

**Minutes of the Regular Joint Meeting of the Oakley City Council/
Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency
and Special Meeting of the Oakley Public Financing Authority held
Tuesday, May 23, 2017**

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

Mayor Sue Higgins called the meeting to order at 6:30pm in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. In addition to Mayor Sue Higgins, Councilmembers Claire Alaura, Doug Hardcastle and Kevin Romick were present. Vice Mayor Randy Pope was absent.

1.2 Pledge of Allegiance to the Flag led by Eve Monzon, Student at Vintage Parkway Elementary School

Vintage Parkway Elementary School student Eve Monzon led the Pledge of Allegiance to the Flag.

The City Council thanked her.

1.3 Proclamation Recognizing May 21- May 27, 2017 as "National Public Works Week" in Oakley (Kevin Rohani, Director of Public Works/City Engineer)

Mayor Higgins presented the proclamation on behalf of the City Council.

Kevin Rohani, Director of Public Works/City Engineer, accepted the proclamation on behalf of the Public Works and Engineering Department and thanked the City Council. He invited the community to the Public Works' Open House Thursday, May 25, 9am-11am, at Civic Center Plaza.

1.4 Proclamation Recognizing the City of Oakley as a 2017 Playful City USA (Lindsey Bruno, Recreation Manager)

Mayor Higgins presented the proclamation on behalf of the City Council.

Lindsey Bruno, Recreation Manager, accepted the proclamation on behalf of the Recreation Department and thanked the City Council.

1.5 Proclamations Honoring the 2017 Oakley Youth Advisory Council (Lindsey Bruno, Recreation Manager)

Mayor Higgins introduced Assemblymember Jim Frazier. Assemblymember Frazier, along with Mayor Higgins, presented certificates of recognition and proclamations respectively, recognizing the Oakley Youth Advisory Council: Simon Mendez, Morgan Henderson, Sara Erickson, Claudia Franco, Nathan Shaffer, Andrea Chavez, Cameron Manning, John Thomas, Allison Felix, Roman Fernandez, Nicole Kwasny, Paola Berumen, Estella Wittstruck, Michael Weisenberg, Matthew Weisenberg, Myles Henderson, Zachary Jones, Gia Monticello, Andrea De La Cruz, and Nahzaneen Hatefi.

1.6 Proclamations Honoring the 2016- 2017 Oakley Youth Advisory Council Scholarship Winners (Lindsey Bruno, Recreation Manager)

Assemblymember Frazier and Mayor Higgins presented certificates of recognition and proclamations respectively to scholarship winners Megan Felix and David McCants.

1.7 Presentation by Kiwanis Club (Argentina Davila-Luevano)

Argentina Davila-Luevano and Angel Luevano provided information regarding Kiwanis and announced Kiwanis is forming a club in Oakley. They invited the community to attend an organizational meeting Wednesday, May 31, 6:30pm-8:00pm at the Providence Bar and Eatery in Oakley.

2.0 PUBLIC COMMENTS

Public Comment Cards

Robert Orozco submitted written comments which were made part of the meeting record. He also spoke and expressed concern regarding pedestrian crossing. He mentioned cars do not stop for pedestrians and he hopes that the City may do something more than posting signs (i.e., impose significant fines or install cameras).

Councilmember Romick inquired if there is specific location of concern.

Mr. Orozco responded he is addressing the crosswalk on Main Street across from City Hall (east of the Main Street and Vintage Parkway intersection).

Online Comment Forms

None.

3.0 CONSENT CALENDAR

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/Oakley Public Financing Authority Meeting held May 9, 2017 (Libby Vreonis, City Clerk)**

