

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

**Oakley City Council Chambers  
3231 Main Street, Oakley, CA  
Tuesday, March 25, 2014  
6:30 P.M.**

**1.0 OPENING MATTERS**

**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**

Call to Order – Mayor Pope called the meeting to order at 6:30p.m in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California.

Roll Call – Present: Mayor Randy Pope, Vice Mayor Doug Hardcastle, Councilmembers Diane Burgis, Carol Rios and Kevin Romick.

**1.2 Pledge of Allegiance to the Flag**

Mayor Pope led the Pledge of Allegiance to the Flag.

**1.3 Proclamation-Mayors Day of Recognition for National Service (Roy Earnest, Corporation for National and Community Service)**

Mayor Pope presented the proclamation. Theresa Miller accepted the proclamation on behalf of the Red Cross in conjunction with Corporation for National and Community Service, thanked the City Council and encouraged everyone to volunteer.

**1.4 Contra Costa County Library Commission Update (Mary Joseph, Appointee)**

Mary Joseph arrived after Item 1.5. She submitted a written report and provided an oral update to the City Council. She mentioned she will continue to voice to the Commission the need for more Library space and personnel in Oakley. She thanked the City Council for the opportunity to serve on the Commission and encouraged the City Council to inform her if there any items they would like to have addressed.

Councilmember Burgis encouraged Ms. Joseph to contact the City Council when there are opportunities for the Council to provide assistance.

Mayor Pope requested Ms. Joseph provide monthly written updates after Commission meetings are held.

## **1.5 East Contra Costa Fire Protection District Board Update (Ronald Johansen, Appointee)**

Item 1.5 followed Item 1.3 (reference Item 1.4, supra).

Ronald Johansen, along with Fire Chief Hugh Henderson, provided an update to the City Council. They addressed the recent decision of the East Contra Costa Fire Protection District (ECCFPD) Board to not move forward with a parcel tax to maintain current services. They explained that survey results showed that residents within the District were not supportive enough of the parcel tax to justify the cost of placing the parcel tax on the June ballot. They mentioned strong educational outreach will take place over upcoming months to try and gain community support for the parcel tax to be placed on the November ballot. They also mentioned other funding and revenue sources are being explored; however, such funding and revenue sources will not provide the amount needed to maintain current service levels. They explained Safer Grant funds obtained in 2012 allow for the District to maintain five stations until November 2014; thereafter, if other funding is not available and the parcel tax is not placed on the ballot or approved by voters, the District would only have funding to maintain three stations. They further explained that if the parcel tax is approved by voters, they could maintain five stations through bridge funding until they receive the revenue the following year.

Vice Mayor Hardcastle inquired if the survey addressed voter approval for either the June or November ballots. He mentioned he understood the annual cost per household for the parcel tax on the June ballot would be \$98 whereas the annual cost per household for the parcel tax on the November ballot would be \$135.

Chief Henderson responded that the survey addressed the June ballot and the additional amount suggested for the parcel tax in November is to provide enough revenue for when funds would actually be received the following fiscal year.

Councilmember Romick inquired of the likelihood of the parcel tax passing.

Chief Henderson explained that 66 2/3% voter approval is required and the recent survey results showed only 54% of residents within the District supported the parcel tax; therefore a large gap still exists for potential voter approval. He added that upcoming educational outreach will be provided to hopefully bridge the gap.

Councilmember Burgis inquired if the community would pay more in insurance costs if the ISO rating declines due to reduced fire protection services provided in our community.

Chief Henderson responded that it is a possibility. He explained that the ISO conducted a review of the District in 2008 when the District had eight stations and the District is up for another review soon in which it currently has five stations, possibly three if additional revenue is not obtained. He added that commercial businesses typically see more of an increase than residential when ratings decline.

Councilmember Burgis inquired who would pay for the campaign for the parcel tax.

Chief Henderson responded that it would have to be provided by an advocacy group.

Councilmember Burgis commented that more outreach is needed for the meetings and offered the City's assistance. She expressed concern with regard to having reduced services when the City is anticipating growth.

Mayor Pope inquired if the District plans to implement any recommendations made in the Fitch report.

Chief Henderson explained the recommendations were to reallocate current personnel which would be difficult to do in this District because of the need to sustain current operations. He mentioned there could be changes with regard to medical services.

Mayor Pope inquired how a reduction from five stations to three stations could impact response time.

Chief Henderson mentioned the current response time averages seven minutes which could increase three minutes for a future response time of ten minutes.

Mayor Pope requested the Board members provide a monthly update to the City Council.

#### Public Comment Card

ECCFPD firefighter and Local 1230 representative Gil Guerrero commented that it has been his experience that surveys typically provide an accurate indication of voter approval or disapproval; therefore the decision was sound not to place the parcel tax on the June ballot without community support.

## 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 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 March 11, 2014 (Libby Vreonis, City Clerk)**

***Oakley City Council***

- 3.2 Approve the Minutes of the Special Oakley City Council Meeting of March 10, 2014 (Libby Vreonis, City Clerk)**
- 3.3 Adopt a Resolution Approving a Dedication Agreement and a Reimbursement Agreement with Forecast Land Investment, LLC Related to APN 035-220-032 (Rosewood Subdivision Tentative Map 8787) and Capital Improvement Program Laurel Road Widening Project-Capital Improvement Project Number 124 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.4 Adopt a Resolution Establishing the Rate Per Equivalent Runoff Unit for Fiscal Year 2014-2015 and Requesting the Contra Costa County Flood Control and Water Conservation District to Adopt an Annual Parcel Assessment for Drainage Maintenance and the National Pollutant Discharge Elimination System Program (Kevin Rohani, Public Works Director/City Engineer)**
- 3.5 Adopt a Resolution Approving an Agreement with DSS Company Doing Business as Knife River Construction Inc. for the Construction of Laurel Road Widening Project-Capital Improvement Project Number 124 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.6 Adopt Resolutions Awarding Contracts with TerraDan Construction Inc., J.W. Backhoe & Construction, Inc. and Duran & Venables, Inc. for On-Call Services for Maintenance and Repair of City Facilities (Kevin Rohani, Public Works Director/City Engineer)**
- 3.7 Adopt a Resolution Authorizing the Purchase and Installation of a Precast Concrete Double Restroom/Snack Shack/Storage Room Building from CXT, Inc. for Civic Center Park-Capital Improvement Project Number 150 (Kevin Rohani, Public Works Director/City Engineer)**

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

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.

## 4.0 PUBLIC HEARINGS

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

#### **4.1 Celebration Christian Preschool Conditional Use Permit (CUP 02-13), Design Review (DR 06-13) and Tentative Parcel Map (TPM 02-13) (Joshua McMurray, Senior Planner)**

Senior Planner Joshua McMurray presented the staff report and read into the record the following condition that was provided after the staff report was made available (to be inserted after condition # 51):

“Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater pond to the City Engineer for review and approval.”

He requested the condition be added.

#### Online Comment Forms

No online comment forms were submitted for Public Hearings.

#### Public Comment Cards

Matthew Bamford on behalf of Sterling Architects introduced himself and commented he was available for any questions with regard to the project.

Jeneane Stevens on behalf of Celebration Christian Preschool expressed her excitement for the opportunity to have the preschool in Oakley and mentioned Celebration will provide a large quality preschool, after school programs (K-5<sup>th</sup> grade) and a senior day center for the elderly population to interact with the younger children (the first intergenerational program in the East Bay). She mentioned community benefits in addition to these programs include the hiring of local youth, teachers and aides. She added that all programs will be licensed.

Councilmember Burgis welcomed Celebration, thanked them for recognizing Oakley as a potential location for development and for making it a better place for families.

Mayor Pope inquired what the timeline will be for construction and opening.

Ms. Stevens responded that they plan to begin construction immediately and their goal is to open by August 2015.

Mayor Pope inquired why the block wall would be removed in front of the playground.

Mr. Bamford explained it was for aesthetic purposes and for better light and air circulation.

Councilmember Rios expressed excitement for the preschool and intergenerational program. She mentioned she visited Celebration's Brentwood location and was impressed with the amount of care and pride shown. She commented that the preschool will addition to the Oakley community.

Councilmember Romick commented the development will enhance the entrance to Oakley, he likes the idea of no sound wall in front of the playground and he excited that the intergenerational program will blend generations together.

Vice Mayor Hardcastle welcomed Celebration and concurred with the Council that the intergenerational program will be beneficial.

Mayor Pope thanked Celebration for choosing Oakley and for providing the intergenerational program. He commented that he would prefer the sound wall not be removed in front of the playground for protection of the children.

