

**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.

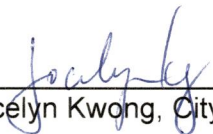
Vice Mayor Balch requested a conversation about the meeting minutes documentation for the City Council and commissions and committees. The City Council agreed to receive an email update from staff to the City Council with suggestions.

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