

**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, April 22, 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 and 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 Municipal Clerks Week Proclamation (Libby Vreonis, City Clerk)**

City Clerk Libby Vreonis accepted the proclamation and thanked the City Council, City staff, residents and City Clerk Department staff.

Mayor Pope presented a proclamation recognizing April 22, 2014 as Earth Day in Oakley. Dave Adler, Regional Manager for Oakley Disposal Service and Mt. Diablo Recycling, accepted the proclamation and thanked the City Council. He announced Mt. Diablo Recycling will hold an Earth Day recycling event on Saturday, April 26. He invited everyone to attend.

**2.0 PUBLIC COMMENTS**

**Online Comment Forms**

No online comment forms were submitted for Public Comments.

**Public Comment Cards**

Bob Kratochvil, President of Los Medanos College, provided information on Bond Measure E which will be on the June 3 ballot and if approved will provide the Contra Costa Community College District with funds to complete major projects. He mentioned the major projects for Los Medanos College include modernizing the college complex

building, constructing a new student activities building and expanding the Brentwood campus.

### 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 April 8, 2014 (Libby Vreonis, City Clerk)**

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

- 3.2 Adopt a Resolution Approving an Agreement with Chrisp Company for the Construction of Citywide Street Name Sign Replacement Project-Capital Improvement Project Number 77 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.3 Adopt a Resolution Approving the Concrete Repair and Replacement Policy and 50/50 Cost Sharing Program (Kevin Rohani, Public Works Director/City Engineer)**
- 3.4 Adopt a Resolution Authorizing the City Manager to Enter into a Three-Year Contract with Antai Solutions, LLC (dba Ontai) for Network Management Services (Paul Abelson, Finance Director)**
- 3.5 Adopt a Resolution Approving an Amendment to the Short-Term Loan Agreement with Rogelstad-Thorpe, LLC Regarding the Development of the Oakley ACE Hardware at 3100 Main Street (Bryan Montgomery, City Manager)**
- 3.6 Adopt a Resolution Appointing Michael Krieg as Trustee to the Contra Costa Mosquito and Vector Control District Board (Libby Vreonis, City Clerk)**

#### 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 Romick and seconded by Councilmember Rios to approve the Consent Calendar. Motion was unanimous and so ordered. (5-0)

## 4.0 PUBLIC HEARINGS

### *Oakley City Council*

#### **4.1 Waive the First Reading and Introduce an Ordinance Amending Section 204 of Chapter 1 of Title 6 of the Oakley Municipal Code, Dealing with the Parking of Commercial Vehicles (Joshua McMurray, Senior Planner)-Continued from April 8, 2014**

Vice Mayor Hardcastle recused himself from the discussion and left the Council Chambers. He had mentioned at the April 8 meeting from which this item was continued that he would have to abstain from voting since his place of business stores commercial vehicles as defined in the proposed amendment and he does not want it to be perceived that he would be creating business for himself.

Senior Planner Josh McMurray presented the staff report.

#### Online Comment Forms

No online comment forms were submitted for Item 4.1.

#### Public Comment Cards

No public comment cards were submitted for Item 4.1.

Councilmember Romick mentioned he reviewed the minutes from the April 8 meeting and he believes all of the issues raised have been addressed.

It was moved by Councilmember Romick and seconded by Councilmember Burgis to waive the first reading and introduce the ordinance. AYES: Burgis, Pope, Romick, Rios. ABSTENTION: Hardcastle. (4-0)

Vice Mayor Hardcastle returned to the Council Chambers.

#### **4.2 Waive the First Reading and Introduce an Ordinance to Amend Oakley Municipal Code Section 9.1.1120 (Home Business Permits) Relating to Internet-Only Based Businesses (Ken Strelo, Senior Planner)**

Senior Planner Ken Strelo presented the staff report.

Councilmember Romick inquired what the impetus was for the amendment.

Mr. Strelo responded that at the February 11 meeting a public comment was made and the City Council requested staff follow up. The comment was someone may want to have more than one internet-based business and shouldn't be limited.

#### Online Comment Forms

No online comment forms were submitted for Item 4.1.

## Public Comment Cards

Susan Morgan suggested the City Council consider revising the language in Section 9.1.1120(c)(i)(2) to allow for more than two persons residing on the parcel to be employees of the internet-based business and to make the number of non-resident on-site employees consistent with the number of internet-based businesses on the parcel.

