

**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council acting as the Successor Agency to the Oakley Redevelopment Agency/Public Financing Authority  
January 12, 2016**

**1.0 OPENING MATTERS**

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

**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 and Public Financing Authority**

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

**1.2 Pledge of Allegiance to the Flag (Melina Gutierrez, Almond Grove Elementary School Student)**

Melina Gutierrez led the Pledge of Allegiance to the Flag. Mayor Romick thanked her.

**1.3 Update from East Contra Costa Fire Protection District (Hugh Henderson, Fire Chief)**

East Contra Costa Fire Protection District (ECCFPD) Chief Hugh Henderson mentioned calls for service increased 6% over the past year and response times increased, on average, 30 seconds. He also mentioned that Contra Costa Fire assisted ECCFPD 373 times last year. He commented the Oakley City Council approved a memorandum of understanding last year between various agencies to open a fourth fire station which should be operational by summer 2016 in which ECCFPD is in the process of hiring firefighters.

Mayor Romick thanked Chief Henderson and everyone at ECCFPD for their work.

## 2.0 PUBLIC COMMENTS

### Online Comment Forms

No online comment forms were submitted for Public Comments.

### Public Comment Cards

Lena O' Neal, Paul Seger, Michael Dupray and Margie Valdez (on behalf of the AFL/CIO Central Labor Council) spoke in opposition to the Trans Pacific Partnership (TTP) and requested the City Council adopt a resolution opposing extension of disastrous trade policies.

Robbie White also submitted a comment card regarding the TTP on behalf of AFSCME.

## 3.0 CONSENT CALENDAR

### ***Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Public Financing Authority***

- 3.1 Approve the Minutes of the Special City Council Meeting and Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Public Financing Authority Meeting of December 8, 2015 (Libby Vreonis, City Clerk)**

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

- 3.2 Waive the Second Readings and Adopt Ordinances to Amend Various Sections of the Zoning Code as Necessary to Implement the General Plan 2015-2023 Housing Element: 1) Amendment to Provide a Permitting Process for Transitional and Supportive Housing Consistent with State Law and SB2; 2) Addition of Regulations to Establish a Definition for Residential Care Facilities and to Provide Development Standards and a Permitting Process Consistent with State Law; and 3) Amendment to Provide Definitions and a Permitting Process for Employee and Farmworker Housing (Joshua McMurray, Planning Manager)**
- 3.3 Waive the Second Reading and Adopt an Ordinance Approving a Development Agreement by and between the City of Oakley and Nature Properties, LLC for the Construction of the Main Street Improvements from 2<sup>nd</sup> Street to 5<sup>th</sup> Street in Association with the Main Street Realignment Project (DA 02-15) (Joshua McMurray, Planning Manager)**

**3.4 Award of Construction Contract to Alex Kushner General Contractor for Capital Improvement Project No. 175- Police Department Building Reconstruction Project  
(Kevin Rohani, Director of Public Works / City Engineer)**

Online Comment Forms

No online comment forms were submitted for the Consent Calendar.

Public Comment Cards

No public comment cards were submitted for the Consent Calendar.

It was moved by Councilmember Hardcastle and seconded by Councilmember Pope to approve the Consent Calendar. Motion was unanimous and so ordered. (5-0)

4.0 REGULAR CALENDAR

***Oakley City Council***

**4.1 Resolution Directing City Staff to Prepare all the Necessary Documents to Place a Ballot Measure for Voter Consideration at the June 7, 2016 Election that Would Fund the Construction of a new Oakley Library and Learning Center in the Downtown (Bryan Montgomery, City Manager)**

City Manager Bryan Montgomery presented the staff report and reviewed some of the library survey highlights including 89% of people surveyed believe there is a need for a new library facility, 91% of people use the library and 90% support a Downtown site. He explained if the Council approves the resolution tonight, staff will prepare a resolution and ordinance to place a measure on the ballot for the June 7, 2016 Election to fund the construction and additional operations of a new library and learning center in the Downtown. He added that the measure requires 2/3 support by voters for the City to implement the \$7.75 per parcel, per month, tax.

