



**CITY OF PLEASANTON
CITY COUNCIL
MINUTES**

**Tuesday, July 16, 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.

Councilmember Nibert provided opening remarks.

ROLL CALL

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

REPORT ON CLOSED SESSION

Assistant City Attorney Julie Harryman stated there was no reportable action.

AGENDA AMENDMENTS

The City Manager removed item 2 to a future meeting date to be determined.

CONSENT CALENDAR

Mayor Brown opened public comment. The following individuals provided comment: Vicki LaBarge, Vipin, Tony Sarboraria, Satyesh Jaiswal, Puja Jaiswal, Sanket Patle, Sharon Piekarski.

Mayor Brown closed the public comment.

MOTION: It was m/s by Arkin/Testa to approve the consent calendar except for item 2 which was removed from the agenda and accepting revisions to item 1 as provided in supplemental material. Motion passed by the following vote:

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

City Manager

1. Approve meeting minutes of May 21 and June 4, 2024

Recommendation: Approve meeting minutes of May 21 and June 4, 2024.

2. Adopt a resolution approving the Waste and Recycling Manager position and approve budget amendments in the Pleasanton Garbage Services Reserve Fund

Continued to future meeting.

3. Receive an update on the process and timeline to explore the establishment of Pleasanton as a charter city

Recommendation: Receive an update on the process and timeline to explore the establishment of Pleasanton as a charter city.

Community Development

4. Actions of the Zoning Administrator and Planning Commission

Recommendation: Actions of the Zoning Administrator and Planning Commission

5. Introduce an ordinance approving the application for Planned Unit Development Major Modification to subdivide an approximately 1.4-acre parcel located at 3450 Mohr Avenue into two parcels measuring approximately 44,237 square feet (Lot 1) and approximately 17,123 square feet (Lot 2) and to construct an approximately 2,288-square-foot addition to the existing residence on Lot 1, as filed under Case No. PUD-18-07M

Recommendation:

1. Find that the project is within the scope of the Initial Study/Negative Declaration for PGPA-04, PUD-18, PGM-6 for Ponderosa Homes, adopted by City Council on August 20, 2002 and that no additional environmental review is required under the California Environmental Quality Act (CEQA) pursuant to Section 15162.
2. Make the findings for approval of the proposed Planned Unit Development (PUD) modification; and
3. Introduce Ordinance No. 2283 approving Case PUD-18-07M, subject to conditions of approval.

Finance

6. Accept the monthly disbursements and investment report for May 2024

Recommendation: Accept claim disbursements in the amount of \$16,146,892 and the investment report for the month of May 2024.

Library and Recreation

7. Approve a one-year agreement with Prime Time Entertainment for theater production services with the option to extend up to four additional one-year terms for a five-year total not to exceed amount of \$550,000

Recommendation: Approve a one-year agreement with Prime Time Entertainment for theater production services with the option to extend up to four additional one-year terms for a five-year total not to exceed amount of \$550,000 and authorize the City Manager to execute the agreement and any subsequent amendments based on satisfactory performance.

8. Approve a third amendment to the professional services agreement with American Cemetery Maintenance and Burial for grounds maintenance and burial services for the Pleasanton Pioneer Cemetery for an amount not to exceed \$605,920 through December 31, 2026

Recommendation: Approve a third amendment to the professional services agreement with American Cemetery Maintenance and Burial for grounds maintenance and burial services for the Pleasanton Pioneer Cemetery for an amount not to exceed \$605,920 through December 31, 2026.

Police

9. Adopt a resolution authorizing application to the State of California Office of Traffic Safety's Selective Traffic Enforcement Program Grant in the amount of \$140,400

Recommendation: Adopt Resolution No. 2024-050 to authorize the submittal of an application for the State of California Office of Traffic Safety Selective Traffic Enforcement Program Grant for \$140,400 and authorize the City Manager to execute all documents, and appropriate \$119,200 to project 17803 in the Operations Grant Fund in FY 24/25 if the grant is approved. The remaining \$21,200 will be included in the FY 26/27 biennial budget.

10. Adopt a resolution authorizing application to the U.S. Department of Justice's Office of Justice Programs' Bureau of Justice Assistance's Patrick Leahy Bulletproof Vest Partnership Grant in an amount up to \$40,000

Recommendation: Adopt Resolution No. 2024-051 to authorize the submittal of an application for the U.S. Department of Justice's Office of Justice Programs' Bureau of Justice Assistance's Patrick Leahy Bulletproof Vest Partnership (BVP) for up to \$40,000 and authorize the City Manager to execute all documents, and appropriate funds in the Operations Grant Fund in FY 2024/25 and the FY26 - FY27 biennial budget.

Public Works

11. Adopt a resolution of Summary Vacation for Public Service Easement at 4035 Equus Court (Tract 6275 Lot 6)

Recommendation: Adopt Resolution No. 2024-052 of Summary Vacation for Public Service Easement at 4035 Equus Court (Tract 6275 Lot 6) based on the following recommendations:

1. The City Council is asked to summarily vacate a public service easement having found that the easement will be 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 vacate a street, highway, or public service easement by adopting a Resolution of Summary Vacation (§8335(a)(1)).
3. The Resolution of Summary Vacation must 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.

12. Approve a professional services agreement with Sequoia Ecological Consulting, Inc. in the amount of \$137,834 to prepare environmental documents, establishing a new project, Augustin Bernal Fuel Management CIP No. 25783, and budget amendments in the Miscellaneous Capital Improvement Program Grants Fund

Recommendation:

1. Approve the professional services agreement with Sequoia Ecological Consulting, Inc. in the amount of \$137,834 for the Augustin Bernal Fuel Management project and authorize the City Manager to execute the agreement.
2. Authorize the Director of Public Works to execute amendments to the professional service agreement up to a not-to-exceed amount of \$14,000 (approximately a 10 percent increase to the base agreement amount) for additional services if determined to be necessary as the environmental documentation is prepared.
3. Approve establishing a new project, Augustin Bernal Fuel Management Project, CIP 25783, and budget amendments appropriating \$1,048,900 in grant revenue and corresponding \$1,048,900 in project expenditure, all in

the Miscellaneous Capital Improvement Program Grants Fund.

13. Approve as-needed maintenance and trade services agreements for heating, ventilation, and air conditioning general maintenance infrastructure repairs with the option to extend two additional one-year extensions with satisfactory performance

Recommendation: Approve and authorize the City Manager to execute four three-year as-needed maintenance service agreements for continued proactive HVAC maintenance and emergency repair services with the option for two additional one-year extensions with CPI increases based on satisfactory performance.

14. Approve a three-year maintenance agreement with (Sweeping Corp of America) SCA of CA, LLC in the not-to-exceed amount of \$1,341,437 for citywide street sweeping services with the option to extend two additional one-year extensions

Recommendation: Approve and authorize the City Manager to execute a three-year maintenance service agreement with SCA of CA, LLC - Sweeping Corp of America (SCA) in the not-to-exceed amount of \$1,341,437, inclusive of a 10 percent contingency for continued proactive street sweeping maintenance and emergency response services with the option to extend two additional one-year extensions with satisfactory performance with CPI increases. This recommendation is made to continue enhancing the effectiveness and efficiency of the City's travel surface maintenance program, address water quality requirements, and mitigate seasonal flooding occurrences.

15. Approve the purchase of an Enforcer Light/Breathing Air Heavy Duty Rescue Fire Engine in the amount of \$1,565,172 and approve a budget amendment in the Fire Apparatus Replacement Fund

Recommendation:

- Approve the purchase of the Pierce Enforcer Light/Breathing Air Heavy-Duty Rescue Type 1 Fire Engine for LPFD;
- Authorize the City Manager to execute a Purchase Order with Golden State Fire Apparatus Inc., in the amount of \$1,565,172, inclusive of approximately 10 percent contingency; and
- Approve a budget amendment to the Fire Apparatus Replacement Fund to appropriate \$1,565,172 in expenditure for this purchase.

16. Approve the 2024 City Standard Specifications and Details

Recommendation:

1. Approve the 2024 City Standard Specifications and Details dated and effective August 1, 2024, copies of which are on file in the Public Works Department.

2. Previous editions of the City Standards Specifications and Details are superseded, and the 2024 City Standard Specifications and Details shall apply to all projects.
3. Authorize the City Engineer, at their discretion, to continue using the 2016 City Standard Specifications and Details for existing projects currently under contract with the City.

17. Receive an update on Water System Activities

Recommendation: Receive an update on Water System Activities.

18. Accept the engineering report and recommendation for the 35 percent design of the West Las Positas Boulevard Multimodal Reconstruction Project, CIP No. 11514, and authorize the City Manager to issue an amendment to the professional services agreement with Mark Thomas & Company, Inc. for an additional \$2,249,371 for a new total of \$2,773,516 to complete 100 percent design of the build from Hopyard Road to Stoneridge Drive

Recommendation:

1. Accept the engineering report and adopt recommendations for the 35 percent design plans, including the road segment prioritizations for construction.
2. Authorize the City Manager to issue an amendment to the professional services agreement with Mark Thomas & Company, Inc., for a not-to-exceed amount of \$2,249,371, an increase of the total contract amount from \$524,145 to \$2,773,516, to complete the 100 percent design and prepare biddable construction documents for the West Las Positas Boulevard Multimodal Reconstruction Project, CIP No. 11514.

MEETING OPEN TO THE PUBLIC

19. Presentation of a Proclamation recognizing July as Parks and Recreation Month

Councilmember Nibert presented the proclamation to staff recipients from the Parks and Recreation department.

20. Presentation of a commendation recognizing Connor Lam

Councilmember Nibert presented the City's commendation to recipient Connor Lam.

Councilmember Arkin presented the Alameda County Supervisor's commendation to recipient Connor Lam.

21. Public Comment regarding items not listed on the agenda – Speakers are limited to

3 minutes.

Mayor Brown opened public comment. The following individuals provided comment: Tila, Jason Hunter, Brian Jewell, Arvind Bhandari.

Mayor Brown closed the public comment.

PUBLIC HEARINGS AND OTHER MATTERS

22. Adopt a resolution ordering the submission to the qualified electors of the City of Pleasanton a measure to approve a half-cent general Transactions and Use Tax; requesting the Alameda County Board of Supervisors permit consolidation of the Pleasanton general municipal election with the statewide general election to be held on the same date; approve an ordinance imposing a Transactions and Use Tax to be administered by the California Department of Tax and Fee Administration; and consider the filing of arguments related to the measure

Recommendation: Staff recommends the City Council place a Transactions and Use Tax (sales tax) measure on the November 2024 ballot, including approval of the following legislative actions:

1. Adopt Resolution No. 2024-053 ordering the submission to the qualified electors of the City of Pleasanton a measure to approve a half-cent general Transactions and Use Tax; requesting that the Alameda County Board of Supervisors permit consolidation of the Pleasanton general municipal election with the statewide general election to be held on the same date.
2. Approve an ordinance imposing a Transactions and Use Tax to be administered by the California Department of Tax and Fee Administration.
3. Consider the filing of arguments related to the measure.

Presentation by Susan Hsieh, Finance Director.

Mayor Brown re-opened public comment on items not listed on the agenda due to ambiguity on speaker cards. The following individuals provided comment: Faith Kelly, Jana Schreiber, Patricia Beebe, Cheryl Robinson, Paul Pendly, Charles Henze.

Mayor Brown closed public comment for items not listed on the agenda.

Mayor Brown opened the public comment on item 22.

The following individuals provided comment: Matthew Gray, Craig Freeman, Regina Woeger, Jon Krueger, Chris Jesberg, Mohan Pattanaik.

Mayor Brown closed the public comment.

MOTION: It was m/s by Nibert/Testa to approve the item as recommended with a modification in the ballot question to substitute the word "prevent" with the word "minimize." The full ballot measure title and question will be as follows:

PLEASANTON ESSENTIAL SERVICES PROTECTION MEASURE To maintain city services and minimize cuts, such as police and fire protection; 911 emergency response; disaster preparedness; pedestrian safety; park maintenance; pothole repair and street maintenance; recreation programs; open space preservation; and other general government uses; shall the City of Pleasanton's measure to establish a half-cent sales tax, providing approximately \$10,000,000 annually for 10 years, keeping all funds local, with annual audits, public spending disclosure, and oversight, be adopted?	Yes
	No

Motion passed by the following vote:

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

Mayor Brown called a recess at 9:44 p.m. and reconvened at 9:55 p.m.

23. Adopt a resolution approving a CEQA Guidelines Section 15183 Consistency Checklist pursuant to the City of Pleasanton Housing Element Update Final Environmental Impact Report (FEIR); adopt a resolution to approve an application for Annexation (P22-1089); introduce ordinances, and waive the first readings, to approve a Planned Unit Development (PUD) development plan (PUD-147) to construct a 111-lot residential subdivision, including an age-qualified community with 92 single-family detached homes, 18 affordable senior courtyard detached and duet homes, one existing single-family residence, and related on-and off-site improvements and a Pre-Annexation and Development Agreement (P24-0378); adopt a resolution to approve a Vesting Tentative Map (Tract 8522); and adopt a resolution approving an Affordable Housing Agreement for the proposed project

Recommendation:

1. Adopt Resolution No. 2024-054 adopting the CEQA Guidelines Section 15183 Consistency Checklist, prepared pursuant to the City of Pleasanton Housing Element Update Environmental Impact Report (FEIR), finding that the document satisfies all requirements of CEQA, and is adequate to serve as the environmental documentation for the proposed project, as the conditions described in CEQA Guidelines Sections 15183 have not occurred.
2. Adopt Resolution No. 2024-055 approving Annexation (P22-1089) and a Vesting Tentative Map (Tract 8522).
3. Find the proposed PUD Development Plan for PUD-147 is consistent with the

General Plan and PUD Zoning.

4. Introduce Ordinance No. 2284, and waive the first reading, making the PUD findings and approving a Planned Unit Development (PUD) development plan (PUD-147) to construct a 111-lot residential subdivision, including an age-qualified community with 92 single-family detached homes, 18 affordable senior courtyard detached and duet homes, one existing single-family residence, and related on-and off-site improvements, subject to the DRAFT Conditions of Approval.
5. Introduce Ordinance No. 2285, and waive the first reading, approving a Pre-Annexation and Development Agreement (P24-0378).
6. Adopt Resolution No. 2024-056 approving the Affordable Housing Agreement.

Presentation by Eric Luchini, Senior Planner.

Mayor Brown opened public comment.

Jim Summers and Patrick Costanzo Jr., representing the project applicant, provided a presentation.

The following individuals provided comment: Sharon Piekarski, James Saidler, John Hall, T.J. McGrath, Holly.

Patrick Costanzo Jr., representing the project applicant, provided final comments.

Mayor Brown closed the public comment.

MOTION: It was m/s by Arkin/Testa to approve the item as recommended with the modifications to the Conditions of Approval and traffic plans as provided in supplemental material memoranda dated July 12, 2024 and which will be attached to the final ordinance. Motion passed by the following vote:

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

Noes: None

Absent: None

MATTERS INITIATED BY COUNCIL

None.

COUNCIL REPORTS

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

City Councilmembers reported on regional and local meetings attended.

ADJOURNMENT

Mayor Brown adjourned the meeting at 11:45 p.m.


Jocelyn Kwong, City Clerk