Special Galstan William Galstan commented that the paragraph as written appears to have the intent that one employee other than the resident would be allowed; therefore, he recommended the following language be inserted: "non-resident employees working at the site shall be limited to a maximum of one person."

Councilmember Romick commented that he agrees with the proposed changes; the more business allowed, it is better for the economy.

Mayor Pope agreed with the language Mr. Galstan proposed and suggested striking language and stating: "A maximum of two home-based businesses shall be allowed per parcel. This restriction shall not apply to virtual or internet-based businesses."

Mr. Strelo requested that one employee be per parcel, not per business.

It was moved by Councilmember Romick and seconded by Councilmember Rios to waive the first reading and introduce the ordinance as amended. Motion was unanimous and so ordered. (5-0)

## 5.0 REGULAR CALENDAR

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

#### **5.1 Adopt a Resolution to Appoint an Alternate to the 2014-2022 Housing Element Update Ad-Hoc Citizen Advisory Committee (Joshua McMurray, Senior Planner)**

Senior Planner Joshua McMurray presented the staff report. He explained Ms. Wilkerson has requested to remain an alternate; therefore staff recommends Tammy Tanner be appointed as an alternate.

#### 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 Romick and seconded by Vice Mayor Hardcastle to appoint alternate Tammy Tanner. Motion was unanimous and so ordered. (5-0)

## 6.0 REPORTS

### **6.1 CITY MANAGER**

City Manager Bryan Montgomery announced the Laurel Road Widening Project has begun, the Slurry Seal Project to resurface the Civic Center and Black Bear Diner parking lots is complete, the Ace Hardware construction project is looking great and nearing completion, the signage for the Downtown Plaza on Vintage Parkway is almost complete, the signage for the Downtown Plaza on Main Street will begin soon, and Grocery Outlet has pulled permits to demolish the former CentroMart building which should happen in the next few weeks. He thanked the Ace Hardware team and Grocery Outlet for investing in Oakley.

Vice Mayor Hardcastle inquired what the biggest pipe at the Laurel Road Widening Project site is to be used for.

Public Works Director/City Engineer Kevin Rohani explained it is a storm drain pipe.

### **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 Romick reported that ramp closure and detour signs for Highways 4 and 160 have created confusion for some residents. He added that the detour signs were to be removed yesterday and no ramp closures are schedule for the next few months. He mentioned Lane 1 of Northbound Highway 160 will be closed Thursday, April 24, 6 p.m.- 6 a.m. He also mentioned that the Highway 160 connector ramp should be completed in approximately 15-18 months, around the time that the Highway 4 widening project is scheduled to be complete. He shared that he spent two days in Washington D.C. speaking with officials regarding transportation matters.

Councilmember Burgis announced an Earth Day workday at Nunn-Wilson Park Saturday at 9 a.m. She mentioned she will be in Sacramento tomorrow for Legislative Action Day on behalf of the League of California Cities.

Mayor Pope announced the Habitat Conservancy meeting will be held April 28, Vice Mayor Hardcastle will attend the Mayors Conference on May 1, Brown Bag with the Mayor will be held May 5, the East Contra Costa Fire Protection District Board meeting will be held May 5 and the Ironhouse Sanitary District meeting will be held May 6. He mentioned he attended the Mount Diablo Beekeepers Association spring workshop.

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

Mayor Pope requested a future agenda item regarding backyard beekeeping and an update regarding the lease agreement with the community garden group.

City Manager Bryan Montgomery responded that more information should soon become available from the community garden group and City staff is researching whether or not a conditional use permit will be required; therefore, the update will likely be provided at the May 27 meeting.

## **7.0 WORK SESSIONS-None**

## **8.0 CLOSED SESSION**

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

#### **8.1 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION.**

Significant exposure to litigation pursuant to Government Code Sec. 54956.9, one potential case involving Claremont Homes and the payment of fees for development review services.

#### **8.2 Report Out of Closed Session**

The City Council determined, on a 5-0 vote, to approve a collection agreement for the recovery of the fees for development review services.

## **9.0 ADJOURN**

There being no further business, the meeting was adjourned at 7:10 p.m.

Respectfully Submitted,

Libby Vreonis  
City Clerk