Alison McKee, Deputy County Librarian, Contra Costa County Library thanked the City Council, Freedom High School and Liberty Union High School District for their support. She commented that the value of modern full-service libraries is that they serve as early learning and literacy centers, a place for participatory learning, a venue for cultural events and concerts, and a great place for teens to become involved as role models.

Andrea Freyler, Oakley Community Library Manager, spoke of items the library envisions with more space including increased technology, programming, financial, literacy and cultural workshops, and more study areas. She thanked the City Council for considering an investment in Oakley's future.

Craig Leighty, Chairman, Feasibility Committee, spoke of the grassroots effort led by some graduates of the 2015 Leadership Academy and community members for a new library. He explained they engaged in fact finding and preparation, developed plans and strategy, organized volunteers, and surveyed the community for its support of a new library and the location of the library in the Downtown. He added that the Feasibility Committee developed a website, social media outreach, talking points, press releases, graphic design, and it registered with the State of California and set a bank account in preparation if the City Council adopts the resolution.

John Chrastka, Founder of EveryLibrary, a donor supported non-profit, joined the meeting by Skype and explained he does pro bono work to help committees support community discussions of campaigning for libraries. He mentioned he will be with the Feasibility Committee through Election day and the Committee has done a great job with the surveys which reflect a high degree of interest. He added that the ballot will provide solid information regarding the new library.

Councilmember Perry inquired what the success rate if of EveryLibrary.

Mr. Chrastka responded that since its inception in 2012, EveryLibrary has engaged in 33 campaigns, 25 of which were winning campaigns, in both small and large cities.

Mayor Romick thanked Mr. Chrastka for his help and support.

#### Online Comment Forms

Antionette Bartlow commented she supports the library as long as no new assessed property taxes are associated. She added it would be more prudent to reopen one of the closed fire departments.

Stuart Moore, Cheryl Stewart and Michael Stewart requested to speak at the meeting.

Pat Anderson encouraged the City Council to consider adoption of the resolution in support of a new library and learning center.

Barbara Santos commented in support of a new library to provide residents educational resources, a community meeting place, access to books/tapes/videos, and increased home values.

Mary Snell commented Oakley residents deserve a new library. She provided several examples of Contra Costa cities that have built new libraries or are moving forward to build new libraries.

Teresa Flores expressed support for a new library, mentioning the current library is inadequate and a disservice to the library staff who would like to do more and to the Freedom High School students whose library is limited. She added the Downtown location is ideal to benefit local businesses and the Downtown as a destination center

and also supports community values. She encouraged the City Council to adopt the resolution.

Brenda Reyes expressed support for a new library, even if through a property assessment, commenting property values will increase and it will make Oakley an even better place for families.

Arthur Fernandez commented in favor of a new library and learning center in the Downtown. He mentioned reading is important to families and Oakley deserves a library worthy of the title it holds as a top 20 California city for families.

#### Public Comment Cards

Cheryl Stewart commented she and her family use the library weekly, it is in an investment in the community, and more space is needed for programs, tutoring, meeting rooms, books and parking.

Michael Stewart commented he would like to see a new library in the Downtown and the librarians currently do a great job with limited space.

Shirley Darling, President of the Oakley Senior Citizens (OSC), requested her comment be read into the record. She mentioned the OSC support a new library as it serves as an important learning place for all ages and provides access to research potential grants for local non-profits.

Diane Burgis commented when she was an Oakley City Councilmember she did not support a library ballot measure because the cost was much higher at the time and there was uncertainty of community support for such measure. She explained that this time is different and the support shown is what she was hoping to see. She added a new library will improve home values, contribute to education and safety and improve quality of life for residents; therefore, she fully supports it.

Rodolfo Diaz commented he and his family use the library every week and they support a new, larger library.

Greg Enholm, Vice President of the Contra Costa Community College District, commented he fully supports the library ballot measure. He explained a new library will benefit all residents, including students at Los Medanos College campuses.

