

Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council acting as the Successor Agency to the Redevelopment Agency

**Oakley City Council Chambers
3231 Main Street, Oakley, CA
Tuesday, May 27, 2014
6:30 P.M.**

1.0 OPENING MATTERS

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

Call to Order – Mayor Pope called the meeting to order at 6:30p.m in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California.

Roll Call – Present: Mayor Randy Pope, Vice Mayor Doug Hardcastle and Councilmembers Diane Burgis, Carol Rios and Kevin Romick.

1.2 Pledge of Allegiance to the Flag

Mayor Pope led the Pledge of Allegiance to the Flag.

1.3 Introduction of Troy Edgell, new Code Enforcement Coordinator

Troy Edgell, the new Code Enforcement Officer for the City of Oakley, expressed he is excited about his new position as it is the most positive environment he has worked in. He mentioned that all of Oakley plays a part in keeping Oakley a beautiful place to live and encouraged everyone to contact Code Enforcement if they should have any concerns.

Mayor Pope commented that taxpayer funds help to keep Oakley beautiful and also encouraged anyone to contact the City with concerns.

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

Recreation Manager Lindsey Bruno introduced the Oakley Youth Advisory Council (OYAC) and congratulated them on a successful year. She thanked them for their work and service to the community.

Mayor Pope presented the proclamations honoring OYAC and individually recognized the graduating members of OYAC, Ariana Franco, Enrique Chavez, Justin Lee and Jerry Guitierrez.

2.0 PUBLIC COMMENTS

Online Comment Forms

No online comment forms were submitted for Public Comments.

Public Comment Cards

Karen Pedraza, Student Consultant for Contra Costa County Climate Leaders Program (4CL), commented that Contra Costa County Climate Leaders support elected officials to share best practices for the environment. She encouraged the City Council to participate in the Spare the Air program, to pass an ordinance banning plastic bag use and to divest from fossil fuels. She thanked Councilmember Burgis for her environmental action and sustainability practices.

3.0 CONSENT CALENDAR

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

- 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 of May 13, 2014 (Libby Vreonis, City Clerk)**
- 3.2 Reporting Out of Closed Session from the May 13, 2014 Regular Joint Meeting of the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency (William Galstan, Special Counsel)**

Oakley City Council

- 3.3 Adopt a Resolution Approving an Agreement with NCE for Design Services Associated With Capital Improvement Program Project Number 164- Main Street Resurfacing Project (Bridgehead Road to Big Break Road) (Kevin Rohani, Public Works Director/City Engineer)**
- 3.4 Adopt Two Resolutions Initiating the Fiscal Year 2014-2015 Oakley Street Lighting and Landscape Assessment District No. 1 Proceedings; Approving the Preliminary Engineer's Report, Declaring the Intent to Levy and Collect Assessments and Setting June 10, 2014 as the Date for the Public Hearing (Kevin Rohani, Public Works Director/City Engineer)**
- 3.5 Adopt a Resolution Approving an Award of Contract With Bear Electrical Solutions, Inc. for Providing Service of Underground Service Alert (USA) Marking Requests and Authorizing the \$70.00 Cost Per Ticket to be Added to the City's Existing Encroachment Permit Fee (Kevin Rohani, Public Works Director/City Engineer and Paul Abelson, Finance Director)**

3.6 Adopt a Resolution Approving an Agreement with TRB & Associates for Building Official Services (Bryan Montgomery, City Manager)

Online Comment Forms

No online comment forms were submitted for the Consent Calendar.

Public Comment Cards

No public comment cards were submitted for the Consent Calendar.

It was moved by Councilmember Romick and seconded by Councilmember Rios to approve the balance of the Consent Calendar. Motion was unanimous and so ordered. (5-0)

4.0 PUBLIC HEARING

Oakley City Council

4.1 Consideration of the Pompei Motors Conditional Use Permit (CUP 01-14) and Variance (VA 01-14) (Joshua McMurray, Senior Planner)

Senior Planner Joshua McMurray presented the staff report.

Vice Mayor Hardcastle inquired if advertisement banners are allowed at the location and if the business holds a current Department of Motor Vehicles (DMV) license.

Mr. McMurray responded that advertisement banners are not allowed and the business holds a DMV license.

Councilmember Burgis inquired if there have been any complaints by neighbors with regard to parking.

Mr. McMurray responded that no complaints had been made by neighbors with regard to parking; only one call had been received with regard to whether or not they could sell vehicles on the site.

Online Comment Forms

No online comment forms were submitted for Item 4.1.

Public Comment Cards

No public comment cards were submitted for Item 4.1.

It was the consensus of the City Council that the business should continue to operate as conditioned.

It was moved by Councilmember Burgis and seconded by Councilmember Romick to adopt the resolution. Motion was unanimous and so ordered. (5-0)

5.0 REGULAR CALENDAR

Oakley City Council

5.1 Approval of You, Me, We = Oakley! Monument/Artwork within the Downtown Plaza (Bryan Montgomery, City Manager)

City Manager Bryan Montgomery presented the staff report and explained \$15,000 in grant funds have already been awarded for use toward the monument/artwork and artwork has already been prepared by local elementary students.

Direction from the City Council included adding a pedestal base of equal height to the nearby sitting walls to increase the height of monument and to make the children in the center of the sculpture more prominent.

Online Comment Forms

No online comment forms were submitted for Item 5.1.

Public Comment Cards

No public comment cards were submitted for Item 5.1.

It was moved by Councilmember Romick and seconded by Vice Mayor Hardcastle to approve the monument/artwork. Motion was unanimous and so ordered. (5-0)

5.2 Adopt a Resolution Approving Design Review of Exterior Color Changes and Wall Signs for Dutch Brothers Coffee Remodel Located at 1092 Main Street (DR 06-14) (Joshua McMurray, Senior Planner)

Senior Planner Joshua McMurray presented the staff report and explained that the applicant will improve the landscaping surrounding the building to the original approved standard.

Online Comment Forms

No online comment forms were submitted for Item 5.2.

Public Comment Cards

No public comment cards were submitted for Item 5.2.

It was moved by Councilmember Rios and seconded by Councilmember Romick to adopt the resolution. Motion was unanimous and so ordered. (5-0)

5.3 Adopt a Resolution Approving a Lease Agreement with Slow Foods Delta Diablo to Establish a Community Garden Program at 1250 O'Hara Avenue in Oakley (Bryan Montgomery, City Manager)

City Manager Bryan Montgomery presented the staff report.

The City Council discussed water access, a potential port-a-potty on site, future expansion of the proposed site plan as the project is phased, parking and driveway access, beekeeping on site, and staff time to regulate compliance and community garden matters. The City Council indicated that water billing should not be co-mingled with City billing and \$1 million in general liability insurance will be required.

Mr. Montgomery mentioned projects proposed with expansion of the proposed site plan could trigger CEQA review unless an exception exists, which staff has not found at this time. He added the best approach may be to require a conditional use permit so future projects on the site would not have to come back to the City Council each time for review. He explained there are a lot of loose ends with what the site may hold in the future; what is currently being proposed is the just the initial phase of the project.

Special Counsel William Galstan commented that the lease is flexible as written and if the community garden group wishes to expand the site in the future, staff can consider CEQA and any other requirements at that time.

Online Comment Forms

Julie Perry commented that she is very excited about Oakley having its own community garden.

Public Comment Cards

Liz Elias commented that the plots will be leased, the community garden group envisions an organic garden, the garden will benefit the community and she supports the idea of a port-a-potty. She thanked the City Council for considering the community garden.

Shelley Somerset, Chair of Slow Food Delta Diablo (SFDD), commented that SFDD is proud to be the fiscal sponsor of the community garden and encourages organic farming. She mentioned the community garden group has great positive energy to move the community garden concept forward. She expressed concern with regard to requiring a port-a-potty on site and mentioned she is not aware of any community garden with such item on site. She added it could be prohibitive to require such expense and she would also be concerned of vandalism.

Eve Diamond submitted a public comment card and was called twice but was not present in the Council Chambers to provide comment.

It was moved by Councilmember Burgis and seconded by Councilmember Romick to adopt the resolution. Motion was unanimous and so ordered. (5-0)

6.0 REPORTS

6.1 CITY MANAGER

City Manager Bryan Montgomery thanked staff and everyone who participated in the Public Works and Engineering Open House held May 21. He announced the Memorial Day event held May 24 was successful and there was good attendance. He also announced a free movie, "Planes", will be shown at Civic Center Park on May 31 at dusk and invited everyone to attend. He welcomed Senior Planner Joshua McMurray to provide an update on the Housing Element.

Mr. McMurray explained the Housing Element Citizen's Advisory Committee was formed last year and has met twice to review potential sites to re-zone for affordable housing. He mentioned the draft negative declaration and CEQA review will occur in June and will be released in July or August. He added that the re-zone will occur subsequent to the adoption of the Housing Element and a work session will be held in October, followed by consideration of adopting the plan in November, which will be provided to the Department of Housing and Community Development in December.

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 Burgis commented the City's sixth suicide occurred last week, along with two attempted suicides which she believes is concerning in that in the previous five years there have been nine suicides. She mentioned she has been reaching out to the County and National Alliance on Mental Health (NAMI) for services to help recognize mental health issues and provide suicide prevention awareness and education. She invited the City Council to help the community with suicide awareness and requested they support Laura's Law. She requested Suicide Awareness Month be recognized in September in Oakley. She announced she attended the Public Works and Engineering Open House and commented staff did a great job and she believes the students who attended may now have a better appreciation for their parks and value them more. She also announced the Delta Conservancy meeting will be held tomorrow at Big Break.

Councilmember Romick announced he attended the groundbreaking ceremony for the Highway 160 connector ramp and mentioned it should be completed by winter of 2016. He thanked staff for their work on the Memorial Day event. He commented attendance may have been lower due this year to an improving economy and encouraged staff to work with local grocery stores to advertise the event next year. He announced bricks are still available for sale for the Memorial monument and he is proud of the amount of support received thus far from Oakley residents and East County supporters. He mentioned it is not a monument exclusive to Oakley Veterans; anyone can support it as it is meant to honor all Veterans.

Councilmember Rios thanked staff for their work on the Memorial Day event and thanked Vice Mayor Hardcastle for doing a great job as the Master of Ceremony for the event. She suggested inviting elementary children to attend next year. She thanked Councilmember Romick for initiating the event.

Mayor Pope thanked Vice Mayor Hardcastle for being the Master of Ceremony for the Memorial Day event. He congratulated Councilmember Romick on spearheading the Memorial monument. He announced the East Contra Costa Fire Protection District (ECCFPD) Board meeting will be held June 2, the Ironhouse Sanitary District meeting will be held June 3, and the Mayors Conference will be held June 5, which Vice Mayor Hardcastle will attend. He requested one of the ECCFPD Board members provide an update to the City Council. He also announced he will be visiting China with other mayors to meet with business persons and investors to promote business opportunities in Oakley. He invited any business owners or investors in Oakley to provide him information before June 16 to include in his materials.

(b) Requests for Future Agendas

There were no requests for future agendas.

7.0 WORK SESSION

Oakley City Council

7.1 City Budget and Capital Improvement Program Work Session (Paul Abelson, Finance Director and Bryan Montgomery, City Manager)

City Manager Bryan Montgomery presented the staff report and mentioned the City Council's financial discipline has allowed the City to remain in a sound financial position and the City has not had to dip into reserves. He added that unfortunately, the cost of contract services with the Contra Costa Sheriff's Office has increased this year by \$600,000 to maintain the current level of services, adding no additional services or officers and funds in the amount of \$250,000 have been withheld by the State pursuant to law that dissolved redevelopment agencies.

Finance Director Paul Abelson provided an update on the operational budget and equipment replacement fund.

Mayor Pope thanked Mr. Abelson for creating a document that is understandable.

Public Works Director/City Engineer Kevin Rohani provided an update on the budget for current and upcoming capital improvement projects, including the Civic Center Park project, street improvements, improvements to the road and landscape on the Main Street entrance to the City, as well as the curb, gutter and sidewalk improvement program that is a 50/50 partnership with residents.

The City Council discussed pump replacement in the Cypress Grove basin.

Mr. Montgomery provided an overview of possible one-time fund balance expenditures.

The City Council considered and discussed the list of possible one-time fund balance expenditures and provided direction to move forward with the following items to consider for adoption in June:

Roads

Pavement Management Program
Main Street Landscape Median Upgrades

Safety

Parks Security Cameras

Economic Development

Façade Improvement Revolving Loan Program
Hwy 160 Entry Sign and Landscaping (limit to \$150,000)

Public Outreach and Engagement

Downtown Events (Staff and expansion of events, \$60,000)
Senior Center Improvements
Library Site and Elevation Drawings

Long-Term Land Use Planning Projects

General Plan Scoping Report
Housing Element Update CEQA
Ag Conservation & Vineyard Preservation Program
Burrough's/City Property Entitlements

Items to Enhance/Improve the Efficiency of City Services

Agenda Management Software
CAD & GIS Mapping Software
Grant Research & Writing Consultancy

Other Set Aside

Employee one-time compensation
Transition costs of PD from SO (if decided)

Online Comment Forms

No online comment forms were submitted for Item 7.1.

Public Comment Cards

No public comment cards were submitted for Item 7.1.

8.0 CLOSED SESSION

Oakley City Council

8.1 CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6

City Designated Representative: Bryan Montgomery, City Manager

Unrepresented Employees: Assistant to the City Manager, Human Resources Assistant, City Clerk/Paralegal, Records Management Clerk, Receptionist, Finance Director, Accounting Technician, Senior Accountant, Public Works Director/City Engineer, Assistant Engineer, Parks & Landscape Division Manager, Public Works Office Coordinator, Economic Development Manager, Senior Planner, Housing & Economic Development Analyst, Chief Building Official, Permit Technician, Assistant to the Police Chief, Police Services Assistant; Building Inspector II, Code Enforcement/Building Inspector II, Public Works Inspector II, Parks and Landscape Foreman, PW/Streets Maintenance Worker, Facility Maintenance Worker, Parks Maintenance Worker, Parks Maintenance Laborer; Recreation Manager, Recreation Technician and Recreation Leader.

8.2 Report Out of Closed Session

Special Counsel William Galstan announced there was no reportable action.

9.0 ADJOURN

There being no further business, the meeting was adjourned at 10:45 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk