

**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council acting as the Successor Agency to the Oakley Redevelopment Agency
January 27, 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 6:30p.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

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/Public Financing Authority Meeting of January 13, 2015 (Libby Vreonis, City Clerk)

Oakley City Council

3.2 Ratify Election: Waive the Second Reading and Adopt Ordinance No. 01-15, Establishing Zone 153 for a Special Tax for Police Protection for Subdivision 9032, Emerson Ranch, Located North of E. Cypress and West of Sellers Avenue (Kevin Rohani, Public Works Director/City Engineer)

3.3 Waive the Second Reading and Adopt Ordinance No. 03-15 to Levy a Special Tax for Fiscal Year 2015-16 and Ensuing Fiscal Years Solely Within and Relating to the City of Oakley Community Facilities District Number 2015-1 at the Emerson Ranch Subdivision, Located North of E. Cypress Road and West of Sellers Avenue (Kevin Rohani, Public Works Director/City Engineer)

- 3.4 Waive the Second Reading and Adopt an Ordinance Dealing with Leaf Blowers and Other Noises (William Galstan, Special Council)**
- 3.5 Approval of Revised Resolution Related to Acceptance of Offers of Dedication along Grapevine Lane, Subdivisions 8760, 7662, 8734 and Parcel Map 32 PM 48, between Rose Avenue and O'Hara Avenue (Kevin Rohani, Public Works Director/City Engineer)**
- 3.6 Approval of Subdivision Improvement Agreement with Shea Homes for Public Improvements (Parcel A and Parcel B – Catamaran Park) within Subdivision 8955, Summer Lake, Phase 2 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.7 Adopt a Resolution Approving a Land and Water Conservation Fund Grant Application for Nunn-Wilson Family Park Development Project (Kevin Rohani, Public Works Director/City Engineer)**
- 3.8 Adopt a Resolution Amending Section 2.9.008(a) of the Oakley Municipal Code Regarding the City's Conflict of Interest Code (Libby Vreonis, City Clerk)**
- 3.9 Adopt a Resolution Approving the Lease Agreement between the City and Byrnes Enterprise, LLC, doing business as Mr. Pickles Sandwich Shop, at the property located at 3080 Main Street in Oakley (Bryan Montgomery, City Manager)**

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.

Item 3.7 was pulled from the Consent Calendar by Councilmember Higgins.

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

Item 3.7

Councilmember Higgins requested that shade structures be specifically mentioned and included.

Councilmember Pope mentioned he would like to have shade in all City parks and suggested more mature trees or faster growing trees could be planted to provide shade in City parks.

It was moved by Councilmember Higgins and seconded by Vice Mayor Romick to approve Item 3.7 with shade structures included. Motion was unanimous and so ordered. (5-0)

4.0 PUBLIC HEARINGS

Oakley City Council

4.1 State Mandated 2015-2023 Housing Element Update (General Plan Amendment GPA 01-13 (Josh McMurray, Senior Planner)

Senior Planner Josh McMurray presented the staff report. He explained that no new zoning is being approved with this item, but at a future date the affordable housing overlay is to be placed on the chosen site(s) that will allow the land owner(s) to build at its current density or a higher density range, no development is currently proposed for any of the sites, and the State Department of Housing and Community Development (HCD) must ultimately approve the sites. He mentioned the City Council could approve the Housing Element this evening to meet the January 31, 2015 State deadline and would have up to two years to exchange any of the existing chosen sites for others should it so decide. He explained that if the deadline is not met, consequences may include an injunction, fine, or mandate to move to a four-year update rather than every eight years.

Beth Thompson of De Novo Planning Group, consultant for the Housing Element, was present to answer questions and added that for the City to receive One Bay Area Grant funds, the Update must be completed by May 31.

The City Council considered factors that Mr. McMurray and Ms. Thompson presented (*supra*), as well as:

- The City Council cannot require the affordable housing units to be mixed-use or for a specific group (i.e., senior housing);
- Site 7 located at Empire Avenue and Carpenter Road was selected by the City Council because no one protested it;
- HCD may or may not approve smaller parcels that add up to the required acreage amount;
- Non-compliance with the requirements may result in more units required to be built and transportation funds being withheld;
- If a property receives the overlay and sells for its original zoning purpose (not for affordable housing units) once the Housing Element is certified, the overlay does not have to be reallocated;
- If a site is developed, the developer still has to comply with setback requirements, land allocation for streets, sidewalks, driveways and parking;
- The overlay can apply to any type of zoning, even residential;
- There is a limit on the building height (42 feet) for the Affordable Housing Overlay (AHO) Zone;

- There is no longer an alternate mechanism for affordable housing due to the termination of redevelopment agencies in cities.