John Santos commented he supports a new library in that it will help residents with education and jobs which are necessary.

Ron Perry, Vice President of the Feasibility Committee, commented the \$7-\$8 per month each resident would pay if the ballot measure is successful for a new library in the Downtown is money that will give back to the community through increased property values, reduced crime, higher education = higher wages and surrounding businesses

will prosper. He mentioned Freedom High School currently has the smallest library of all local high schools and it will gain space when the Oakley Library relocates.

Julie Perry commented she and her family are avid users of library resources (movies, books, computers, etc.) and they support a new library. She added she is sad and embarrassed that the library has not grown with the community.

Holly Spagnol commented she supports a new library as the library helps provide resources to families.

Dawn Morrow mentioned there are comments circulating that libraries are obsolete and a waste of taxpayer funds; however, she explained many families rely on resources offered by the library and the library provides people with a venue to interact rather than being secluded by technology.

Jasmin Pinzon, an 8<sup>th</sup> grade leadership student, commented she supports a new library because the current library space is too small for library programs, meetings and events and she prefers actual books as opposed to electronic books.

Cindy Tumin commented she supports a new library. She explained the Oakley Library is the oldest library in the Contra Costa County Library system and the Oakley Library as well as Freedom High School each needs its own space. She added the community values the library; many people use the library for internet access, employment search, classes and materials.

Nancy Huffaker commented she supports a new library and learning center which she envisions will provide many uses, including access to technology.

Amaya Andrea-White, an 11<sup>th</sup> grade student, explained she supports a new library because the library provides her a place to study, but is sometimes noisy because of the small space to study. She added that she is a member of the Oakley Library Youth Squad and it is very sad to see children turned away at events because the library space cannot accommodate the amount of attendees at some of their events.

Brian Moreno requested his comment be read into the record. He mentioned he is a teenager who uses the library regularly for work and he supports a new library to expand services for Oakley residents.

Angela Lowrey commented she supports a new library; it is a gathering place and more space is needed to accommodate library programs. She requested the City Council consider placing a measure on the ballot in June to support a new library, if not in the Downtown, another location.

Trecinna Lankford-Abundis commented she is an advocate of education and the City Council can show its support of education by approving a library ballot measure for the June election. She added the Oakley community deserves a larger library.

Vince Cortese commented he is a retired teacher who believes reading is very important to education, his family uses the library frequently; therefore, he supports a new library.

Ron Acevedo commented he believes his family's frequent use of the library helped his children to be successful in their education; therefore, he supports a new library for the Oakley community.

Dale Smith provided a brief history of the library committee's formation and commented all of the volunteers are interested, committed, hard-working and helpful to assist in engaging the community to support a new library, but they need the City Council's approval of the ballot measure in order to take the next steps.

Arnold Fitzpatrick commented the library is an extension of our school system to continue life-long learning and a foundation of our society; therefore, he supports a new library to improve our community.

Michael Dupray commented he supports a new library and learning center.

Zachary Coan requested his comment be read into the record. He mentioned a new library will satisfy the City's need to have a safe place to meet and learn.

Amber Kelley requested her comment be read into the record. She mentioned she is a Freedom High School student and it is becoming cramped with two libraries in one room.

Robert Urbach requested his comment be read into the record. He mentioned a library is a positive place to study, learn, engage in community activities and raise our families and a new library will be instrumental in educating our children and keeping Oakley as a destination choice for new residents. He requested the City Council support the ballot measure.

Terry Tipton-Guthmiller requested her comment be read into the record. She mentioned libraries are a place of peace, learning and relaxing and she strongly supports a new library with plenty of parking to grow with the needs of the Oakley Community.

Councilmember Perry commented she supports a new library and learning center. She explained it will provide a quiet learning place, meeting space is needed, and there are programs that residents already pay for such as art exhibits that could be hosted in a new library and learning center.

Councilmember Hardcastle commented he supports a new library as it will be a great asset to the community. He complimented Andrea Freyler and the Feasibility Committee for their work on the survey, their ideas, and for addressing concerns the City Council

had from the previous time the ballot measure was proposed. He suggested the item be approved to let the voters decide.

Councilmember Pope commented "Ditto."

Mayor Romick commented "Ditto" and complimented the Feasibility Committee and Friends of the Oakley Library to improve the library.

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

Mayor Romick announced a break at 8:31p.m. The City Council reconvened at 8:42p.m.

**4.2 Approve the Formation of City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services) ("CFD No. 2015-2"), Hold a Public Hearing and Special Landowner Election, Declare the Results of the Election and Introduce an Ordinance to Levy a Special Tax for CFD No. 2015-2 (Kevin Rohani, Director of Public Works / City Engineer)**

Mayor Romick introduced the item and called for the ballot vote. The City Clerk opened the official ballot and announced the property owner, Prescott Parc, LLC, approved the ballot measure to annually levy the tax for Communities Facilities District 2015-2.

Director of Public Works/City Engineer Kevin Rohani presented the staff report.

Councilmember Hardcastle inquired how many acres the fees would cover.

Mr. Rohani explained that it is roughly 8 acres and the fees are calculated on specifics of each subdivision which are divided among the lots with caps built in and which all support surrounding infrastructure such as parks.

City Manager Bryan Montgomery added that the maximum caps are arbitrary numbers; it is much more realistic to consider the amount divided among the lots.

Online Comment Forms

No online comment forms were submitted for Item 4.2.

Public Comment Cards

No public comment cards were submitted for Item 4.2.

It was moved by Vice Mayor Higgins and seconded by Councilmember Perry to waive the first reading and introduce the ordinance. Motion was unanimous and so ordered. (5-0)

#### **4.3 150 E. Acme Street Building Renovation Design Review (DR 11-15) (Kenneth Strelø, Senior Planner)**

Senior Planner Kenneth Strelø presented the staff report.

Councilmember Perry inquired if the proposed renovation would fix any code enforcement violations on the property and if the property would still be red-tagged.

Mr. Strelø responded that the renovation will not fix the code enforcement violations; however, it will upgrade the building. He added that the resolution contains time provisions so that the renovation does not extend past the time code enforcement issues need to be resolved.

#### Online Comment Forms

No online comment forms were submitted for Item 4.3.

#### Public Comment Cards

No public comment cards were submitted for Item 4.3.

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

#### **4.4 Adopt a Resolution Approving Sponsorship Agreements for Wild West Bass Trail and Dan's Delta Outdoors Fishing Tournaments (Dwayne Dalman, Economic Development Manager)**

Economic Development Manager Dwayne Dalman presented the staff report.

Vice Mayor Higgins inquired how many tournaments are scheduled.

Dan Mathisen, owner of Dan's Delta Outdoors, responded that 8 events are scheduled with approximately 100 participants per event.

Councilmember Perry commented it is exciting to see Big Break Marina improve and the people participating in the tournaments will bring revenue to local businesses. She requested Oakley festivals be advertised in any literature provided to participants.

Mayor Romick commented Oakley used to host tournaments all of the time, but with the demise of Big Break Marina, tournaments were relocated to Bethel Island; now that Big Break Marina has been rejuvenated, the tournaments will be a great reinvestment for Oakley.

Councilmember Hardcastle requested coupons for local businesses be included in participants' goodie bags. He added that the tournaments are a good investment in Oakley.

#### Online Comment Forms

No online comment forms were submitted for Item 4.4.

#### Public Comment Cards

No public comment cards were submitted for Item 4.4.

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

### 5.0 PUBLIC HEARINGS

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

#### **5.1 Willow at Emerson Neighborhood 5 Design Review (DR 03-14) (Ken Strelo, Senior Planner)**

Senior Planner Ken Strelo presented the staff report.

Councilmember Hardcastle inquired if the shingles will be made of cement.

Mr. Strelo confirmed the applicant says the shingles will be made of cement.

#### Online Comment Forms

No online comment forms were submitted for Item 5.1.

#### Public Comment Cards

No public comment cards were submitted for Item 5.1.

It was moved by Councilmember Hardcastle and seconded by Councilmember Perry to adopt the resolution as conditioned. Motion was unanimous and so ordered. (5-0)

#### **5.2 Waive the First Reading and Introduce an Ordinance to Prohibit or Regulate Cultivation of Medical Marijuana (William Galstan, Special Counsel)**

*Note: Item 4.1 was continued to the current meeting from the Regular Joint Meeting of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Public Financing Authority held December 8, 2015.*

Special Counsel William Galstan presented the staff report. He mentioned Contra Costa County has adopted an interim prohibition ordinance, Antioch is considering adopting a prohibition ordinance tonight, Brentwood is considering the same tomorrow night, and Pittsburg is considering an urgency ordinance soon.

Councilmember Pope inquired if the City Council takes a strict approach tonight if it could loosen provisions of the ordinance in the future and vice versa.

Mr. Galstan explained it would be possible to loosen provisions of a strict ordinance but may be difficult to tighten an ordinance past the March 1 deadline because the State may have more involvement in regulating it.

Vice Mayor Higgins inquired if a complete prohibition would still allow patients under the Compassionate Use Act access to medication.

Mr. Galstan explained the courts have held a limited application of the Compassionate Use Act in which cities can still adopt zoning ordinances which would prohibit cultivation even for patients.

Councilmember Hardcastle mentioned the Town of Danville currently prohibits cultivation, but not delivery.

Mr. Galstan explained Oakley's current ordinance prohibits dispensaries; if the City Council wishes to amend the ordinance, it can direct staff.

Councilmember Hardcastle mentioned he is thinking of people who may not be able to physically get to medication.

Mr. Galstan responded that a delivery service would not present the same type of nuisance as growth would.

City Manager Bryan Montgomery commented that many cities are adopting prohibition ordinances before the March 1 deadline and will see what the State regulates, then can modify their ordinances if necessary. He added that there are many discussions happening at the State level involving all parties, which does not need to also happen at the local level.

#### Online Comment Forms

John Amie, Chuck Varnado and Katherine Jones requested to speak at the meeting.

Katherine Jones also provided written comment in opposition to the ordinance. She mentioned she is a medical marijuana patient and it would be a great hardship for her to have to travel to obtain her medicine.

## Public Comment Cards

John Amie commented in his opinion, cannabis will be legalized in the next 3-5 years and it may provide the City of Oakley a source of revenue through taxation, something the City Council may wish to consider.

Chuck Varnado commented he is a medical marijuana patient and growing provides him less expensive and safer access to medicine. He added that the amount of electricity he uses is a private matter and he agrees with the current number of plants suggested by State law which is adequate to propagate. He expressed concern with permits that would be required to grow in that he would not want his information to become a public record.

Katherine Jones was called upon, but was not present to speak.

Edwin Andujar commented on Proposition 215, the 10<sup>th</sup> Amendment to the U.S. Constitution, that the Controlled Substance Act is not in the U.S. Constitution and therefore can be regulated by the states, denial of cultivation is a violation of the Compassionate Use Act in which voter approval is required to change, requiring licenses and permits violates the 5<sup>th</sup> Amendment rights against self-incrimination, and the amount of marijuana produced varies between outdoor and indoor cultivation.

John Santos commented he is a caregiver and it is a matter of freedom to what patients have access to obtaining. He added there is a safety issue in going to dispensaries such as in Oakland and a relaxed approach may be better for the Oakley community.

Sam Hall joined the meeting by phone to provide comment to support allowing cultivation.

Dezi Pina expressed concern with people who do not grow responsibly. He mentioned other drugs cannot be manufactured in residential areas; therefore, he does not believe cultivation should be allowed, but does support dispensaries for access to medication. He added that the quantity of marijuana produced from indoor grow and outdoor grow differ and it is expensive to grow marijuana.

Keith Schatek commented that on January 4, 2016 an amendment to AB21 was proposed. He suggested the City Council consider co-op grows in agricultural areas in Oakley as there is revenue to be made by all, including the City, if structured correctly.

