

## 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, June 13, 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.

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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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**(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 (Mayor Higgins)**
- 1.3 Proclamation Designating June 2017 as Immigrant Heritage Month in Oakley (You, Me, We=Oakley! Ambassador)**
- 1.4 Proclamations Honoring the Community Choice Energy Citizen Advisory Committee (Joshua McMurray, Planning Manager)**
- 1.5 Update from the Oakley Community Library (Andrea Freyler, Community Library Manager)**
- 1.6 Update from the Contra Costa Library Commission (Arnold Fitzpatrick, Jr., Appointee)**
- 1.7 Update from the East Contra Costa Fire Protection District (Brian Helmick, Interim Fire Chief)**
- 1.8 Update from Contra Costa County Animal Services (Steve Burdo, Community & Media Relations Manager)**

## 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 May 23, 2017 (Libby Vreonis, City Clerk)**

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

- 3.2 Accept Report Out of Closed Session Memo (Derek Cole, City Attorney)**
- 3.3 Adopt a Resolution Approving the Utility Relocation Agreement between the City of Oakley and Western Area Power Administration to Relocate Utility Poles to Accommodate the Laurel Road and Rose Avenue Signalization Project (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.4 Adopt a Resolution Naming the 55 Dedicated Park Acres from the Emerson, Gilbert and Burroughs Families as “Oakley Regional Community Park” (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.5 Adopt a Resolution Approving the Purchase and Installation of a Precast Concrete Restroom Building from CXT, Inc. for Oakley Community Dog Park at Nunn-Wilson Park-Capital Improvement Project Number 197 (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.6 Adopt a Resolution Confirming the Actual Costs for an Emergency Abatement for Property Located at 3563 Main Street (APN 035-121-004) (Troy Edgell, Code Enforcement Manager)**
- 3.7 Waive the First Reading and Introduce an Ordinance to Add Paragraph L to Oakley Municipal Code Section 7.1.102, Dealing with the Fire Code (William Galstan, Special Counsel)**
- 3.8 Adopt a Resolution Authorizing the Purchase of one BMW Motorcycle for the Traffic Enforcement Unit not to Exceed \$28,500 (Chris Thorsen, Chief of Police)**

**3.9 Adopt a Resolution to Comply with Assembly Bill 2135, the Surplus Land Act (Joshua McMurray, Planning Manager)**

**3.10 Adopt a Resolution Authorizing the City Manager to Execute a Contract with Sally Swanson Architects Inc., for the Services of an ADA Self-Evaluation and Transition Plan (Nancy Marquez, Human Resources Manager)**

## 4.0 PUBLIC HEARINGS

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

**4.1 Consider Confirming the Diagrams and Assessments and Ordering the Levy and Collection of the Annual Assessments for Fiscal Year 2017-2018 for the City of Oakley Street Lighting and Landscape Assessment District No. 1 (Kevin Rohani, Director of Public Works/City Engineer)**

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
- Adopt the Resolution

**4.2 Duarte Ranch 9027 Tentative Map Extension (TME 04-17)-Request for a One Year Extension to the Expiration of Tentative Map 9027, Located at the Southeast Corner of Laurel Road and Rose Avenue (Ken Strelo, Senior Planner)**

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

**4.3 Stonewood 3 9183 Tentative Map Extension (TME 05-17)-Request for a Three Year Extension to the Expiration of Tentative Map 9183, Located at the Southeast and Southwest Corners of Carpenter Road/Simoni Ranch Road and Rose Avenue (Ken Strelow, Senior Planner)**

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

**4.4 Shiloh 8975 Tentative Map Extension (TME 06-17)- Request for a One Year Extension to the Expiration of Tentative Map 8975, Located at the Southwest Corner of Main Street and Simoni Ranch Road (Ken Strelow, Senior Planner)**

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

**4.5 4700 Main Street U-Haul Conditional Use Permit (CUP 05-17)-Conditional Use Permit to establish a U-Haul Rental Business at the Future Retail and Self-Storage Project that is Currently under Construction on a Site Located at 4700 Main Street. APN 033-240-004 (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

**4.6 Waive the First Reading and Introduce an Ordinance Repealing and Reenacting Section 9.1.1230 and Repealing and Reenacting Chapter 12 of Title 4 of the Oakley Municipal Code Regarding the Cultivation, Delivery and Sale of Marijuana within City Limits. The proposed Ordinance suggests prohibiting outdoor cultivation, marijuana dispensaries and deliveries of marijuana, and regulating indoor cultivation of marijuana, including fully enclosed structures, within the City of Oakley. (Derek Cole, City Attorney)**

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

## 5.0 REGULAR CALENDAR

### *Oakley City Council*

- 5.1 **Adopt a Resolution Accepting the Bid from Kimball Associates, Inc. to Purchase .23 Acres of Real Property Located in Downtown Oakley, North of Main Street and East of Oakley Plaza, (known as APN 037-160-006 and 037-160-007)  
(Dwayne Dalman, Economic Development Manager)**
- 5.2 **Adopt a Resolution Appointing a Member to Represent the City of Oakley on the East Contra Costa Fire Protection District Board (Libby Vreonis, City Clerk)**
- 5.3 **Adopt a Resolution Regarding Amendments to the City's Compensation Policy, and Approval of 2017-2018 Compensation and Benefits Program, and Employee Salary Ranges for Fiscal Year 2017-2018  
(Nancy Marquez, Assistant to the City Manager/HR Manager)**
- 5.4 **Adopt a Resolution Authorizing the City Manager to Execute Amendments to the Memorandum of Understanding with the Oakley Police Officers Association  
(Bryan Montgomery, City Manager)**
- 5.5 **Approve a Resolution Adopting the FY 2017-2018 Recommended Budget, Statement of Financial Policies, Appropriations Limit and 5-Year Capital Improvement Program (CIP) for Fiscal Years 2017-2018 through 2021-2022 and Making Findings Related Thereto (Deborah Sultan, Finance Director and Kevin Rohani, Director of Public Works/City Engineer)**
- 5.6 **Adopt a Resolution Continuing the City's Development Fee Incentive Program for an Additional Year (Dwayne Dalman, Economic Development Manager)**

## 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-ANTICIPATED LITIGATION-  
SIGNIFICANT EXPOSURE TO LITIGATION  
Pursuant to Government Code Section 54956.9(d)(2). One potential case.**

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

9.0 ADJOURN