

**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council acting as the Successor Agency to the Oakley Redevelopment Agency  
February 10, 2015**

**1.0 OPENING MATTERS**

***Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency***

**1.1 Call to Order and Roll Call of the Oakley City Council, Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency**

Mayor Hardcastle called the meeting to order at 6:31p.m in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Doug Hardcastle, Kevin Romick, Randy Pope, Sue Higgins and Vanessa Perry were present.

**1.2 Pledge of Allegiance to the Flag**

Mayor Hardcastle led the Pledge of Allegiance to the Flag.

**2.0 PUBLIC COMMENTS**

**Online Comment Forms**

No online comment forms were received for Public Comments.

**Public Comment Cards**

No public comment cards were submitted for Public Comments.

**3.0 CONSENT CALENDAR**

***Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency***

**3.1 Approve the Minutes of the Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Meeting of January 27, 2015 (Libby Vreonis, City Clerk)**

***Oakley City Council***

**3.2 Adopt a Resolution Accepting as Complete Work Performed for Capital Improvement Project 151-Fiscal Year 2014-2015 Street Repair and Resurfacing Project (Kevin Rohani, Public Works Director/City Engineer)**

- 3.3 Adopt a Resolution Accepting as Complete Work Performed for Capital Improvement Project 156-Fiscal Year 2014-2015 Storm Drain Improvement Project (Kevin Rohani, Public Works Director/City Engineer)**
- 3.4 Adopt a Resolution Approving a Subdivision Improvement Agreement with Clyde Miles Construction Company, Inc. for Subdivision 8985 (Quicksilver) located at 1500 West Cypress Road on the Northwest Corner of West Cypress Road and Lois Lane (Kevin Rohani, Public Works Director/City Engineer)**
- 3.5 Adopt a Resolution Approving Parcel Map MS 14-979 regarding property located at the Southeast Corner of Empire Avenue and Neroly Road (Kevin Rohani, Public Works Director/City Engineer)**
- 3.6 Adopt a Resolution Approving a New Employee Position Classification of Planning Manager (Bryan Montgomery, City Manager)**
- 3.7 Adopt a Resolution Approving the Fiscal Year 2014-2015 Mid-Year Budget Review and Adopting Its Recommendations for Revising the Fiscal Year 2014-2015 Operating and Capital Budgets (Paul Abelson, Finance Director)**
- 3.8 Accept Quarterly Investment Report (2<sup>nd</sup> Quarter Fiscal Year 2014-2015) (Paul Abelson, Finance Director)**
- 3.9 Receive the Recommendation of the Auditor Selection Sub-Committee on the Selection of the City's Independent Auditor and Adopt a Resolution Authorizing the City Manager to Execute a Contract with Maze & Associates for Professional Audit Services for Fiscal Years 2014-2015 through 2016-2017, with Two Additional One-Year Extensions Exercisable at the City's Option (Paul Abelson, Finance Director)**
- 3.10 Adopt a Resolution Authorizing the City Manager to Submit an Application to the California Department of Housing and Community Development's (HCD) Housing-Related Parks Program (HRP Program) and if Awarded Funding, Execute an Agreement and any Related Documents Necessary to Participate in the HRP Program (Joshua McMurray, Senior Planner)**
- 3.11 Adopt a Resolution Approving an Extension to the Exclusive Option Agreement for the Purchase of Undeveloped Real Property located at 101 and 111 Carol Lane, Oakley, California (APNs 037-132-038 and 037-132-037) (Dwayne Dalman, Economic Development Manager)**

***Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency***

- 3.12 Adopt a Resolution Approving the Final Form of Certain Documents Relating to the Issuance and Sale of Tax Allocation Refunding Bonds to Refund the Former Oakley Redevelopment Agency's 2003 Bonds, and Approving Related Matters and Official Actions (Paul Abelson, Finance Director)**
- 3.13 Adopt a Resolution Approving the Mid-Year Financial Status Report (Paul Abelson, Finance Director)**
- 3.14 Accept the Quarterly Investment Report (2<sup>nd</sup> Quarter Fiscal Year 2014-2015) (Paul Abelson, Finance Director)**
- 3.15 Adopt a Resolution Approving a Recognized Obligations Payment Schedule for the Six Month Period July to December 2015 (Paul Abelson, Finance Director)**

Online Comment Forms

No online comment forms were received for the Consent Calendar.

Public Comment Cards

No public comment cards were submitted for the Consent Calendar.

Mayor Hardcastle pulled Item 3.12 from the Consent Calendar.

It was moved by Vice Mayor Romick and seconded by Councilmember Pope to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered. (5-0)

Item 3.12

Mayor Hardcastle inquired what happens after year 6 for debt service.

Finance Director Paul Abelson explained that the debt service is more aggressive in earlier years and must be at least \$1 less after year 6.