Brian Elliff provided a handout. He commented the Governor plans to sign the amendment to AB21 and before the City Council passes any ordinance, more education should be sought. He suggested dialogue be kept open at this time and the City has an obligation to protect the right to farm. He mentioned allowing cultivation will ensure patient safety, create potential tax revenue for the general fund and create jobs. He added that by opposing cultivation, the City is supporting the black market.

Joanna Hosack, commented collectives in agricultural areas may be the best compromise to allow grow but with restrictions (setbacks, fencing, permits, etc.).

Lee Reisch commented that a complete prohibition would disallow patients safe access to their medicine and he wants to make a difference by assisting as a caretaker. He requested there be more dialogue.

Jeremy Petrell commented he appreciates the City Council having dialogue regarding cultivation and as a representative of 250 patients in the City, they do not want to give up their HIPAA rights which would be a violation of the 5<sup>th</sup> Amendment. He mentioned in order to deliver marijuana, a store front must be established in which big enterprises often push out individual or smaller owners. He added that there is revenue to be made which can fund City programs.

Suzzette Bartell requested the City Council consider that if the rights to access to medicine are taken away, it will encourage patients to use other medications. She mentioned if allowed, the money stays local and the residents also stay here.

Aaron Bartell commented he supports dispensaries in that the money stays local and it is safer than going to other places to obtain the medicine. He added he supports cultivation as the money goes to farmers, not pharmaceutical companies, and the product can be taxed creating revenue for the City. He mentioned if the City Council prohibits cultivation it is supporting the black market and the ordinance will conflict with the Compassionate Use Act.

Paul Seger commented AB21 is supported by the League of California Cities and both Houses. He added the Medical Marijuana Regulation and Safety Act cleaned up the bill in which cities can add fees and taxes for delivery services and collectives can operate for profit or non-profit. He commended the City Council for listening to the public and suggested that the dialogue does not need to end here. He mentioned Oakley has an opportunity to set itself apart from other cities by not placing a prohibition on cultivation.

Eve Diamond requested her comment be entered into the public record. She mentioned denying residents the right to medical marijuana is cruel and backward thinking.

Ric Onalfo requested his comment be entered into the public record. He commented that the City Council should not be in a position to take away the right to medication of others, indicating it is similar to taking away dialysis for a patient or tissue plasminogen activator (tPA) for a stroke victim. He asked the City Council to consider if this is what they want to be remembered for.

Anthony Lopez requested his comment be entered into the public record. He mentioned he believes it should be legal to grow for medicinal purposes and to be able to purchase marijuana legally as many people need it for medicinal purposes.

Mayor Romick commented the proposed ordinance only addresses cultivation of marijuana.

Special Counsel William Galstan suggested one additional option to consider is to wait and see if the amendment to AB21 passes and an urgency ordinance can be brought back in February, although it was not popular before.

City Manager Bryan Montgomery added that an urgency ordinance would require 4/5 vote of the City Council.

Councilmember Pope inquired if permits would be public records.

Mr. Galstan explained that they would not as they would fall within an exception to public disclosure.

Councilmember Pope expressed that he is a local control advocate and for this reason, he does not wish to wait and see what the State decides; he supports a full prohibition to protect City rights for local control over the matter. He added that the ordinance is not intended to be enforced without having received a complaint, as is the case with other code violation matters.

Mayor Romick inquired if the City Council adopts a prohibition, if Police would enforce any differently.

Mr. Montgomery explained that it will be a zoning issue which will be handled by Code Enforcement, not Police, and the person will be provided due process.

Councilmember Perry commented she supports the main ordinance, regardless of whether indoor or outdoor is voted upon, and cultivation should not be banned out of fear.

Vice Mayor Higgins commented under the Compassionate Use Act patients' rights should not be banned; therefore, she supports the main ordinance.

Councilmember Hardcastle commented he supports a complete prohibition to protect neighbors from being impacted by cultivation.

Councilmember Perry commented there will always be people who break laws and those that need medicine should not be penalized.

Vice Mayor Higgins commented "Ditto."

Mayor Romick commented he supports a prohibition as it allows the greatest capability to adapt to what the State decides. He added there is more funding at the State level for research and involvement of interest groups. He mentioned there will be no enforcement without complaint, the same process of how other code violations are treated.

It was moved by Councilmember Pope and seconded by Councilmember Hardcastle to adopt an ordinance (option 3) establishing a complete prohibition on cultivation of marijuana. AYES: Hardcastle, Pope and Romick. NOES: Higgins and Perry. (3-2)

## 6.0 REPORTS

### **6.1 CITY MANAGER**

City Manager Bryan Montgomery announced Recreation and Economic Development are creating a coupon book for local businesses to participate in advertising.

#### **(a) Report on Long-Range Property Management Plan**

Mr. Montgomery reported the Department of Finance has approved the Property Management Plan and it is now time to implement the Plan. He mentioned the item will be presented to the City Council on January 26 during its regular meeting and will then be presented to the Oversight Board on January 28 during its regular meeting.

### **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**

Vice Mayor Higgins announced the Relay for Life kickoff will occur January 14 and Diablo Water District will hold a public hearing on January 20 to consider raising rates by 2%. She encouraged all to attend.

Councilmember Pope announced the East Contra Costa Fire Protection District Board has received emergency funding and direction to go to the voters to seek additional funding to bring back a safe level of service. He mentioned the Board will be providing public outreach and voter education in upcoming months.

Mayor Romick announced the Contra Costa Transportation Authority is considering a ½ cent transportation tax to support a transportation expenditure plan. He explained the Expenditure Plan Advisory Committee, made up of a variety of groups, will decide if the tax should be on the November ballot. He added that all groups want a cut of the money so the Committee is meeting twice a month to resolve any issues and reach compromise. He suggested anyone seeking more information can visit the CCTA website at [ccta.org](http://ccta.org).

**(b) Designation of two Councilmembers to participate in an Adhoc Parks & Recreation Planning Committee**

Mayor Romick commented that Councilmember Hardcastle volunteered to be on the Committee.

Councilmember Pope volunteered as well. Vice Mayor Higgins volunteered to be an alternate.

**(c) Requests for Future Agendas**

Vice Mayor Higgins requested future agenda items including laying purple pipe, alternatives to rubber recycle programs and assistance for homeless in Oakley.

City Manager Bryan Montgomery mentioned Ironhouse Sanitary District will be providing an update to the City Council in February and suggested the District Manager can address purple pipe at that time. He also mentioned Contra Costa County has a plan for homeless and could provide a report and staff can research what neighboring cities are doing to assist.

Councilmember Pope suggested the County could explain how the City fits into its plan regarding homeless.

**7.0 WORK SESSIONS-None**

**8.0 CLOSED SESSIONS**

***Oakley City Council***

**8.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Pursuant to Government Code Section 54956.8)**

**Property:** 3563-3587 Main Street, APN 035-121-004-2  
**Agency Negotiator:** Bryan Montgomery, City Manager  
**Negotiating Party:** Contra Costa County  
**Under Negotiation:** Price and terms of payment

**8.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Pursuant to Government Code Section 54956.8)**

**Property:** 3405 Main Street, APN 035-112-017-5  
**Agency Negotiator:** Bryan Montgomery, City Manager  
**Negotiating Party:** Contra Costa County  
**Under Negotiation:** Price and terms of payment

**8.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Pursuant to Government Code Section 54956.8)**

**Property:** 150-160 Acme Street, APN 035-121-005-9  
**Agency Negotiator:** Bryan Montgomery, City Manager  
**Negotiating Party:** Contra Costa County  
**Under Negotiation:** Price and terms of payment

**8.4 Report Out of Closed Sessions (William Galstan, Special Counsel)**

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

**9.0 ADJOURN**

There being no further business, the meeting was adjourned at 11p.m.

Respectfully Submitted,

Libby Vreonis  
City Clerk