

**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council  
acting as the Successor Agency to the Oakley Redevelopment Agency  
April 26, 2016**

**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**

Mayor Kevin Romick called the meeting to order at 6:30p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Doug Hardcastle, Sue Higgins, Vanessa Perry, Randy Pope and Kevin Romick were present.

**1.2 Pledge of Allegiance to the Flag (Joseph Fray, Laurel Elementary School Student)**

Joseph Fray, a student from Laurel Elementary School led the Pledge of Allegiance.

**1.3 Proclamation recognizing April as Sexual Assault Awareness Month**

Mayor Romick read the proclamation.

**1.4 Presentation of Graduating class from the 2016 Oakley Entrepreneur Training Program**

Dwayne Dalman, Economic Development Manager, introduced Jeff Hall, the instructor of the class.

Jeff Hall thanked the Council for inviting him to Oakley to deliver this program; he then gave an overview of what the class is all about.

Dwayne Dalman mentioned that there were nine graduates from the 2016 Oakley Entrepreneur training Program; Monica Borrego, Casey Quist, Michael Maeda and Drew Robinson who were in attendance, gave a personalized account of what the class meant to them and their business.

**1.5 Update from Michael Krieg, Appointee to the Contra Costa Mosquito Abatement & Vector Control District**

Michael Krieg mentioned that the Contra Costa Mosquito Abatement & Vector Control District is a Public Health Agency that started about nine years ago, he gave an update on the financial status, where they are with the Environmental Impact Report and where we stand with concerns with West Niles Virus and the Zika Virus.

**1.6 Presentation by Contra Costa Council on Homelessness**

Jaime Jenett gave a presentation on Homelessness in the community, she presented a PowerPoint and gave an overview of the 2015 data and mentioned that there were about 3700 homeless people in 2015, she discussed available services and ways to help. She mentioned that the Antioch shelter has closed and there is a big need in East County for a multi-service center.

Councilmembers asked questions and Ms. Jenett responded.

## 2.0 PUBLIC COMMENTS

### Online Comment Forms-None

#### Public Comment Cards

Arnold Fitzpatrick Jr, appointee to the Contra Costa Library Council Commission provided an update to the Councilmembers and mentioned that the County Librarian has turned in her letter of resignation and will be leaving at the end of May, he mentioned several cities in the County are planning new libraries, he also reported that Oakley has a measure on the June ballot for a new library.

Dawn Morrow mentioned her concerns with the quality of life her in Oakley, she mentioned her concerns with having a train stop here in Oakley, she also mentioned that she is disappointed that there are no public spaces available for public art and that she would like to see bike lanes and walking paths that can get families across town.

## 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 held April 12, 2016 (Kim Carmody, Records Management Clerk)**

#### ***Oakley City Council***

- 3.2 Approve the Minutes of the Special Oakley City Council Community Wide Strategic Planning Meeting held April 19, 2016 (Kim Carmody, Records Management Clerk)**
- 3.3 Adopt a Resolution Authorizing the City Manager to Execute an Agreement for Services with REM to Provide Contract Maintenance Services for Trash Capture Devices for the City of Oakley Annually from July 1, 2016 through June 30, 2018 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.4 Adopt a Resolution Authorizing the City Manager to Execute an Agreement for Services with Dillon Electric, Inc. to Provide Contract Electrical Maintenance and Repair Services for City Facilities and Infrastructure on an On-Call Basis from July 1, 2016 through June 30, 2018 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.5 Acceptance of work associated with CIP Project No. 174 – Dry Utility Infrastructure Project to 1530 Neroly Road (Kevin Rohani, Public Works Director/City Engineer)**

- 3.6 Authorize the City Manager to Execute Agreements for Contract Public Works Maintenance Services for the City of Oakley with J.W. Backhoe & Construction, Inc. in an Amount not to exceed \$30,000 and Duran and Venables Inc. in an Amount not to exceed \$50,000 Annually from July 1, 2016 through June 30, 2018 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.7 Adopt a Resolution Adopting a Traffic Order of the City Engineer Establishing Speed Limits (Kevin Rohani, Public Works Director/City Engineer)**
- 3.8 Resolution Confirming the Costs for Abatement of Weeds and Debris at 3817 Longhorn Lane, 5108 Fernwood Court, and 5236 Ironwood Lane (Troy Edgell, Code Enforcement Manager)**
- 3.9 Creation of Special Police Tax Area Zone 157: Approval of Resolution No. XX-16, A Resolution Creating Oakley Special Police Tax Zone 157 within the Oakley Special Police Tax Area for Subdivision 9027 (Duarte Ranch) to Establish a Special Tax for Police Protection Services (Kevin Rohani, Public Works Director/City Engineer)**
- 3.10 Creation of Special Police Tax Area Zone 158: Approval of Resolution No. \_\_\_\_-16, A Resolution Creating Oakley Special Police Tax Area Zone 158 within the Oakley Special Police Tax Area for Minor Subdivision 14-977 (Doyle Road) to Establish a Special Tax for Police Protection Services (Kevin Rohani, Public Works Director/City Engineer)**
- 3.11 Adopt a Resolution Authorizing the City Manager to Enter into an Agreement with Telepacific for a Hosted PBX Telephone System (Deborah Sultan, Finance Director)**
- 3.12 Waive the First Reading and Introduce an Ordinance adding Chapter 36 to Title 4 of the Oakley Municipal Code that Addresses the Distribution of Handbills to Residential Properties (Troy Edgell, Code Enforcement Manager)**

Item 3.12 was removed from the Consent Calendar.

It was moved by Councilmember Pope and Seconded by Councilmember Perry to approve the balance of the Consent Calendar. Motion was unanimous and so ordered. (5-0)

#### Online Comment Forms

John Nielsen mentioned that allowing handbills is a public safety issue, he mentioned he's been burglarized three times and believes that allowing advertisements to be attached to homes is an indication that nobody is home.

#### Public Comment Cards

Angela Lowry mentioned that the handbills are also an issue in her neighborhood and believes it is a sign that no one is home, also if they are not affixed to the house, they end up in the streets and storm drains and eventually in the delta.

It was the consensus of the council to bring the ordinance back at a future meeting with the following amendments, exclude placement on garage doors, not allow handbills to be attached with anything that can do damage to the property and add language to include newspapers.

#### 4.0 PUBLIC HEARINGS

##### **4.1 Cypress Self Storage General Plan Amendment, Rezone and Design Review (GPA 03-15, RZ 05-15, and DR 12-15)**

Ken Strelor presented the staff report and a PowerPoint including a summary of the project and color rendering.

##### Online Comment Forms – None

##### Public Comment Cards

Mike Stewart mentioned this is a good use for this property, it will have very little traffic and noise impact, he asked if the ingress and egress is going to the signal at Picasso or if vehicles will have to make a U-turn at Sellers and come back.

Brent Aasen thanked the Council for hearing the project and appreciates the fact that there is a preliminary process to go through; he mentioned that they carefully selected the signalized intersection as the sole point of ingress and egress to simplify traffic patterns, and he believes this is a quality project.

It was moved by Councilmember Perry and seconded by Vice Mayor Higgins to adopt the negative declaration, adopt a resolution approving the general plan amendment, waive the first reading and introduce the ordinance approving the rezone and adopt the resolution approving the design review. Ayes: Higgins, Perry, Pope, Romick Noes: Hardcastle (4-1)

##### **4.2 Daub 4 Kidz Bingo Hall Conditional Use Permit (CUP 01-16)**

Ken Strelor presented the staff report and a PowerPoint summarizing the project.

##### Online Comment Forms – None

##### Public Comment Cards

Wolfgang Croskey mentioned he is the broker representing the applicant, he mentioned that this property has been vacant for almost a year and it's been hard finding a tenant, Daub4Kids provides financial benefit to local youth programs, local sports and schools. He mentioned that Ms. McMahon has provided adequate details on security and believes this location provides more than enough parking.

Sam Belleci mentioned that he runs the Flor Du Oakley Bingo and believes that having nonprofit bingo in the area helps all bingos, he mentioned that he has known Fran for 20 years and supports this Bingo Hall, it gives people a chance to get out and enjoy themselves.

Bob Garrison is the leasing agent for Cypress Square Shopping Center, he mentioned he is here to advocate for Ms. McMahon, he knows her through her management of the Pittsburg Bingo Hall and had a very good experience with her as a tenant there, the people that come into the Bingo Hall are good people and the organizations she supports are important for the City. He mentioned he is concerned that if Ms. McMahon is not granted a Conditional Use Permit, the City of Oakley is missing an opportunity to host a proven no profit provider and believes this is the perfect spot for this business and asked the Councilmembers to please entertain the idea.

It was moved by Councilmember Pope and seconded by Councilmember to prepare the resolution for approval addressing the concerns raised of accommodating parking and increased security. Ayes: Hardcastle, Pope Noes: Perry, Romick Abstained: Higgins (2-2)

Due to a tie vote, no action was taken; staff will meet with the applicant about any next steps, including looking at other locations.

## 5.0 REGULAR CALENDAR

### **5.1 Presentation from Oakley Chamber of Commerce on Business Plan Proposal**

Dwayne Dalman mentioned that Guanatos Ice Cream has been renovating the building at 3330 Main St. and will be take up a majority of the ground floor, leaving about 900 square feet in the rear of the building on the first floor; staff is recommending this space be used by the Chamber of Commerce.

Mark Whitlock from the Oakley Chamber of Commerce presented the business plan proposal for the Chamber. Also discussed was the concept of working with the City planned business incubator. Details of the lease and other partnerships would come back to the Council in a Memorandum of Understanding.

### **5.2 Resolution of Necessity, 3530 Main Street**

City Attorney Derek Cole presented the staff report and mentioned that this property is occupied by a fairly old building and it is necessary for the City to acquire the property and demolish the building for needed public right of way.

### Online Comment Forms – None

### Public Comment

Juli Del Barba Favalora presented history about the store and mentioned that she sent an email to Councilmembers with much more detail, she stated that she is not sure if the Council is aware of the ideas that were presented to staff, she also mentioned that this is not a simple matter and she is strongly opposed to the destruction of the building and asked the Council to reconsider.

Fred Del Barba commented that this building has been there over 100 years; he mentioned he would like to ask how many people want the train platform and commented that he doesn't feel it is right to tear down the building.

Councilmembers asked questions of staff and staff responded.

It was moved by Councilmember Pope and Seconded by Councilmember Hardcastle to adopt the resolution of Necessity. Ayes: Hardcastle, Higgins, Pope, Romick Noes: Perry (4-1)

## 6.0 REPORTS

### **6.1 CITY MANAGER**

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

Mr. Montgomery reminded everyone that the Taste of Oakley is May 7<sup>th</sup>, May 10<sup>th</sup> is the next City Council Meeting, we will be holding a special meeting at 6:00pm to swear in the Oakley Police officers.

### **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 reported that the Habitat Conservancy Meeting was held April 25<sup>th</sup> and the year in review report shows a lot has been accomplished, the next Fireboard Meeting will be on May 2<sup>nd</sup>.

#### **(b) Appointment to East Contra Costa Fire Protection District Board of Directors**

Mayor Romick announced the appointment of Megan Bell to the East Contra Costa Fire Protection District Board of Directors.

#### **(c) Requests for Future Agendas - None**

## 7.0 WORK SESSION

### ***Oakley City Council***

#### **7.1 2016-2018 Strategic Plan Work Session to Discuss Plan/Priorities**

Ms. Marquez presented the staff report and mentioned she'd like direction from Council on which action items should be included, removed or revised, she will then make the modifications and bring the plan back for further review on May 24<sup>th</sup>.

Councilmembers asked questions and staff responded

Mayor Romick suggested the item to install sidewalks on Empire Ave in Antioch does not need to be included.

Councilmember Pope suggested adding an item to work with Ironhouse Sanitary District to provide recycled water out in the community.

## 8.0 CLOSED SESSIONS

**8.1 Conference with Legal Counsel pursuant to Government Code section 54956.9(d), paragraph (1) to discuss pending litigation:  
Claim of Denova Homes**

**8.2 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, 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, Facilities Attendant, Police Lieutenant, Police Sergeant, Police Officers,.

**8.3 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(a)**

***City of Oakley v. Shea Homes, Limited Partnership***

**8.4 Report out of Closed Session (William Galstan, Special Counsel)**

## 9.0 ADJOURN

There being no further business, the meeting was adjourned at 11:00.

Respectfully Submitted

A handwritten signature in black ink that reads "Kim Carmody". The signature is written in a cursive style with a large, looping "y" at the end.

Kim Carmody  
Records Management Clerk