Mr. McMurray explained once the City Council approves the Housing Element, an environmental report will be needed which can take six to nine months to complete.

Mayor Hardcastle mentioned he would like to see the City advertise to property owners that the overlay is available as there may be property owners who are willing to have the overlay on their property. He commented he would make every effort to replace the site at Empire Avenue and Carpenter Road with another parcel(s).

Vice Mayor Romick commented that he prefers to pass this item now before the January 31 deadline so there is no pressure from the State and utilize the two-year period to review the sites.

Councilmember Pope expressed his preference is not to overlay commercial property and believes the site at Empire Avenue and Carpenter Road is central commercial property as it is located on one of the busiest roads in the City. He also opposed multi-story building next to single-story building.

Councilmember Higgins commented she does not support the site at Empire Avenue and Carpenter Road and suggested a committee review an alternate site.

Online Comment Forms

Twenty-two online comment forms were received for Item 4.1. All comments submitted opposed affordable housing units, the majority opposing them at the location of Empire Avenue and Carpenter Road.

Public Comment Cards

Ten people spoke in opposition of affordable housing units, the majority opposing them at the location of Empire Avenue and Carpenter Road. Korrine Ternes submitted a comment card but opted not to speak when called upon.

It was moved by Councilmember Pope and seconded by Vice Mayor Romick to adopt the resolution approving the 2015-2023 Housing Element Update and direct staff to locate alternate parcel(s) to replace site 7. Motion was unanimous and so ordered. (5-0)

5.0 REGULAR CALENDAR

Oakley City Council

5.1 Downtown Main Street “Visioning” Project-Capital Improvement Project Number 162 (Kevin Rohani, Public Works Director/City Engineer)

City Engineer/Public Works Director Kevin Rohani presented the staff report and introduced consultants for the Project, Natalina Bernardi of BKF Engineers, Inc. and David Gates of Gates Urban Design Architects, both of whom provided a presentation of the vision for Downtown Main Street. They mentioned their focus is to create a sense of place, of destination, a pedestrian-friendly Downtown, and to brand it in a way that fits Oakley.

Mr. Rohani mentioned the improvement of Main Street would likely occur in phases; the two early phases are Gardenia Avenue to Vintage Parkway and Norcross Lane to Second Street. He added the plan is to continue the roadway alignment similar to what was done in front of City Hall. He also mentioned parking would be provided along Main Street, adding approximately 120 additional parking spaces.

Councilmember Pope requested staff look into improving the eastern access to the Vintage Parkway neighborhood in the future to ensure an adequate outlet for residents of that neighborhood. He expressed support for the Project and suggested the transition to one lane occur soon, such as at the intersection of Main Street and Empire Avenue.

Councilmember Perry expressed concern that if the number of vehicles traveling along Main Street declines as traffic is diverted to other main arterial streets, it could impact businesses along Main Street.

Councilmember Higgins expressed support for the Project.

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.

The City Council approved the visioning concept and overall Project and provided direction to explore funding options to move forward with the Project.

6.0 REPORTS

6.1 CITY MANAGER

(a) City Manager

None.

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 Higgins announced she, along with Councilmember Perry, attended the League of California Cities conference for new councilmembers and participated in a mock council meeting. She also announced she attended a Diablo Water District (DWD) Board meeting and the insurance endorsements that have been included with customer invoices will be re-worded so it is clear that the endorsements are not part of the DWD invoices.

Mayor Hardcastle announced that he held his first "Mayor at the Market" day to meet with residents at Lucky's and it went well. He mentioned he will be at Raley's next month. He also mentioned there may be some changes to the City Council Appointment List for 2015 as Councilmember Pope may not be available to attend the Tri-Delta meetings and Vice Mayor Romick should be appointed as the City Council representative for TRANSPLAN.

(b) Requests for Future Agendas

None.

7.0 WORK SESSIONS-None

8.0 CLOSED SESSIONS-None

9.0 ADJOURN

There being no further business, the meeting was adjourned at 9:07p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk