



**CITY OF PLEASANTON
CITY COUNCIL
MINUTES**

**Tuesday, May 7, 2024
7:00 PM**

CALL TO ORDER

Mayor Brown called the Regular Meeting of the City Council to order at the hour of 7:00 p.m. from the Council Chamber located at 200 Old Bernal Avenue.

ROLL CALL

Present: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown

Absent: None.

Councilmember Nibert provided opening remarks.

AGENDA AMENDMENTS

Councilmember Arkin requested item #20 be moved before item #19 since it was a continued item.

Councilmember Balch continued item #8 to the next meeting in order to have time to confer with the City Attorney.

CONSENT CALENDAR

MOTION: It was m/s by Arkin/Testa to approve the consent calendar as recommended, except for item #8 which was removed from the agenda. Motion passed by the following vote:

Ayes: Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown

Noes: None

Absent: None

City Attorney

1. Adopt Ordinance No. 2277 Amending Chapters 1.22 Voluntary Campaign Contribution and Expenditure Limitation, 1.24 Administrative Citations, 5.20 Exemptions, 6.56 Alarms, 13.08 Parks and Recreation Facilities, and Title 18 Zoning

Recommendation: Adopt Ordinance No. 2277 Amending Chapters 1.22 Voluntary Campaign Contribution and Expenditure Limitation, 1.24 Administrative Citations, 5.20 Exemptions, 6.56 Alarms, 13.08 Parks and Recreation Facilities, and Title 18 Zoning.

City Manager

2. Ratify Commission and Committee appointments

Recommendation: Ratify Commission and Committee appointments.

3. Approve meeting minutes of March 5 and March 19, 2024

Recommendation: Approve meeting minutes of March 5 and March 19, 2024.

4. Adopt Ordinance No. 2278 amending Municipal Code Title 2 to modify the duties, membership and meeting frequency of the Civic Arts, Human Services, Library, and Parks and Recreation Commissions

Recommendation: Adopt Ordinance No. 2278 amending Municipal Code Title 2 to modify the duties, membership and meeting frequency of the Civic Arts, Human Services, Library, and Parks and Recreation Commissions.

5. Review and consider the City's legislative framework with the 2024 focus areas, establish the City's legislative positions on selected bills, and request City staff monitor remaining legislation throughout the 2024 legislative session

Recommendation: Review and consider the City's legislative framework with the 2024 focus areas, establish the City's legislative positions on selected bills, and request City staff monitor remaining legislation throughout the 2024 legislative session.

Community Development

6. Actions of the Zoning Administrator and Planning Commission

Recommendation: Actions of the Zoning Administrator and Planning Commission.

7. Public Hearing - Introduce and waive first reading of an ordinance approving an application to establish development standards and construct a 1,117-square-foot addition to the front, a 65-square-foot attached front covered porch, and a 160-square-foot attached rear covered porch to an existing single-family residence located at 544 Sycamore Road (PUD-149)

Recommendation:

1. Find the project is exempt from environmental review pursuant to the

California Environmental Quality Act (CEQA),

2. Make the PUD findings for approval of the proposed development plan as stated in the ordinance; and
 3. Introduce the ordinance approving Case PUD-149, subject to conditions of approval listed in Exhibit A to the ordinance.
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8. Approve and authorize the City Manager to execute the second amendment to the Maintenance Services Agreement with St. Francis Electric for routine signal maintenance, signal upgrades, and emergency repairs, extending the contract term to June 30, 2025, increasing the rates for maintenance of intersections, beacons, and in-pavement lights, and amending the compensation to a not-to-exceed annual amount of \$500,000

Item continued to next City Council meeting.

9. Approve and authorize the City Manager to execute a one-year renewal order with Avolve Software for DigEplan electronic plan review software in the amount of \$39,529 and authorize the City Manager to approve future annual renewals through June 30, 2027 for an anticipated cumulative amount of \$197,818 over the five-year period

Recommendation: Approve and authorize the City Manager to execute a one-year renewal order with Avolve Software for DigEplan electronic plan review software in the amount of \$39,529 and authorize the City Manager to approve future annual renewals through June 30, 2027 for an anticipated cumulative amount of \$197,818 over the five-year period.

Library and Recreation

10. Adopt a resolution authorizing the submittal of an application to the Alameda County Transportation Commission for Measure BB Funds for the Pleasanton Rides Door-to-Door senior citizen program

Recommendation: Adopt Resolution No. 2024-024 authorizing the submittal of an application to the Alameda County Transportation Commission for Measure BB Funds for the Pleasanton Rides Door-to-Door senior citizen program.

Police

11. Adopt Ordinance No. 2279 an Ordinance of the City Council of the City of Pleasanton amending Ordinance No. 2246 to amend the Pleasanton Police Department's military equipment use policy to add equipment to the policy's military equipment inventory

Recommendation: Adopt Ordinance No. 2279 an Ordinance of the City Council of

the City of Pleasanton amending Ordinance No. 2246 to amend the Pleasanton Police Department's military equipment use policy to add equipment to the policy's military equipment inventory.

Public Works

12. Approve plans and specifications and award a construction contract to Bay Cities Paving & Grading, Inc. in the amount of \$4,183,298 and up to a 15 percent contingency of \$627,500 for the Hopyard Road and Owens Drive Intersection Improvements Project, CIP No. 15525, approve various professional services agreements in the total amount of \$553,005 and approve budget amendments in the Street CIP General Fund 211

Recommendation:

1. Approve plans and specifications and award the construction contract for the project to Bay Cities Paving & Grading, Inc., of Concord, CA, for the low bid amount of \$4,183,298.
 2. Authorize the City Manager to enter into the project contract.
 3. Authorize the Director of Public Works, or authorized staff, to approve and execute contract change orders for a project contingency amount of \$627,500 (approximately 15 percent) for unforeseen yet necessary related work.
 4. Authorize the City Manager to approve an amendment to the professional services agreement with Consor North America, Inc. in the amount of \$119,855 (for a total not-to-exceed contract amount of \$378,213) for additional design work and construction support services.
 5. Authorize the City Manager to enter into a professional services agreement with Swinerton Management and Consulting, Inc. for the not-to-exceed amount of \$308,890 for construction management and inspection services.
 6. Authorize the City Manager to enter into a professional services agreement with Geocon Consultants, Inc. for the not-to-exceed amount of \$124,260 for material testing services.
 7. Authorize the transfer of \$377,694 of Fund 211 from Dougherty Valley Mitigation Reserve, CIP No. 02523, to the Hopyard Road and Owens Drive Intersection Improvements Project, CIP No. 15525.
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13. Approve plans and specifications and award a construction contract to American Asphalt Repair & Resurfacing Company, Inc. in the amount of \$374,391 and an approximately 10 percent contingency of \$37,439 for the Annual Slurry Sealing of Various Streets Project, CIP No. 24504

Recommendation:

1. Approve plans and specifications and award a construction contract for the

project to American Asphalt Repair & Resurfacing Co., inc., of Hayward, CA, for the low bid amount of \$374,391.

2. Authorize the City Manager to enter into the project contract.
3. Authorize the Director of Public Works, or authorized staff, to approve and execute contract change orders for a project contingency amount of \$37,439 (approximately 10 percent of the contract) for unforeseen yet necessary related work.

MEETING OPEN TO THE PUBLIC

14. Oath of Office for new commission and committee members

Jocelyn Kwong, City Clerk, administered the oath of office to newly appointed commission and committee members:

- Economic Vitality Committee: Davinder Channon, Ken Benhamou, Igor Leonov
- Civic Arts Commission: Warren Lam
- Parks & Recreation Commission: Joanne Hall and Siena Alfaro.

15. Presentation of a proclamation recognizing May 12-18 as National Police Week

Councilmember Nibert presented the proclamation to recipients from the Pleasanton Police Department.

16. Presentation of a proclamation recognizing May 19-25 as National Public Works Week

Councilmember Nibert presented the proclamation to recipients from the Public Works department.

17. Public Comment regarding items not listed on the agenda.

Mayor Brown opened public comment. The following individuals provided comment: David Ott, Laura Melchionne, Rob Fjerstad, Mike Sanderson, Terry Chang, Joe Couto, Jim Van Dyke, Esther Waltz.

Mayor Brown closed public comment.

PUBLIC HEARINGS AND OTHER MATTERS

Item 18: Concurrent Actions of the Joint Powers Financing Authority and City Council:

18. Approving, authorizing and directing execution of certain financing documents and certain actions in connection with issuing up to \$19,000,000 in water revenue bonds for financing improvements to the City's water system

Recommendation: Adopt Resolution No. 2024-025 authorizing the execution and delivery of an Installment Sale Agreement, a Bond Purchase Agreement and a Preliminary Official Statement and authorizing certain related matters regarding the Pleasanton Joint Powers Financing Authority 2024 Water Revenue Bonds.

Susan Hsieh, Finance Director, and Tamara Baptista, Assistant Director of Public Works presented the item.

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

MOTION: It was m/s by Nibert/Testa to approve the item. Motion passed by the following vote:

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

20. Continued from April 16, 2024: Bi-annual update to the City Council regarding Police department operations, services and activities

Gina Anderson, Interim Police Chief, and Kurt Schlehuber, Captain, presented the item.

Mayor Brown opened public comment. The following individual provided comment: John Bauer.

Mayor Brown closed public comment.

Mayor Brown called a recess at 9:48 p.m. and reconvened the meeting at 9:56 p.m.

19. Public Hearing: Consider adoption of a resolution for the Housing and Human Services Grants and Community Grant Program:
 - a. Adopt a resolution approving the allocation of Housing and Human Services Grant and Community Grant Program funds for Fiscal Year 2024 Grant Funding Cycle (City Fiscal Year 2024/25)

Recommendation:

1. As recommended by the Human Services Commission, allocate \$684,373 from the sources listed to fund the applications as presented in Table A of the resolution for human services-related projects.

General Fund	\$257,864
CDBG Public Services	\$ 76,636
CDBG Administration	\$ 76,069
CDBG Capital	\$273,804
TOTAL	\$684,373

2. As recommended by the Housing Commission, allocate \$509,029 from the sources listed to fund the applications as presented in Table A of the resolution for housing-related projects.

Lower Income Housing Fund	\$366,374
HOME Fund	\$135,000
HOME Administration	\$ 7,655
TOTAL	\$509,029

3. As recommended by the Civic Arts and Youth Commissions, allocate from the General Fund \$80,000 in CG funds as listed in Table B of the resolution.

4. Adopt Resolution No. 2024-026 approving the allocation of HHSG and CG funds for FY 2024/25 (as listed in Tables A and B) and authorize the City Manager and/or designee to enter into individual contracts with each agency receiving HHSG and CG funds and take all other actions necessary to carry out the HHSG and CG programs for FY 2024/25.

Jay Ingram, Recreation Manager, and Steve Hernandez, Housing Manager, presented the item.

Mayor Brown opened public comment. The following individual provided comment: Esther Waltz.

Mayor Brown closed the public comment.

Councilmember Arkin recused from the meeting prior to discussion and consideration of the Human Services grants because she received final compensation within the last 12 months from her previous employment with Hively who is a grant recipient.

All members of the City Council disclosed volunteer work and contributions they made to the various recipients, but that do not require recusal from the item.

MOTION: It was m/s by Testa/Balch to approve recommendation 1. Motion passed by the following vote:

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

MOTION: It was m/s by Balch/Arkin to approve recommendations 2, 3, and 4. Motion passed by the following vote:

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

- b. Adopt a resolution approving the Annual Action Plan (FY 2024/2025) for the use of federal Community Development Block Grant (CDBG) funds

Recommendation: Adopt Resolution No. 2024-027 approving the Annual Action Plan for federal Fiscal Year 2024, directing staff to submit it to HUD by the May 15, 2024 deadline; and authorize the City Manager, or their designee, to negotiate and execute any related documents, agreements, and modifications related to the Annual Action Plan with HUD.

Jay Ingram, Recreation Manager, and Steve Hernandez, Housing Manager, presented the item.

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

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

MATTERS INITIATED BY COUNCIL

Councilmember Testa requested a discussion to create a charter for the City. The City Attorney offered to provide more information on the topic. By majority consensus, the City Council agreed to receiving more information from staff about the process.

COUNCIL REPORTS

Councilmembers reported on regional and local meetings attended.

ADJOURNMENT

Mayor Brown adjourned the meeting at 11:18 p.m.


Jocelyn Kwong City Clerk