

**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council acting as the Successor Agency to the Oakley Redevelopment Agency
May 26, 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 and Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

Mayor Hardcastle called the meeting to order at 6:32pm 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

Vice Mayor Romick led the Pledge of Allegiance to the Flag.

1.3 Proclamations Recognizing Paola Berumen, Alexis Murillo and Paulette Quiba for the 2015 Oakley Youth Advisory Council Outstanding Youth Volunteer Awards

Mayor Hardcastle presented the proclamations to Ms. Murillo and Ms. Quiba. Ms. Berumen was not in attendance, but was recognized. The Oakley Youth Advisory Council also recognized the award recipients with proclamations.

2.0 PUBLIC COMMENTS

Online Comment Forms

No online comment forms were submitted for Public Comments.

Public Comment Cards

No public comment cards were submitted for Public Comments.

3.0 WORK SESSIONS

Oakley City Council

3.1 Downtown Oakley Priority Development Area (PDA) Market Study Work Session (Joshua McMurray, Planning Manager)

Planning Manager Joshua McMurray presented the staff report and introduced Dennis Dornan and Brian Chambers with Perkins & Will and Katherine Tellez with Fehr & Peers

whom performed a study and provided information to the City Council regarding three platform locations (Option "A"-Transit Village, Option "B"-Civic Heart and Option "C"-Main Street Gateway) for a potential San Joaquin JPA station and/or a Tri Delta Transit park and ride lot in Oakley. The study was funded through grant funds awarded by the Contra Costa Transit Authority. The group explained that it is possible to pursue one location or up to three locations in a phased approach and their desire would be to obtain feedback from the City Council and evaluate the next phase.

The consensus of the City Council was that Option "C", the Main Street Gateway, is the optimal location for the platform as it is the most visible and at least risk for traffic congestion.

Councilmember Pope added that he would like to see elements of Option "B" included in Option "C" (i.e., greenway paths connecting parks and people), but not more roads.

Councilmember Higgins added that she would like to see the parking ramp in Option "A" included in Option "C".

Online Comment Forms

No online comment forms were submitted for Item 3.1.

Public Comment Card

No public comment cards were submitted for Item 3.1.

Mayor Hardcastle announced item 5.1 would be considered next. Items 5.1 through 6.2 were considered (supra). Item 3.2 was then considered followed by Items 7.1 through 8.2 before adjournment of the meeting.

3.2 City Budget and Capital Improvement Program Work Session (Bryan Montgomery, City Manager, Paul Abelson, Finance Director and Kevin Rohani, Public Works Director/City Engineer)

City Manager Bryan Montgomery commented that revenue is slowly increasing and staff proposes to restore some recurring capital funds. He indicated consideration of the final adoption of the budget will occur in June.

Finance Director Paul Abelson presented the staff report.

Councilmember Perry requested clarification on unfunded liabilities for CalPERS non-departmental costs, the economic development fund program, and the decrease in Recreation expenditures which Mr. Abelson provided.

Councilmember Higgins requested clarification regarding the General Fund revenue and expenditure amounts. She commented that the City may wish to consider its own license plate program as a revenue source. She requested more money be spent on social media outreach to provide more information more quickly to residents.

City Manager Bryan Montgomery responded that Oakley is providing more social media outreach than neighboring cities and staff would have to weigh the potential revenue of the license plates with consideration of the cost of staff time to manage the program.

Councilmember Pope inquired what results have been obtained with regard to consulting services for grant funding.

Mr. Abelson responded that four grants have been received through the consultants and two additional grants were applied for, but not awarded.

Public Works Director / City Engineer Kevin Rohani presented information regarding the Capital Improvement Program budget.

Vice Mayor Romick inquired when the construction of Main Street between Norcross and 2nd Street will begin in which Mr. Rohani indicated it will begin in the summer, 2016.

Vice Mayor Romick and Councilmember Perry thanked staff for their work.

Councilmember Higgins requested asphalt on Laurel Road near Rose Avenue to safely accommodate bicyclists.