It was moved by Mayor Hardcastle and seconded by Councilmember Pope to approve Item 3.12. Motion was unanimous and so ordered. (5-0)

## 4.0 PUBLIC HEARINGS

### *Oakley City Council*

#### **4.1 Bella Estates Minor Subdivision 14-978 located at 1289 Laurel Road, APN 034-080-034 (TPM 03-14, VA 02-14) (Ken Strelo, Senior Planner)**

Senior Planner Ken Strelo presented the staff report.

Councilmember Perry inquired if only one home could be developed on each one-acre lot.

Mr. Strelo explained that the AL designation could allow a second unit as part of the main unit and limited in size (i.e., an in-law unit).

Mayor Hardcastle inquired if livestock is allowed on the lots with less than one acre.

Mr. Strelo confirmed livestock is allowed on these lots.

Councilmember Pope requested clarification of ingress and egress access to the properties which Mr. Strelo provided.

Councilmember Higgins inquired if traffic exists to support the need for Daniel Drive to be expanded and improved.

City Manager Bryan Montgomery explained that expanding and improving the road now will prevent a future cost to the City to have to purchase it later and that an approximate 10% variance is not uncommon.

Councilmember Pope inquired if Daniel Drive will connect to Kay Lane in the future and Mr. Strelo confirmed it will connect.

Vice Mayor Romick requested clarification regarding the guidelines for variances.

Mr. Strelo explained that variances are subjective; staff must look at the required findings and confirm they can be supported.

Councilmember Pope requested clarification regarding when the dedication would be taken for the road.

Mr. Strelo responded that the dedication is taken when the parcel map is approved.

### Online Comment Forms

No online comment forms were submitted for Item 4.1

## Public Comment Cards

Bert McElvain inquired if the Council's decision would impact all five parcels or only parcels A and B. He also inquired how the remainder parcel would be regulated with regard to structures on the property and if all of the lots are currently in excess of the AL designation.

Vice Mayor Romick replied that all five parcels are being considered and if two homes exist currently exist on any of the parcels, they would be legal non-conforming.

Mr. Strelo added that the homes would be legal, non-conforming. He mentioned a secondary dwelling unit would have to be owner occupied, not leased. He also mentioned that the remainder parcel has an existing home, trailer and shed.

Applicant Charles Capp with Bellecci and Associates, Inc. commented that the remainder lot has a dwelling, shed and an existing trailer on it, but it is uncertain whether or not the trailer is occupied. He mentioned the driveways on parcels A and B will be positioned in the middle of the lots.

Mayor Hardcastle read into the record a letter submitted by Steve and Linda Tucker dated February 8, 2015 who opposed the variance on lot size.

It was moved by Vice Mayor Romick and seconded by Mayor Hardcastle to adopt the resolution. Motion was unanimous and so ordered. (5-0)

## 5.0 REGULAR CALENDAR

### ***City Council***

#### **5.1 Adopt a Resolution Approving the 2015 Oakley City Council Committee Appointment List as Amended (Libby Vreonis, City Clerk)**

City Clerk Libby Vreonis presented the staff report.

Mayor Hardcastle requested amendments to the existing list including: Mayor Hardcastle will be the Tri Delta Transit appointee, Mayor Hardcastle will be the TRANSPAN (Planning Commission Representative), and Vice Mayor Romick will be the TRANPLAN (City Council Representative). Councilmember Pope mentioned he is an appointee to the Ad Hoc Ag Conservation Committee and requested that information be included on the list.

### Online Comment Forms

No online comment forms were received for Item 5.1.

## Public Comment Cards

No public comment cards were submitted for Item 5.1.

It was moved by Vice Mayor Romick and seconded by Councilmember Pope to adopt the resolution. Motion was unanimous and so ordered. (5-0)

## 6.0 REPORTS

### **6.1 CITY MANAGER**

#### **(a) City Manager**

City Manager Bryan Montgomery announced that the East County Little League will be holding its opening day parade on March 14 and the spring Oakley Recreation Guide will be released on March 13.

City Clerk Libby Vreonis announced that future meeting agendas and notices will be posted in three locations: the Oakley Library at Freedom High School, at City Hall, and in front of the gym at Delta Vista Middle School. She mentioned the prior posting location at 204 Second Street was weathered and the posting location at Delta Vista will replace it.

Mayor Hardcastle suggested posting at the post office.

### **6.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY**

#### **(a) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Comments**

Councilmember Pope announced the East Contra Costa Fire Protection District Board will review the Engineer's Report for the benefits assessment which is available to the public on the District's website. He mentioned he will attend the Habitat Conservancy meeting on February 23 in Clayton where he will be appointed as Chair of the Board.

Councilmember Perry announced she attended the Ironhouse Sanitary District (ISD) meeting on February 3 and Black Bear Diner was awarded the Clean Business Award for keeping fats and oils out of sewage. She mentioned ISD has banned use of brine water softeners effective March 5.

Mayor Hardcastle announced he held "Mayor at the Market" this past Saturday and he received compliments on the City's police department, fire services and code enforcement efforts. He mentioned he spoke with one person who expressed interest in assisting the homeless in Oakley and it is encouraging to know there are members of the community wanting to help.

#### **(b) Requests for Future Agendas**

Mayor Hardcastle requested the City Council review the process for a Councilmember leaving office to appoint his or her successor.

### **7.0 WORK SESSIONS**

#### **7.1 Work Session Regarding Community Garden Project (Councilmember Higgins)**

Shawn Horrocks, Vice Chair of the Community Garden Project (CGP), requested the City Council consider allowing the CGP to use potable water available from the Oakley Recreation Buildings (ORB) and consider extending the current lease term to a 10-year lease term. She explained that the CGP is willing to pay for its proportionate share of water usage (she estimates it to cost approximately \$50.00 per month) and can provide a deposit to the City. She also explained that a longer lease term would be more favorable to the CGP when seeking grant funding and donations. She mentioned the parking lot is too expensive (estimated \$36,000) for the CGP to improve.

#### **Online Comment Forms**

Two online comment forms (Lynne O'Neil and Sonia Perez) were submitted for Item 7.1. Both expressed support for the Community Garden Project and requested the City Council consider allowing CGP access to the City's water source.

#### **Public Comment Cards**

Paul Seger submitted a comment card to be read into the record, requesting the City allow the CGP to use the ORB water, extend the lease term and allow the CGP and Moura Farm group to be stewards of the entire undeveloped portions of the property. He commented that several California cities have used CEQA exemptions to allow for community gardens and farming.

Lonni Cronin submitted a comment card to be read into the record, explaining she has traveled many places and community gardens in places she visited were part of City property. She mentioned the CGP is willing to pay for the water for the garden plots only if the City will grant access. She requested the City provide support for water access or the parking lot.

Julie Vazquez commented other properties that were offered for the CGP were in detention basins which are unhealthy and they flood. She mentioned the farm gives the community a place to grow and learn about the land. She requested a longer lease term. She explained that the school district was only willing to offer water access for the farm because of its charitable purpose, but not for the plots.

Feli Paul submitted a comment card to be read into the record, requesting the City Council to work with the CGP and provide water access.

Shelley Somerset, Chair of Slow Food Delta Diablo, mentioned most cities with community gardens offer water and the City of Oakley should be proud of the CGP for its willingness to pay for the water. She also mentioned the lease for the farm is for no more than one acre.

Gail Wadsworth, Executive Director of the California Institute for Rural Studies and Slow Food Delta Diablo participant, commented that state laws support farming; California encourages urban farming by offering tax breaks. She mentioned for every \$1 invested in farming, \$6 of vegetables are grown. She also mentioned positive impacts of farming include healthier diets, people eat, self-sufficiency, and money spent on farmed food is free to spend on other consumer products. She commented that in 1996, the United Nations recognized urban agriculture for its contributions to health and human welfare.

The City Council discussed the lease term and potential alternate sites for the CGP. The City Council also discussed accessing the City's water through the ORB. It was the consensus of the City Council that although they do not oppose the CGP paying for water, the community garden is an interim use on the property and when the City has funding for the property's ultimate use, the garden will have to be relocated. The City Council requested staff work with the CGP to locate potential alternate sites for the CGP and then discuss an extension of the lease and water access further. Councilmember Pope reiterated that the CGP use was an interim one. Mayor Hardcastle and Vice Mayor Romick both expressed concern of making a decision to extend the lease term this evening as other interest groups (i.e., Library, baseball and soccer organizations, community center proponents) were not present to comment.

## **7.2 Long-Term Delivery of Police Services (Bryan Montgomery, City Manager and Paul Abelson, Finance Director)**

City Manager Bryan Montgomery and Finance Director Paul Abelson presented the staff report and explained the research that had been conducted. They commented that the County's cost to provide officers under the current contract is increasing substantially and while the City is able to maintain the current staffing level of officers, it should review options for future years to maintain and increase staffing levels as the City's population grows. They mentioned that the savings of bringing police services in-house would allow for future growth of police services.

It was the consensus of the City Council that continued public input is desired and that staff should encourage more public participation before a final decision is made. Councilmember Pope also requested that staff research options other than CalPERS and alternative retiree health benefits.

Online Comment Forms

No online comment forms were received for Item 7.2.

Public Comment Cards

No public comment cards were submitted for Item 7.2.

8.0 CLOSED SESSIONS-None

9.0 ADJOURN

There being no further business, the meeting was adjourned at 8:48 p.m.

Respectfully Submitted,

Libby Vreonis  
City Clerk