

AGENDA

REGULAR JOINT MEETING OF THE OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY/ OAKLEY PUBLIC FINANCING AUTHORITY

Tuesday, January 10, 2017
6:30 p.m.
Oakley City Council Chambers
3231 Main Street, Oakley, CA

MISSION STATEMENT: The City of Oakley exists to build and enhance a quality community and to serve the public in a friendly, efficient, responsive manner.

VISION STATEMENT: The City of Oakley will be recognized as a model of civic participation and a vibrant Delta community where families live, work, play, shop and visit.

Agendas are posted in Oakley at Oakley City Hall-3231 Main Street, outside the gym at Delta Vista Middle School-4901 Frank Hengel Way and outside the Library at Freedom High School-1050 Neroly Road; agendas are also posted on the City's Internet Website www.ci.oakley.ca.us.

A complete packet of information containing staff reports and exhibits related to each item is available for public review prior to an Oakley City Council and/or City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority meeting at Oakley City Hall, 3231 Main Street, Oakley, CA 94561. Any writings or documents provided to a majority of the Oakley City Council, Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency or Oakley Public Financing Authority regarding any item on this agenda will be made available for public inspection, during regular business hours, at the front counter in the Main Lobby of the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561.

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If you have a physically challenging condition and require special accommodations, please call the City Clerk's office at (925) 625-7013.

(Please keep cell phones/pagers turned off during the meeting.)

1.0 OPENING MATTERS

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley 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/Oakley Public Financing Authority**
- 1.2 Pledge of Allegiance to the Flag led by Justin Vargas, Vintage Parkway Elementary Student**
- 1.3 Introduction of New Police Officer Michael Palmer (Chris Thorsen, Chief of Police)**
- 1.4 Update from Contra Costa Transportation Authority-Citizens Advisory Committee (Michael Dupray, Appointee)**

2.0 PUBLIC COMMENTS

At this time, the public is permitted to address the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority on non-agendized items. PUBLIC COMMENTS ARE LIMITED TO THREE (3) MINUTES. In accordance with State Law, however, no action or discussion may take place on any item not appearing on the posted agenda. The Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority may respond to statements made or questions asked or may request Staff to report back at a future meeting on the matter. The exceptions under which the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority MAY discuss and/or take action on items not appearing on the agenda are contained in Government Code §54954.2(b)(1)(2)(3). Members of the public should submit any Speaker Cards for Public Comments in advance of the Mayor calling for Public Comments.

3.0 CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority with one single action. Members of the audience, Staff or the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor remove the item. Members of the public should submit any Speaker Cards related to the Consent Calendar in advance of the Consent Calendar being considered.

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

- 3.1 Approve the Minutes of the Special Meeting of the Oakley City Council and Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority held December 13, 2016 (Libby Vreonis, City Clerk)**

Oakley City Council

- 3.2 Accept Report Out of Closed Session Memo (William Galstan, Special Counsel)**
- 3.3 Approval of the City of Oakley's Contra Costa Transportation Authority (CCTA) Growth Management Program Compliance Checklist for Allocation of Fiscal Year 2015/2016 and 2016/2017 Local Street Maintenance and Improvement Funds (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.4 Adopt a Resolution approving Agreements with Garth Ruffner Landscape Architect and Freyer & Laureta, Inc. for Landscape Architectural and Engineering Design Services Associated with Capital Improvement Project Number 197-Oakley Community Dog Park at Nunn-Wilson Park (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.5 Adopt a Resolution Authorizing the City Manager to Execute a Termination Agreement and Deed in Lieu of Foreclosure with Manuel's Five Star Restaurant, Inc. for Property Located at 3070 Main Street, Oakley (Dwayne Dalman, Economic Development Manager)**
- 3.6 Postponing the Election and Ratification of the Election to Create Zone 161 within the Oakley Special Police Tax Area Minor Subdivision MS 16-979 (Southwest corner of Laurel Road and Empire Avenue) (Kevin Rohani, Director of Public Works/City Engineer)**

4.0 PUBLIC HEARINGS

Oakley City Council

- 4.1 Request for Design Review (DR 03-16) for a new façade and remodel of an existing 717 square foot building and a 705 square foot addition to the rear of the building, Variance (VA 02-16) for a reduction in the rear yard setback on a 0.04-acre site located at 3530 Main Street (APN 037-160-023), and an Amendment to the Real Property Purchase Agreement dated June 28, 2016 (Joshua McMurray, Planning Manager)**

Staff recommendation:

- Open the Public Hearing
- Receive the Staff Report
- Receive Questions from the City Council
- Receive Comments from the Applicant
- Receive Public Testimony
- Close the Public Hearing
- Deliberate
- Summarize the Deliberation
- Adopt the Resolution

5.0 REGULAR CALENDAR

Oakley City Council

- 5.1 **Authorization to Negotiate Future Lease for Property Located at 3070 Main Street (Dwayne Dalman, Economic Development Manager)**
- 5.2 **Consideration of a Letter from the City Council Affirming the Principles of You, Me, We = Oakley! (Sue Higgins, Mayor)**

6.0 REPORTS

6.1 CITY MANAGER

- (a) **2016-2018 Strategic Plan Update**

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

7.0 WORK SESSIONS-None

8.0 CLOSED SESSIONS

Oakley City Council

- 8.1 **CONFERENCE WITH LEGAL COUNSEL-SIGNIFICANT EXPOSURE TO LITIGATION
(Pursuant to Government Code Section 54956.9(d)(2))
Three potential cases.**
- 8.2 **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Pursuant to Government Code Section 54956.9(d)(1))**

City of Oakley v. Shea Homes, a limited partnership
Contra Costa Superior Court Case No. MSC16-00439

**8.3 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Pursuant to Government Code Section 54956.9(d)(1))**

Michael Rasooly v. The City of Oakley
Contra Costa Superior Court Case No. MSN16-1462

**8.4 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Pursuant to Government Code Section 54956.9(d)(1))**

City of Oakley v. James M. Scelsi
Contra Costa Superior Court Case No. MSN16-1620

**8.5 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Pursuant to Government Code Section 54956.9(d)(1))**

City of Oakley v. Craig Davidson
Contra Costa Superior Court Case No. MSC15-01280

8.6 Report Out of Closed Session (Derek Cole, City Attorney)

9.0 ADJOURN