Mr. Montgomery responded that the City does not own the property north of Laurel Avenue to expand the road, but staff can look into options.

Mr. Rohani added that the intersection of Laurel Road and Rose Avenue will be widened and have a traffic signal in the future and staff is actively exploring grant funding for such improvements.

Councilmember Pope commented that traffic impact fees can be distributed throughout the City to mitigate traffic concerns.

Online Comment Forms

No online comment forms were submitted for Item 3.2.

Public Comment Card

No public comment cards were submitted for Item 3.2.

4.0 CONSENT CALENDAR

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

4.1 Approve the Minutes of the Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Meeting held May 12, 2015 (Libby Vreonis, City Clerk)

Oakley City Council

- 4.2 Report Out of Closed Session (William Galstan, Special Counsel)**
- 4.3 Adopt a Resolution Approving a Reimbursement Agreement with Ironhouse Sanitary District for Sanitary Sewer Line Construction Related to Capital Improvement Project Number 164-Main Street Rehabilitation and Resurfacing Project (Bridgehead Road to Big Break Road)(Kevin Rohani, Public Works Director/City Engineer)**
- 4.4 Adopt Resolutions Approving the Subdivision Improvement Agreement and the Subdivision Annexation and Assessment Authorization Deferral Agreement with Prescott Parc, LLC, and Final Map for Subdivision 9080 located between Picasso Drive and Frank Hengel Way, south of Escher Circle (Kevin Rohani, Public Works Director/City Engineer)**
- 4.5 Adopt Resolutions Approving the Subdivision Improvement Agreement with Brookfield Emerson Land, LLC, and Final Map for Subdivision 9349 Emerson Ranch Neighborhood 3 located at the northwest corner, Cypress Road and Sellers Avenue (Kevin Rohani, Public Works Director/City Engineer)**
- 4.6 Adopt Resolutions Approving the Subdivision Improvement Agreement and the Subdivision Annexation and Assessment Authorization Deferral Agreement with Prescott Parc, LLC, and Final Map for Subdivision 9391 located between Picasso Drive and Frank Hengel Way, south of Escher Circle (Kevin Rohani, Public Works Director/City Engineer)**
- 4.7 Adopt a Resolution Approving Amendment Number 1 to the Agreement with Damon Pombo Livestock for On-Call Maintenance Grazing Services (Kevin Rohani, Public Works Director/City Engineer)**

Online Comment Forms

Alphonso Thompson requested the City Council consider not making Escher Circle a primary street for new development in proposed subdivision 9391 for traffic and safety reasons.

Public Comment Card

No public comment cards were submitted for 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)

5.0 PUBLIC HEARINGS

Oakley City Council

5.1 East Bay Work Wear Design Review (DR 02-15) –Design Review for the Construction of a 6,035 square foot commercial building located at 1530 Neroly Road; APN 034-040-016 (Joshua McMurray, Planning Manager)

Planning Manager Joshua McMurray presented the staff report.

Applicants Glenn and Robin Moffatt were present to answer any questions of the City Council.

Vice Mayor Romick commented he was glad that the west view from Empire Avenue was addressed and he thanked the Moffatt's for bringing their business to Oakley.

Councilmember Perry commented she is excited to have the business in Oakley.

Online Comment Forms

No online comment forms were submitted for Item 5.1.

Public Comment Card

No public comment cards were submitted for Item 5.1.

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

5.2 Prescott at Cypress Grove Design Review (DR 03-15) (Ken Strelo, Senior Planner)

Request for Design Review approval of house plans and architecture, and a development plan (neighborhood plotting plan) for 40 entitled lots located within the Cypress Grove subdivision, specifically subdivisions 9080 and 9391, north of Ironhouse Elementary School and Delta Vista Middle School (4901 Frank Hengel Way) off of East Cypress Road and Frank Hengel Way. Portion of APN 037-192-024.

Senior Planner Ken Strelo presented the staff report.

