

From: [Contra Costa Winegrowers](#)
To: [Ewen, Joshua](#); [Gale, Darin](#); [=yCouncil Members](#); [Ogden, Tim](#)
Cc: [Kelli Nunn](#); [Michele Lucay](#)
Subject: Agenda item C.1
Date: Tuesday, August 23, 2022 10:29:45 AM

CAUTION – EXTERNAL SENDER

Good Morning,

I am writing this email on behalf of the Contra Costa Winegrowers Association.

It has come to our attention that there is an agenda item for this evening's council meeting, regarding the John Marsh Historic Trust and the request for funding of the Interpretive Center on that site.

This proposal was presented to the Ag Enterprise Committee on May 2, 2022. Present were the Ag Enterprise committee, Ag Advisory committee and current COB council members Susannah Meyer, and Johnny Rodriguez. Also in attendance were Tom Bloomfield, Kelli Nunn, Sean McCauley, Steve Gurskey, Jessica Enos, Jessica Stonebarger, Patrick Johnson and Ken Hagen, All of which serve on the board of Harvest Time of Brentwood, and the Contra Costa Winegrowers Association.

This proposal was strongly and unanimously opposed by all in attendance, and the intention to present to City Council was declined by Ag Enterprise committee members and council members Susannah Meyer and Johnny Rodriguez.

The City created the Ag Enterprise Committee to oversee and recommend to Council, what specific Ag-initiatives should be funded by mitigation monies. This has been a standing committee for 20 years.

In addition, the City approximately five years ago added an Ag Advisory Committee to the Council Ag Enterprise Committee. The Advisory committee and those in who attend these meetings, are composed of Harvest Time, Contra Costa Winegrowers and other related farm interests.

We believe the current system has served the Ag community well, and improved by adding the Ag Advisory Committee. There is now a system of transparency and accountability.

These funds are "Mitigation Funds", for the loss of agricultural lands in the City of Brentwood, by the City of Brentwood. These funds are not "City Funds". In 1990 the prime agricultural ground designated "Ag-Core", was reduced from 14,500 acres, to 11,000 acres. Much of that reduction came from development in the city limits of Brentwood.

These funds are "sacred" to East County Agricultural Interests, and should solely be used to preserve and promote East County Agriculture through the current vetting process.

While the agricultural community acknowledges the John Marsh House's place in East County history, and the work of the John Marsh Historic Trust past and present, we are confident that there should be funds more suitable and available for this proposed project.

We appreciate your time and consideration.

Respectfully,

Becky Bloomfield

Becky Bloomfield

Acting President

Contra Costa Wine Growers Assoc.



From: [Tsubota, Miki](#)
To: [=yCouncil Members](#)
Cc: [=yDepartment Directors](#)
Subject: Response to Questions on Agenda Item B.7
Date: Tuesday, August 23, 2022 11:40:25 AM
Attachments: [Towhee1.jpg](#)

Good morning, Mayor and Council Members. Below are our responses to questions from Council Member Rarey on Agenda Item B.7. Feel free to contact me if you have any additional questions. Thank you.

-Miki

From: Rarey, Karen
Sent: Monday, August 22, 2022 12:24 PM
To: Tsubota, Miki <mtsubota@brentwoodca.gov>
Cc: Ogden, Tim <togden@brentwoodca.gov>; Mulder, Bruce <bmulder@brentwoodca.gov>
Subject: Agenda Item B.7

Miki,

I have a question regarding Agenda Item B.7. I can understand reimbursing a developer for the land associated with a future park, but why are we reimbursing the developer now for "park improvements **to be constructed** by a residential developer (Purpose And Recommendation, page 100)."

Don't we generally reimburse developers after they build infrastructure/parks?

Response: Under the Agreement Term 3.1, no fee credits or reimbursements shall be allowed for any improvement that has not been constructed and accepted by the City or bonded in accordance with City ordinances and policies or secured by the developer. For this particular development project, the park land has been dedicated to the City, the design has been completed, but the larger of the 2 parks has not been constructed yet. The Developer has, however, provided a bond for the value of the park construction. Approximately \$509k in fee credits will be provided for the remaining 39 building permits, and approximately \$415k cash payment will be made upon construction completion and acceptance of park improvements as outlined in the staff report.

And if we do pay them before construction, why are we paying interest?

Response: Per our Development Fee Program, our impact fees are adjusted each July by an inflationary factor published in the Engineering News Record ("ENR") San Francisco Construction Cost Index. This year, the ENR Index was 14.1%, meaning our impact fees increased by 14.1% starting July 1. Developers are required to pay these higher fees, but they are also entitled to equivalent reimbursement adjustments if they construct certain infrastructure/parks per our Development Fee Program.

Have permits for those remaining 39 lots (page 101) been pulled yet and impact fees paid?

Response: 121 permits have been pulled, including full payment of impact fees; 39 permits

still remain to be pulled to which park credit will be applied.

And if not, why are we reimbursing fee credits?

Response: It has been our standard practice to issue fee credits at time of building permit issuance first before reimbursing in cash. Lump sum cash payments are typically avoided to assist in cash flow for on-going CIP projects.

On Page 111 in Exhibit A, what does "ENR July 2022 (at 14%)" stand for?

Response: See response above regarding the ENR Index.

If the park has been built, can you provide images of the complete park and when did the maintenance period begin?

Response: The smaller of the two parks (Towhee) has been completed and was accepted by the City in March 2022 (see photo attached); the larger park (Magpie) will begin construction next month.

Also, why are park improvements going through the Public Works Dept. and not Parks & Rec?

Response: While the Parks Department oversees planning, design, construction and maintenance of parks, our department oversees the implementation of the Development Fee Program, including fee credits / reimbursements.

Thanks,
Karen



Miki Tsubota | HE/Him/His | [why pronouns?](#)
Director of Public Works/City Engineer
Public Works
150 City Park Way
Brentwood, CA 94513-1164
Phone: 925.516.5168
Fax: 925.516.5421
mtsubota@brentwoodca.gov



From: [Tsubota, Miki](#)
To: [=yCouncil Members](#)
Cc: [=yDepartment Directors](#)
Subject: Response to Questions on Agenda Item B.7
Date: Tuesday, August 23, 2022 3:00:27 PM
Attachments: [Magpie Landscape - approved plans sheet 6.pdf](#)
[Magpie Landscape - approved plans sheet 10.pdf](#)

Good afternoon, Mayor and Council Members. Council Member Rarey asked if Magpie Park will have playground amenities with shade structures. Yes: the park will have a variety of playground amenities, such as play structures, swings, shade structure, etc. I've attached excerpts from the construction plans showing more detailed information about these amenities. Feel free to contact me if you have any additional questions. Thank you.

-Miki

From: Tsubota, Miki
Sent: Tuesday, August 23, 2022 11:40 AM
To: =yCouncil Members <Councilmembers@brentwoodca.gov>
Cc: =yDepartment Directors <departmentdirectors@brentwoodca.gov>
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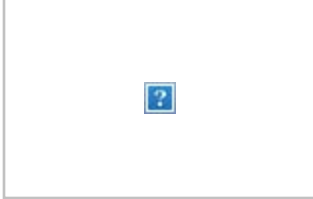
Response: While the Parks Department oversees planning, design, construction and maintenance of parks, our department oversees the implementation of the Development Fee Program, including fee credits / reimbursements.

Thanks,
Karen

Miki Tsubota | HE/Him/His | [why pronouns?](#)
Director of Public Works/City Engineer
Public Works
150 City Park Way

Brentwood, CA 94513-1164
Phone: 925.516.5168
Fax: 925.516.5421
mtsubota@brentwoodca.gov

Title: Like us on facebook



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Title: Like us on facebook



CONSTRUCTION LEGEND

- 5'-0" CONCRETE SIDEWALK PER ENGINEER'S IMPROVEMENT PLANS.
- CONCRETE WALK W/ SCORE PATTERN: INSTALL PER CITY OF BRENTWOOD STANDARD DETAIL ST-17, SHEET L2.4.
- CONCRETE PAD: 3.5" THICK CONCRETE WITH #3 REBAR 24" O.C. EACH WAY ON 2" CRUSHER ROCK BASE OVER COMPACTED SUBGRADE. INSTALL SCORE PATTERN AS SHOWN. CONCRETE FINISH: BROOM. CONCRETE COLOR: NATURAL.
- CONCRETE MOW STRIP: INSTALL PER CITY OF BRENTWOOD STANDARD DETAIL L-9, SHEET L2.4.
- FIBAR PLAY SURFACE: INSTALL PER DETAILS I-L, SHEET L2.5. PLAY SURFACE TO BE FIBAR SYSTEM 300 OR EQUIVALENT.
- PICNIC TABLE TO BE: #100-68-IPL 100 SERIES ACCESSIBLE TABLE OR 6' #100-60-PL 100 SERIES BENCH PER PLAN BY DUMOR OR EQUAL. AVAILABLE AT WWW.DUMOR.COM, TEL: 800-598-4018. REFER TO DETAILS A & B, SHEET L2.4.
- OVERHEAD STRUCTURE TO BE: 16'X16' SINGLE TIER SQUARE STEEL FRAME SHELTER AVAILABLE FROM SUPERIOR RECREATION PRODUCTS OR EQUAL. (800) 327-8774. COLOR TO BE GREEN OR EQUAL. REFER TO DETAIL M, SHEET L2.5.
- BENCH TO BE: 6' #88-60PL 88 SERIES BENCH BY DUMOR OR EQUAL. AVAILABLE AT WWW.DUMOR.COM, TEL: 800-598-4018. REFER TO DETAIL C, SHEET L2.4.
- TRASH RECEPTACLE TO BE: #41-32PL BY DUMOR OR EQUAL. AVAILABLE AT WWW.DUMOR.COM, TEL: 800-598-4018. REFER TO DETAIL D, SHEET L2.4.
- BIRD'S NEST SWING TO BE: BIRD'S NEST SWING PRODUCT NO.: KSW92007 BY KOMPAN OR EQUAL. REFER TO DETAIL G, SHEET L2.5.
- SWING SET TO BE: PORTAL SWING 4-SEATS PRODUCT NO.: KSW924 BY KOMPAN OR EQUAL. REFER TO DETAIL H, SHEET L2.5. NOTE: CONTRACTOR TO ORDER 4 SEATS: (1) ADA, (1) BUCKET, (2) STANDARD.
- 5-12 Y/O PLAY STRUCTURE TO BE: PIKES PEAK W/ SHADE; BLOSSOM-IN-GROUND PCE210903-0903OR BY KOMPAN OR EQUAL. INSTALL PER DETAIL F, SHEET L2.5.
- 2-5 Y/O PLAY STRUCTURE TO BE: MEGA TOWER W/ SHADE & ADA STEEL RED HPL SLIDE PP PCM00820-0010 BY KOMPAN OR EQUAL. INSTALL PER DETAIL N, SHEET L2.5.
- 7'-0" PROTO II WALL, PER STRUCTURAL ENGINEER.
- 6'-0" HIGH TUBULAR STEEL FENCE, REFER TO DETAIL O, SHEET L2.6.
- RETAINING WALL W/ 6'-0" HIGH TUBULAR STEEL FENCE REFER TO DETAIL P, SHEET L2.6.
- STANDARD BIKE RACK: INSTALL PER CITY OF BRENTWOOD STANDARD DETAIL L-23, SHEET L2.4.
- STAINLESS STEEL DRINKING FOUNTAIN: INSTALL PER CITY OF BRENTWOOD STANDARD DETAIL L-13, SHEET L2.4.
- COLLAPSIBLE METAL BOLLARD: INSTALL PER CITY OF BRENTWOOD STANDARD DETAIL L-12b, SHEET L2.4.
- PARK IDENTIFICATION SIGN II: INSTALL PER CITY OF BRENTWOOD STANDARD DETAIL L-20, SHEET L2.4.
- MUTT MITT DISPENSER, INSTALL PER CITY OF BRENTWOOD STANDARD DETAIL L-17, SHEET L2.4.
- 7' X 2' CONCRETE PAD TO RECEIVE SURFACE MOUNTED BENCH: SET LEVEL WITH CONCRETE BAND, 4" THICK CONCRETE ON 4" CRUSHER ROCK BASE, OVER COMPACTED SUBGRADE. CONCRETE FINISH: BROOM; CONCRETE COLOR: NATURAL.
- 6'-0" HIGH TUBULAR STEEL ACCESS GATE, REFER TO DETAIL Q, SHEET L2.6.

PA = PLANTING AREA

CONSTRUCTION NOTES:

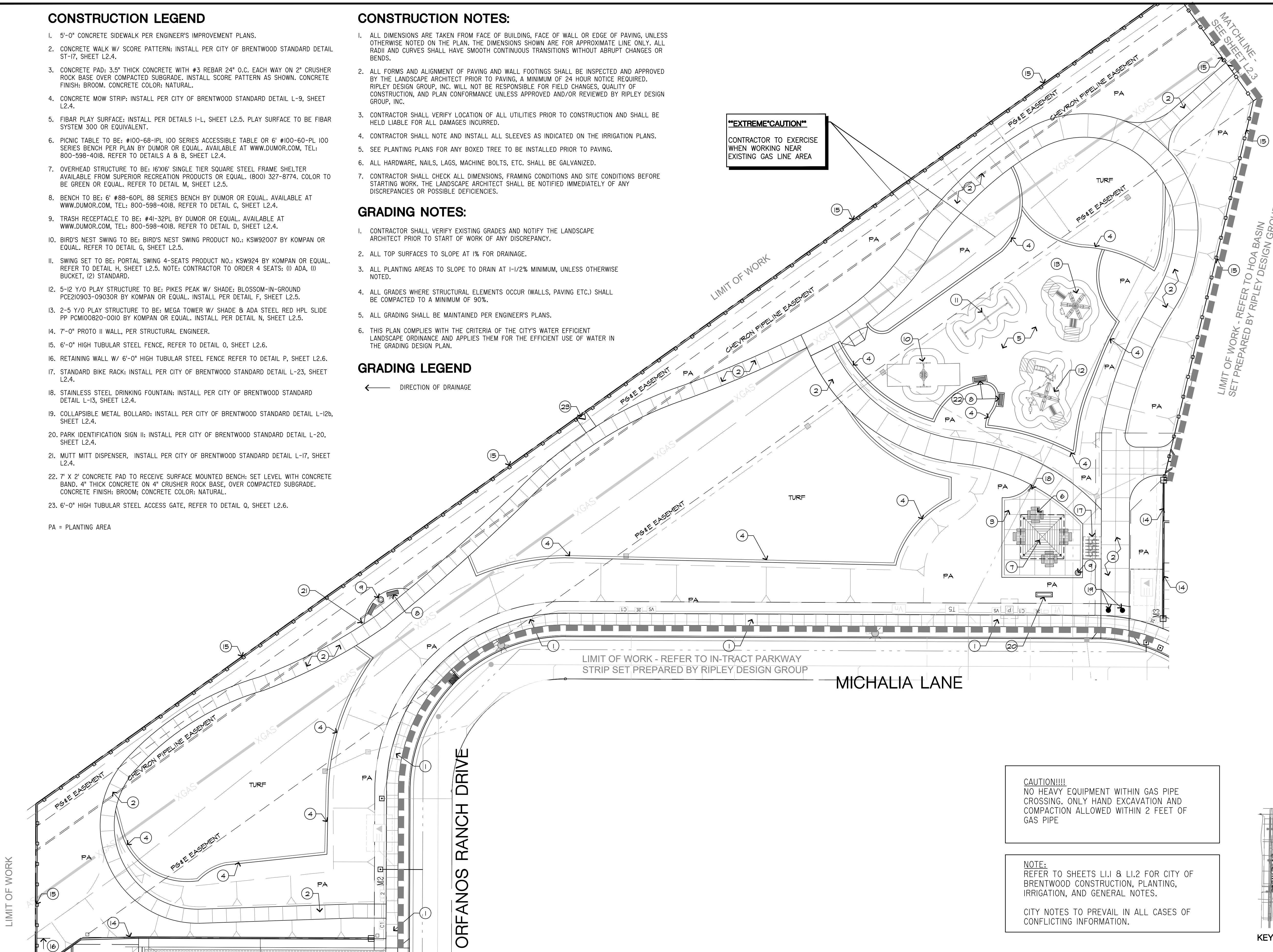
- ALL DIMENSIONS ARE TAKEN FROM FACE OF BUILDING, FACE OF WALL OR EDGE OF PAVING, UNLESS OTHERWISE NOTED ON THE PLAN. THE DIMENSIONS SHOWN ARE FOR APPROXIMATE LINE ONLY. ALL RADI AND CURVES SHALL HAVE SMOOTH CONTINUOUS TRANSITIONS WITHOUT ABRUPT CHANGES OR BENDS.
- ALL FORMS AND ALIGNMENT OF PAVING AND WALL FOOTINGS SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PAVING. A MINIMUM OF 24 HOUR NOTICE REQUIRED. RIPLEY DESIGN GROUP, INC. WILL NOT BE RESPONSIBLE FOR FIELD CHANGES, QUALITY OF CONSTRUCTION, AND PLAN CONFORMANCE UNLESS APPROVED AND/OR REVIEWED BY RIPLEY DESIGN GROUP, INC.
- CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE HELD LIABLE FOR ALL DAMAGES INCURRED.
- CONTRACTOR SHALL NOTE AND INSTALL ALL SLEEVES AS INDICATED ON THE IRRIGATION PLANS.
- SEE PLANTING PLANS FOR ANY BOXED TREE TO BE INSTALLED PRIOR TO PAVING.
- ALL HARDWARE, NAILS, LAGS, MACHINE BOLTS, ETC. SHALL BE GALVANIZED.
- CONTRACTOR SHALL CHECK ALL DIMENSIONS, FRAMING CONDITIONS AND SITE CONDITIONS BEFORE STARTING WORK. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES OR POSSIBLE DEFICIENCIES.

GRADING NOTES:

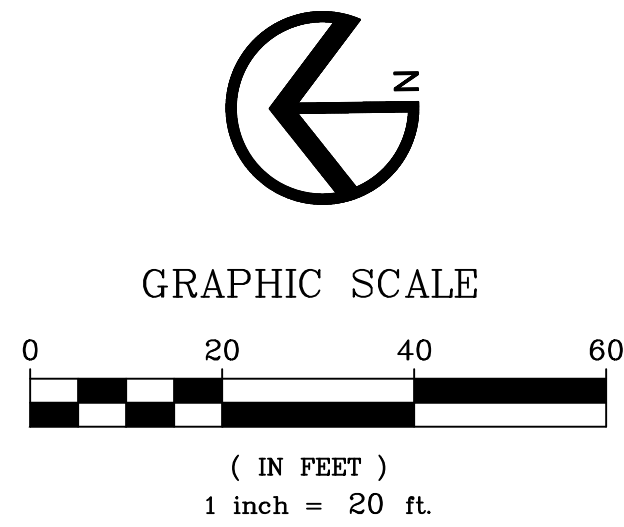
- CONTRACTOR SHALL VERIFY EXISTING GRADES AND NOTIFY THE LANDSCAPE ARCHITECT PRIOR TO START OF WORK OF ANY DISCREPANCY.
- ALL TOP SURFACES TO SLOPE AT 1% FOR DRAINAGE.
- ALL PLANTING AREAS TO SLOPE TO DRAIN AT 1-1/2% MINIMUM, UNLESS OTHERWISE NOTED.
- ALL GRADES WHERE STRUCTURAL ELEMENTS OCCUR (WALLS, PAVING ETC.) SHALL BE COMPACTED TO A MINIMUM OF 90%.
- ALL GRADING SHALL BE MAINTAINED PER ENGINEER'S PLANS.
- THIS PLAN COMPLIES WITH THE CRITERIA OF THE CITY'S WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIES THEM FOR THE EFFICIENT USE OF WATER IN THE GRADING DESIGN PLAN.

GRADING LEGEND

← DIRECTION OF DRAINAGE



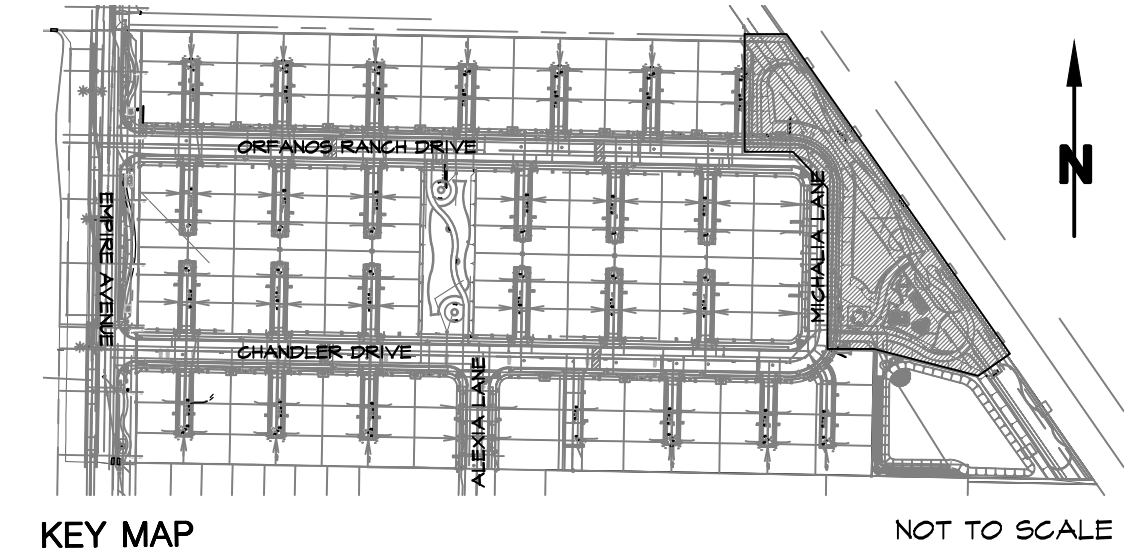
"EXTREME CAUTION"
CONTRACTOR TO EXERCISE WHEN WORKING NEAR EXISTING GAS LINE AREA



CAUTION!!!!
NO HEAVY EQUIPMENT WITHIN GAS PIPE CROSSING. ONLY HAND EXCAVATION AND COMPACTION ALLOWED WITHIN 2 FEET OF GAS PIPE

NOTE:
REFER TO SHEETS LI.1 & LI.2 FOR CITY OF BRENTWOOD CONSTRUCTION, PLANTING, IRRIGATION, AND GENERAL NOTES.

CITY NOTES TO PREVAIL IN ALL CASES OF CONFLICTING INFORMATION.



THE CITY OF BRENTWOOD
PUBLIC WORKS DEPARTMENT
150 City Park Way, Brentwood, CA 94515
Ph: (925) 316-5420 FAX: (925) 316-5421
www.brentwoodca.gov

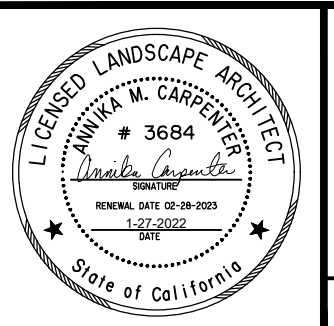
RIPLEY DESIGN GROUP
RIPLEY DESIGN GROUP, INC.
Landscape Architecture
Land Planning
1615 Bonanza St., Suite 314
Walnut Creek, California 94596
Tel: 925-938-7377 Fax: 925-938-7436

NO.	REVISIONS	BY	APP	DATE

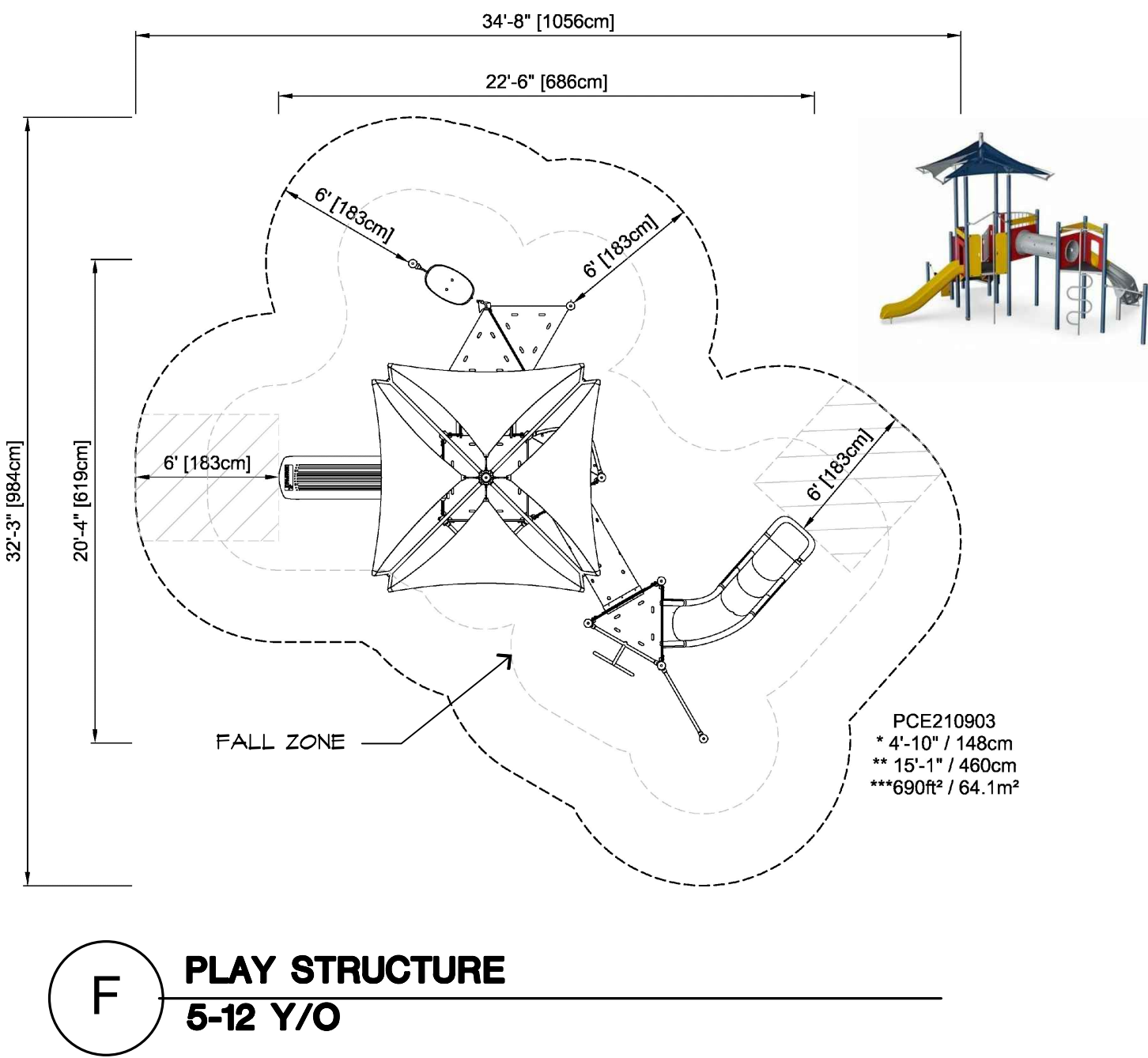
LANDSCAPE IMPROVEMENT PLANS
MAGPIE PARK CONSTRUCTION PLAN
CITY OF BRENTWOOD
CONTRA COSTA COUNTY, CALIFORNIA

DESIGNED UNDER THE DIRECTION OF:
Annika Carpenter
ANNIKA CARPENTER
L.L.A. No. 3684 REGISTRATION EXPIRES 02-28-23
DATE: 1-27-2022

DESIGN: CL DATE: 1-27-2022
DRAWN: CL DATE: 1-27-2022
CHECKED: AMC DATE: 1-27-2022

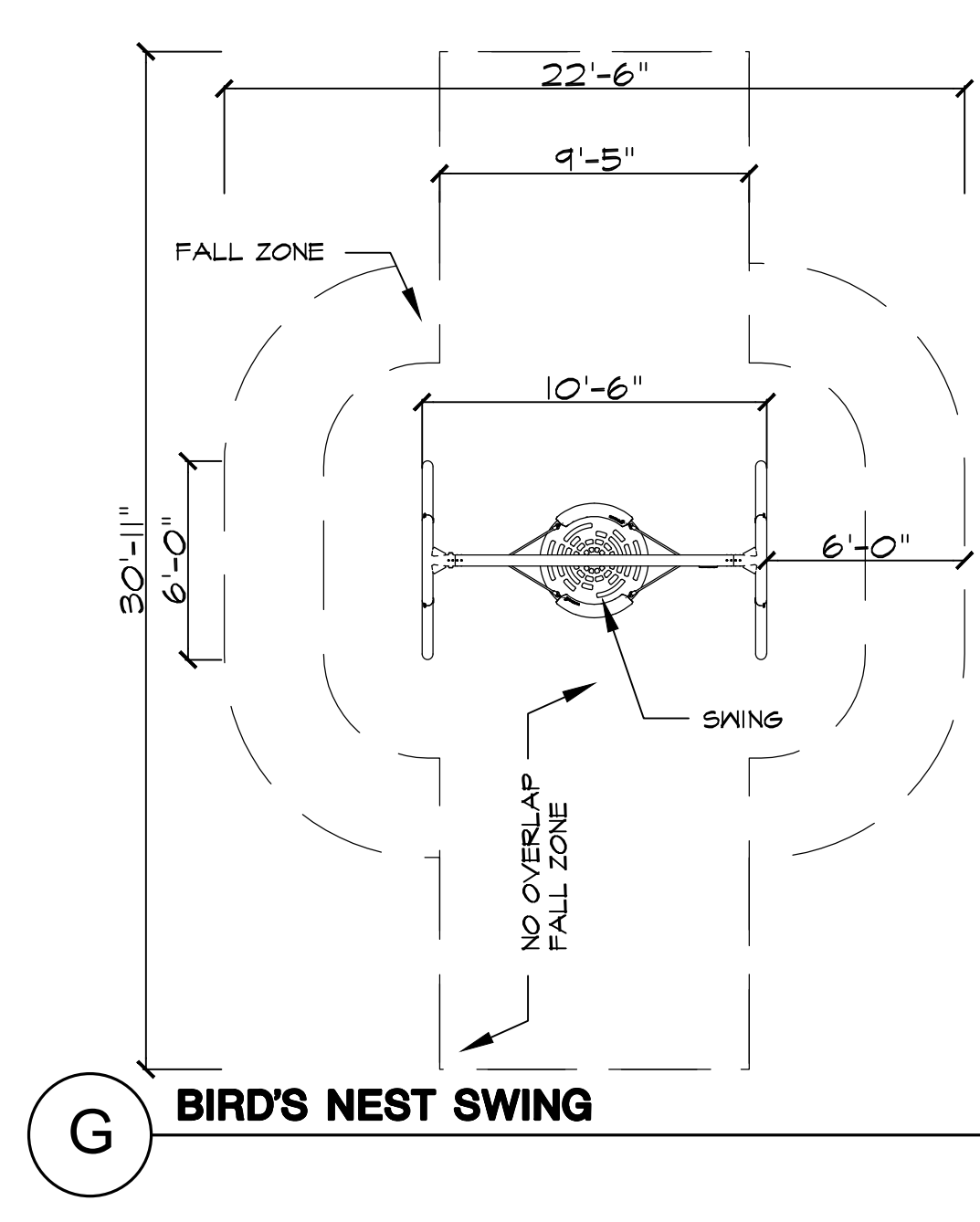


SHEET
L2.1
6 OF 17 SHEETS



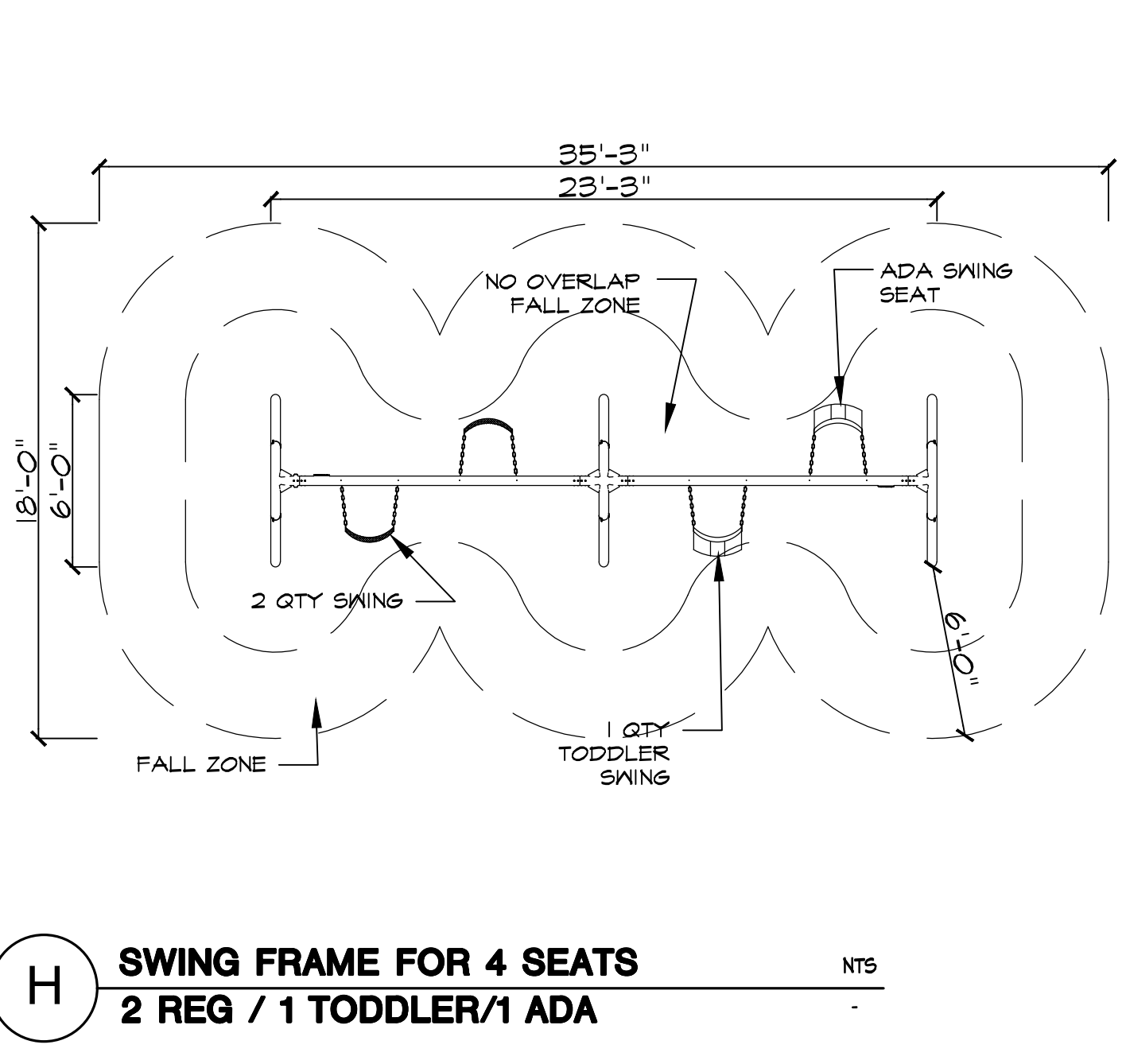
NOTES:

1. PLAY STRUCTURE TO BE: PIKES PEAK WITH SHADE: BLOSSOM - IN-GROUND PCE210903-0903OR EQUAL.
2. REP: JENNIFER LAZZARINI PLAYGROUND CONSULTANT, NORTHERN CA M. I (925) 285-0440 PHONE: 1 (800) 426-9188, WWW.KOMPANUS
3. PRODUCT LINE: ELEMENTS, CATEGORY: ELEMENTS ESSENTIALS.
4. OPERATORS SHALL HAVE PLAYGROUND EQUIPMENT ASSEMBLED AND INSTALLED IN COMPLIANCE WITH THE WRITTEN INSTRUCTIONS OF THE MANUFACTURER. EITHER THE PLAYGROUND EQUIPMENT SHALL BE ASSEMBLED AND INSTALLED BY OR UNDER THE DIRECT SUPERVISION OF AN INDIVIDUAL WHO IS AUTHORIZED BY THE MANUFACTURER TO ASSEMBLE AND INSTALL THE EQUIPMENT OR, PRIOR TO ITS FIRST USE, THE PLAYGROUND EQUIPMENT SHALL BE INSPECTED BY A CERTIFIED PLAYGROUND SAFETY INSPECTOR WHO SHALL CERTIFY TO THE OPERATOR IN WRITING THAT THE EQUIPMENT, INsofar AS IT CAN BE SEEN WITHOUT DISASSEMBLING IT OR DIGGING INTO THE SURFACING, IS IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
5. A PLAYGROUND SAFETY AUDIT INSPECTION IS REQUIRED PRIOR TO USE.



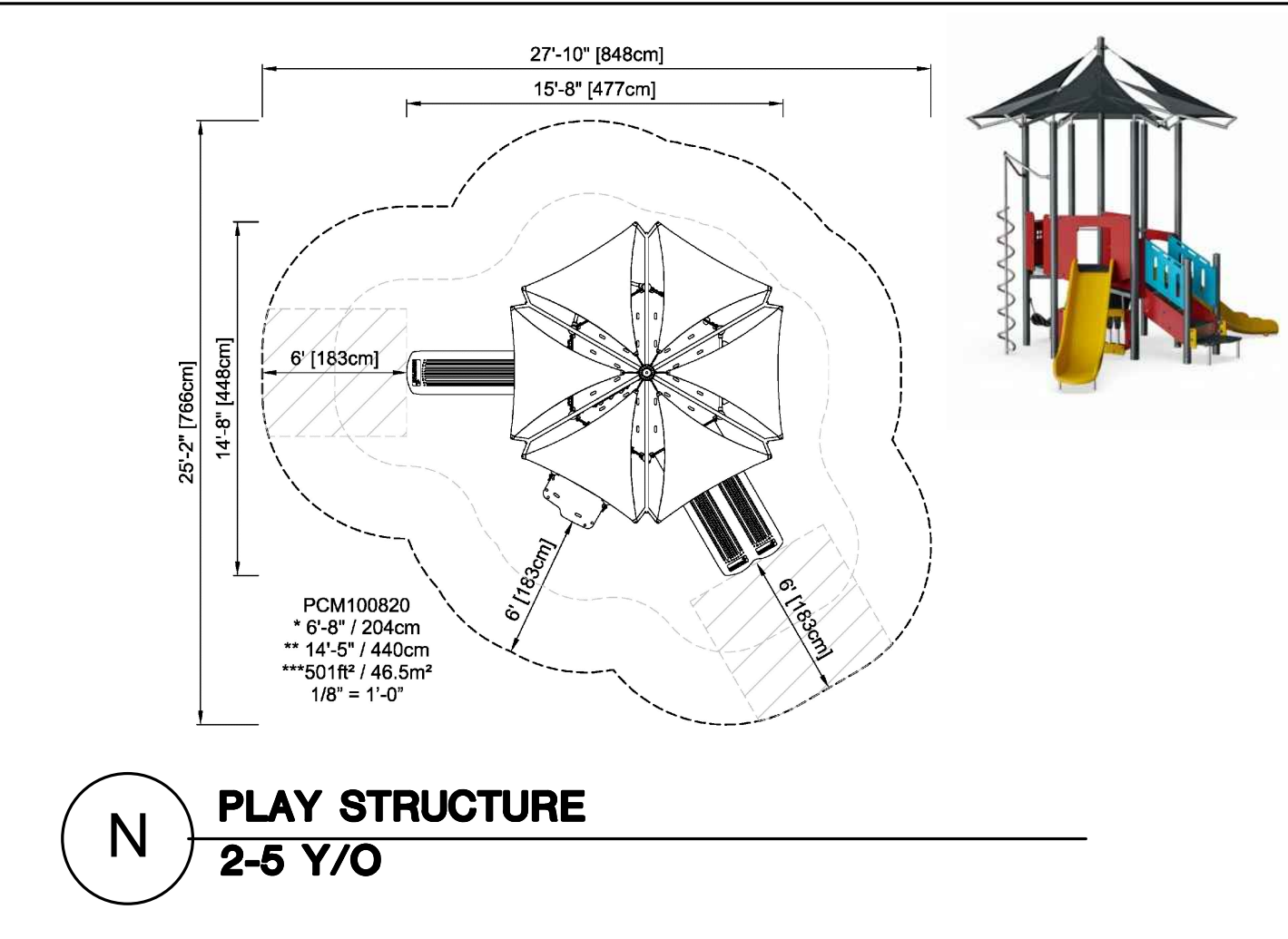
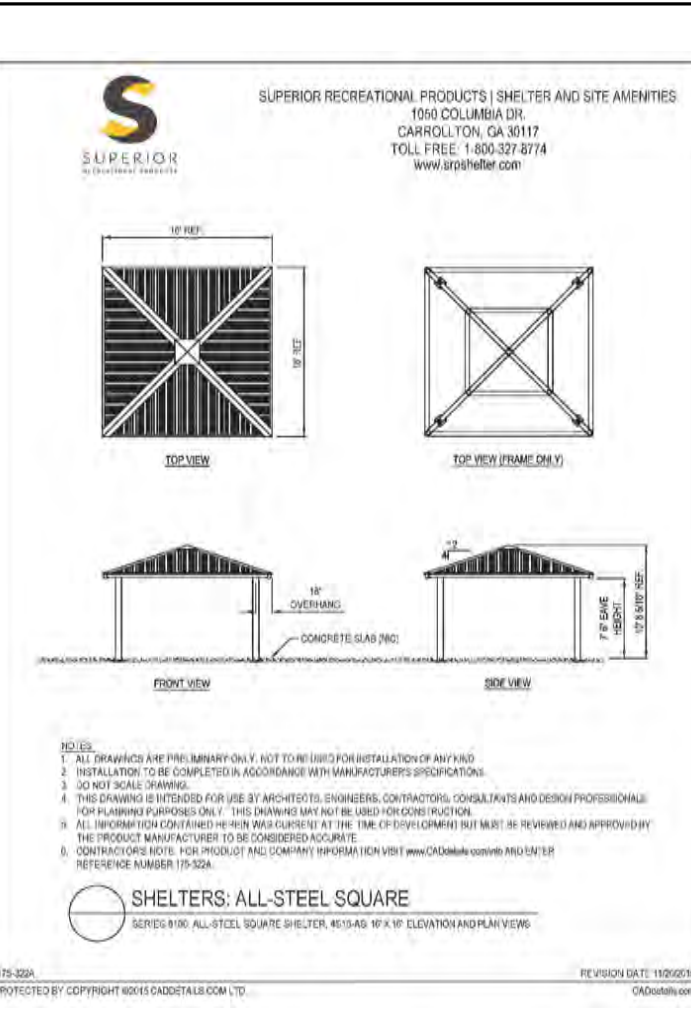
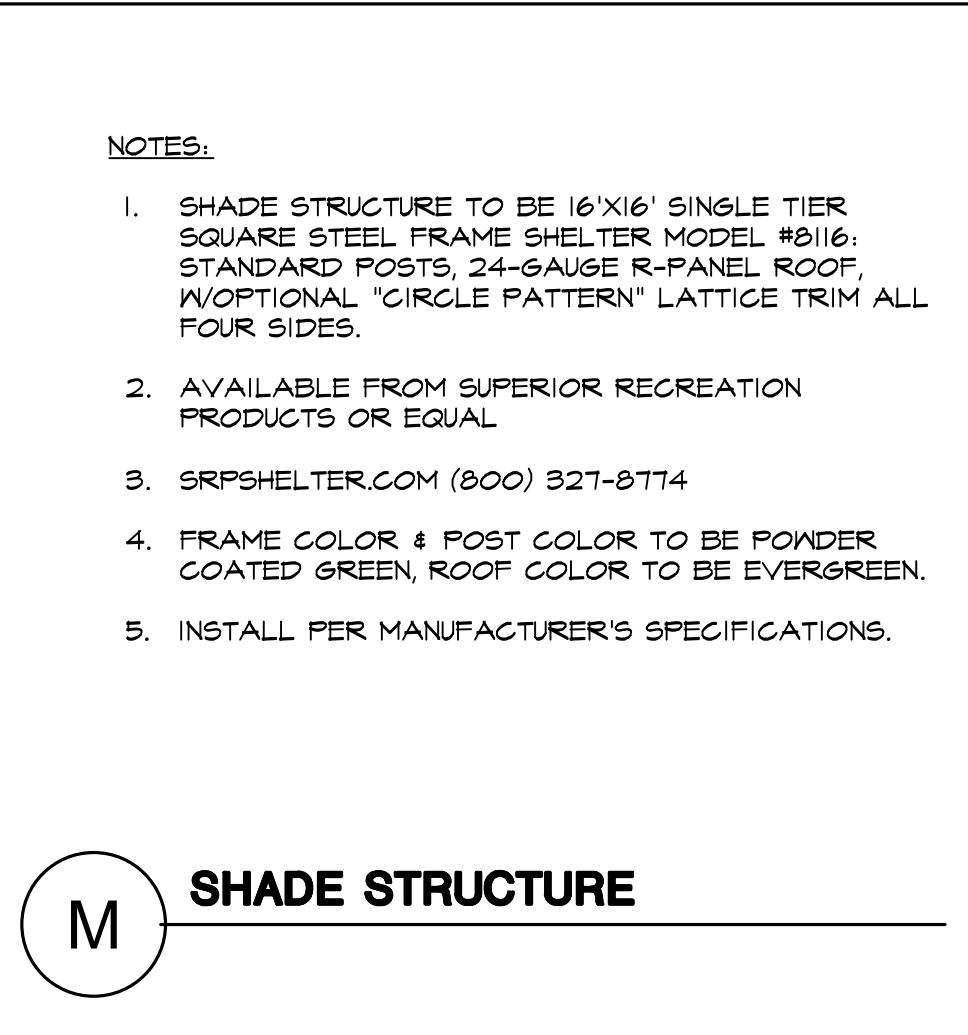
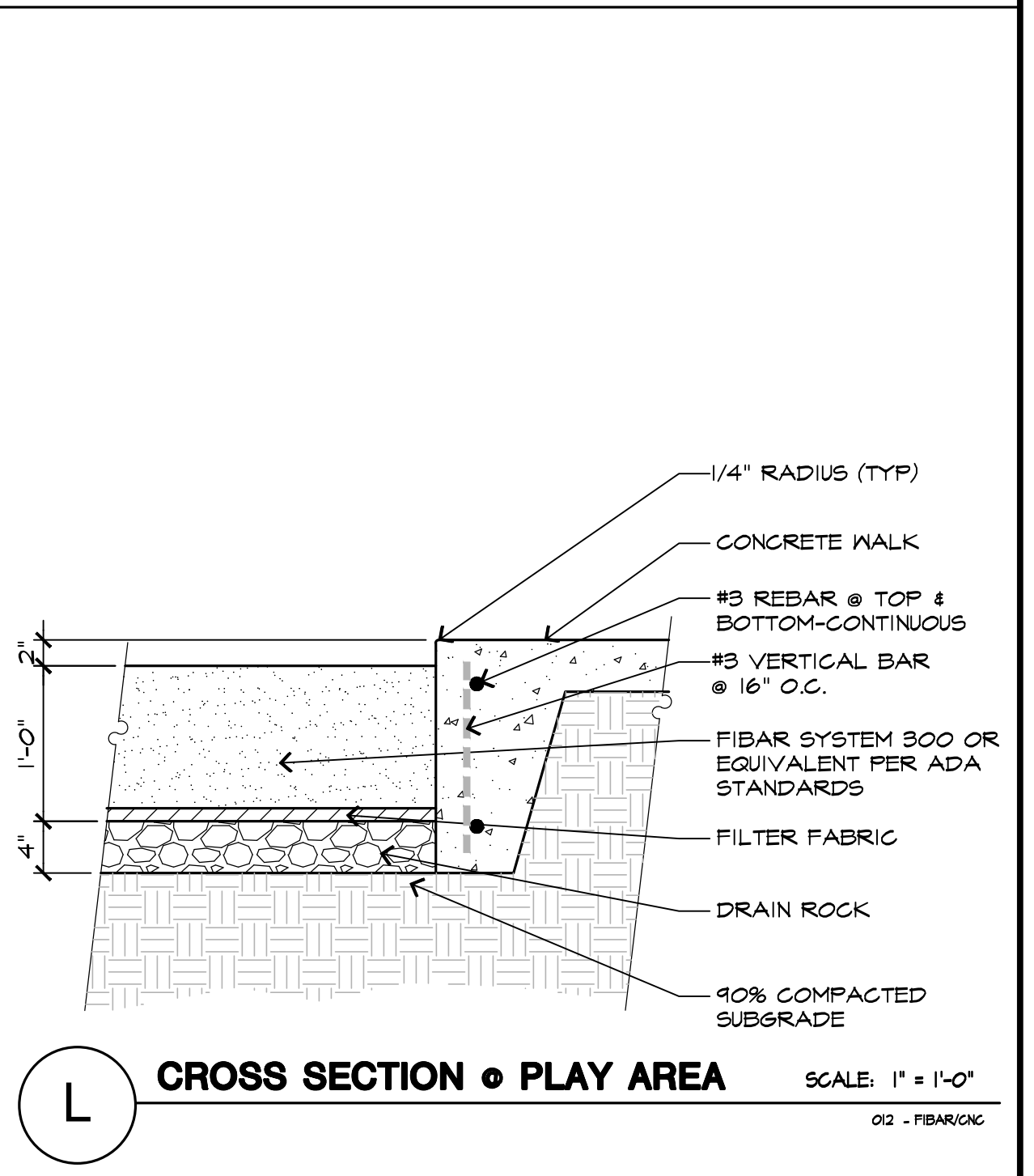
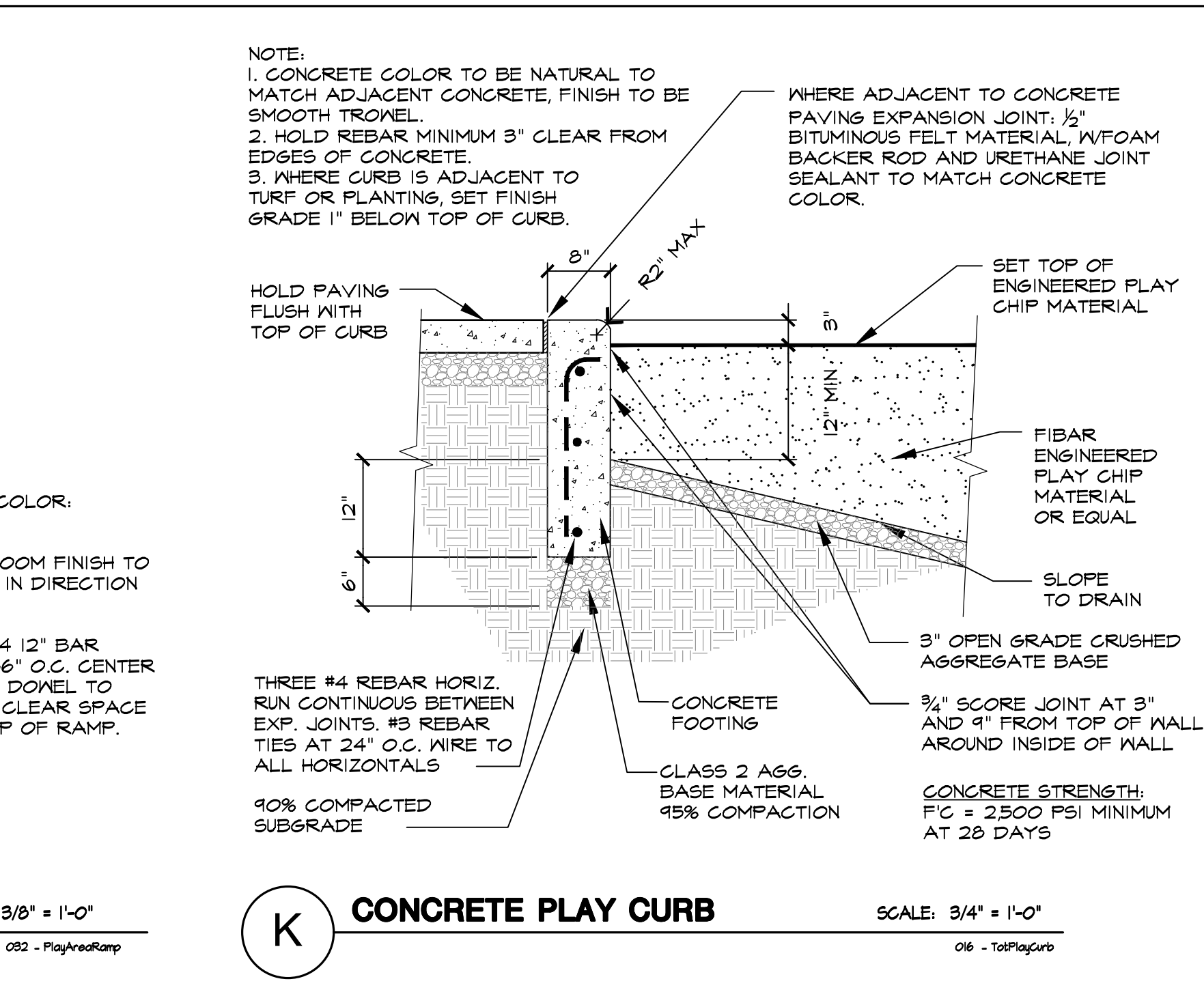
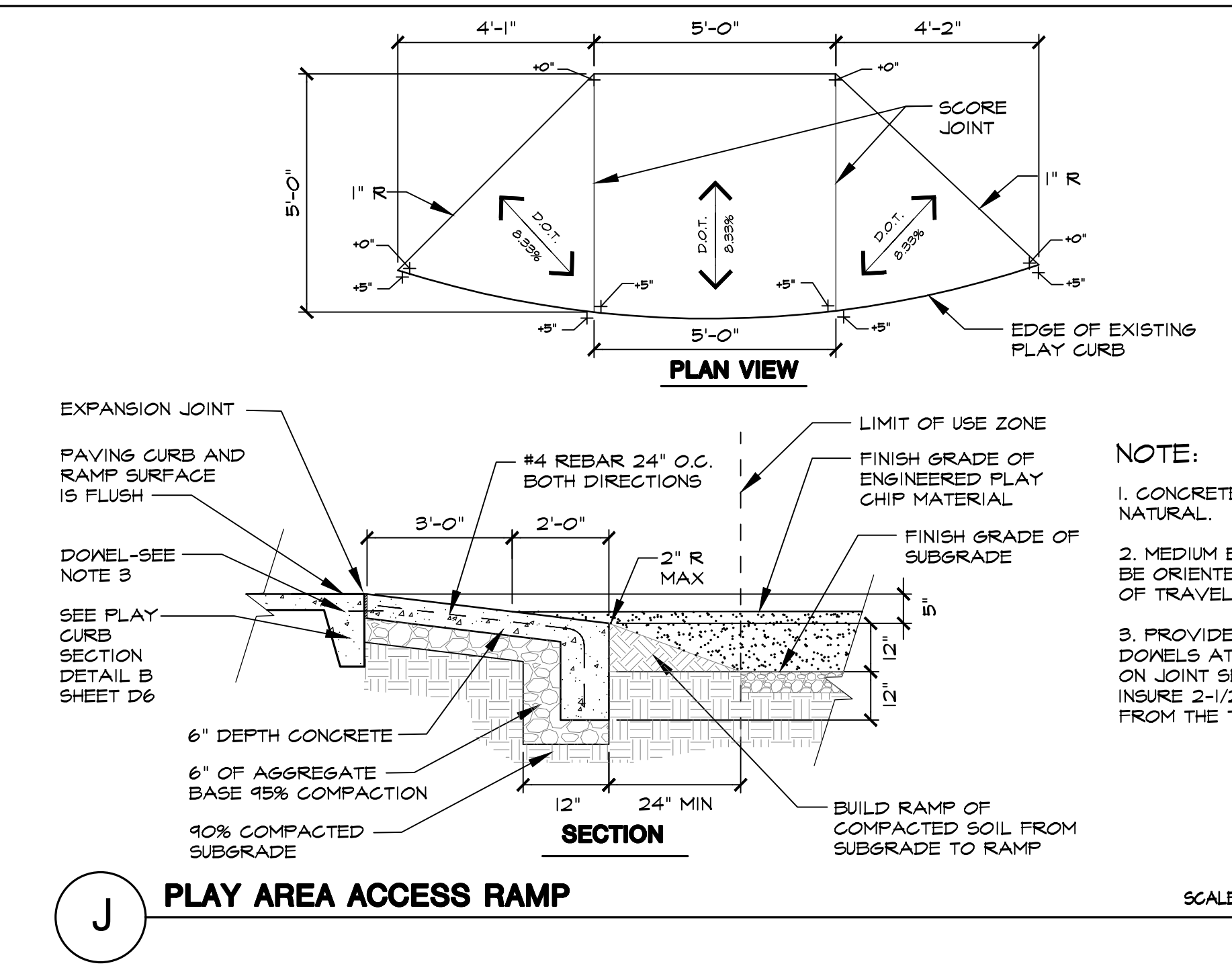
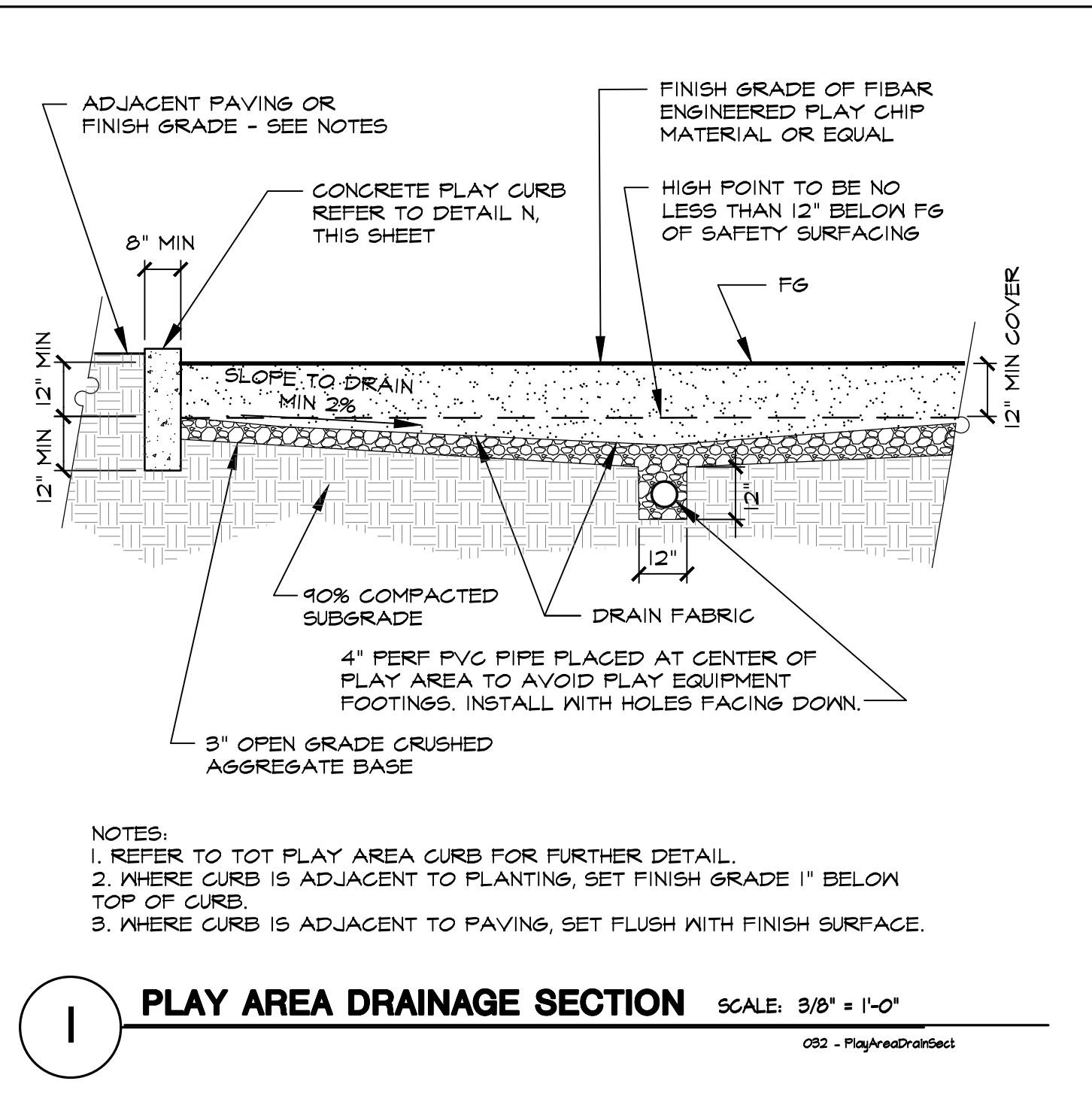
NOTES:

1. SWING MODEL: PORTAL SWING HEIGHT 25 METERS WITH BIRDS NEST SHELL SEAT. ANTHRACITE LEGS & CONNECTOR. GALVANIZED CROSSBEAM OR EQUAL. COLOR: POWDERCOATED RED
2. REP: JENNIFER LAZZARINI PLAYGROUND CONSULTANT, NORTHERN CA M. I (925) 285-0440 PHONE: 1 (800) 426-9188, WWW.KOMPANUS
3. PRODUCT LINE: FREESTANDING PLAY EQUIPMENT, CATEGORY: SWINGS
4. OPERATORS SHALL HAVE PLAYGROUND EQUIPMENT ASSEMBLED AND INSTALLED IN COMPLIANCE WITH THE WRITTEN INSTRUCTIONS OF THE MANUFACTURER. EITHER THE PLAYGROUND EQUIPMENT SHALL BE ASSEMBLED AND INSTALLED BY OR UNDER THE DIRECT SUPERVISION OF AN INDIVIDUAL WHO IS AUTHORIZED BY THE MANUFACTURER TO ASSEMBLE AND INSTALL THE EQUIPMENT OR, PRIOR TO ITS FIRST USE, THE PLAYGROUND EQUIPMENT SHALL BE INSPECTED BY A CERTIFIED PLAYGROUND SAFETY INSPECTOR WHO SHALL CERTIFY TO THE OPERATOR IN WRITING THAT THE EQUIPMENT, INsofar AS IT CAN BE SEEN WITHOUT DISASSEMBLING IT OR DIGGING INTO THE SURFACING, IS IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
5. A PLAYGROUND SAFETY AUDIT INSPECTION IS REQUIRED PRIOR TO USE.



NOTES:

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NOTES:

1. PLAY STRUCTURE TO BE: MEGA TOWER WITH SHADE & ADA STEEL RED HPL SLIDE PP PCM100820-0010 OR EQUAL.
2. REP: JENNIFER LAZZARINI PLAYGROUND CONSULTANT, NORTHERN CA M. I (925) 285-0440 PHONE: 1 (800) 426-9188, WWW.KOMPANUS
3. PRODUCT LINE: MOMENTS PLAY SYSTEMS, CATEGORY: MOMENTS PRESCHOOL.
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RIPLEY DESIGN GROUP
RIPLEY DESIGN GROUP, INC.
Landscape Architecture
Land Planning
1615 Bonanza St., Suite 314
Walnut Creek
California 94596
Tel: 925-938-7377
Fax: 925-938-7436

NO.	REVISIONS	BY	APP	DATE

LANDSCAPE IMPROVEMENT PLANS
CONSTRUCTION DETAILS (2)
CITY OF BRENTWOOD
CONTRA COSTA COUNTY, CALIFORNIA

DESIGNED UNDER THE DIRECTION OF:
Annika Carpenter
ANNIKA CARPENTER
L.L.A. No. 3684 REGISTRATION EXPIRES 02-28-23
DATE: 1-27-2022

DESIGN: CL DATE: 1-27-2022
DRAWN: CL DATE: 1-27-2022
CHECKED: AMC DATE: 1-27-2022

LANDSCAPE ARCHITECT
ANNIKA CARPENTER
L.L.A. No. 3684
1-27-2022
State of California

SHEET
L2.5
10 OF 17 SHEETS