It was moved by Councilmember Romick and seconded by Councilmember Burgis to adopt the resolution as amended to include the condition read into the record (supra). Motion was unanimous and so ordered. (5-0)

## 5.0 REGULAR CALENDAR

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

#### **5.1 Waive the First Reading and Introduce an Ordinance to Add Section 9.1.1222 to Article 12 of Title 9 of the Oakley Municipal Code, Dealing With Parole/Probationer Homes (William Galstan, Special Counsel)**

Special Counsel William Galstan presented the staff report.

Councilmember Romick commented that the City has experience with different kinds of state mandated homes and he believes it is highly appropriate to address parole/probationer homes now to protect neighborhoods from concerns often deriving from such homes.

Councilmember Burgis mentioned the rate for repeat offenses can vary depending on the type of crime and Oakley may not be best located for parolees/probationers to receive support services. She inquired if the ordinance could require that support services be provided.

Mr. Galstan explained that a Conditional Use Permit must be obtained to operate such home and one of the requirements to obtain such Permit is to provide information regarding support services that will be provided on site.

Councilmember Rios thanked Mr. Galstan for preparing the ordinance and inquired if regulations could exist to require onsite staff supervisors to be certified.

Mr. Galstan explained he was not aware of any such regulations; the main function of the supervisor is to maintain peace in the home and neighborhood and call police services for assistance if any issues arise.

Councilmember Rios inquired if Conditional Use Permits could be revoked for violations.

Mr. Galstan responded that would be handled as a general public nuisance by Oakley Police.

#### 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 Rios and seconded by Vice Mayor Hardcastle to waive the first reading and introduce the ordinance. Motion was unanimous and so ordered. (5-0)

## 6.0 REPORTS

### **6.1 CITY MANAGER**

City Manager Bryan Montgomery encouraged the public to submit comments regarding the 2014-2016 Strategic Plan. He mentioned a work session will be held during the City Council meeting on April 8 to receive further public and City Council input.

### **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 Burgis expressed concern over suicide incidents in Oakley and mentioned she reached out to Supervisor Mary Nejedly-Piepho's office to seek support from County Mental Health to provide the Oakley community with resources to assist. She added that she attended a fundraiser barbeque to cover funeral costs for a recent victim of suicide and she believes we have a kind, caring and supportive community and she would like to brainstorm ideas how people may be able to reach out to others more. She announced she will attend the Delta Protection Commission meeting Thursday. She mentioned the community garden meeting was held last week and the group is working with its fiscal sponsor and toward obtaining insurance. She also mentioned the non-profit roundtable meeting was held last week and support classes were discussed to help start, train and strengthen non-profits in East Contra Costa County. She added that the Library branch in Brentwood will soon have software available to search for grants for non-profits.

Councilmember Romick announced he attended the Contra Costa Transportation Authority meeting and a clipper card (a universal card that can be used for Tri-Delta Transit, BART and MUNI transportation) was discussed; the card is expected to be in use sometime between 2014-2016 and will be funded by the Metropolitan Transportation Commission (MTC). He mentioned he attended a pancake breakfast for a 3-year old Oakley boy with brain cancer in which \$4,500 was raised. He commented that this an example of how the community shows support and comes together for important causes.

Mayor Pope announced he participated in the St. Baldrick's fundraiser this past weekend and thanked everyone for their support and donations. He mentioned on Saturday he attended the Chamber of Commerce Spring Into Oakley event, he threw the first pitch for Diablo Baseball and Softball opening day and attended the East Contra Costa Little League crab feed. He commented that attendance at these events shows residents are engaged in the community. He also mentioned he attended the Save Mt. Diablo land tour. He requested staff check the construction signs on the Laurel onramp and confirm the onramp will not be closed for construction for a lengthy period of time. He also announced the Diablo Water District meeting will be held tomorrow at 7:30 p.m., the Ironhouse Sanitary District meeting will be held April 1 at 7 p.m., the East Contra Costa Fire Protection District Board meeting will be held April 7 at 6:30 p.m. and Vice Mayor Hardcastle will attend the Mayors Conference meeting to be held April 3.

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

Councilmember Rios requested a discussion with regard to making security cameras in parks a high priority in the upcoming budget. She commented that the amount of money being spent to clean up vandalism could be offset by high quality, real-time cameras.

Councilmember Burgis requested a discussion regarding suicide prevention and awareness to be coordinated with Supervisor Mary Nejedly-Piepho's office.

#### **7.0 WORK SESSIONS-None**

#### **8.0 CLOSED SESSIONS-None**

#### **9.0 ADJOURN**

There being no further business, the meeting was adjourned at 8:16 p.m.

Respectfully Submitted,

Libby Vreonis  
City Clerk