



## MEMORANDUM

**TO:** City Council

**FROM:** Bill Robeson, Assistant City Manager/Public Works Director

**BY:** Shannon Sweeney, City Engineer

**SUBJECT:** Consideration of Parklet Concrete Barrier and Planter Procurement

**DATE:** July 25, 2023

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### **SUMMARY OF ACTION:**

Approve the purchase of decorative concrete barriers and planters associated with the long-term parklets program.

### **IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:**

The estimated \$60,000-\$90,000 to procure the permanent decorative concrete barriers and planters associated with the long-term parklets is expected to be fully offset over time through rental fees for the physical barriers paid by the business owners requesting the parklets, as described in the September 27, 2022, staff report introducing the Ordinance regarding the permanent parklet program.

Per the City's purchasing policy manual, the bid requirements for acquiring these material/goods followed the City Council approval public bid process, which was the formal bid process for goods/merchandise. The threshold for that is \$10,001 or more.

Taxes on the purchase were estimated for the purpose of comparing quotes. Once Petersen Manufacturing Company (Petersen) was determined to be the low bid, staff spoke with the company to determine whether additional components could be added to the freight trucks to maximize shipping. Staff at Peterson indicated that one additional 8-foot barrier could be included in the shipment at no extra shipping charge. Peterson sent a revised quote including taxes and the additional barrier. The revised quote totals \$72,957.20, which is the amount requested for approval.

City staff will coordinate the removal of the existing k-rail. Placement of the new barriers will be done in-house. Approximately 20 hours of staff time is estimated for the removal of existing K-rail barriers and placement of new concrete barriers for initial set up. Additional staff time will be needed over time for barrier maintenance and occasional placement or replacement.

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**RECOMMENDATION:**

1) Adopt a Resolution approving the purchase of decorative concrete barriers and planters associated with the long-term parklets program; 2) Make findings that continuing administrative or maintenance activities—such as purchases for supplies, personnel-related actions, and general policy and procedure making—do not qualify as a project under CEQA.

**BACKGROUND:**

The City's parklets program originated during the early stages of the pandemic to support public health and economic recovery of local businesses, particularly restaurants, that were being negatively impacted by the COVID-19 pandemic due to indoor dining restrictions. The initial program was also a unique opportunity to re-imagine how the City's public right-of-way could be utilized to improve long-term community vibrancy and economic vitality.

In response to the initial COVID-19 reopening process, the City adopted a resolution on [June 23, 2020](#), authorizing the Community Development Director to waive application fees for encroachment permits and Minor Use Permits/Temporary Use Permits for restaurants that were seeking additional outdoor dining space.

A study session on the City's temporary parklets program and options for potential permanent parklets programs was held on [November 23, 2021](#). A community survey held prior to the study session resulted in over 600 responses, with strong support for having a long-term permanent parklets program. Themes of concern included concerns about parking, aesthetics, safety, and economic fairness. At the study session, the City Council provided direction to staff to develop a long-term parklets program, including among other things, a detailed cost analysis for concrete barrier installation.

On [September 27, 2022](#), staff introduced an ordinance to establish a permanent parklets program. The ordinance includes design criteria including the general design of the parklets barriers, maximum height, and maximum length. Ordinance 719 amended the Municipal Code regarding the establishment of permanent parklets. Ordinance 719 was adopted on [October 11, 2022](#) and became effective thirty days after adoption.

Staff used information in the ordinance to develop multiple barrier configurations that met the design criteria. Staff met with the Architectural Review Committee (ARC) on [July 3, 2023](#), to review the configuration options and identify the preferred layout. The preferred layout includes square planters at the outside corners of the barrier layout. The image below shows a conceptual rendering of the ARC's recommended layout.

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Once the ARC's recommended layout was identified, staff then had sufficient information to develop a Request for Quotations (RFQ) to seek competitive quotes for procurement of the concrete barriers and planters. The RFQ was structured for the purchase of sufficient barrier and planters for one single parking spot parklet and seven double parking spot parklets. At this time, the City has one single spot parklet and four double spot parklets with two more double spot parklets anticipated.

On July 7, 2023, this RFQ was issued to nine vendors who were identified as selling decorative concrete barriers that meet the design criteria established in the City's ordinance and supported by the ARC. The deadline for submitting quotes was July 13, 2023.

Six quotes were received prior to the deadline. Of the vendors that provided quotes, two vendors failed to meet the planter design criteria, one failed to meet the lead time specification, and two exceeded the estimated budget. One quote, received from Peterson Manufacturing Company, indicated the ability to meet the 8-week lead time, met all design criteria, and is within budget.

Staff met with the Architectural Review Committee meeting again on [July 17, 2023](#), to review quotes and discuss colors. The ARC recommends the color Sand Tan in a light sandblasted finish. A representation of that color and finish is shown below.



**ANALYSIS OF ISSUES:**

The proposed concrete barriers and planters recommended by staff and the ARC address safety and aesthetic concerns expressed during development of the permanent parklet program ordinance.

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Safety

The decorative concrete barriers provide a weighty barricade between a busy vehicular thoroughfare and the dining public. The 8-foot barriers, 4-foot barriers, and planters from the recommended vendor weigh 4,100 lbs, 2,100 lbs, and 730 lbs, respectively.

Aesthetics

The identified barrier and planter layout and color will be consistent amongst all parklets within the Village and be more suitable to the historic theme.

Rental fees have been developed so that the cost of the barriers and planters will be reimbursed to the City over time.

The barriers and planters will be delivered to the City in four truckloads. The manufacturer will be shipping the items as they are manufactured, as each truck is filled. The final truckload is expected within eight weeks of the issue of the purchase order. If the purchase order is issued in the final week in July, all items will be delivered before the end of September. Installation of the barriers and planters will be coordinated with the 2022 concrete repairs project and the 2022 slurry seal project. At this time, it is estimated that the new barriers and planters will be installed by the City in late October once the two capital projects are completed.

**ALTERNATIVES:**

1. Approve the purchase of decorative concrete barriers and planters from Peterson Manufacturing in the color recommended by the ARC.
2. Do not approve purchase.
3. Provide other direction to staff.

**ADVANTAGES:**

Advantages to the recommended alternative include:

- Consistent layout and appearance for all concrete barriers in the Village.
- Purchase of barriers is within the originally estimated budget for this project.
- Selected concrete barriers provide a physical barrier between vehicles and diners.
- Purchasing the barriers at this time will help limit the amount of time the parklets are out of service, as placement will be coordinated with the removal of the temporary barriers, the concrete repairs project, and the slurry seal project, all which impact the same area in the Village.

**DISADVANTAGES:**

Barrier and planter procurement is from outside the state, which will make replacement parts more expensive to obtain due to shipping costs. City staff has maximized the available truck space and the existing quote includes components for one extra parklet to minimize the need to purchase replacement parts. In addition, despite the high shipment costs, this bidder did submit the only responsive bid that was within the City's budget.

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**ENVIRONMENTAL REVIEW:**

Continuing administrative or maintenance activities—such as purchases for supplies, personnel-related actions, and general policy and procedure making—do not qualify as a project under CEQA. (State CEQA Guidelines, § 15378, subd. (b)(2).) Installation of individual parklets will be evaluated for CEQA as applications are received.

**PUBLIC NOTIFICATION AND COMMENTS:**

The Agenda was posted at City Hall and on the City’s website in accordance with Government Code Section 54954.2.

Attachments:

1. Proposed Resolution
2. Request for Quotation
3. Procurement Cost Analysis
4. Quote from Petersen Manufacturing Company