Oakley City Council

- 3.2 Accept Report Out of Closed Session Memo (Derek P. Cole, City Attorney)**
- 3.3 Waive the Second Reading and Adopt 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) of the Oakley Municipal Code (RZ 01-17) (Ken Strelo, Senior Planner)**
- 3.4 Waive the Second Reading and Adopt 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)**
- 3.5 Waive the Second Reading and Adopt an Ordinance Authorizing the City to Join MCE Clean Energy, Adopt the Resolution Requesting Membership into MCE Clean Energy, Authorize the City Manager to Execute the Memorandum of Understanding between the City of Oakley and MCE Clean Energy and Authorizing the Mayor to Sign the Request for Load Data from PG&E (Joshua McMurray, Planning Manager)**
- 3.6 Adopt a Resolution Confirming the Actual Costs for Code Enforcement Re-Inspection Services and Directing a Special Assessment and Lien upon Certain Parcels (Troy Edgell, Code Enforcement Manager)**
- 3.7 Adopt a Resolution Confirming the Costs for Abatement of Weeds and Refuse at APN 037-211-004 (5108 Fernwood Court) and APN 037-223-005 (5236 Ironwood Lane) (Troy Edgell, Code Enforcement Manager)**
- 3.8 Adopt a Resolution Confirming the Actual Costs for an Emergency Abatement (749 Mammouth Court/APN 033-390-025) (Troy Edgell, Code Enforcement Manager)**
- 3.9 Adopt a Resolution Authorizing the City Manager to Enter into a Three-Year Contract with Antai Solution, LLC (dba Ontai), for Network Management Services (Deborah Sultan, Finance Director)**
- 3.10 Adopt a Resolution Rejecting all Bids and Authorizing Staff to Re-Bid the Intersection Improvement and Signalization of Capital Improvement Project Number 194-Oakley Recreation Center Project (Kevin Rohani, Director of Public Works/City Engineer)**

Mayor Higgins announced items 3.5 and 3.10 were pulled for comments.

It was moved by Councilmember Romick and seconded by Councilmember Hardcastle to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered. (4-0)

Item 3.5

Councilmember Hardcastle inquired how someone can opt out of MCE. He expressed he wants to make sure the process is easy and there are options for customers who do not have internet access.

Planning Manager Joshua McMurray responded a series of mailers will be provided to residents and business owners before and after MCE implements service to Oakley customers. He explained customers have 60 days to opt out free of charge or they can opt out after the 60 days for a \$5.00 charge. He shared customers can opt out by phone, internet or at City Hall.

Councilmember Romick shared there are multiple opportunities for customers to opt out and Councilmembers in other cities that provide MCE have expressed that it is very easy to opt out.

Public Comment Cards

Alex DiGiorgio and Rebecca Boyles with MCE submitted speaker cards in the event the City Council had questions to ask of MCE. There were none.

Online Comment Forms

None.

It was moved by Councilmember Hardcastle and seconded by Councilmember Romick to approve Item 3.5. AYES: Hardcastle, Higgins, Romick; NOES: Alaura; ABSENT: Pope. (3-1-1)

Item 3.10

Public Works Director/City Engineer Kevin Rohani presented the staff report.

Councilmember Alaura inquired if any of the work would extend into the next school year and expressed concern of its impact on school traffic.

Mr. Rohani responded that there will be access for the school to provide entry for vehicles to drop off and pick up students. He mentioned building construction will begin in the fall of 2017.

Councilmember Hardcastle commented that he is confident that Mr. Rohani will get the job done and handle it professionally.

Mayor Higgins inquired if there could be dedicated workers with flags to help guide school traffic during drop off and pick up times during the construction.

Mr. Rohani responded that dedicated workers with flags can be provided.

Public Comment Cards

Liz Elias reiterated a request made at a previous City Council meeting for all documents of the Parks Ad-Hoc Committee to be placed on the City's website. She commented a document was provided but it was 20 years outdated. She expressed concern that there has been no public input regarding the project and a survey conducted in 2016 elicited only 26 responses which is a statistical zero among a population of over 40,000 residents. She inquired what can be done to obtain public input and expressed without answering the question, the City Council is at odds with its mission statement.

Online Comment Forms

None.

Special Counsel William Galstan commented that the motion to approve the item would be to reject the bids received and to consider future bids as part of a larger construction project.

It was moved by Councilmember Romick and seconded by Councilmember Hardcastle to approve Item 3.10. Motion was unanimous and so ordered. (4-0)

4.0 PUBLIC HEARINGS-None

5.0 REGULAR CALENDAR

Oakley City Council

5.1 Appoint Two Members to the East Contra Costa Fire Protection District Board (Libby Vreonis, City Clerk)

City Clerk Libby Vreonis presented the staff report.

Councilmember Hardcastle inquired if applicant Susan Morgan was aware that she cannot serve on both the Fire Board and the Ironhouse Sanitary District Board.

Councilmember Romick clarified that she cannot serve on both boards once the Fire District moves to an elected Board in November 2018.

Councilmember Hardcastle confirmed that was what he meant.

City Manager Bryan Montgomery responded that she is aware.

The City Council interviewed applicant Adam Langro.

Public Comment Cards

None.

Online Comment Forms

None.

It was moved by Councilmember Romick and seconded by Councilmember Hardcastle to appoint Adam Langro to represent the City of Oakley on the East Contra Costa Fire Protection District Board. Motion was unanimous and so ordered. (4-0)

Councilmember Romick suggested the other applicants not in attendance could be heard at the next City Council meeting to be held June 13.

Councilmember Alaura commented that the City Council is not appointing Mr. Langro just because he showed up; he made a lot of good points, will have some things to learn, but he is coming in with the right of approach, and he can represent everyone in the District.

Mayor Higgins added that Mr. Langro's responses in his interview showed that he has knowledge regarding many of the questions asked on the application regarding the Fire District. On behalf of the City Council, she directed staff to invite the applicants not in attendance to attend the June 13 meeting to be interviewed.

6.0 REPORTS

6.1 CITY MANAGER

(a) City Manager

City Manager Bryan Montgomery announced the Public Works Department will host its Open House Thursday beginning at 9am and the City will host its Memorial Day Observance Ceremony Saturday beginning at 10:30am. Both events will be held at Civic Center Plaza.

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 Alaura reported that she attended the swearing in ceremony of Antioch's new Chief of Police, Tammany Brooks, and participated in Relay for Life at Freedom High School.

Councilmember Romick reported that the Draft 2017 Countywide Transportation Plan Update is available for comment on the Contra Costa Transportation Authority's website.

Mayor Higgins announced she will speak at the Union Cemetery Memorial Day Ceremony May 29, attend the Mayors Conference (June 1) and attend the Freedom High School graduation (June 10).

(b) Requests for Future Agendas

Councilmember Romick requested staff look into a City flag and incorporate suggestions and community input.

Mayor Higgins requested an online advisory committee to review homelessness. She also requested an update regarding posting community service signs.

Councilmember Alaura mentioned there is an informal Chief's advisory group already formed and she suggested staff could invite that group to serve in the discussion regarding homelessness.

7.0 WORK SESSION

Oakley City Council

7.1 Budget Review and Review of the Capital Improvement Program Budget (Deborah Sultan, Finance Director and Kevin Rohani, Director of Public Works/City Engineer)

City Manager Bryan Montgomery provided an overview of budget discussions.

Finance Director Deborah Sultan presented budget information including General Fund revenue and expenditures and which items were included and excluded from the budget discussions.

Mayor Higgins inquired if the City will have \$50k to provide for the senior center if the City does not receive the Community Block Grant (CBD) and if the \$50k City allocation to the senior center is contingent on receiving the grant.

City Manager Bryan Montgomery responded that the City Council may decide if the \$50k is to be allocated toward the senior center. He mentioned the City asked for more funding in its grant application, but it has not yet received an approval. He explained the \$50k is not contingent on the grant, but if the City is awarded the grant, it must match the grant funds with \$50k of City funds.

Councilmember Alaura inquired if the City will be out of compliance if the ADA Transition plan is pushed into the current fiscal year.

Ms. Sultan responded that the City will not be out of compliance.

Councilmember Alaura inquired if the information technology chart on Page 54 is mislabeled.

Ms. Sultan confirmed that it is mislabeled.

Councilmember Alaura commented the contract with Ontai is approved for 3 years, but the amount shown in the information systems chart is greater than the contract amount. She requested clarification.

Ms. Sultan explained that the services category on the chart includes the contract amount and upgrades such as Windows 10 which is outside of the Ontai contract.

Councilmember Alaura asked staff to explain what capital outlay is and why there was such a big change between Fiscal Year 2014-2015 and Fiscal Year 2015-2016.

Ms. Sultan explained the amount shown in Fiscal Year 2014-2015 was greater because the City had to replace its servers which were eight years old; it was a great expense.

Councilmember Romick commented that servers should be replaced every 4-5 years.

Councilmember Alaura inquired if the total staff provided by the Sheriff's Office (.48) on Page 65 is for dispatch.

Ms. Sultan confirmed the number represents dispatch.

Mr. Montgomery explained the number represents a contract for services, not staff.

Councilmember Alaura inquired about funding for You, Me, We=Oakley! (YMWO!) personnel.

Mr. Montgomery explained the Project Coordinator for YMWO! is also doing full-time Human Resources work and it appears \$40k in grant funds will be provided for staffing. He mentioned the goal was to have all YMWO! staffing paid by grants.

Ms. Sultan added that it has been the City's policy not to include grants in the budget if the City has not received confirmation of the grant.

Councilmember Alaura inquired what the word "TRB" means.

Mr. Montgomery explained TRB is Todd Bailey, the person who owns the company providing plan review services for the City.

Councilmember Alaura thanked staff for a budget document that is very understandable. She pointed out a correction to the spelling of her name on Page 3.

Councilmember Romick commented that there are one-time costs provided for software services but typically there are recurring costs associated with software. He inquired how the recurring costs are incorporated in the budget.

Ms. Sultan responded they would be included in the IT section of the budget.

Mr. Montgomery added that technology is changing constantly and there are sometimes different ways to structure recurring costs. He explained any item over \$25k would have to be brought back to the City Council for approval.

Director of Public Works/City Engineer Kevin Rohani presented information regarding Capital Improvement Project highlights for Fiscal Year 2017-2018.

Mayor Higgins thanked Mr. Rohani for his hard work. She inquired if it is possible to consider an in-house project for the dog park and athletic field, similar to the in-house parking lot project in the Downtown.

Mr. Rohani explained that the City does not have the in-house resources it would need to do those projects justice. He added that he is always looking for opportunities to reduce costs; an example being ordering the signal poles for the O'Hara and Chianti intersection early to avoid markup costs later in the year when the product will be more in demand.

Councilmember Romick commented he prefers the priority focus to be on Laurel Road as it will one day be the busiest road in Oakley and traffic needs to flow with the greatest of ease from Main Street to the highway.

Mr. Rohani responded that projects will be coming on Laurel Road this next fiscal year.

Councilmember Hardcastle agreed Laurel Road is important. He suggested staff look into adding two left turn lanes from Cypress to Main to help decrease traffic congestion into the Downtown and by O'Hara Park Middle School.

Mr. Rohani responded that staff can look into it and perform a traffic count.

Councilmember Hardcastle also commented that when turning left from Carpenter to O'Hara, the signal is very quick.

Mr. Rohani responded that there will eventually be a dedicated left turn lane, but staff will look into the current timing of the signal.

Before moving to Closed Session, Mayor Higgins remembered those in the U.K. affected by the recent bombing.

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 LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6(a) City Designated Representatives: Bryan Montgomery, City Manager and Nancy Marquez, Assistant to the City Manager/Human Resources Manager)

Unrepresented Employees: Records Management Clerk, Receptionists (3), Paralegal/City Clerk, Program Coordinator/Human Resources Technician, Human Resources Manager/Assistant to the City Manager, Code Enforcement Technician, Building Official, Finance Director, Senior Accountant, Senior Accounting Technician, Accounting Assistants(2), Permit Technician, Building Inspector II, Code Enforcement Manager, Code Enforcement Officer, Chief of Police, Administrative Assistants (2), Police Services Assistants(9), Economic Development Manager, Planning Manager, Senior Planner, Public Works Director/City Engineer, Senior Engineer, Assistant Engineers(2), Public Works Administrative Specialist, Public Works Inspector II, Public Works Maintenance Foreman, Public Works Maintenance Laborer, Recreation Manager/Website Coordinator, Recreation & Events Coordinator, Senior Recreation Leader, Recreation Leaders(3), Recreation Aides(2), Parks & Landscape Maintenance Division Manager, Maintenance Foreman, Public Works Laborer II, Tree Maintenance Laborer, Seasonal Parks and Maintenance Laborers(2), Sports Field Maintenance Laborer, Park Monitor, Police Lieutenant, Police Sergeants (7), Police Officers(24), Parks Superintendent and Parks Crew Leader.

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

There was no reportable action and the City Council provided direction to staff.

9.0 ADJOURN

There being no further business, the meeting was adjourned at 8:50 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk