



STAFF REPORT

Date: March 3, 2014
To: Mayor and Members of City Council
From: William R. Galstan, Special Counsel *W.R.G.*
Cc: Bryan Montgomery, City Manager; Derek P. Cole, City Attorney;
Ken Strelo, Senior Planner; Josh McMurray, Senior Planner
SUBJECT: Creation of "Citizen Planning Advisors" Program

FOR CONSIDERATION AT THE CITY COUNCIL MEETING OF MARCH 11, 2014

Summary and Recommendation

Adopt the Resolution establishing Citizen Planning Advisors.

Background and Analysis

This item is the result of recent City Council and staff discussion regarding the potential for re-activating a Planning Commission or creating some other program to encourage more citizen participation in the planning process. We believe that the attached Resolution reflects the Council's most recent discussion and direction on this matter.

The Resolution establishes a program for the appointment of at least three, but not more than five, "Citizen Planning Advisors". The Advisors would be appointed by the Council after going through the regular citizen committee recruitment process and would serve two-year terms. The Advisors would be nonpaid volunteers. Emphasis in the appointment selection would be given to those applicants with knowledge and interest in urban and community planning and knowledge and experience in the disciplines of architecture, urban design, landscape architecture, environmental studies, traffic engineering, or related fields.

The Advisors would have to file Conflict of Interest disclosure forms and comply with all the Conflict of Interest regulations about not participating in matters in which they have a financial interest.

The Advisors would receive subdivision and Design Review applications after they are "deemed complete" by staff, and would then have the opportunity to submit comments, which would then be included by staff in their reports to the City Council.

The Advisors would use the adopted Residential and Commercial/Industrial Design Guidelines for their review of projects.

Staff would conduct at least one training session for Advisors, as well as at least an annual meeting to discuss operation of the program.

The Resolution calls for Council review of this program at the conclusion of the first two years of operation. Also, the Resolution specifies the rule applicable to all volunteer City committees, which is that members serve at the pleasure of the majority of the Council and can be removed from office without cause.

Staff believes that this program will be an effective method of obtaining focused citizen input into the community development process.

Fiscal Impact

Anticipated minor costs associated with training, duplication or transmittal of materials.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
ESTABLISHING CITIZEN PLANNING ADVISORS**

WHEREAS the City Council is the Planning Agency of the City of Oakley; and

WHEREAS the Council desires to encourage more citizen participation and input in the subdivision and Design Review process;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. There is hereby established the volunteer office of "Citizen Planning Advisor", which shall have the duties as specified herein.
2. The City Council may, from time to time, appoint three, but not more than five, Citizen Planning Advisors, who shall serve terms of two years.
3. The City shall use its established application process for recruiting and selecting the Advisors. Emphasis in the appointment selection shall be based upon each applicant's knowledge and interest in urban and community planning and any knowledge or experience in the disciplines of architecture, urban design, landscape architecture, environmental studies, traffic engineering, or related disciplines.
4. Every Citizen Planning Advisor shall be deemed to be a "designated employee" under the City's Conflict of Interest Code and shall be assigned Disclosure Categories 1 – 4 and file Disclosure Statements and otherwise comply with all requirements of the Conflict of Interest Code and regulations of the City and the State of California. Although they are included in the term "designated employee", Citizen Planning Advisors shall be volunteers and not be employees of the City and not be entitled to compensation or benefits of any kind or nature. They may, however, be entitled to receive training or reimbursement of expenses if approved in advance of incurring any expense or training by the City Manager.
5. City staff will route to Citizen Planning Advisors subdivision and Design Review projects after the applications for such projects are "deemed complete" per Government Code Section 65920 et. seq. Each Advisor will use the adopted Residential and Commercial/Industrial Design Guidelines to review projects and may submit comments on the project to City staff.
6. City staff shall attach any comments received from the Citizen Planning Advisors to the reports given to the City Council.
7. City staff shall have no obligation to respond to comments from Citizen Planning Advisors.

8. City staff shall conduct at least one training session for each Citizen Planning Advisor and shall coordinate at least an annual meeting for the Citizen Planning Advisors to discuss the operations of this program.
9. Notwithstanding the creation of the Citizen Planning Advisor program, the City Council shall remain the Planning Agency for the City of Oakley.
10. This program shall be reviewed by the City Council at the conclusion of the first two years and thereafter from time to time. Citizen Planning Advisors serve at the pleasure of the majority of the City Council, and may be removed from office prior to the expiration of the term at the discretion of a majority of the members of the City Council.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Oakley held on the ____ day of March, 2014, by Councilmember _____, who moved its adoption, which motion being duly seconded by Councilmember _____, was upon voice vote carried and the resolution adopted by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Randy Pope, MAYOR

ATTEST:

Libby Vreonis, CITY CLERK

Date