The City Council requested condition #10 be modified to provide that the applicant shall replace one of the three two-story corner lots with a one-story home to provide at least 50% of the corner lots with one-story homes.

Online Comment Forms

No online comment forms were submitted for Item 5.2.

Public Comment Card

Mike Stewart thanked the City Council for addressing his concerns provided at a prior meeting and for making changes to allow for a pedestrian access rather than a roadway within the development.

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

6.0 REGULAR CALENDAR

Oakley City Council

6.1 Adopt a Resolution Appointing a Representative to the Contra Costa County Library Commission for a Two-Year Term (July 1, 2015 through June 30, 2017) (Libby Vreonis, City Clerk)

City Clerk Libby Vreonis presented the staff report. She explained there are two applicants, Arthur Mijares and Arnold Fitzpatrick, Jr. and that due to a conflict in Mr. Mijares' schedule, he would not be in attendance this evening.

Mr. Fitzpatrick was present and provided information to the City Council regarding his qualifications.

Online Comment Forms

No online comment forms were submitted for Item 6.1.

Public Comment Card

No public comment cards were submitted for Item 6.1.

It was moved by Councilmember Perry and seconded by Councilmember Pope to adopt a resolution appointing Arnold Fitzpatrick, Jr. to the Contra Costa County Library Commission. Motion was unanimous and so ordered. (5-0)

6.2 City Development Fee Incentive Program (Paul Abelson, Finance Director)

Finance Director Paul Abelson presented the staff report.

Online Comment Forms

No online comment forms were submitted for Item 6.2.

Public Comment Card

Lisa Vorderbrueggen spoke on behalf of BIA Bay Area. She requested the City Council consider a phased in approach to the fees starting in January 2016, explaining the market is not robust enough to warrant the fees at this time.

Dave Sanson with DeNova Homes and Chairman of BIA also requested the City Council consider a phased in approach to the fees, explaining the fees will be significant and he wants projects to move forward.

City Manager Bryan Montgomery clarified that the fees are not being increased; they are simply being restored to the original fees that were in abeyance for the past four years during which time allowed for building and development to continue during the economic downturn.

Vice Mayor Romick suggested the City Council could review a more gradual phased in approach.

Councilmember Perry suggested if a phased in approach will be considered, perhaps half of the fees could become due July 1 and the other half would be due in one year.

Special Counsel William Galstan explained that if the phased in approach is desired, he would recommend it be brought back to the City Council at a future meeting as it is not properly agendaized for this meeting and it could be subject to CEQA review to determine how effective the City's mitigation program is if fees are continually waived.

Councilmember Pope explained that the intent of the City Council in adopting the fee incentive program was for it to be a temporary program to allow for continued development and if it continues to be extended, it becomes more permanent than temporary. He disagreed with extending the program longer for residential fees.

Mayor Hardcastle expressed he is not willing to phase in traffic impact fees.

It was moved by Councilmember Pope to adopt the resolution without amendment. The motion died for lack of a second.

It was moved by Councilmember Higgins and seconded by Mayor Hardcastle to adopt the resolution as amended, providing residential development fees and the Fire Facilities Fee shall expire September 30, 2015 and commercial and light industrial development shall expire June 30, 2017. AYES: Hardcastle, Higgins, Perry. NOES: Pope. ABSTENTIONS: Romick.

7.0 REPORTS

7.1 CITY MANAGER

(a) City Manager

City Manager Bryan Montgomery announced a free Spring Concert provided by Oakley students at Civic Center Park Thursday, May 28 at 7pm. He also announced the Taste of Oakley event will be held Saturday, May 30, 6pm-8pm, followed by the movie *Ratatouille* at Civic Center Park.

7.2 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 Perry announced she met the new Superintendent, Pamela Conklin, of Oakley Union Elementary School District; she attended Relay for Life; she also attended a water safety training where Officer Ditto provided a K-9 presentation, and she introduced her parents to the Oakley Seniors group. She mentioned You, Me, We = Oakley! and the Contra Costa Crisis Center will host Safekeeper training for suicide prevention awareness Saturday, May 30.

Councilmember Pope announced Saturday, May 30 will be full of events, including the Oakley Community Garden Open House, Safekeeper training and Taste of Oakley. He added that the East Contra Costa Fire Protection Board meeting will be held Monday, June 1 at Oakley City Hall beginning at 6:30pm and welcomed everyone to attend. He mentioned he volunteered at the last swim meet hosted by Diamond Hills Sports Club in which neighborhood residents had access and all seemed to go well.

Councilmember Higgins thanked City staff for their work in organizing the Memorial Day event which she attended. She announced she also attended the water conservation workshop hosted by the City of Oakley and Diablo Water District, Relay for Life and Operation Access events. She thanked Planning Manager Joshua McMurray for his assistance with a citizen group meeting regarding overlay zoning.

Mayor Hardcastle announced he attended the last swim meet at Diamond Hills and everything went well. He also announced he attended the Memorial Day event and a Mayors meeting in which he mentioned the County should take over fire services to budget.

(b) Mayor's Designation of Ad Hoc Subcommittee for Chief of Police Interviews

Mayor Hardcastle designated Vice Mayor Romick and Councilmember Pope (and himself as an alternate) to the Ad Hoc Subcommittee for Chief of Police interviews.

(c) Requests for Future Agendas

There were no requests for future agendas.

8.0 CLOSED SESSION

Oakley City Council

8.1 CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6

City Designated Representative: Bryan Montgomery, City Manager

UNREPRESENTED EMPLOYEES: RECORDS MANAGEMENT CLERK, RECEPTIONISTS (3), PARALEGAL/CITY CLERK, PROGRAM COORDINATOR/HUMAN RESOURCES ASSISTANT, HUMAN RESOURCES MANAGER/ASSISTANT TO THE CITY MANAGER, CITY MANAGER, FACILITIES MAINTENANCE/CODE ENFORCEMENT TECHNICIAN, FINANCE DIRECTOR, SENIOR ACCOUNTANT, SENIOR ACCOUNTING TECHNICIAN, ACCOUNTING ASSISTANT, PERMIT TECHNICIAN, BUILDING INSPECTOR II, CODE ENFORCEMENT MANAGER, CODE ENFORCEMENT/BUILDING INSPECTOR II, CHIEF OF POLICE, ADMINISTRATIVE ASSISTANTS (3), POLICE SERVICES ASSISTANT, ASSISTANT TO THE CHIEF, POLICE SERVICES ASSISTANT/CODE ENFORCEMENT TECHNICIAN, ECONOMIC DEVELOPMENT MANAGER, PLANNING MANAGER, SENIOR PLANNER, PUBLIC WORKS DIRECTOR/CITY ENGINEER, SENIOR ENGINEER, ASSOCIATE ENGINEER, ASSISTANT ENGINEER, PUBLIC WORKS ADMINISTRATIVE SPECIALIST, PUBLIC WORKS INSPECTOR II, PUBLIC WORKS MAINTENANCE WORKER, PUBLIC WORKS MAINTENANCE LABORER, RECREATION MANAGER/ WEBSITE COORDINATOR, RECREATION & EVENTS COORDINATOR, SENIOR RECREATION LEADER, RECREATION LEADERS (3), RECREATION AIDES (2), FACILITIES MAINTENANCE, PARKS & LANDSCAPE MAINTENANCE DIVISION MANAGER, MAINTENANCE FOREMAN, PUBLIC WORKS LABORER II, TREE MAINTENANCE LABORER, SEASONAL PARKS AND MAINTENANCE LABORERS (3), SPORTS FIELD MAINTENANCE LABORER, PARK MONITOR

8.2 Reporting Out of Closed Session (William Galstan, Special Counsel)

Special Counsel William Galstan reported that there was no reportable action and direction was provided to staff.

9.0 ADJOURN

There being no further business, the meeting was adjourned at 9:30p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk