

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, May 9, 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 Taylor DeRocher, Gehringer Elementary School Student**
- 1.3 Proclamation Recognizing May 21-27, 2017 as Emergency Medical Services Week in Oakley**
- 1.4 Proclamation Recognizing May 2017 as Building Safety Month in Oakley**
- 1.5 Proclamation Recognizing May 7-13, 2017 as Municipal Clerks Week in Oakley**
- 1.6 Introduce New Oakley Police Officers Daniel Buck and Jason Waite and Recently Promoted Sergeants Paul Beard and Logan Cartwright and Administer them the Ceremonial Oath of Office**

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 Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Meeting and Special Meeting of the Oakley Public Financing Authority held April 25, 2017 (Libby Vreonis, City Clerk)**

Oakley City Council

- 3.2 Approve the Minutes of the Special Meeting of the Oakley City Council (Strategic Planning Meeting) held Tuesday, April 18, 2017 (Libby Vreonis, City Clerk)**
- 3.3 Accept Report Out of Closed Session Memo (Derek Cole, City Attorney)**
- 3.4 Waive the Second Reading and Adopt an Ordinance Amending Oakley Municipal Code Sections 1.5.209(c)(i), 1.5.209(c)(iv) and 1.5.210(a), Dealing with Administrative Appeal Hearings (William Galstan, Special Counsel)**
- 3.5 Ratify Election: Adopt Ordinance 24-16 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 161 within the Oakley Special Police Tax Area for Police Protection Services for Minor Subdivision 16-979 (Southwest corner of Laurel Road and Empire Avenue)
(Kevin Rohani, Director of Public Works/City Engineer)**
- 3.6 Ratify Election: Adopt Ordinance 04-17 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 163 within the Oakley Special Police Tax Area for Police Protection Services for Subdivision No. 9043 (Aspen Lane)
(Kevin Rohani, Director of Public Works/City Engineer)**
- 3.7 Ratify Election: Adopt Ordinance 05-17 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 164 within the Oakley Special Police Tax Area for Police Protection Services for Subdivision No. 9044 (Aspen Place)
(Kevin Rohani, Director of Public Works/City Engineer)**
- 3.8 Accept City of Oakley Quarterly Investment Report (3rd Quarter, Fiscal Year 2016/2017) (Deborah Sultan, Finance Director)**
- 3.9 Adopt a Resolution Approving the Purchase of a New Ford Patrol Vehicle (Chris Thorsen, Chief of Police)**
- 3.10 Adopt Two Resolutions Initiating the Fiscal Year 2017-2018 Oakley Street Lighting and Landscape Assessment District No. 1 proceedings; Initiating the process and declaring the intention to levy and collect assessments, and setting June 13, 2017 as the date for the Public Hearing
(Kevin Rohani, Director of Public Works/City Engineer)**

Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

3.11 Accept Successor Agency Quarterly Investment Report (3rd Quarter, Fiscal Year 2016/2017) (Deborah Sultan, Finance Director)

4.0 PUBLIC HEARINGS-None

Oakley City Council

- 4.1 Laurel Plaza Mini-Mart and Gas Station– An application requesting approval of a Conditional Use Permit (CUP 04-17) and Design Review (DR 03-17) for approval of a new 3,819 square foot convenience store, a fueling island with 6 multiple product dispensers under a new 55 foot by 88 foot fuel island canopy and a new 25 foot by 80 foot car wash tunnel with outdoor vacuums. The 1.28-acre project site is located within the existing Laurel Plaza shopping center and is designated Commercial in the Oakley 2020 General Plan and zoned Retail Business (RB). The Project is located at the northwest corner of Laurel Road and O’Hara Avenue (APN: 035-510-002) (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

4.2 Waive the First Reading and Introduce an Ordinance Adopting Accessory Structures Zoning Text Amendments to Sections 9.1.404 (Single Family Residential Districts), 9.1.1122 (Yards) and 9.1.1802 (Accessory Structure Developmental Regulations) (RZ-01-17) (Ken Strelo, Senior Planner)

Staff recommendation:

- Open the Public Hearing
- Receive the Staff Report
- Receive Questions from the City Council
- Receive Public Testimony
- Close the Public Hearing
- Deliberate
- Summarize the Deliberation
- Waive the First Reading and Introduce the Ordinance

4.3 Waive the First Reading and Introduce an Ordinance Adopting Zoning Text Amendments Adding Section 9.1.1232 to Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code Related to Regulations on Unattended Donation Bins (RZ 02-16) (Ken Strelo, Senior Planner)

Staff recommendation:

- Open the Public Hearing
- Receive the Staff Report
- Receive Questions from the City Council
- Receive Public Testimony
- Close the Public Hearing
- Deliberate
- Summarize the Deliberation
- Waive the First Reading and Introduce the Ordinance

4.4 Waive the First Reading and Introduce an Ordinance Authorizing the City to Join Marin Clean Energy (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
- Waive the First Reading and Introduce the Ordinance

5.0 REGULAR CALENDAR-None

6.0 REPORTS

6.1 CITY MANAGER

(a) City Manager

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 SESSION

Oakley City Council

8.1 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

8.2 CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION – INITIATION OF LITIGATION Pursuant to CA Govt. Code Section 54956.9(d)(2) One potential case.

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

9.0 ADJOURN