

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, August 8, 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/electronic devices 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 (Kalub Muller, Laurel Elementary Student)**
- 1.3 Proclamation Recognizing Braeden Joseph Fowler for his Attainment of Eagle Scout**
- 1.4 Recognition of Recipients of President's Volunteer Service Award**
- 1.5 County Homeless Outreach Program (CORE) (Jenny Robbins, Housing and Services Administrator)**
- 1.6 Presentation by Corporation for Better Housing (Charlie Brumbaugh, President, CEO)**

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/Oakley Public Financing Authority Meeting held July 11, 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 Authorizing the City Manager to Terminate the Agreement with Marina Landscape Inc. for Parks and Landscape Maintenance Services (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.4 Approve the Subdivision Improvement Agreement and Parcel Map for Bella Estates Minor Subdivision MS 14-978 at Daniel Drive (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.5 Accept Responses to Civil Grand Jury Reports No. 1706 “Funding the East Contra Costa Fire Protection District” and No. 1707 “Homelessness in the Cities” (Bryan Montgomery, City Manager)**
- 3.6 Adopt a Resolution Designating Mayor Higgins as Voting Delegate and Councilmember Alaura as Alternate for the League of California Cities Annual Business Meeting to be held September 15, 2017 in Sacramento (Libby Vreonis, City Clerk)**
- 3.7 Adopt a Resolution Awarding a Tree Trimming Services Contract with West Coast Arborists, Inc. (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.8 Adopt Resolutions Authorizing the City Manager to Execute the Subdivision Improvement Agreement and Approving the Final Map for Subdivision 9027 Duarte Ranch Unit 1 Located at the Southeast Corner of Rose Avenue and Laurel Road (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.9 Adopt Resolutions Authorizing the City Manager to Execute the Subdivision Improvement Agreement and Approving the Final Map for Subdivision 9043 Aspen Lane Located at the Northeast Corner of Carpenter Road and Empire Avenue (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.10 Adopt Resolutions Authorizing the City Manager to Execute the Subdivision Improvement Agreement and Approving the Final Map for Subdivision 9044 Aspen Place Located on the South Side of Laurel Road between Rose Avenue and Cloverbrook Avenue (Kevin Rohani, Director of Public Works/City Engineer)**

- 3.11 Adopt a Resolution Approving the Agreement with James W. Arellano and Tatiana Y. Arellano (APN 034-080-034) for “Stormwater Management Facilities Operation and Maintenance Agreement and Right of Entry” for the Minor Subdivision MS 14-978 Bella Estates Located at Daniel Drive and Authorizing the City Manager to Execute the Agreement (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.12 Adopt a Resolution Approving Annexation No. 8 (3530 Main Street) to the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services) (Kevin Rohani, Director of Public Works/City Engineer)**
- 3.13 Ratify Election: Adopt Ordinance No. 03-17 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 162 within the Oakley Special Police Tax Area for Police Protection Services for 3530 Main Street (APN 037-160-033) (Kevin Rohani, Director of Public Works/City Engineer)**

4.0 PUBLIC HEARINGS

Oakley City Council

- 4.1 Adopt a Resolution Approving a Conditional Use Permit (CUP 01-17) and Design Review (DR 04-17) for the Project Known as “UPS Facility Expansion at 5300 Live Oak Avenue”—Request for approval of reuse of a portion of an existing building, reconfiguration and addition of modular buildings, and additional site development on a 4.8 acre site (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 Approving the UPS Facility Expansion at 5300 Live Oak Avenue Conditional Use Permit and Design Review (CUP 01-17, DR 04-17), as conditioned

4.2 Waive the First Reading and Introduce an Ordinance and Adopt a Resolution Approving a General Plan Amendment (GPA 01-17), Rezone (RZ 02-17), and Tentative Parcel Map (TPM 01-17) for the Project Known as “Doyle Road / Hill Avenue Minor Subdivision (MS 17-976)”—Request for approval of a General Plan Amendment from SV to SH, a Rezone from R-40 to R-7, and a Tentative Parcel Map to Subdivide one 54,496 sf. lot into 3 lots of 40,007 sf., 7,263 sf., and 7,294 sf. (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 Approving the General Plan Amendment (GP 01-17) and Tentative Parcel Map (TPM 01-17), as conditioned; and
- Waive the First Reading and Introduce the Ordinance for the Rezone (RZ 02-17)

4.3 3530 Main Street (APN 037-160-023)-Applicant is requesting to 1) Modify Conditions of Approval #30 and #31 of Resolution No. 04-17 approved on January 10, 2017 for Design Review (DR 03-16) and Variance (VA 02-16) dealing with annexing into the City of Oakley Community Facilities District and funding to maintain Police Services; 2), Amend the Real Property Purchase Agreement dated June 28, 2016 and modified January 10, 2017 which would extend the project completion date from September 1, 2017 to November 30, 2017; and 3) a request to waive the \$2,000 Developer Deposit required to process this Application. (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 a Resolution Denying or Approving the Applicant’s Requests

5.0 REGULAR CALENDAR

Oakley City Council

- 5.1 **Adopt a Resolution Appointing a Director and Alternate Director to Serve on the MCE Clean Energy Board (Joshua McMurray, Planning Manager)**
- 5.2 **Adopt a Resolution Appointing a Member to the Contra Costa Transportation Authority's Citizen Advisory Committee (Libby Vreonis, City Clerk)**
- 5.3 **Waive the First Reading and Introduce an Ordinance Adding Chapter 36 to Title 4 of the Oakley Municipal Code Regarding the Use of Unmanned Aircraft Systems (UAS), also known as Drones (Libby Vreonis, City Clerk)**

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

Oakley City Council

- 7.1 **Work Session Regarding Parades (Bryan Montgomery, City Manager)**
- 7.2 **Work Session Regarding Public Art Development Impact Fee Information (Joshua McMurray, Planning Manager)**

8.0 CLOSED SESSIONS

Oakley City Council

8.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

Property: 3721 and 3729 Main Street
APN's 035-163-002 and 035-163-003
Agency Negotiator: Bryan Montgomery, City Manager
Negotiating Party: Cbc Cinquini Real Estate
Under Negotiation: Price and terms of payment

8.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

Property: 3009 and 3021 Main Street
APN's 035-090-060 and 035-090-061
Agency Negotiator: Bryan Montgomery, City Manager
Negotiating Party: Douglas Manful, J. Rockcliff Realtors
Under Negotiation: Price and terms of payment

8.3 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

8.4 CONFERENCE WITH LEGAL COUNSEL-POTENTIAL LITIGATION- SIGNIFICANT EXPOSURE TO LITIGATION Pursuant to Government Code Section 54956.9(d)(2). One potential case.

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

9.0 ADJOURN