

Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council  
acting as the Successor Agency to the Redevelopment Agency and Special Meeting of  
the Public Financing Authority  
October 14, 2014

**1.0 OPENING MATTERS**

**1.1 Call to Order and Roll Call**

Mayor Pope called the meeting to order at 6:30p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Diane Burgis, Doug Hardcastle, Randy Pope, and Kevin Romick were present. Carol Rios was absent.

**1.2 Pledge of Allegiance to the Flag**

Mayor Pope led the Pledge of Allegiance to the Flag.

**1.3 Proclamation Recognizing October 19-25, 2014 as Freedom from Workplace Bullies Week in Oakley**

Mayor Pope read the proclamation.

**1.4 Proclamation Recognizing October 19-25, 2014 as Friends of Libraries Week in Oakley**

Mayor Pope read and presented the proclamation to Linda Pennock.

Linda Pennock thanked the City Council and encouraged everybody to renew their library membership and mentioned that the membership fees collected help support the children's programming and special events held at the library. She also mentioned she would like to continue working with the City Council to build an appropriate sized and staffed library that residents deserve.

**1.5 Proclamation Recognizing October as Breast Cancer Awareness Month**

Mayor Pope read the proclamation.

**1.6 Proclamation Recognizing the 25<sup>th</sup> Anniversary of the Loma Prieta Earthquake**

Mayor Pope read the proclamation.

**1.7 Proclamation Recognizing the 30<sup>th</sup> Anniversary of the Chamber of Commerce**

Mayor Pope read the proclamation.

**1.8 Update from Contra Costa Library Commission (Mary Joseph, Appointee)**

Mary Joseph provided an update to the City Council and presented a summary of items that were discussed at the Contra Costa County Library Commission meetings held on July 24, 2014 and September 25, 2014.

## **2.0 PUBLIC COMMENTS**

### Online Comment Forms

No online comment forms were submitted for Public Comments.

### Public Comment Cards

No public comment cards were submitted for Public Comments.

## **3.0 CONSENT CALENDAR**

### ***Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/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 Public Financing Authority of September 23, 2014 (Libby Vreonis, City Clerk)**

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

- 3.2 Waive the Second Reading and Adopt an Ordinance Amending Title 4, Chapter 30 of the Oakley Municipal Code Regarding the City's Rental Inspection Program (Troy Edgell, Code Enforcement Coordinator)**
- 3.3 Adopt a Resolution Approving an Agreement with Coleman Engineering for Investigation and Evaluation Services of the Cypress Grove Irrigation Well-Capital Improvement Project Number 148 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.4 Adopt a Resolution Accepting as Complete the Work Performed by Wayne E. Swisher Cement Contractor Inc. for the Civic Center Amphitheater Improvement Project-Capital Improvement Project Number 150 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.5 Adopt a Resolution Approving an Agreement with S. Miller Paving, Inc. for the Construction of the Street Repair and Resurfacing Project-Capital Improvement Project Number 151 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.6 Adopt a Resolution Approving an Agreement with D.R. Lemings for the Construction of Fiscal Year 2014-2015 Storm Drain Improvement Project-Capital Improvement Project Number 156 (Kevin Rohani, Public Works Director/City Engineer)**

- 3.7 Adopt a Resolution Authorizing Agreements with KB Security Kams Inc. for Installation of Security Camera System in Select City Parks and a Maintenance Agreement-Capital Improvement Project Number 161 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.8 Confirm Costs of Emergency Abatement and Direct a Lien and Special Assessment on Real Property located at 121 W. Ruby Street (APN: 035-115-016) Oakley, California (Troy Edgell, Code Enforcement Coordinator)**

It was moved by Councilmember Romick and seconded by Councilmember Burgis to approve the consent calendar. Motion carried unanimously and was so ordered.

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.

**4.0 PUBLIC HEARINGS-None**

**5.0 REGULAR CALENDAR**

***Oakley City Council***

**5.1 Consideration of Fishing League Worldwide (FLW) Tournament Sponsorship (Dwayne Dalman, Economic Development Manager)**

Mr. Dalman presented the staff report and mentioned that he would like to discuss a request he received to sponsor an upcoming FLW fishing tournament in May as well as future tournaments and mentioned that staff would work with the tournament sponsors to highlight the City of Oakley and Oakley businesses.

City Councilmembers asked questions and provided input. They mentioned they are in favor of sponsoring the tournaments; however, would prefer future tournaments be held in Oakley.

It was moved by Vice Mayor Hardcastle and seconded by Councilmember Burgis to adopt the resolution approving the FLW site sponsorship for the tournament being held in May 2015 and the Council further directed staff to continue working to have future tournaments held at Oakley marinas.

**5.2 Adopt a Resolution Approving an Agreement for the Sale of a Portion of 1530-1580 Neroly Road, Oakley, California (APN 034-040-016), also known as Parcel 2 within the Neroly Commercial Center, to Glenn and Robin Moffatt, doing business as Eastbay Workwear (Dwayne Dalman, Economic Development Manager)**

Mr. Dalman presented the staff report and mentioned that after the City Council approved the bid from Glenn and Robin Moffatt in June, 2014, it was determined that the real property is subject to a recorded Project Labor Agreement which will incur additional costs to the Moffatt's and to accommodate the additional costs, the purchase agreement reflects a reduction in the purchase price.

City Councilmembers asked about the cost of the property and how much the City will be making on the sale and also mentioned they believe this is a good compromise to get development going in that area.

It was moved by Councilmember Romick and seconded by Vice Mayor Hardcastle to adopt the resolution approving the Real Property Purchase Agreement for the sale of 24,960 sf of parcel 2 within the Neroly Commercial Center to Glenn & Robin Moffatt. Motion carried unanimously and was so ordered.

### **5.3 Fiscal Year 2014-2015 First Quarter Report on the Capital Improvement Program (Kevin Rohani, Public Works Director/City Engineer)**

Kevin Rohani presented the staff report and summarized some of the key projects in the Capital Improvement Program for the first quarter.

Councilmembers thanked staff for doing a good job.

### **5.4 Consider Staffing Augmentations and One-Time Expenditures (Bryan Montgomery, City Manager)**

Bryan Montgomery presented the staff report and mentioned that property tax revenues would be greater than anticipated and mentioned that this could provide an opportunity to replace some staff that had been lost during the economic downturn as well as some one-time expenses.

Councilmember Burgis mentioned that staff could use the extra help and hopes we can employ some Oakley residents.

Councilmember Romick mentioned that the reason the City emerged from the recession with a balanced budget is because staff members were doing two or three jobs; he supports hiring additional staff.

Mayor Pope mentioned that he's okay with one-time costs but would be cautious of recurring costs; he mentioned he would like to see bonuses be merit based.

It was moved by Councilmember Romick and seconded by Councilmember Burgis to adopt the resolution appropriating General Fund revenues for various staffing augmentations and one-time expenditures. Motion carried unanimously and was so ordered.

### Online Comment Forms

No online comment forms were submitted for the Regular Calendar.

### Public comment Cards

No Public comment cards were submitted for the Regular Calendar.

## **6.0 REPORTS**

### **6.1 CITY MANAGER**

Bryan Montgomery reported that staff will be participating in the Great California Shakeout on October 16th and that the Harvest Festival will be Saturday October 18<sup>th</sup> from 12:00-4:00p.m.

### **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 reported that she attended the ground breaking ceremony for the community gardens, she attended the League of California Cities meeting and mentioned that the City Clerk will be attending a webinar discussing railroad safety. Ms.Burgis also reported that she attended the Chamber of Commerce's 30<sup>th</sup> anniversary and that the Chamber will be having a meeting on October 29<sup>th</sup> to discuss whether they will be able to remain open. She mentioned that there will be a suicide prevention training in November which will be announced in the next week or so. She also reported there was a fish kill in Marsh Creek and the cause has still not been determined.

Vice Mayor Hardcastle reported that he attended the ground breaking ceremony for the community gardens.

Councilmember Romick reported his attendance at the Chamber's 30<sup>th</sup> anniversary, and mentioned that the Chamber is having difficulty getting members to join, if anyone has any ideas they should attend the Chamber meeting on October 29<sup>th</sup>. He mentioned he attended the Freedom High School football game where they beat Antioch and they will play against Deer Valley this Friday.

Mayor Pope reported that he attended the Chamber sponsored Brown Bag Lunch with the Mayor, Stonehouse Heritage Days, the ribbon cutting for Dutch Brothers Coffee, the fireboard meeting and the Mayors conference. He mentioned the fire assessment is still on hold while the proper calculations are made. He also mentioned he had the opportunity to be a judge at the Tammy Brazil Memorial Dutch Oven Cook-Off. He commented that the community garden group is energetic. He announced on October 21<sup>st</sup> the Chamber is sponsoring a "meet your candidate" round table at the Redman Pochontas Hall. He mentioned the first meeting of the Oakley Leadership Academy was held and the

enthusiasm was great. He reported that the Community Emergency Response Team will be hosting certification meetings in two locations: one in Pittsburg and one in Brentwood, regarding six week programs for disaster preparedness.

**(b) Requests for Future Agendas**

**7.0 WORK SESSION**

***Oakley City Council***

**7.1 State-Mandated Housing Element Update (Joshua McMurray, Senior Planner)**

Mr. McMurray mentioned that he took the feedback from the City Council at the previous meeting on September 9<sup>th</sup> and had another meeting with the Citizen Advisory Committee to analyze additional areas; they have come up with twelve additional sites for consideration as well as five sites that were presented at the previous meeting for a total of seventeen sites. He presented a PowerPoint presentation and reviewed each site with the City Council.

The City Council reviewed the additional sites that were recommended by the Housing Element Committee and provided input on determining where the remaining Regional Housing Need Allocation can be accommodated. City Council recommended sites 1, 2, 3, 4, 6, 7 and 9.

Mr. McMurray stated that he would bring back the Housing Element in January along with the California Environment Quality Act (CEQA) documents for adoption. He added that additional studies would be required and a public hearing to apply the overlay zone to the properties.

**Online Comment Forms**

No online comment forms were submitted for item 7.1.

**Public Comment Cards**

Larry Sudweeks commented he has commercial property on Brownstone Road; his property is leased out to businesses that sometimes have vehicles going out at 4:00 in the morning. He stated he is against development at sites 11,12,13, 14 and 15.

Kathleen Walters spoke regarding site #5 at 440 West Cypress Road and mentioned that she recalls that the County agreed that there would be a buffer zone of this exact property and that there would be a park built there, as well as a sound wall for the houses along Hazelnut Drive, but before the County was able to do that, Oakley became a City. She commented that she does not believe this is a good parcel for consideration.

John McDaniel mentioned that prior to the last City Council meeting, his neighborhood had turned in a traffic calming proposal and since that meeting there have been three vehicles that have run into the back fences in the spot where the City wants to potentially put 90 units. He inquired how the City plans to accommodate the additional traffic. He mentioned that he was told by the consultant at the previous City Council meeting that

the City has already issued permits for 9,000 new units in Oakley and not one of them is designated high density; he requested an explanation.

Karen Hines is the daughter of the owner of Brownstone Gardens and wanted to thank the City Council for considering the letter her family provided. She read a portion of the letter and mentioned that she believes affordable housing development in this location would really detract from the beauty that their business brings to Oakley.

Dennis Gregorich mentioned he owns parcels 13 and 14, and he is in favor of the overlay on his parcels. He mentioned that both parcels are zoned commercial as well as all of the surrounding area and he believes that development in this area would bring a much needed street light and public transportation would be available.

Frederick Del Barba mentioned that his lawyer does not have all of the information and he will have to send him more information. He expressed he is not in favor of the site on the corner of Cypress and Rose or the site at the Southwest corner of Laurel Road.

Dan Roller mentioned that he lives in the California Dawn subdivision and he is President of its homeowners association. He mentioned there are 127 homes in his subdivision and owners are trying to maintain property values. He expressed if low income housing is approved, it's not going to be good for their association; he would encourage senior housing or something other than low income housing.

#### **8.0 CLOSED SESSIONS-None**

#### **9.0 ADJOURN**

There being no further business, the meeting was adjourned at 9:09p.m.

Respectfully Submitted,

Libby Vreonis  
City Clerk