB PILOT 2-HAND HD STEEL DISC REAR WHEELS | | 52 |
| | FRONT WHEEL MOUNTING NUTS | | |
| | REAR WHEEL MOUNTING NUTS | | |
| **Cab Exterior** | | | |
| | 106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB | | |
| | AIR CAB MOUNTING | | |
| | LH AND RH GRAB HANDLES | | |
| | MOLD-IN COLOR GRILLE | | |

| Description | Weight Front | Weight Rear |
|---|---|---|
| MOLD-IN COLOR HOOD MOUNTED AIR INTAKE GRILLE | | |
| FIBERGLASS HOOD | | |
| TUNNEL/FIREWALL LINER | | |
| SINGLE 14 INCH ROUND HADLEY AIR HORN UNDER LH DECK | 4 | |
| SINGLE ELECTRIC HORN | | |
| SINGLE HORN SHIELD | | |
| REAR LICENSE PLATE MOUNT END OF FRAME | | |
| LED HEADLIGHT ASSEMBLY AND INCANDESCENT MARKER/TURN LAMP | | |
| LED AERODYNAMIC MARKER LIGHTS | | |
| DAYTIME RUNNING LIGHTS | | |
| INTEGRAL STOP/TAIL/BACKUP LIGHTS | | |
| STANDARD FRONT TURN SIGNAL LAMPS | | |
| DUAL WEST COAST MOLDED-IN COLOR HEATED MIRRORS WITH LH AND RH REMOTE | | |
| DOOR MOUNTED MIRRORS | | |
| 102 INCH EQUIPMENT WIDTH | | |
| LH AND RH 8 INCH MOLDED-IN COLOR CONVEX MIRRORS M0UNTED UNDER PRIMARY MIRRORS | | |
| STANDARD SIDE/REAR REFLECTORS | | |
| RH AFTERTREATMENT SYSTEM CAB ACCESS WITH BLACK COVER | | |
| 63X14 INCH TINTED REAR WINDOW | | |
| TINTED DOOR GLASS LH AND RH WITH TINTED NON-OPERATING WING WINDOWS | | |
| RH AND LH ELECTRIC POWERED WINDOWS | | |
| 1-PIECE SOLAR GREEN GLASS WINDSHELD | | |
| 8 LITER (2 GAL) WINDSHIELD WASHER RESERVOIR, CAB MOUNTED, WITHOUT FLUID LEVEL INDICATOR | | |
| **Cab Interior** | | |
| PROFESSIONAL TRIM PACKAGE | | |
| MIST AND CARBON CLOTH INTERIOR "PROFESSIONAL" | | |
| CARBON WITH BASE BLACK ACCENT | | |
| MOLDED PLASTIC DOOR PANEL | | |
| MOLDED PLASTIC DOOR PANEL | | |
| BLACK MATS WITH SINGLE INSULATION | | |
| (2) 12V DASH MOUNTED POWER OUTLETS | | |

| Description | Weight Front | Weight Rear |
|---|---|---|
| FORWARD ROOF MOUNTED CONSOLE | | |
| LH AND RH DOOR STORAGE POCKETS INTEGRATED INTO MOLDED DOOR PANELS | | |
| DIGITAL ALARM CLOCK IN DRIVER DISPLAY | | |
| (2) CUP HOLDERS LH AND RH DASH | | |
| M2/SD DASH | | |
| 2-1/2 LB. FIRE EXTINGUISHER | 5 | |
| HEATER, DEFROSTER AND AIR CONDITIONER | | |
| STANDARD HVAC DUCTING | | |
| MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH | | |
| STANDARD HEATER PLUMBING | | |
| VALEO HEAVY DUTY A/C REFRIGERANT COMPRESSOR | | |
| BINARY CONTROL, R-134A | | |
| STANDARD INSULATION | | |
| SOLID-STATE CIRCUIT PROTECTION AND FUSES | | |
| 12V NEGATIVE GROUND ELECTRICAL SYSTEM | | |
| STANDARD LED CAB LIGHTING | | |
| REMOTE KEYLESS ENTRY AND 2 TRANSMITTERS | | |
| DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME | | |
| KEY QUANTITY OF 4 | | |
| LH AND RH ELECTRIC DOOR LOCKS | | |
| BASIC ISRINGHAUSEN HIGH BACK AIR SUSPENSION DRIVERS SEAT WTIH MECHANICAL LUMBAR AND INTEGRATED CUSHION EXTENSION | 30 | |
| 2 MAN TOOL BOX MID BACK NON SUSPENSION PASSENGER SEAT WITH 3 X 4.75 INCH CUTOUTIN TOOL BOX BACK PANEL FOR HARNESS, SEATS INC. | 20 | |
| LH AND RH INTEGRAL DOOR PANEL ARMRESTS | | |
| BLACK VINYL DRIVER SEAT COVER | | |
| BLACK VINYL PASSENGER SEAT COVER | | |
| BLACK SEAT BELTS | | |
| FIXED STEERING COLUMN | | |
| 4-SPOKE 18 INCH (450MM) BLACK STEERING WHEEL WITH SWITCHES | | |
| DRIVER AND PASSENGER INTERIOR SUN VISORS | | |

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| Description | Weight Front | Weight Rear |
|---|---|---|
| **Instruments & Controls** | | |
| ELECTRONIC ACCELERATOR CONTROL | | |
| CONFIGURABLE LOWER PANEL WITH INTEGRATED UPPER STORAGE | | |
| BLACK GAUGE BEZELS | | |
| LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM | | |
| DUAL NEEDLE PRIMARY AND SECONDARY AIR PRESSURE GAUGE | | |
| INTAKE MOUNTED AIR RESTRICTION INDICATOR WITHOUT GRADUATIONS | | |
| 97 DB BACKUP ALARM | | 3 |
| ELECTRONIC CRUISE CONTROL WITH CONTROLS ON STEERING WHEEL SPOKES | | |
| KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY | | |
| PREMIUM INSTRUMENT CLUSTER WITH 5.0 INCH TFT COLOR DISPLAY | | |
| DIGITAL PANEL LAMP DIMMER SWITCH IN DRIVER DISPLAY | | |
| HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH | | |
| 2 INCH ELECTRIC FUEL GAUGE | | |
| ENGINE REMOTE INTERFACE WITH ONE OR MORE SET SPEEDS | | |
| QUICKFIT POWERTRAIN INTERFACE CONNECTOR UNDER CAB WITH CAPS | | |
| NO ADDITIONAL EXTRA SWITCH ACCUATORS | | |
| QUICKFIT PROGRAMMABLE INTERFACE CONNECTOR(S) UNDER CAB WITH CAP | | |
| ENGINE REMOTE INTERFACE CONNECTOR AT POWERTRAIN INTERFACE CONNECTOR | | |
| ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE | | |
| DIGITAL ENGINE OIL TEMPERATURE IN DRIVER DISPLAY | | |
| 2 INCH TRANSMISSION OIL TEMPERATURE GAUGE | | |
| ELECTRONIC OUTSIDE TEMPERATURE SENSOR DISPLAY IN DRIVER MESSAGE CENTER | | |
| ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY | | |

| Description | Weight Front | Weight Rear |
|---|---|---|
| PTO CONTROLS FOR ENHANCED VEHICLE ELECTRIC/ELECTRONIC ARCHITECTURE | | |
| DETROIT ASSURANCE, ACTIVE BRAKE ASSIST 5, WITH STANDARD ADAPTIVE CRUISE CONTROL AND ADJUSTABLE HEADWAY | 20 | |
| SIDE GUARD ASSIST PHYSICAL OFF SWITCH, TRAFFIC SIGN DISPLAY VIRTUAL OFF SWITCH (NO ACTIVE BRAKE ASSIST OFF SWITCH) | | |
| ELECTRONIC STABILITY CONTROL | | |
| DETROIT ASSURANCE 5.0 LANE DEPARTURE WARNING SYSTEM WITH 15 MINUTE OFF TIMEOUT DASH SWITCH | | |
| ELECTRIC ENGINE OIL PRESSURE GAUGE | | |
| QUICKFIT PROGRAMMABLE INTERFACE MODULE | 10 | |
| TOP OF DASH RAM MOUNT WITHOUT POWER OR GROUND, FOR CUSTOMER FURNISHED DEVICE | | |
| AM/FM/WB WORLD TUNER RADIO WITH BLUETOOTH, USB AND AUXILIARY INPUTS, J1939 | | |
| DASH MOUNTED RADIO | | |
| (2) RADIO SPEAKERS IN CAB | | |
| AM/FM ANTENNA MOUNTED ON FORWARD LH ROOF | | |
| STANDARD RADIO WIRING WITH STEERING WHEEL CONTROLS | | |
| ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER | | |
| STANDARD VEHICLE SPEED SENSOR | | |
| ELECTRONIC 3000 RPM TACHOMETER | | |
| DETROIT CONNECT PLATFORM HARDWARE | | |
| 3 YEARS DETROIT CONNECT BASE PACKAGE (FEATURES VARY BY MODEL) DETROIT CONNECT PLATFORM | | |
| 3 YEARS DETROIT CONNECT SAFETY EVENT VIEWER PACKAGE FOR DETROIT ASSURANCE DETROIT CONNECT PLATFORM | | |
| (2) TMC RP1226 ACCESSORY CONNECTORS: (1) LOCATED BEHIND PASSENGER SIDE REMOVABLE DASH PANEL (1) CENTER OF OVERHEAD CONSOLE | | |
| IGNITION SWITCH CONTROLLED ENGINE STOP | | |
| FOUR EXTRA HARDWIRED SWITCHES IN DASH, ROUTE TO BETWEEN SEATS, CAPPED | | |

| | Description | Weight Front | Weight Rear |
|---|---|---|---|
| | HARDWIRE SWITCH #1, ON/OFF LATCHING, 10 AMPS BATTERY POWER | | |
| | HARDWIRE SWITCH #2, ON/OFF LATCHING, 10 AMPS BATTERY POWER | | |
| | HARDWIRE SWITCH #3,ON/OFF LATCHING, 10 AMPS BATTERY POWER | | |
| | HARDWIRE SWITCH #4,ON/OFF LATCHING, 10 AMPS BATTERY POWER | | |
| | (1) OVERHEAD MOUNTED LANYARD CONTROL FOR DRIVER AIR HORN | | |
| | BW TRACTOR PROTECTION VALVE | | |
| | TRAILER HAND CONTROL BRAKE VALVE | | |
| | DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY | | |
| | SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY | | |
| | AUTOMATIC WIPERS/HEADLAMPS, INTELLIGENT HIGH-BEAM | | |
| | TWO VALVE PARKING BRAKE SYSTEM WITH WARNING INDICATOR | | |
| | SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, HEADLAMP FLASH, WASH/WIPE/INTERMITTENT | | |
| | INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH 40 AMP (20 AMP PER SIDE) TRAILER LAMP CAPACITY | | |
| **Design** | | | |
| | PAINT: ONE SOLID COLOR | | |
| **Color** | | | |
| | CAB COLOR A: L0006EY WHITE ELITE EY | | |
| | BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT | | |
| | POWDER WHITE (N0006EA) FRONT WHEELS/RIMS (PKWHT21, TKWHT21, W, TW) | | |
| | POWDER WHITE (N0006EA) REAR WHEELS/RIMS (PKWHT21, TKWHT21, W, TW) | | |
| | BUMPER PAINT: FP24812 ARGENT SILVER DUPONT FLEX | | |
| | NO CAB/BODY EXTERIOR DECALS | | |
| | STANDARD E COAT/UNDERCOATING | | |
| **Certification / Compliance** | | | |
| | U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS | | |
| **Secondary Factory Options** | | | |

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| | Description | Weight Front | Weight Rear |
|---|---|---|---|
| | CORPORATE PDI CENTER OPTION INSTALLATION/MODIFICATION ONLY | | |
| * | OBD 2024 | | |
| * | DRIVELINE TORQUE PROTECTION - ENABLED | | |

## Sales Programs

NO SALES PROGRAMS HAVE BEEN SELECTED

## T O T A L  V E H I C L E  S U M M A R Y

## Weight Summary

| | Weight Front | Weight Rear | Total Weight |
|---|---|---|---|
| Factory Weight+ | 6661 lbs | 4178 lbs | 10839 lbs |
| Total Weight+ | 6661 lbs | 4178 lbs | 10839 lbs |

## Extended Warranty

| | |
|---|---|
| N | EW4: DD8 SINGLE/DUAL STAGE 7 YEARS/150,000 MILES/241,500 KM. FEX APPLIES |

(+) Weights shown are estimates only.

If weight is critical, contact Customer Application Engineering.

(***) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.

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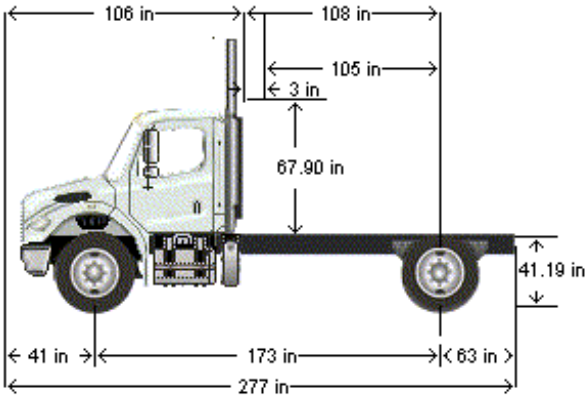
## D I M E N S I O N S




## VEHICLE SPECIFICATIONS SUMMARY - DIMENSIONS

Model ..... M2106
Wheelbase (545) ..... 4400MM (173 INCH) WHEELBASE
Rear Frame Overhang (552) ..... 1600MM (63 INCH) REAR FRAME OVERHANG
Fifth Wheel (578) ..... NO FIFTH WHEEL
- Mounting Location (577) ..... NO FIFTH WHEEL LOCATION
- Maximum Forward Position (in) ..... 0
- Maximum Rearward Position (in) ..... 0
- Amount of Slide Travel (in) ..... 0
- Slide Increment (in) ..... 0
- Desired Slide Position (in) ..... 0.0

Cab Size (829) ..... 106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
Sleeper (682) ..... NO SLEEPER BOX/SLEEPERCAB
Exhaust System (016) ..... RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE

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## TABLE SUMMARY - DIMENSIONS

| Dimensions | Inches |
|---|---|
| Bumper to Back of Cab (BBC) | 106.3 |
| Bumper to Centerline of Front Axle (BA) | 40.7 |
| Front Axle to Back of Cab (AC) | 65.6 |
| Min. Cab to Body Clearance (CB) | 3.0 |
| Back of Cab to Centerline of Rear Axle(s) (CA) | 107.7 |
| Effective Back of Cab to Centerline of Rear Axle(s) (Effective CA) | 104.7 |
| Back of Cab Protrusions (Exhaust/Intake) (CP) | 2.0 |
| Back of Cab Protrusions (Side Extenders/Trim Tab) (CP) | 0.0 |
| Back of Cab Protrusions (CNG Tank) | 0.0 |
| Back of Cab Clearance (CL) | 3.0 |
| Back of Cab to End of Frame | 170.7 |
| Cab Height (CH) | 67.9 |
| Wheelbase (WB) | 173.2 |
| Frame Overhang (OH) | 63.0 |
| Overall Frame Length | 275.2 |
| Overall Length (OAL) | 277.0 |
| Rear Axle Spacing | 0.0 |
| Unladen Frame Height at Centerline of Rear Axle | 41.2 |

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.

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# G V W R

## VEHICLE SPECIFICATIONS SUMMARY - GVWR

| | |
|---|---|
| Model | M2106 |
| Cab Size (829) | 106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB |
| Expected Front Axle(s) Load (lbs) | 12000.0 |
| Expected Pusher Axle(s) Load (lbs) | 0.0 |
| Expected Rear Axle(s) Load (lbs) | 23000.0 |
| Expected Tag Axle(s) Load (lbs) | 0.0 |
| Expected GVW (lbs) | 35000 |
| Expected GCW (lbs) | 40000.0 |
| Front Axle (400) | DETROIT DA-F-12.0-3 12,000# FF1 71.5 KPI/3.74 DROP SINGLE FRONT AXLE |
| Front Suspension (620) | 12,000# DUAL TAPERLEAF FRONT SUSPENSION |
| Front Hubs (418) | CONMET PRESET PLUS PREMIUM IRON FRONT HUBS |
| Front Disc Wheels (502) | ACCURIDE 28828 22.5X8.25 10-HUB PILOT 6.18 INSET 2-HAND HD STEEL DISC FRONT WHEELS |
| Front Tires (093) | GOODYEAR FUEL MAX RSA 11R22.5 14 PLY RADIAL FRONT TIRES |
| Front Brakes (402) | MERITOR 15X4 Q+ CAM FRONT BRAKES |
| Steering Gear (536) | TRW THP-60 POWER STEERING |
| Rear Axle (420) | RS-23-240 23,000# R-SERIES 2-SPEED SINGLE REAR AXLE |
| Rear Suspension (622) | AIRLINER 23,000# REAR SUSPENSION WITH CHAIN CLEARANCE |
| Rear Hubs (450) | CONMET PRESET PLUS PREMIUM IRON REAR HUBS |
| Rear Disc Wheels (505) | ACCURIDE 28828 22.5X8.25 10-HUB PILOT 2-HAND HD STEEL DISC REAR WHEELS |
| Rear Tires (094) | GOODYEAR G182 RSD 11R22.5 14 PLY RADIAL REAR TIRES |
| Rear Brakes (423) | MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES |
| Pusher / Tag Axle (443) | NO PUSHER OR TAG AXLE |
| Pusher / Tag Suspension (626) | NO PUSHER OR TAG SUSPENSION |
| Pusher / Tag Hubs (449) | NO PUSHER OR TAG HUBS |
| Dead/Pusher/Tag Disc Wheels (509) | NO PUSHER/TAG DISC WHEELS |
| Pusher / Tag Tires (095) | NO PUSHER/TAG TIRES |
| Pusher / Tag Brakes (456) | NO PUSHER/TAG BRAKES |

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## TABLE SUMMARY - GVWR

| | Front | Rear |
|---|---|---|
| **Axle Component Weight Ratings** | | |
| Axles | 12000 | 23000 |
| Suspension | 12000 | 23000 |
| Hubs | 14700 | 26000 |
| Brakes | 12000 | 23000 |
| Wheels | 16000 | 32000 |
| Tires | 12350 | 23360 |
| Power Steering | 13300 | N/A |
| GAWR (per axle) | 12000 | 23000 |
| GAWR (per axle system) | 12000 | 23000 |
| Expected Load (per axle system) | 12000 | 23000 |
| GVWR due to Frame | 90000 | |
| GVWR due to Transmission | 80000 | |
| **Vehicle GVWR Summary** | | |
| **Calculated GVWR** | 35000 | |
| **Expected GVWR** | 35000 | |
| All weights displayed in pounds | | |

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.

CITY COUNCIL AGENDA REPORT

January 16, 2024
Public Works - Operations Division

**TITLE: APPROVE THIRD AMENDMENT TO THE AGREEMENT WITH TRI-SIGNAL INTEGRATION, INC. FOR FIRE ALARM MAINTENANCE AND REPAIR SERVICES BY INCREASING THE NOT-TO-EXCEED AMOUNT BY $145,118 AND EXTENDING THE TERM THROUGH FISCAL YEAR 2024/25 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF $395,118 OVER A FIVE-YEAR TERM**

## SUMMARY

City facilities are equipped with fire alarm panels, pull stations and sprinkler systems. Per the National Fire Protection Association, fire alarm and wet pipe system testing is required monthly, quarterly, and annually. In Fiscal Year 2020/21, the City entered into a three-year maintenance agreement with Tri-Signal Integration Inc. to inspect, test, repair, and maintain the City's fire alarm systems. Due to recent necessary but unforeseen equipment repairs, additional service locations, and continued maintenance of and repair services for the City's fire alarm systems, the agreement amount needs to be increased. Staff is recommending an amendment to the agreement with Tri-Signal Integration, Inc. to increase the total compensation by $145,118 for a total not-to-exceed amount of $395,118 through Fiscal Year 2024/25.

## RECOMMENDATION

Approve third amendment to the agreement with Tri-Signal Integration, Inc. for fire alarm maintenance and repair services by increasing the not-to-exceed amount by $145,118 and extending the term through Fiscal Year 2024/25 for a total not-to-exceed amount of $395,118 over a five-year term.

## BACKGROUND

The City's 32 facilities are equipped with fire alarm panels, pull stations, and sprinkler systems that must be maintained and serviced as needed and required. Per the National Fire Protection Association (NFPA), monthly, quarterly, and annual fire alarm and wet pipe system testing is required. In Fiscal Year 2020/21, the City entered into a three-year maintenance agreement (with option for extension up to two years) for $90,000 with Tri-Signal Integration Inc. to inspect, test, repair, and maintain the City's fire alarm systems.

In 2021, unforeseen repairs were necessary to several City facilities, such that the first amendment was approved in Fiscal Year 2020/2021 to increase the total not-to-exceed amount to $150,000. The second amendment was approved in FY 2022/23 to increase the total not-to-exceed amount to $250,000 to cover the complete replacement of fire panels at the City office at 200 Old Bernal Avenue, the Senior Center, and the Veteran's Memorial Building necessitated by early 2023 storm events.

## DISCUSSION

Staff is now recommending this proposed third amendment with Tri-Signal Integration, Inc. in

anticipation of unplanned repairs and the addition of four new City locations to be serviced - Callippe Preserve Golf Course, Las Positas Pumping Station – Water, N. Sycamore Pumping Station – Water, and Vineyard Hills Pumping Station - to ensure that staff will be made aware of any maintenance issues that arise. Notably, given the advanced age of the City's infrastructure, there is a likelihood of multiple fire panel failures during the coming two years which this increase would cover. The proposed increase of $145,118 ($48,340 for FY 2023/24 and $96,778 for FY 2024/25, which are inclusive of a Consumer Price Index increase) is intended to cover essential repairs, ongoing maintenance, and unforeseen issues, for a new total not-to-exceed amount of $395,118.

**EQUITY AND SUSTAINABILITY**

This item is a routine administrative matter of City business.

**OUTREACH**

No outreach was conducted, as this item is a routine matter of City business.

**STRATEGIC PLAN ALIGNMENT**

This item is a routine matter of City business.

**FISCAL IMPACT**

There is sufficient funding in the two-year budget for the $145,118 increase to the agreement with Tri-Signal Integration, Inc., which is funded in Facilities Maintenance & Operations (00140301) with Miscellaneous Repairs and Maintenance Contacts (420101) and Contract Services (430107).

| Prepared by: | Submitted by: | Approved by: |
|---|---|---|
| David Luera, Operations & Maintenance Manager | Norm Dorais, Director of Public Works | Gerry Beaudin, City Manager |

Attachments:

1. Third Amendment to agreement with Tri-Signal Integration, Inc.

# THIRD AMENDMENT TO AGREEMENT

This Third Amendment to Agreement ("Third Amendment") is entered into this _____ day of January 2024, by the **City of Pleasanton** ("City") and **Tri-Signal Integration, Inc.** ("Contractor")

**Whereas**, on January 21, 2021, the City and Tri-Signal Integration, Inc. entered into a Maintenance and Trade Services Agreement for Fire Alarm Maintenance and Repair Services for City buildings per R.F.B. OSD 2020-408, which was amended on November 18, 2021 by the First Amendment to increase the cumulative work authorization, and as amended by the Second Amendment dated March 25, 2022 to increase the compensation not to exceed $250,000 ("collectively the Agreement"); and

**Whereas,** the parties desire to amend the Agreement by extending the term and increasing the cumulative not to exceed for the remainder of the Agreement.

Now, therefore, in exchange for valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Section 1 of the Agreement, “Term” is amended to read as follows: The Term of this Agreement will expire June 30, 2025.

2. Section 3 of the Agreement, "Compensation" is amended to read: Total Accumulated Compensation under this Agreement is $395,118 through June 30, 2025. For FY 2023/24 the annual not to exceed amount shall be $84,191, an increase of $48,340 and for FY 2024/25 the not to exceed amount will be $96,778.

3. Exhibit B of the Agreement will be updated as Exhibit B.1 as the new Rate Sheet that will incorporate all new facilities that have been added as well as an increase in rates based on the local Consumer Price Index.

4. This Third Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement. Counterparts may be delivered via facsimile, electronic mail (including pdf or any electronic signature complying with U.S. federal E-Sign Act of 2000 (15 U.S. Code §7001 et seq.), California Uniform Electronic Transactions Act (Cal. Civil Code §1633.1 et seq.), or other applicable law) or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes.

5. All other terms and conditions of the Agreement shall remain in full force and effect.

In witness whereof, authorized representatives of the parties have executed this Third Amendment to the Agreement as of the date and year first above written.

**CITY OF PLEASANTON**

_____
Gerry Beaudin, City Manager

ATTEST:

_____
Jocelyn Kwong, City Clerk

APPROVED AS TO FORM:

_____
Daniel G. Sodergren, City Attorney

**CONTRACTOR – Tri-Signal**

By: _____
Signature

_____
Print name

Title: _____

*[If Contractor is a corporation, signatures must comply with California Corporations Code §313]*

By: _____
Signature

_____
Print name

Title: _____

**EXHIBIT B.1**

| Annual Breakdown<br>Current January 2024 - December 2024 | Inspection Cost | Cellular Monitoring Cost | Total Cost for Site |
|---|---|---|---|
| Alviso Adobe – Milking Barn | 1259 | 420 | 1679 |
| Amador Theater – High School | 1364 | 420 | 1784 |
| Civic Center – Annex | 1154 | 0 | 1154 |
| Civic Center | 1364 | 420 | 1784 |
| Dolores Bengtson Aquatic Center | 1364 | 420 | 1784 |
| Fire Station #1 | 1574 | 420 | 1994 |
| Fire Station #2 | 1364 | 420 | 1784 |
| *Fire Station #3 | 2518 | 630 | 3148 |
| Fire Station #4 | 1364 | 420 | 1784 |
| Fire Station #5 | 734 | 420 | 1154 |
| Firehouse Arts Center | 1364 | 420 | 1784 |
| Gingerbread Preschool | 525 | 420 | 945 |
| Museum on Main | 525 | 420 | 945 |
| OSC – 9 Locations | 761 | 0 | 6717 |
| Pleasanton Library | 1469 | 420 | 1889 |
| *Pleasanton Police Department | 3142 | 0 | 3142 |
| Senior Center | 1469 | 420 | 1889 |
| Sports Park, Ken Mercer - Tower | 629 | 400 | 1029 |
| Tennis Community Park | 525 | 420 | 945 |
| Veterans Memorial Building | 1469 | 420 | 1889 |
| **Enterprise Locations:** | | | |
| *Callippe Preserve Golf Course | 1888 | 630 | 2518 |
| *Las Positas Pumping Station – Water | 1049 | 630 | 1679 |
| *N. Sycamore Pumping Station – Water | 1049 | 630 | 1679 |
| *Vineyard Hills Pumping Station | 1049 | 630 | 1679 |
| *ADDED SERVICE LOCATIONS | $ 30,972.00 | $ 9,850.00 | $ 46,778.00 |
| **REPAIRS HOURLY** | **Refular Hrly Rate** | **Overtime Hrly Rate** | |
| **Scheduled/As Needed Repairs** | **$184** | **$262** | |

**SPECIAL NOTES:**

- **Increase by CPI for Year 4** – 4.9%
- **Year 5 will have a new CPI Rate**

CITY COUNCIL AGENDA REPORT

January 16, 2024
Public Works - Engineering Division

**TITLE: APPROVE PLANS AND SPECIFICATIONS, REVIEW BIDS, AND AWARD A CONSTRUCTION CONTRACT TO GOLDEN STATE CONSTRUCTION & UTILITY, INC. IN THE AMOUNT OF $1,644,000 FOR THE BERNAL AVENUE 18-INCH WATER MAIN (F-4 LINE) & TURNOUT NO. 1 IMPROVEMENTS PROJECT, CIP NO. 24172**

## SUMMARY

The Bernal Avenue 18-Inch Water Main (F-4 Line) & Turnout No. 1 Improvements Project, CIP No. 24172, is the first of three capital improvement projects required to maintain a balanced water system pressure in response to limited availability of water from City-owned wells caused by the presence of PFAS in the aquifer, to meet future demands, and to improve the reliability of the system. The project will install approximately 1,600 linear feet of 18-inch water main on Bernal Avenue and replace the piping and specialty equipment at Turnout No. 1. The project was designed, reviewed and approved by staff and competitively bid. Six bids were received on December 11, 2023, and staff recommends awarding the project to the lowest responsible bidder, Golden State Construction & Utility of San Francisco, CA, in the amount of $1,644,000 for the Bernal Avenue 18-Inch Water Main (F-4 Line) & Turnout No. 1 Improvements Project, CIP No. 24172.

## RECOMMENDATION

Staff recommends the City Council:
1. Approve plans and specifications, review bids, and award a construction contract to Golden State Construction & Utility, Inc. in the amount of $1,644,000 for the Bernal Avenue 18-Inch Water Main (F-4 Line) & Turnout No. 1 Improvements Project, CIP No. 24172.
2. Authorize the City Manager to enter into the project contract.
3. Authorize an increase of $100,000 to the existing $300,000 Purchase Order 2024001 with Core and Main LP to purchase the City-supplied materials for Turnout No. 1.
4. Allocate $2,072,420 from the Water Operating and Maintenance Fund 420 reserve balance to the Bernal Avenue 18-inch Water Main (F-4 Line) & Turnout No. 1 Improvements Project, CIP No. 24172.
5. Authorize the Director of Public Works to approve and execute contract change order(s) for a contingency amount of $247,000 (approximately 15 percent of the contract) for unforeseen yet necessary related work.

## BACKGROUND

The City is a water retailer that operates and maintains a water distribution system to deliver water to residences and businesses for domestic and irrigation uses within Pleasanton. Alameda County's Zone 7 Water Agency is the Tri-Valley's water wholesaler that procures water from the state and regional wells, treats the water, and then sells the water to the City and other Tri-Valley water retailers for distribution. The City is a unique retailer as, in addition to purchasing water from Zone 7, it also has an annual groundwater pumping quota of 3,500

acre-feet from its local wells, approximately 20 percent of the water used in the city. The City wells are primarily utilized during the warmer time of year to meet increased water demands.

The City purchases water from Zone 7 in underground vaults called turnouts where water from Zone 7 is pushed into the City's system and is controlled, fluorinated, and metered. The water distribution system was designed to incorporate the locations of both the turnouts and City wells to maintain balanced system pressure. Changes to the volume of water entering the system through different turnouts and wells can cause pressure variations within the system. The City actively monitors the system to ensure that pressures in the system meet the American Water Works Association standards.

With the presence of PFAS in portions of the aquifer that both the City and Zone 7 wells draw from, the City has restricted the use of its wells. Summer demands for 2023 were met by purchasing additional water from Zone 7 at the existing turnouts and continued voluntary conservation, during which time existing peak demands of 18 million gallons per day (mgd) were lower than the anticipated peak daily demand of 25.8 mgd; this was attributed to lower temperatures, continued conservation and modification of the operation of the City's water system. To meet peak demands without using the wells, the City coordinated with high water users — including the City at its parks and Callippe Preserve Golf Course — to conserve and reduce water during peak demand periods.

Turnout No. 1 was taken out of service after flooding from an unknown water leak that damaged the below-grade equipment in 2014. In 2014, Turnout No. 1 was also determined to be redundant, with Wells 5 and 6 and Turnout No. 2 meeting the demands in the local area, and was not repaired then. The Water Supply Alternatives Study modeling identified it was critical for Turnout No. 1 to be put back in service to rebalance the water system pressure until a long-term solution was implemented. Temporary improvements and repairs to the broken line were completed by the City and Zone 7 in spring 2023 and the turnout was put back in service.

On August 15, 2023, the City Council approved and authorized a professional services agreement with Parkpour Consulting Group to design the Bernal Avenue 18-Inch Water Main (F-4 Line) Project, CIP No. 24172. This project was combined with City staff-designed Turnout No. 1 improvements into a single construction package and then bid in November; ids were opened on December 11, 2023.

## DISCUSSION

With restricted service of Wells 5 and 6 due to PFAS, additional water is being purchased from Zone 7 through existing turnouts to meet system demands. The Water Supply Alternatives Study selected the two new well option on the west side of the city. To meet the City's future and short-term water demands until the two new wells are in service and to re-balance the water system, improvements to turnouts and water distribution piping are necessary. The Bernal Avenue 18-Inch Water Main (F-4 Line) & Turnout No. 1 Improvements Project, CIP No. 24172, is the first of three capital improvement projects required to maintain a balanced water system pressure in response to limited availability of water from City-owned wells, to meet future demands, and to improve reliability of the system.

The City's hydraulic model identified the need for a new 18-inch water line on Bernal Avenue from Turnout No. 5 at the intersection of Nevada Street and Bernal Avenue to Vineyard

Avenue (approximately 1,600 linear feet) to increase the capacity of the existing 12-inch line running south over the bridge on Bernal Avenue to meet current and future demands. The additional flows to meet demands increases the velocity in the existing 12-inch pipe over three times the recommended velocities, which leads to premature pipeline failure and water quality issues. Due to the time needed to permit a new line over Bernal Bridge and Arroyo del Valle, an existing sewer line that has not been put into service will be repurposed until the new water line can be installed on the bridge. The existing sewer line piping will be removed from the casing on the bridge and replaced with a new higher-pressure rated pipe that will meet the potable water system pressures. The water line bridge crossing will need to be installed when the sewer line is put in service in the future.

Improvements to Turnout No. 1 include replacing the internal piping, flow meter and control valve and installing a pressure-regulating valve to protect the turnout and update the facility to current standards. In addition, vault repairs to address corroded rebar, and the installation of a flushing and sampling hydrant, are included in the project. These improvements are necessary to ensure the reliable and long-term operation of the turnout.

Bids

Sealed bids for this project were received on December 11, 2023. Six bids were received, ranging from the low bid amount of $1,644,000 to the high bid amount of $2,388,639.68. The low bid amount, submitted by Golden State Construction & Utility, Inc. is approximately 9.6 percent above the Engineer's Estimate of $1.5 million (see Attachment 1). Staff reviewed bids and found the low bid responsive and responsible. Past work performed by the low bidder was verified to be satisfactory and the contractor's current City work for CIP No. 24278 is progressing as anticipated. Staff recommends awarding the construction contract to Golden State Construction & Utility, Inc.

Consultant/Specialty Services

Installation of the new pipeline will require the removal and replacement of an estimated 15 traffic signal loop detectors. Loop replacement will be performed by the City's on-call traffic signal maintenance contractor for an estimated cost of $7,500.

Due to lead time for the specialty equipment, the City's on-call suppliers were utilized to provide a motorized control valve, pressure-reducing valve and flow meter for installation in Turnout No. 1 by the construction contractor. The estimated cost for the valves and meters is $100,000. Staff recommends an increase of $100,000 to the existing $300,000 Purchase Order 2024001 with Core and Main LP, which was approved by the City Council on June 20, 2023, for the purchase of utility infrastructure materials. The additional authorization avoids impacting scheduled repair and replacement work.

An estimated $15,000 of construction support services, including the review of the contractor's submittals and requests for information, will be provided by the project's designer, Pakpour Consulting Group.

An estimated $20,000 of materials testing services will be provided under the City's existing on-call materials testing contracts. These services include required testing of the materials used for backfill and compaction of the trenches associated with the pipeline installation.

Specialty instrumentation and electrical control work that connects to Zone 7's equipment for

the flow meter and the control valve is required at Turnout No. 1. A Zone 7-approved vendor must complete the work, therefore the work will be performed by SD Electric under the City's existing on-call contract for a not-to-exceed amount of $50,000.

Schedule

Construction will begin in February 2024 and be completed in late June 2024. The work will not impact the ability of the City to meet the peak water demands during construction. The two remaining projects to rebalance the system, Turnout No. 4 Replacement and Booster Station and Stoneridge Drive 24-Inch Potable Water Main (F-1 Line) Project, CIP No. 24171, and the Sunol Boulevard 20-Inch Potable Water Main (F-7 Line) Project, CIP No. 24173, are in design and anticipated to be bid in February 2024.

## EQUITY AND SUSTAINABILITY

The City's Procurement Policy for purchasing procedures was followed as these types of projects are routine matters of City business.

## OUTREACH

Notices will be sent to adjacent residences and businesses prior to the start of construction and posted on the City's website.

## STRATEGIC PLAN ALIGNMENT

Approval of this action advances the ONE Pleasanton strategic plan goal of *Investing in Our Environment*, Strategy 1 – Implement the four-year Capital Improvement Program (CIP) to complete the design and construction of budgeted capital projects and Strategy 3 – Identifying funding and implement the recommendations from the Water Supply Alternative Study to resolve PFAS water quality issues.

## FISCAL IMPACT

On August 15, 2023, the City Council approved the transfer of $133,000 from Annual Water Main Replacement, CIP No. 24133, for design services and established Bernal Avenue 18-inch Potable Water Main (F-4 Line), CIP No. 24172. The total anticipated expenditure for the project is $2,205,420, including design, project contingency, consulting and testing services, and City-supplied materials, leaving a projected shortfall of $2,072,420 (see Attachment 2). Staff recommends allocating $2,072,420 from the Water Operating and Maintenance Fund 420 reserve balance. The balance will be restored following the procurement of a loan in March 2024, following the opening of bids for the two remaining projects. The loan debt service will be covered by the new water rate increases.

| Prepared by: | Submitted by: | Approved by: |
|---|---|---|
| Adam Nelkie, Assistant Dir. of Public Works - Engineering | Norm Dorais, Director of Public Works | Gerry Beaudin, City Manager |

Attachments:

1. Bid Summary

2. Funding and Estimated Expenditure Summary
3. Project Locations

**ATTACHMENT 1**

**Bernal Avenue 18-Inch Water Main (F-4 Line) & Turnout No. 1 improvements**
Owner: City of Pleasanton

| **Bid Opening:** 2:00PM, 12/11/23 | | | | **Engineer's Estimate** | | **Golden State Construction & Utility, Inc.** | | **DPI, Inc.** | | **Mitchell Engineering** | | **Koios Engineering, Inc.** | | **Pacific Underground Construction, Inc.** | | **Ghilotti Construction Company, inc.** | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | 1222 Funston Ave | | 5942 Las Positas Blvd | | 1395 Evans Avenue | | PO Box 320217 | | 1817 Stone Avenue | | 246 Ghilotti Avenue | |
| | | | | | | San Francisco, CA | | Livermore, CA 94511 | | San Francisco, CA 94124 | | San Francisco, CA 94132 | | San Jose, Ca 95125 | | Santa Rosa, CA 95407 | |
| | | | | | | US | | US | | US | | US | | US | | US | |
| | | | | | | **Bidder Status:** Valid | | **Bidder Status:** Valid | | **Bidder Status:** Valid | | **Bidder Status:** Valid | | **Bidder Status:** Valid | | **Bidder Status:** Valid | |
| **Bid** | | | | | | | | | | | | | | | | | |
| ***Item #*** | ***Item Description*** | ***Quantity*** | ***Unit of Measure*** | ***Unit Price*** | ***Item Total*** | ***Unit Price*** | ***Item Total*** | ***Unit Price*** | ***Item Total*** | ***Unit Price*** | ***Item Total*** | ***Unit Price*** | ***Item Total*** | ***Unit Price*** | ***Item Total*** | ***Unit Price*** | ***Item Total*** |
| 1 | 18-inch DIP | 1293 | LF | $400.00 | $517,200.00 | $700.00 | $905,100.00 | $483.17 | $624,738.81 | $600.00 | $775,800.00 | $475.00 | $614,175.00 | $645.00 | $833,985.00 | $735.00 | $950,355.00 |
| 2 | 18-inch FPVC | 335 | LF | $400.00 | $134,000.00 | $400.00 | $134,000.00 | $516.48 | $173,020.80 | $600.00 | $201,000.00 | $500.00 | $167,500.00 | $675.00 | $226,125.00 | $585.00 | $195,975.00 |
| 3 | Sta 10+00 Tie-In | 1 | LS | $25,000.00 | $25,000.00 | $22000.00 | $22,000.00 | $71,989.00 | $71,989.00 | $30,000.00 | $30,000.00 | $40,000.00 | $40,000.00 | $50,000.00 | $50,000.00 | $35,500.00 | $35,500.00 |
| 4 | Sta 18+20 Tie-In | 1 | LS | $15,000.00 | $15,000.00 | $12,000.00 | $12,000.00 | $23,788.00 | $23,788.00 | $35,000.00 | $35,000.00 | $40,000.00 | $40,000.00 | $59,000.00 | $59,000.00 | $29,800.00 | $29,800.00 |
| 5 | Sta 25+01 Tie-In | 1 | LS | $20,000.00 | $20,000.00 | $12,000.00 | $12,000.00 | $19,411.00 | $19,411.00 | $20,000.00 | $20,000.00 | $40,000.00 | $40,000.00 | $44,970.00 | $44,970.00 | $32,500.00 | $32,500.00 |
| 6 | Sta 25+90 Tie-In | 1 | LS | $20,000.00 | $20,000.00 | $12,000.00 | $12,000.00 | $39,325.00 | $39,325.00 | $15,000.00 | $15,000.00 | $40,000.00 | $40,000.00 | $49,000.00 | $49,000.00 | $30,000.00 | $30,000.00 |
| 7 | Sta 27+14 Tie-In | 1 | LS | $10,000.00 | $10,000.00 | $12,000.00 | $12,000.00 | $38,546.00 | $38,546.00 | $35,000.00 | $35,000.00 | $40,000.00 | $40,000.00 | $35,000.00 | $35,000.00 | $25,000.00 | $25,000.00 |
| 8 | 18" Gate Valve | 3 | EA | $25,000.00 | $75,000.00 | $19,000.00 | $57,000.00 | $25,027.33 | $75,081.99 | $30,000.00 | $90,000.00 | $15,000.00 | $45,000.00 | $31,500.00 | $94,500.00 | $25,200.00 | $75,600.00 |
| 9 | 16" Gate Valve | 2 | EA | $15,000.00 | $30,000.00 | $12,000.00 | $24,000.00 | $15,915.50 | $31,831.00 | $20,000.00 | $40,000.00 | $15,000.00 | $30,000.00 | $19,985.00 | $39,970.00 | $16,500.00 | $33,000.00 |
| 10 | 12" Gate Valve | 2 | EA | $5,000.00 | $10,000.00 | $4,500.00 | $9,000.00 | $5,433.00 | $10,866.00 | $8,000.00 | $16,000.00 | $15,000.00 | $30,000.00 | $6,975.00 | $13,950.00 | $6,500.00 | $13,000.00 |
| 11 | 8" Gate Valve | 1 | EA | $3,500.00 | $3,500.00 | $2,000.00 | $2,000.00 | $3,454.00 | $3,454.00 | $5,000.00 | $5,000.00 | $7,500.00 | $7,500.00 | $3,800.00 | $3,800.00 | $12,500.00 | $12,500.00 |
| 12 | 18" Flexible Expansion Joint | 2 | EA | $30,000.00 | $60,000.00 | $30,000.00 | $60,000.00 | $70,837.00 | $141,674.00 | $40,000.00 | $80,000.00 | $12,500.00 | $25,000.00 | $48,500.00 | $97,000.00 | $46,000.00 | $92,000.00 |
| 13 | 1" Service Connection | 1 | EA | $5,000.00 | $5,000.00 | $4,000.00 | $4,000.00 | $4,970.00 | $4,970.00 | $4,000.00 | $4,000.00 | $5,000.00 | $5,000.00 | $8,800.00 | $8,800.00 | $6,500.00 | $6,500.00 |
| 14 | Water Main Abandonment | 1 | LS | $10,000.00 | $10,000.00 | $7,000.00 | $7,000.00 | $18,375.00 | $18,375.00 | $6,000.00 | $6,000.00 | $7,500.00 | $7,500.00 | $16,000.00 | $16,000.00 | $11,800.00 | $11,800.00 |
| 15 | 12-inch Pipe Reconnect | 1 | LS | $15,000.00 | $15,000.00 | $6,000.00 | $6,000.00 | $13,781.00 | $13,781.00 | $20,000.00 | $20,000.00 | $20,000.00 | $20,000.00 | $40,000.00 | $40,000.00 | $26,000.00 | $26,000.00 |
| 16 | Sta 24+74 Utility Undercrossing | 1 | LS | $12,000.00 | $12,000.00 | $20,000.00 | $20,000.00 | $54,596.00 | $54,596.00 | $60,000.00 | $60,000.00 | $7,500.00 | $7,500.00 | $38,800.00 | $38,800.00 | $45,000.00 | $45,000.00 |
| 17 | 2" Combination Air Valve | 1 | EA | $10,000.00 | $10,000.00 | $8,000.00 | $8,000.00 | $11,084.00 | $11,084.00 | $9,000.00 | $9,000.00 | $10,000.00 | $10,000.00 | $20,000.00 | $20,000.00 | $8,000.00 | $8,000.00 |
| 18 | CP Test Station | 1 | EA | $2,000.00 | $2,000.00 | $750.00 | $750.00 | $1,805.00 | $1,805.00 | $3,000.00 | $3,000.00 | $10,000.00 | $10,000.00 | $2,500.00 | $2,500.00 | $5,200.00 | $5,200.00 |
| 19 | Vertical Depth Adjustment (0 ft to 2 ft) | 50 | LF | $100.00 | $5,000.00 | $25.00 | $1,250.00 | $47.44 | $2,372.00 | $50.00 | $2,500.00 | $1,500.00 | $75,000.00 | $180.00 | $9,000.00 | $590.00 | $29,500.00 |
| 20 | Vertical Depth Adjustment (2 ft to 4 ft) | 50 | LF | $150.00 | $7,500.00 | $50.00 | $2,500.00 | $82.06 | $4,103.00 | $50.00 | $2,500.00 | $1,500.00 | $75,000.00 | $215.00 | $10,750.00 | $700.00 | $35,000.00 |
| 21 | Vertical Depth Adjustment (4 ft to 6 ft) | 50 | LF | $200.00 | $10,000.00 | $75.00 | $3,750.00 | $153.56 | $7,678.00 | $50.00 | $2,500.00 | $1,800.00 | $90,000.00 | $310.00 | $15,500.00 | $875.00 | $43,750.00 |
| 22 | Vertical Depth Adjustment (6 ft to 8 ft) | 50 | LF | $250.00 | $12,500.00 | $100.00 | $5,000.00 | $213.19 | $10,659.50 | $50.00 | $2,500.00 | $2,000.00 | $100,000.00 | $400.00 | $20,000.00 | $1,125.00 | $56,250.00 |
| 23 | Cobble Paving | 840 | SF | $20.00 | $16,800.00 | $20.00 | $16,800.00 | $22.15 | $18,606.00 | $50.00 | $42,000.00 | $100.00 | $84,000.00 | $65.00 | $54,600.00 | $32.00 | $26,880.00 |
| 24 | Curb & Gutter | 110 | LF | $100.00 | $11,000.00 | $85.00 | $9,350.00 | $88.37 | $9,720.70 | $150.00 | $16,500.00 | $50.00 | $5,500.00 | $200.00 | $22,000.00 | $185.00 | $20,350.00 |
| 25 | Sidewalk | 100 | SF | $50.00 | $5,000.00 | $25.00 | $2,500.00 | $93.55 | $9,355.00 | $50.00 | $5,000.00 | $20.00 | $2,000.00 | $150.00 | $15,000.00 | $82.00 | $8,200.00 |
| 26 | Traffic Sign | 3 | EA | $2,000.00 | $6,000.00 | $500.00 | $1,500.00 | $983.67 | $2,951.01 | $1,200.00 | $3,600.00 | $15,000.00 | $45,000.00 | $1,500.00 | $4,500.00 | $1,166.56 | $3,499.68 |
| 27 | Striping / Markings | 1 | LS | $10,000.00 | $10,000.00 | $8,000.00 | $8,000.00 | $39,100.00 | $39,100.00 | $30,000.00 | $30,000.00 | $40,000.00 | $40,000.00 | $38,000.00 | $38,000.00 | $29,280.00 | $29,280.00 |
| 28 | Remove Pipe | 600 | LF | $50.00 | $30,000.00 | $25.00 | $15,000.00 | $45.39 | $27,234.00 | $20.00 | $12,000.00 | $300.00 | $180,000.00 | $74.00 | $44,400.00 | $68.00 | $40,800.00 |
| 29 | Remove SSMH | 2 | EA | $1,000.00 | $2,000.00 | $2,000.00 | $4,000.00 | $7,122.50 | $14,245.00 | $8,000.00 | $16,000.00 | $15,000.00 | $30,000.00 | $4,000.00 | $8,000.00 | $2,700.00 | $5,400.00 |
| 30 | Compaction Grouting | 1 | LS | $50,000.00 | $50,000.00 | $43,500.00 | $43,500.00 | $50,025.00 | $50,025.00 | $55,000.00 | $55,000.00 | $8,500.00 | $8,500.00 | $85,000.00 | $85,000.00 | $95,000.00 | $95,000.00 |
| 31 | Traffic Control Plan | 1 | LS | $100,000.00 | $100,000.00 | $49,000.00 | $49,000.00 | $41,142.00 | $41,142.00 | $155,000.00 | $155,000.00 | $30,000.00 | $30,000.00 | $5,000.00 | $5,000.00 | $75,000.00 | $75,000.00 |
| 32 | BMP's/Storm Water Pollution Control Plan | 1 | LS | $10,000.00 | $10,000.00 | $10,000.00 | $10,000.00 | $13,781.00 | $13,781.00 | $20,000.00 | $20,000.00 | $35,000.00 | $35,000.00 | $10,000.00 | $10,000.00 | $10,000.00 | $10,000.00 |
| 33 | Trench Shoring | 1 | LS | $30,000.00 | $30,000.00 | $75,000.00 | $75,000.00 | $28,109.00 | $28,109.00 | $150,000.00 | $150,000.00 | $150,000.00 | $150,000.00 | $7,750.00 | $7,750.00 | $45,000.00 | $45,000.00 |
| 34 | Turnout No. 1 Improvements | 1 | LS | $220,500.00 | $220,500.00 | $90,000.00 | $90,000.00 | $125,998.00 | $125,998.00 | $165,000.00 | $165,000.00 | $50,000.00 | $50,000.00 | $168,000.00 | $168,000.00 | $237,000.00 | $237,000.00 |
| **Total** | | | | | **$1,500,000.00** | | **$1,644,000.00** | | **$1,763,415.81** | | **$2,124,900.00** | | **$2,179,175.00** | | **$2,190,900.00** | | **$2,388,639.68** |

Corrected Bid Amount

**BERNAL AVENUE 18-INCH WATER MAIN (F-4 LINE) & TURNOUT NO. 1**
**CIP NO. 24172**
01/16/24

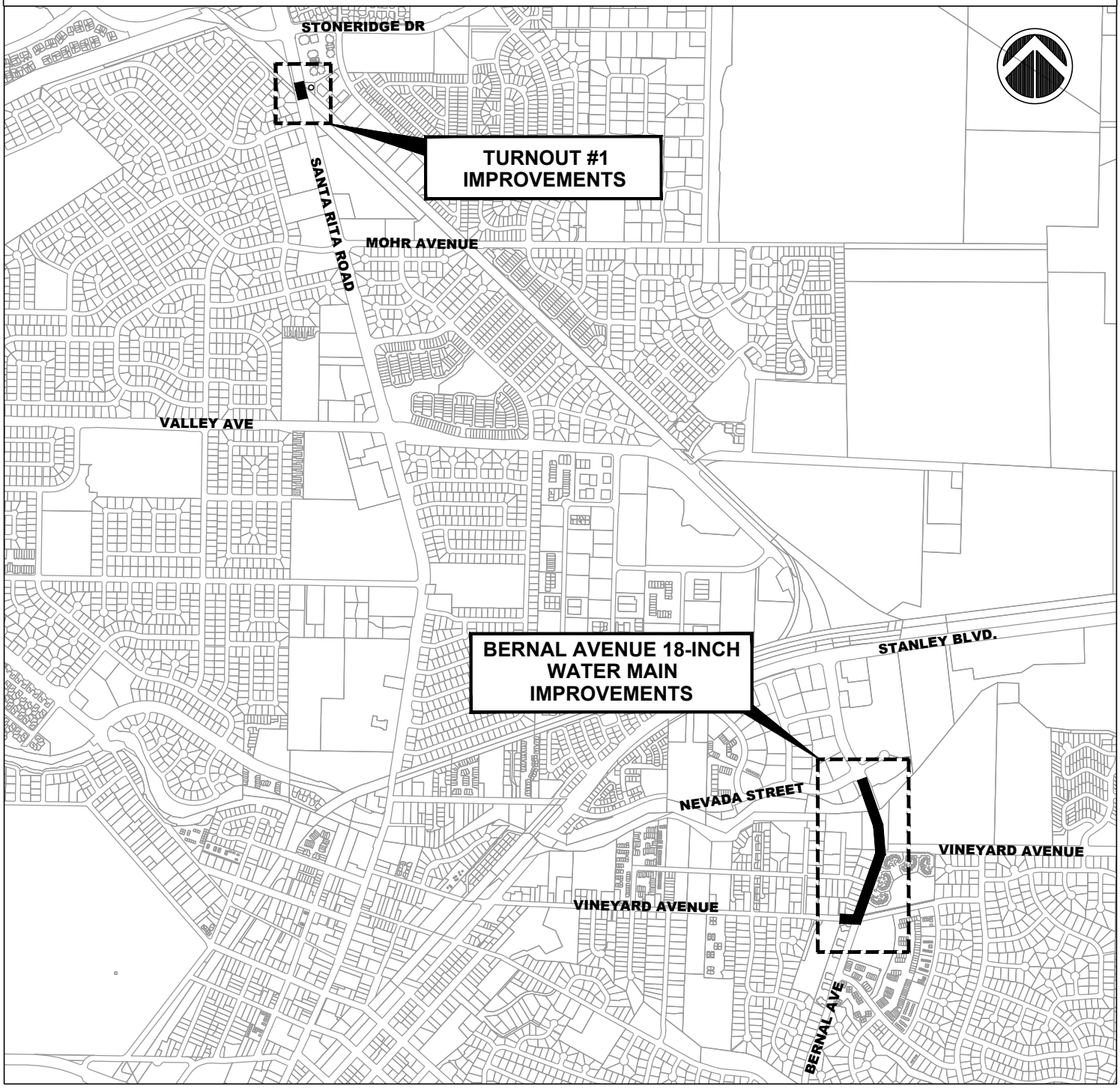
| **Project Funding to Date** | **Amount** | **Totals** |
|---|---|---|
| Bernal Avenue 18-inch Potable Water Main (F-4 Line), CIP 24172 | $133,000 | |
| **TOTAL PROJECT FUNDING TO DATE** | | **$133,000** |
| | | |
| **Project Expenditures to Date** | | |
| Pakpour Consulting Group, Design Contract | $99,110 | |
| **Total Project Expenditures to Date** | **$99,110** | |
| | | |
| **Anticipated Project Expenditures** | | |
| Advertising | $704 | |
| Golden State Construction & Utility, Inc. - Construction Contract | 1,644,000 | |
| Construction Contingency (approximately15%) | 247,000 | |
| City Furnished Material | 100,000 | |
| On-call Electrical and Controls Work (SD Electric) | 50,000 | |
| Replacement of Traffic Signal Loop Detectors | | |
| (St. Francis Electric - Traffic Signal Maintenance Contract) | 7,500 | |
| Materials Testing Services (BSK Associates) | 20,000 | |
| Design Services Remaining (Pakpour Consulting Group) | 22,106 | |
| Design Services During Construction (Pakpour Consulting Group) | 15,000 | |
| **TOTAL PROJECT EXPENDITURES** | | **$2,205,420** |
| | | |
| **Funding Balance/ (Shortfall)** | | |
| Current Balance | | **-$2,072,420** |

# CITY OF PLEASANTON

## PUBLIC WORKS DEPARTMENT

## BERNAL AVENUE 18-INCH WATER MAIN (F-4 LINE) AND TURNOUT NO.1 IMPROVEMENTS, CIP NO. 24172

LOCATION MAP




LOCATION MAP

NOT TO SCALE

CITY COUNCIL AGENDA REPORT

January 16, 2024
Public Works - Engineering Division

**TITLE: APPROVE PLANS AND SPECIFICATIONS, REVIEW BIDS, AND AWARD THE CONSTRUCTION CONTRACT FOR LIBRARY LIGHTING IMPROVEMENTS PROJECT, CIP NO. 23493 TO AMERICAN WHOLESALE LIGHTING OF LIVERMORE, CA, FOR THE LOW BID AMOUNT OF $997,212 AND AWARD A PROFESSIONAL SERVICES AGREEMENT TO DAHLIN GROUP, INC., FOR THE NOT-TO-EXCEED AMOUNT OF $21,350 FOR CONSTRUCTION SUPPORT SERVICES**

## SUMMARY

This project at the City's library, located at 400 Old Bernal Avenue, will replace the existing interior light fixtures and lighting control management system with LED lights and a new light control system. The current lighting control system does not function properly, individual light fixtures no longer work, and lights are left on overnight for fear of more fixture failures. By replacing the lighting fixtures, this project is intended to create a safer, brighter, and more inviting environment for library patrons, enhancing their library experience as well as address current issues. The library will remain open to staff and the public during construction. The project was designed, reviewed, and approved by City staff, and then competitively bid with five bids received on December 20, 2023. Staff recommends awarding the construction contract to the lowest responsible bidder, American Wholesale Lighting from Livermore, CA, for $997,212 and awarding a professional services agreement to Dahlin Group, Inc., for the not-to-exceed amount of $21,350 for construction support services.

## RECOMMENDATION

1. Approve plans and specifications, review bids, and award the construction contract for Library Lighting Improvements Project, CIP No. 23493 to American Wholesale Lighting of Livermore, CA, for the low bid amount of $997,212 and award a professional services agreement to Dahlin Group, Inc., for the not-to-exceed amount of $21,350 for construction support services
2. Authorize the City Manager to enter into the project contracts with American Wholesale Lighting and Dahlin Group, Inc.
3. Authorize the Director of Public Works to approve and execute contract change order(s) for a contingency amount not to exceed $150,000 (approximately 15 percent) that is included in the project’s funding.

## BACKGROUND

The City’s library was constructed in 1988. The building’s interior lighting controls were upgraded in 2011 to an automated lighting control system that continued to use the original aging fluorescent light fixtures. The lighting control system no longer functions properly and is a proprietary system that City staff cannot modify. The original manufacturer has been

acquired by a new company that has inspected the control system and can no longer service the equipment. This resulted in having to control lighting by turning off circuit breakers in the electrical panels. As individual light fixtures became non-functioning, the remaining lights were left on overnight for fear of losing more light fixtures.

In 2021, the Library Lighting Improvements Project was identified by staff as one of many library capital needs, including roof and window replacement, fire alarm upgrades, restroom upgrades, and new furniture. Design was started for the library roof, windows, lighting, and fire alarm under CIP No. 14408. Estimates exceeded CIP funding, and only the Library Roof Replacement Project proceeded to construction under CIP No. 14408.

On January 5, 2022, staff authorized a task authorization under an on-call agreement with Dahlin Group to provide design services for the library's lighting and interior improvements. At the time of design development, the new CIP No. 23493, funded from mid-term allocations, had not yet been established and the early design was charged to the related CIP No. 14408. After preliminary design estimates exceeded CIP funding, the interior improvements, such as furniture, restroom, and fire alarm upgrades, were excluded to create a standalone Library Lighting Improvements Project, CIP No. 23493.

Given current financial constraints, it is uncertain when the needed remaining interior improvements will be completed. Until additional revenues are secured, the City will prioritize critical projects related to health and safety and the deterioration of community assets. With that, in August 2023, Dahlin Group prepared a final cost estimate which projected that the project was within budget, and bid documents were prepared for lighting only. The project was publicly advertised on November 17, 2023, and the City Clerk received bids on December 20, 2023.

**DISCUSSION**

The Library Lighting Improvements Project plans prepared by Dahlin Group remove the proprietary lighting control system and provide a lighting control system used at other City facilities that staff can operate. The new system will better coordinate with the dimming capabilities of the new LED light fixtures, replacing the existing fixtures throughout the library and resulting in much better light quality, energy savings, and zone control. Dimming of LED fixtures also extends the standard 12-15 year life expectancy.

The project excludes lighting improvements within the staff office area because these lighting fixtures were upgraded to LED light fixtures in 2019 as part of the Pleasanton Library Staff Office and Storage Area Remodel Project, CIP No. 17750.

The current lighting quality in the library is inadequate due to many fixtures not working, with areas between stacks being dark in the winter months and in the evenings. This makes it difficult for patrons to browse library collections, read, and study, and library staff has reported difficulty in locating books and materials in dimmer sections.

The library will remain open to staff and the public during construction and maintain after-school programs for children and teens, as well as senior services and programs as the contract was developed to allow construction working hours Monday through Friday, 6:30 a.m. to 3 p.m. (earlier than City standards), so that work will not impact the heavier use of the library during after-school hours. Work in high-use areas (entry, restrooms) is restricted, making them

fully available to the public before the library opens at 10 a.m. Although the contractor is required to minimize dust and noise, it should be expected (due to the nature of the work) that there will be a minor impact on library patrons' enjoyment of the facility. While the library will remain open, multiple small crews working in the interior will sometimes close areas of the library to keep staff and the public safe. When closed, the contractor is required to focus work on the area so that it can be reopened as quickly as possible. The contractor will provide temporary lighting if the installation of new lighting fixtures requires the existing lights to be shut off.

Temporary screen fencing may be installed in front of the library to keep recycling bins, separate temporary facilities, and stage materials on a designated paved area that does not block access for the public. The contractor may place a small shipping container in the parking lot adjacent to Old Bernal Avenue to store fixtures ready to install in the project. All emergency egress doors will remain available, and public access via the main entry will be maintained. A portion of a small meeting room may be used to be used to store an electric lift out of public sight during non-construction hours. This will greatly improve the construction workflow and keep the equipment cleaner by not having to bring it in from outside each day.

To minimize the impact on the public due to delays waiting for materials to ship and supply chain concerns, the City will direct the awarded contractor to order materials prior to mobilizing on-site. Shortly after the City Council awards the construction contract and the professional services agreement, the contractor will submit materials for staff and the architect to review and release for fabrication. The contractor will also provide the material manufacture schedule and work with staff to identify a construction start date. The project plan is to release material fabrication in February 2024, mobilize for construction in April 2024, and complete work in June 2024.

Bids

Sealed bids for this project were publicly opened on December 20, 2023. Five bids were received, ranging from the low bid amount of $997,212 from American Wholesale Lighting to $1,297,489. The low bid is 9.3 percent lower than the Engineer's Estimate of $1.1 million (see Attachment 1). Past work performed by American Wholesale Lighting was verified to be satisfactory. Staff recommends awarding the construction contract to the lowest responsible bidder, American Wholesale Lighting.

Consultant Services

Professional services for construction administration will be provided under a new professional services agreement with Dahlin Group for the not-to-exceed amount of $21,350 (see Attachment 2). Dahlin Group provided the design and bidding services through a task authorization under an existing on-call agreement. That agreement ended December 31, 2023, and a new short-term agreement is needed to keep Dahlin Group providing construction support and as-built drawings as the architect of record for this project as it continues into 2024.

## EQUITY AND SUSTAINABILITY

Replacement of fluorescent light fixtures with LED lighting throughout the project supports the City's Climate Action Plan (CAP 2.0) reduction in community greenhouse gas emissions through the "Buildings and Energy Strategy BE-2, Improve energy consumption and efficiency." This is especially effective in a building where lighting is necessary for longer hours

than typical buildings. The new lighting control system will further support efficient buildings through better daylighting and dimming features. Another environmental benefit of this project is the elimination of fluorescent bulbs and their mercury vapor hazard, which must be disposed of properly and are a risk if broken.

## OUTREACH

No outreach was conducted during the lighting design, as this item is a routine matter of City business. Adjacent neighbors, the school district, and patrons will be given notice prior to the start of construction.

## STRATEGIC PLAN ALIGNMENT

Approval of this action advances the Citywide strategic goal of *Investing in Our Environment* identified in the recently approved ONE Pleasanton Strategic Plan. The Library Lighting Improvement Project will promote the effective use of existing facilities through repair with a focus on environmental stewardship. Strategy No. 1 is implemented with the construction of budgeted project CIP No. 23493; and Strategy No. 6 is implemented with the buildings and energy priority items from the Climate Action Plan 2.0.

## FISCAL IMPACT

This annual project is funded as part of Fiscal Year 2022/23 and received additional funding allocation in Fiscal Year 2023/24. The project's total programmed amount is $1,330,754. The total anticipated project expenditure is $1,270,470, including a 15 percent project contingency, design, and advertising cost. The funding and anticipated project expenditures are detailed in Attachment 3.

| Prepared by: | Submitted by: | Approved by: |
|---|---|---|
| Tom Mucha, Associate Civil Engineer/Architect | Norm Dorais, Director of Public Works | Gerry Beaudin, City Manager |

Attachments:

1. Bid Summary
2. Professional Services Agreement and Exhibit A
3. Financial Expenditure Summary

## Bid Summary

| | Bidder | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|---|
| **LibraryLighting Improvements Project, CIP No. 23493 Bid Opening: 12/20/2023** | | **American Wholesale Lighting Livermore, CA** | Collins Electrical Company Stockton, CA | Integra Constgruction Services Pleasanton, CA | Art's Construction Co Fresno, CA | CN O'Neill Electric Stockton, CA |
| **TOTAL BASE BID:** | | -9.3% **$997,211.59** | -1.7% $1,080,991.00 | 2.5% $1,127,000.00 | 17.6% $1,294,100.00 | 18.0% $1,297,489.37 |

### Bid Item List

| Item No. | Quantity (Approx) | Units | Item Description | Unit Price | Total | Unit Price | Total | Unit Price | Total | Unit Price | Total | Unit Price | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 497 | EA | Fixture Type A, LED | $742.39 | $368,967.83 | $1,161.00 | $577,017.00 | $1,500.00 | $745,500.00 | $2,150.00 | $1,068,550.00 | $1,304.72 | $648,445.84 |
| 2 | 74 | EA | Fixture Type B, LED | $808.55 | $59,832.70 | $1,551.00 | $114,774.00 | $2,000.00 | $148,000.00 | $2,000.00 | $148,000.00 | $1,662.87 | $123,052.38 |
| 3 | 1 | LS | Fixture Type C, (E) LED Control Integration | $7,479.09 | $7,479.09 | $2,823.00 | $2,823.00 | $5,000.00 | $5,000.00 | $1,000.00 | $1,000.00 | $22,775.48 | $22,775.48 |
| 4 | 1 | LS | Fixture Type D, (E) LED Control Integration | $2,493.03 | $2,493.03 | $5,585.00 | $5,585.00 | $5,000.00 | $5,000.00 | $1,000.00 | $1,000.00 | $12,875.88 | $12,875.88 |
| 5 | 13 | EA | Fixture Type E, LED | $767.09 | $9,972.17 | $931.00 | $12,103.00 | $1,000.00 | $13,000.00 | $600.00 | $7,800.00 | $927.66 | $12,059.58 |
| 6 | 5 | EA | Fixture Type F, LED | $9,573.24 | $47,866.20 | $755.00 | $3,775.00 | $3,000.00 | $15,000.00 | $750.00 | $3,750.00 | $696.57 | $3,482.85 |
| 7 | 8 | EA | Fixture Type G, LED | $2,493.03 | $19,944.24 | $2,025.00 | $16,200.00 | $3,000.00 | $24,000.00 | $750.00 | $6,000.00 | $2,585.83 | $20,686.64 |
| 8 | 34 | EA | Fixture Type H, LED | $879.89 | $29,916.26 | $1,075.00 | $36,550.00 | $1,500.00 | $51,000.00 | $1,500.00 | $51,000.00 | $870.43 | $29,594.62 |
| 9 | 2 | EA | Fixture Type I, LED | $25,927.53 | $51,855.06 | $2,822.00 | $5,644.00 | $1,375.00 | $2,750.00 | $500.00 | $1,000.00 | $1,676.53 | $3,353.06 |
| 10 | 2 | EA | Exterior Fixture Type X, surface mounted LED | $4,986.06 | $9,972.12 | $4,635.00 | $9,270.00 | $1,375.00 | $2,750.00 | $1,500.00 | $3,000.00 | $2,042.48 | $4,084.96 |
| 11 | 1 | LS | Lighting Controls | $219,386.76 | $219,386.76 | $292,868.00 | $292,868.00 | $100,000.00 | $100,000.00 | $2,500.00 | $2,500.00 | $385,403.01 | $385,403.01 |
| 12 | 1 | LS | Override Controller | $169,526.13 | $169,526.13 | $4,382.00 | $4,382.00 | $15,000.00 | $15,000.00 | $500.00 | $500.00 | $31,675.07 | $31,675.07 |

ATTACHMENT 1

ATTACHMENT 2

- ❑ Exhibits A & B
- ❑ Certificate(s) of Insurance
- ❑ Professional Liability Insurance
- ❑ W-9

# DESIGN PROFESSIONAL SERVICES AGREEMENT

THIS DESIGN PROFESSIONAL SERVICES AGREEMENT ("Agreement") is entered into January 1, 2024, between the City of Pleasanton, a municipal corporation ("City"), and Dahlin Group, Inc whose address is 5865 Owens Drive, Pleasanton, California 94588, and telephone number is (925) 251-7200 ("Consultant").

*RECITALS*

A. Consultant is qualified and experienced in providing General Architectural services for the purposes specified in this Agreement.

B. City finds it necessary and advisable to use the services of Consultant for the purposes provided in this Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions in this Agreement, City and Consultant agree as follows:

1. **Consultant's Services**. Consultant shall diligently perform the services described in Exhibit A, Scope of Services, attached and incorporated to the extent consistent with this Agreement.

2. **City Assistance**. In order to assist Consultant in this work, City shall provide, if necessary, archive drawings and reports, related to existing City's facilities, with no guarantee as to the accuracy of the archive drawings, City's standard specifications and design guides, answering non-technical questions, reviewing consultant's deliverables, and providing comments and direction in a timely manner.

3. **Staff**. Consultant shall assign Stephanie Fujimura to serve as Project Manager, who may not be replaced without written consent of City.

4. **Term**. The term of this agreement shall run from January 1, 2024, to August 31, 2024, to complete the Scope of Services described in Exhibit A.

5. **Compensation**. For the services to be rendered, City shall pay Consultant time and material basis and hourly rates as described more particularly in Exhibit A, which is attached and incorporated to the extent consistent with this Agreement. Payment shall be made on a monthly basis upon receipt and approval of Consultant's invoice. Total compensation for services and reimbursement for costs shall not exceed the Total Professional Fees described in Exhibit A unless the parties agree pursuant to Section 8, below.

a. Invoices submitted to City must contain City's contract reference number, a brief description of work performed, hours and rates billed, and percentage of phase of work completed. Payment shall be made within thirty (30) days of receipt of Consultant's invoice.

b. Upon completion of work and acceptance by City, Consultant shall have sixty (60) days in which to submit final invoicing for payment. An extension may be granted by City upon receiving a written request thirty (30) days in advance of said time limitation. The City shall have no obligation or liability to pay any invoice for work performed which the Consultant fails or neglects to submit within sixty (60) days, or any extension thereof granted by the City, after the work is accepted by the City.

6. **Sufficiency of Consultant's Work**.

a. Services shall be performed by Consultant in accordance with generally accepted high professional practices and principles and in a manner consistent with a high level of care and skill ordinarily exercised under similar conditions by members of Consultant's profession currently practicing in California. By delivery of completed work, Consultant certifies that the work conforms to the requirements of this Agreement and all applicable federal, state, and local laws and a high professional standard of care in California.

b. Consultant is responsible for making an independent evaluation and judgment of all conditions affecting performance of the work, including without limitation site conditions, existing facilities, seismic, geologic, soils, hydrologic, geographic, climatic conditions, applicable federal, state, and local laws and regulations, and all other contingencies or design considerations. Data, calculations, opinions, reports, investigations, and other similar information provided by the City relating to site, local, or other conditions is not warranted or guaranteed, either expressly or implied, by the City.

c. Consultant's responsibilities under this section shall not be delegated. Consultant shall be responsible to the City for acts, errors, or omissions of Consultant's subconsultants.

d. Whenever the scope of work requires or permits review, approval, conditional approval or disapproval by the City, it is understood that such review, approval, conditional approval or disapproval is solely for the purposes of administering this Agreement and determining whether the Consultant is entitled to payment for such work, and not be construed as a waiver of any breach or acceptance by the City of any responsibility, professional or otherwise, for the work, and does not relieve the Consultant of responsibility for complying with the standard of performance or laws, regulations, industry standards, or from liability for damages caused by negligent acts, errors, omissions, noncompliance with high industry standards, or the willful misconduct of Consultant.

7. **Ownership of Work**. All reports, work data, plans, drawings, specifications, designs, photographs, images, works of authorship and all other documents completed or partially completed by Consultant in the performance of this Agreement ("materials") shall become the property of City. Consultant agrees that all copyrights which arise from creation of the work pursuant to this Agreement shall be vested in the City, and Consultant waives and relinquishes all claims to copyright or other intellectual property rights in favor of the City. All materials shall be delivered to the City upon completion or termination of the work under this Agreement. If any materials are lost, damaged, or destroyed before final delivery to the City, the Consultant shall replace them at its own expense. Any and all copyrightable subject matter in all materials is hereby assigned to the City and the Consultant agrees to execute any additional documents that may be necessary to evidence such assignment. Consultant shall keep materials confidential, and

the materials shall not be used for purposes other than performance of services under this Agreement and shall not be disclosed to anyone not connected with these services unless the City provides prior written consent.

8. **Changes**. City may request changes in the scope of services to be provided by Consultant. Any changes and related fees shall be mutually agreed upon between the parties and subject to a written amendment to this Agreement.

9. **Consultant's Status**. In performing the obligations set forth in this Agreement, Consultant shall have the status of an independent contractor and Consultant shall not be considered an employee of the City for any purpose. All persons working for or under the direction of Consultant are its agents and employees and are not agents or employees of City.

10. **Labor Code/Prevailing Wages**. To the extent applicable, Consultant shall comply with the requirements of the California Labor Code including but not limited to hours of labor, nondiscrimination, payroll records, apprentices, workers' compensation, and payment of prevailing wages as determined by Director of the California Department of Industrial Relations. Consultant shall post, at each job site, a copy of the prevailing rate of per diem wages. Consultant shall forfeit fifty dollars ($50.00) for each calendar day or portion thereof for each worker paid less than the stipulated prevailing rates for any public work done under the Agreement by it or by any subconsultant.

11. **Termination of Convenience of City**. The City may terminate this Agreement at any time by mailing a notice in writing to Consultant. The Agreement shall then be deemed terminated, and no further work shall be performed by Consultant. If the Agreement is so terminated, the Consultant shall be paid for that percentage of the work actually completed at the time the notice of termination is received.

12. **Non-Assignability**. The Consultant shall not assign, sublet, or transfer this Agreement or any interest or obligation in the Agreement without the prior written consent of the City, and then only upon such terms and conditions as City may set forth in writing. Consultant shall be solely responsible for reimbursing subconsultants.

13. **Indemnity and Hold Harmless**. To the fullest extent permitted by law (including, without limitation, California Civil Code §§ 2782, 2782.6 and 2782.8), Consultant shall defend (with legal counsel reasonably acceptable to the City), indemnify, and hold harmless, the City and its officers, agents and employees (collectively "Indemnitees") from and against any and all claims, loss, cost, damage, injury (including, without limitation, injury to or death of an employee of Consultant or its Subconsultants), expense, and liability of every kind, nature and description (including, without limitation, incidental and consequential damages, court costs, attorneys' fees, litigation expenses and fees of expert consultants or expert witnesses incurred in connection therewith and costs of investigation) arising from, or alleged to have arisen from, pertain to, or relate to, directly or indirectly, in whole or in part, the negligence, reckless, or willful misconduct of the Consultant, any Subconsultant, anyone directly or indirectly employed by them, or anyone that they control (collectively "Liabilities") in the performance of its services under this Agreement, regardless of whether the City has reviewed or approved the work or services which has given rise to the claim, loss, cost, damage, injury or liability for damages. This indemnification shall extend for a reasonable period of time after completion of the project as well as during the period of actual performance of services under this Agreement. The City's

acceptance of the insurance certificates required under this Agreement does not relieve the Consultant from its obligation under this paragraph. To the extent that there is an obligation to indemnify under this Section 13, Consultant shall be responsible for incidental and consequential damages resulting directly or indirectly, in whole or in part, from Consultant's negligence, reckless or willful misconduct.

Such obligations to defend, hold harmless and indemnify any Indemnitee shall not apply to the extent such Liabilities are caused by the sole negligence, active negligence, or willful misconduct of such Indemnitee. Obligation to defend shall be proportionate as to Consultant's percentage of fault as provided in California Civil Code § 2782.8.

14. **Insurance**. During the term of this Agreement, Consultant shall maintain in full force and effect, at its own cost and expense, insurance coverages with insurers with an A.M. Best's rating of no less than A:VII. Consultant shall have the obligation to furnish City, as additional insured, the minimum coverages identified below, or such greater or broader coverage for City, if available in the Consultant's policies:

a. General Liability and Bodily Injury Insurance. Commercial general liability insurance with limits of at least $2,000,000 combined limit for bodily injury and property damage that provides that the City, its officers, employees, and agents are named additional insureds under the policy. The policy shall state in writing either on the Certificate of Insurance or attached rider that this insurance will operate as primary insurance for work performed by Consultant and its subconsultants, and that no other insurance effected by City or other named insured will be called on to cover a loss.

b. Automobile Liability Insurance. Automobile liability insurance with limits not less than $2,000,000 per person/per occurrence.

c. Workers' Compensation Insurance. Workers' Compensation Insurance for all of Consultant's employees, in strict compliance with State laws, including a waiver of subrogation and Employer's Liability Insurance with limits of at least $1,000,000.

d. Professional Liability Insurance. Professional liability insurance in the amount of $2,000,000.

e. Certificate of Insurance. Consultant shall file a certificate of insurance with the City prior to the City's execution of this Agreement, and prior to engaging in any operation or activity set forth in this Agreement. The Certificate of Insurance shall provide in writing that the insurance afforded by this Certificate shall not be suspended, voided, canceled, reduced in coverage or in limits without providing notice to the City in accordance with California Insurance Code section 677.2 which requires the notice of cancellation to: 1) include the effective date of the cancellation; 2) include the reasons for the cancellation; and 3) be given at least 30 days prior to the effective date of the cancellation, except that in the case of cancellation for nonpayment of premiums or for fraud, the notice shall be given no less than 10 days prior to the effective date of the cancellation. Notice shall be sent by certified mail, return receipt requested. In addition, the insured shall provide thirty (30) days prior written notice to the City of any cancellation, suspension, reduction of coverage or in limits, or voiding of the insurance

coverage required by this agreement. The City reserves the right to require complete certified copies of policies.

f. Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against the City, its officers, employees, and agents.

g. Defense Costs. Coverage shall be provided on a "pay on behalf of" basis, with defense costs payable in addition to policy limits. There shall be no cross liability exclusions. These requirements do not apply to Professional Liability.

h. Subconsultants. Consultant shall include all subconsultants as insured under its policies or shall furnish separate certificates and endorsements for each subconsultant. All coverages for subconsultants shall be subject to all of the requirements stated in this Agreement, including but not limited naming additional insureds.

15. **Notices**. All notices herein required shall be in writing and shall be sent by certified or registered mail, postage prepaid, addressed as follows:

| | | |
|---|---|---|
| **To Consultant:** | **Gregor Markel**<br>Dahlin Group, Inc<br>5865 Owens Drive<br>Pleasanton, CA 94588 | **To City:** City Manager<br>City of Pleasanton<br>123 Main Street, P.O. Box 520<br>Pleasanton, CA 94566 |

16. **Conformance to Applicable Laws**. Consultant shall comply with all applicable Federal, State, and Municipal laws, rules, and ordinances. Consultant shall not discriminate in the employment of persons or in the provision of services under this Agreement on the basis of any legally protected classification, including race, color, national origin, ancestry, sex, or religion of such person.

17. **Licenses, Certifications, Copyrights and Permits**. Prior to the City's execution of this Agreement and prior to the Consultant's engaging in any operation or activity set forth in this Agreement, Consultant shall obtain a City of Pleasanton business license, which must be kept in effect during the term of this Agreement. Consultant represents that its work will not unlawfully infringe any other copyrighted work. Consultant covenants that it has obtained all certificates, licenses, permits and the like required to perform the services under this Agreement.

18. **Records and Audits**. Consultant shall maintain all records regarding this Agreement and the services performed for a period of three years from the date that final payment is made. At any time during normal business hours, the records shall be made available to the City to inspect and audit.

19. **Confidentiality**. Consultant shall exercise reasonable precautions to prevent the unauthorized disclosure and use of City reports, information, or conclusions.

20. **Conflicts of Interest**. Consultant covenants that other than this Agreement, Consultant has no financial interest with any official, employee or other representative of the City. Consultant and its principals do not have any financial interest in real property, sources of income or

investment that would be affected in any manner by the performance of Consultant's services under this Agreement. If such an interest occurs, Consultant will immediately notify the City.

21. **Waiver**. In the event either City or Consultant at any time waive any breach of this Agreement by the other, such waiver shall not constitute a waiver of any other or succeeding breach of this Agreement, whether of the same or of any other covenant, condition, or obligation.

22. **Governing Law**. California law shall govern any legal action pursuant to this Agreement with venue in the applicable court or forum for Alameda County.

23. **Attorney's Fees**. The prevailing party in any action brought to enforce or construe the terms of this Agreement may recover from the other party its reasonable costs and attorney's fees expended in connection with such an action.

24. **No Personal Liability**. No official or employee of City shall be personally liable to Consultant in the event of any default or breach by the City or for any amount due Consultant.

25. **Counterparts and Electronic Signatures**. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement. Counterparts may be delivered via facsimile, electronic mail (including pdf or any electronic signature complying with U.S. federal E-Sign Act of 2000 (15 U.S. Code §7001 et seq.), California Uniform Electronic Transactions Act (Cal. Civil Code §1633.1 et seq.), or other applicable law), or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes.

26. **Scope of Agreement**. This writing constitutes the entire Agreement between the parties. Any modification to the Agreement shall be in writing and signed by both parties.

THIS AGREEMENT is executed on the date first above written.

| **CITY OF PLEASANTON** | | **CONSULTANT** |
|---|---|---|
| _____ | By: | _____ |
| Gerry Beaudin, City Manager | | Gregor Markel, Senior Principal / VP |
| ATTEST: | | |
| _____ | | _____ |
| Jocelyn Kwong, City Clerk | | Tim M. Williams, CFO |
| Approved as to form: | | |
| _____ | | |
| Daniel G. Sodergren, City Attorney | | |

*[If Consultant is a corporation, signatures must comply with California Corporations Code §313]*
Rev. 11/23

## EXHIBIT A TO OWNER'S AGREEMENT

Dahlin Group, Inc. ("DAHLIN") will provide design services to **CITY OF PLEASANTON** ("OWNER"), for the **LIBRARY LIGHTING CONSTRUCTION SUPPORT** ("PROJECT") in **PLEASANTON**, California ("CITY") based on the following Project Description, Scope of Services, and Compensation noted herein, including the terms and conditions set forth in the OWNER's Agreement dated _____.

| | | | |
|---|---|---|---|
| **PROJECT NAME:** | LIBRARY LIGHTING CONSTRUCTION SUPPORT | **AGREEMENT DATE:** | December 21, 2023 |
| **DAHLIN PROJECT ID:** | P_2023_414 | | |
| **ARCHITECT:** | DAHLIN GROUP, INC. | **OWNER:** | CITY OF PLEASANTON |
| **OFFICE ADDRESS:** | 5865 Owens Drive<br>Pleasanton, CA 94588 | **ADDRESS:** | 123 Main Street<br>Pleasanton, CA 94566 |
| **BILLING ADDRESS:** | 5865 Owens Drive<br>Pleasanton, CA 94588 | | |
| **REPRESENTATIVE:** | Stephanie Fujimura, AIA LEED AP<br>Principal / Senior Architect | **REPRESENTATIVE:** | Adam Nelkie<br>Pleasanton, CA 94566 |
| **PHONE:** | 925-251-7200 | **PHONE:** | 925-931-5657 |
| **EMAIL:** | stephanie.fujimura@dahlingroup.com | **EMAIL:** | anelkie@cityofpleasanton.gov |

### I. PROJECT DESCRIPTION

A. **Location and Site Description**:
Pleasanton Main Library
400 Old Bernal Ave
Pleasanton, CA 94566

B. **General Project Description**: Interior renovation of the existing Library.
1. Interior Renovations of the existing Library Building are to include:
   a. Interior light Replacement
   b. Interior lighting controls and system replacement
   c. Existing ceiling patch and repair as needed

Scope is based on previously completed Project Drawings -see OWNER's Purchase Order: B-616

C. **Project Consultants**: Electrical Engineering services are included in the Scope of this Agreement.

D. **Statement of Probable Cost**:
DAHLIN is not responsible for providing Construction Cost Estimation services on PROJECT. Any review and/or evaluations of cost data, budgets, or estimates will not be interpreted as DAHLIN's approval and/or ratification of such costs, budgets or estimates.

E. **Project Schedule**: Unknown at time of this Agreement.

F. **Design and Construction Approaches:**
Design-Bid-Build

G. **Code Cycle**: The design and construction documents shall be based upon applicable sections of the current (as of the date of this Fully Executed Agreement) code and local regulations.

H. **Green Building Requirements**:
It is not anticipated that PROJECT will be submitted to any outside certification / awarding parties for independent review, such as LEED, WELL, NZE, or Green Globes.

## II. SCOPE OF SERVICES

A. **PHASE 10.00 – PRE-DESIGN AND ASSESSMENT** – *Not included in this agreement*
B. **PHASE 10.01 - PROGRAMMING AND CONCEPT DESIGN** – *Not included in this agreement*
C. **PHASE 10.02 COMMUNITY & STAKEHOLDER OUTREACH** – *Not included in this agreement*
D. **PHASE 30.0 - SCHEMATIC DESIGN** – *Not included in this agreement*
E. **PHASE 30.1 - DESIGN REVIEW SUBMITTAL DOCUMENTS** – *Not included in this agreement*
F. **PHASE 30.3 - DESIGN REVIEW REVISIONS** – *Not included in this agreement*
G. **PHASE 40.0 - DESIGN DEVELOPMENT** – *Not included in this agreement*
H. **PHASE 50.0 - CONSTRUCTION DOCUMENTS** – *Not included in this agreement*
I. **PHASE 50.2 - GOVERNMENT AND AGENCY PLAN REVIEW** – *Not included in this agreement*
J. **PHASE 60.0 – BIDDING** – *Not included in this agreement*

### K. PHASE 70.0 - CONSTRUCTION ADMINISTRATION

1. Prior to start of Construction, DAHLIN, OWNER, and General Contractor will have a pre-construction meeting to establish expectations for performance of Construction Administration and the scope of services described below. If the scope of services described below for Construction Administration are adjusted during or after this meeting, Additional Services may be required.

2. As the PROJECT proceeds into Construction, DAHLIN will provide Construction Administration services, limited to one hundred twenty (100) hours of professional services. The scope and fee herein are based on an estimated three (3) month construction period. Services required beyond that period and/or beyond the estimated hours are Additional Services. Scope may include:

   a. Interpretation of the documents and responding to Requests for Information (RFI's);
   b. Reviewing and processing submittals limited to;
      i. Review of initial submittal and <u>one</u> (<u>1</u>) re-submittal per product or material classification.
      ii. Additional review of submittals are Additional Service.
   c. Issuing ASI's and processing Change Orders as requested by CITY;
   d. Construction Project meetings and site visits limited to:
      i. Up to two (<u>2</u>) onsite meetings
      ii. Up to one (<u>1</u>) onsite meeting and <u>one</u> (1) punch list site visits by DAHLIN's Consultants, per discipline.
   e. PROJECT Completion:
      i. DAHLIN will provide up to one (1) onsite visits for punch. Backpunch (2nd+ rounds) are not included;
      ii. One (1) site visit (each) to determine date of Substantial Completion and Final Completion.

### L. PHASE 70.1 – AS DESIGN DRAWINGS

1. Compilation of DAHLIN's designs for PROJECT including the original Construction Documents plus all addenda, Architect's Supplemental Instructions, Change Orders, Construction Change Directives and minor changes in the work as appropriate to reflect the design changes

2. Incorporation of Contractor's redlines and field changes to the Design Documents can be provided as an additional service.

## III. COMPENSATION

### A. FEE SUMMARY

| SCOPE OF SERVICES | HOURLY ESTIMATE |
|---|---|
| II.B.1 PH 70.0 – CONSTRUCTION ADMINISTRATION | $20,350 |
| II.B.2 PH 70.1 – AS DESIGN DRAWINGS | $1,000 |
| **TOTAL PROFESSIONAL FEES (HOURLY FEE ESTIMATE):** | **$21,350** |

### B. BILLING AND PAYMENT

1. Compensation may be subject to renegotiation if:
   a. Agreement is not signed by both parties (fully executed) within six (6) weeks of the date of this Agreement; or
   b. Work is stopped for more than sixty (60) days; or
   c. Design Development starts beyond 18 months of the date of this Agreement.

2. Invoices shall be based on the percentage of completion of the contract (Fixed Fee) or hours spent (Hourly Estimate), as well as expenses, and shall be issued monthly via email to the Project Representative indicated in this Agreement. Invoices are due upon presentation. Wire transfer or ACH information (including changes) must be verified through phone confirmation with DAHLIN's CFO, Tim Williams at 925-251-7212, any deviation from this is at OWNER's sole risk. OWNER shall review invoices and contact DAHLIN within seven (7) days if there are any questions or problems that would delay payment. Invoices become delinquent if not paid within 30 days of invoice date. Services may be suspended if not paid within 45 days, and DAHLIN shall not be liable to OWNER for delay or damage resulting to OWNER due to such suspension of services. Past due invoices are subject to a late charge of 1.5 percent per month.

### C. 2023 BASIC HOURLY RATE SCHEDULE

| | |
|---|---|
| President, Vice President, Founder | $300 |
| Principal, Director, Senior Principal, Senior Director | $210 - $270 |
| Senior - Architect, Designer, Project Manager, Planner, Interior Designer, Project Specialist | $190 - $200 |
| Architect, Designer, Project Manager, Planner, Multimedia Designer, Project Specialist | $160 - $180 |
| Job Captain, Interior Designer, Planner | $130 - $160 |
| Designer/Drafter | $100 - $125 |
| Administration | $ 85 - $125 |

Rates effective through December 31, 2023 and may be adjusted annually

Approved this date: _____
(Filled in by OWNER)

CITY OF PLEASANTON

_____
Adam Nelkie
Senior Civil Engineer

DAHLIN GROUP, INC.

_____
Stephanie Fujimura, AIA LEED AP
Principal / Senior Architect
License #C36523 and Exp. 03/21/2025

**END OF EXHIBIT A**

**LIBRARY LIGHTING IMPROVEMENTS PROJECT**
**CIP NO. 23493**
01/16/24

| **Project Funding to Date** | **Amount** | **Totals** |
|---|---|---|
| 2022-23 CIP Allocation - Public Facilities Impact Fee (Fund 203) | $68,000 | |
| 2022-23 CIP Allocation - Miscellaneous CIP - General Fund (Fund 201) | $332,000 | |
| 2023-24 CIP Allocation - Miscellaneous CIP - General Fund (Fund 201) | $900,000 | |
| *Dahlin Group, Inc. - Design for Interior & Lighting under CIP No. 14408 | $30,754 | |
| **SUBTOTAL FUNDING TO DATE** | | **$1,330,754** |
| | | |
| **Project Expenditures to Date** | | |
| Dahlin Group, Inc. - Design for Interior & Lighting under CIP No. 14408 | $30,754 | |
| Dahlin Group, Inc. - Design & Bidding costs under CIP No. 23493 | 31,531 | |
| Miscellaenous Expenses (Preconstruction Costs) | 9,923 | |
| **Total Project Expenditures to Date** | **$72,208** | |
| | | |
| **Anticipated Project Expenditures** | | |
| Advertising Cost | $800 | |
| Dahlin Group, Inc. - Construction support services (New Contract) | 21,350 | |
| Dahlin Group, Inc. - Remaining Encumbrance for Design & Bidding | 28,900 | |
| American Wholesale Lighting - Construction Contract | 997,212 | |
| Construction Contingency (approx. 15%) | 150,000 | |
| **Anticipated Project Expenditures** | **$1,198,262** | |
| | | |
| **TOTAL PROJECT EXPENDITURES** | | **$1,270,470** |
| | | |
| **Funding Balance/ (Shortfall)** | | |
| Project Balance | | **$60,284** |

CITY COUNCIL AGENDA REPORT

January 16, 2024
City Manager

**TITLE: RECEIVE AN UPDATE ON THE DIVERSITY, EQUITY, INCLUSION AND BELONGING IMPLEMENTATION PLAN**

## SUMMARY

In 2022, the City Council authorized staff to complete a diversity, equity, inclusion and belonging (DEIB) study customized to the specific needs and culture of the City organization. This study advances the City Council priority of developing a Diversity, Equity, and Inclusion (DEI) Strategic Plan to create an effective and sustainable culture of equity and belonging. Since then, staff has undertaken steps to advance this critical work, including completing a City organization-wide DEIB study, convening a task force of City staff, developing recommendations and an action plan, and engaging a DEI consultant to continue the implementation work. Staff will present an update on the status of the work to date and next steps.

## RECOMMENDATION

Receive an update on the diversity, equity, inclusion and belonging implementation plan

## BACKGROUND

Development of a Diversity, Equity, and Inclusion (DEI) Strategic Plan was included in the Fiscal Year 2019/20 City Priorities Work Plan. While temporarily delayed due to the pandemic, this work was restarted in 2022 to address the priority, which stated that the DEI strategic plan would “identify, analyze and address equity gaps in [City] services…and establish appropriate benchmarks, programs, policies and implementation strategies and systems to lift up all populations in our community.”

In November 2022, the City Council authorized staff to hire MGT of America Consulting, LLC (MGT) to conduct a City organization-wide DEIB assessment. This assessment included a staff survey, focus groups, and an evaluation of City policies to identify strengths and challenges regarding the City’s organizational culture which culminated in assessment findings and a series of recommendations. In Spring 2023, those recommendations were used to develop a City DEI Action Plan (Attachment 1) with the input and collaboration of a working group of 21 staff members.

## DISCUSSION

The City's DEI Action Plan outlines four strategic priorities:

1. **Embed a culture of diversity, equity, and inclusion in the fabric of all City of Pleasanton work.** This priority includes foundational tasks to build an organizational culture of DEIB, including: engaging staff in development of DEI mission, goals, and values; committing adequate resources (staff, budget) to the work; establishing a permanent internal DEI committee; and developing a DEI behavior code and dashboard

to report progress.

2. **Create and implement a comprehensive DEI training plan with participation from all staff members.** This priority focuses on developing and promoting DEIB resources and toolkits, including accountability measures such as performance management to enhance the City's culture of DEIB.
3. **Strengthen talent recruitment, selection, development, and retention.** This priority aligns with the City's focus on becoming the employer of choice for the region, by evaluating and strengthening current practices around hiring and recruitment to attract top talent, maximize retention and support employee growth.
4. **Align external-facing work with Pleasanton's DEI mission, core values, and strategic plan.** This priority seeks to ensure that the City's external work and services reflect these DEIB principles, including community engagement and communication.

To advance this work staff recommended and the City Council authorized funding for a DEI manager position in the two-year budget; however, the City Manager has held back on funding this position as we continue to evaluate the City's budget. To maintain forward progress on this important initiative, the City has contracted with Dr. Lamont Browne of Triangle Advising Group, to provide DEI consulting services from December 2023 through June 2024. Dr. Browne will provide expert guidance, support, and leadership, including creating and leading a City DEIB Taskforce and DEIB Council to implement the DEI Action Plan. Building the framework to embed DEIB best practices in the City organization is an essential step toward continuously improving the organization's ability to deliver quality services to the public by hiring and retaining top talent.

## EQUITY AND SUSTAINABILITY

This program is aligned with the City's equity goals and the City Council priority to develop a City DEI Strategic Plan, the implementation of which will advance a culture of equity and inclusion in the organization.

## OUTREACH

To develop the DEI Action Plan, staff and the consultant engaged with City staff in multiple formats, including a staff survey, focus groups, and input and collaboration with a working group of 21 staff members over a series of workshops to outline the strategic priorities.

## STRATEGIC PLAN ALIGNMENT

This work directly advances several ONE Pleasanton Citywide strategic goals under *Optimizing Our Organization*, specifically: Strategy 1: Implement the City's diversity, equity, and inclusion action plan within the City organization; and Strategy 5. Develop employee recruitment strategies to position Pleasanton as the employer of choice for the region.

## FISCAL IMPACT

There is no fiscal impact associated with receiving this update and presentation. Expenditures needed to implement specific strategies in the action plan will be allocated from department budgets.

| Prepared by: | Submitted by: | Approved by: |
| --- | --- | --- |
| Alexa Jeffress, Deputy City Manager | Alexa Jeffress, Deputy City Manager | Gerry Beaudin, City Manager |

Attachments:

1. City of Pleasanton - DEI Action Plan

# City of Pleasanton DEI Action Plan

## Strategic Priority 1

**Embed a culture of diversity, equity, and inclusion in the fabric of all City of Pleasanton work.**

A. Engage staff in the development of a DEI mission statement, goals, core values, and performance expectations for City representatives that is reflected in the services we provide to the community.

B. Provide adequate resources such as budget, time, and people to guarantee DEI success and adequate staff involvement.

C. Establish an independent DEI office that reports directly to the City Manager.

D. Launch a permanent DEI committee consisting of representatives from each City department.

E. Develop a DEI Behavior Code for City representatives that details how to enact shared DEI values.

F. Use a DEI progress dashboard to demonstrate transparency of goals, metrics, and action plan progress.

## Strategic Priority 2

**Create and implement a comprehensive DEI training plan with participation from all staff members.**

A. Create and implement a comprehensive DEI training plan with participation from all staff members.

B. Provide and promote the use of DEI toolkits for people managers and staff.

C. Hold leaders and all staff accountable to practicing and promoting DEI principles

D. Enhance our culture through team-building and cross-departmental engagement opportunities.

E. Revise performance management process to include DEI metrics and top-down and bottom-up feedback on a frequent basis.

## Strategic Priority 3

**Strengthen talent recruitment, selection, development, and retention.**

A. Conduct an assessment to strengthen current talent practices such as recruitment, background check requirements, marketing, selection, and promotion to attract and identify candidates (who align with our DEI statement and values).

B. Review and update job descriptions to ensure accessibility and transparency of requirements with the needs and expectations of each role.

C. Identify and support opportunities to maximize retention through improvements in the employee experience.

D. Support employee growth through mentorship, training, career development opportunities, and individualized action plans.

## Strategic Priority 4

**Align external-facing work with Pleasanton's DEI mission, core values, and strategic plan.**

A. Ensure alignment of our external work with the Pleasanton strategic plan, budgeting priorities, and new initiatives.

B. Conduct an external-facing assessment that includes input from residents and other key stakeholders.

C. Develop and implement a community-driven DEI Action Plan based on assessment findings.

D. Provide adequate resources for ensuring positive interactions between external-facing employees and the Pleasanton community.

E. Strengthen external communication and outreach to enhance community partnerships, multicultural understanding, and public engagement.