

**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council
Acting as the Successor Agency to the Oakley Redevelopment Agency
Tuesday, June 14, 2016**

1.0 OPENING MATTERS

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

**1.1 Call to Order and Roll Call of the Oakley City Council and Oakley City Council
Acting as the Successor Agency to the Oakley Redevelopment Agency**

Mayor Romick called the meeting to order at 6:28 p.m. Sue Higgins, Doug Hardcastle, Vanessa Perry, Randy Pope and Kevin Romick were in attendance.

Mayor Romick asked everyone to join in a moment of silence in honor of those affected by the tragic events in Orlando Florida.

1.2 Pledge of Allegiance to the Flag

Mayor Romick led the Pledge of Allegiance

1.3 Proclamation Designating June 2016 as Immigrant Heritage Month (You, Me, We = Oakley Ambassadors)

Mayor Romick read and presented the proclamation to Gabriela Banos-Galvan.

Gabriela thanked the Council for their support and recognition and mentioned that You, Me, We = Oakley will be hosting their 3rd citizenship drive on Sat June 18th.

1.4 Proclamations Honoring the Oakley Youth Advisory Council

Mayor Romick read and presented the proclamations to the Oakley Youth Advisory Council

2.0 PUBLIC COMMENTS

Online Comment Forms-None

Public Comment Cards

Charles Laswell mentioned an incident that happened at Burger King that involved law enforcement, when Burger King was asked about the security cameras, their response was that the cameras don't work, Mr. Laswell mentioned that for safety reasons, he would like to see businesses forced to put up security cameras; he also mentioned that at a previous meeting, he asked about putting a survey together to get residents opinions on what is happening in Oakley and he has not received a response.

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 held May 24, 2016 (Kim Carmody, Records Management Clerk)**

Oakley City Council

- 3.2 Report out of Closed Session Memo (William Galstan, Special Counsel)**
- 3.3 Acceptance of Work Associated with Capital Improvement Project No. 170 – FY 2015-16 Frontage Gap Closure Improvement Project (Kevin Rohani, Public Works Director/City Engineer)**
- 3.4 Creating Zone 159 within the Oakley Special Police Tax Area for Minor Subdivision 14-978 (Bella Estates) (Kevin Rohani, Public Works Director/City Engineer)**
- 3.5 Resolution Naming Parcel A of Subdivision 9027, “Duarte Ranch Park” (Kevin Rohani, Public Works Director/City Engineer)**
- 3.6 Ordinance Accepting the Requirements Relating to Peace Officer Training and Recruitment (William Galstan, Special Counsel)**
- 3.7 Appointment of Citizen Planning Advisors (Kevin Romick, Mayor and Sue Higgins, Vice Mayor)**

It was moved by Councilmember Hardcastle, and seconded by Vice Mayor Higgins to approve the Consent Calendar. Motion was unanimous and so ordered.

4.0 PUBLIC HEARINGS

- 4.1 *Continued from May 24, 2016.* Hamman Tentative Parcel Map (TPM 02-16) Request for a Tentative Parcel Map (TPM 02-16) to subdivide 3.96-Acre Parcel into two lots with a remainder parcel. Parcel A will be 1.347-Acres, Parcel B will be 1.842-Acres and the Remainder Parcel will be .702-Acres. No Construction is Proposed at this time. The site is designated as Light Industrial in the Oakley 2020 General Plan and Zoned Light Industrial (LI) District. The Property is Located at 2540 Oakley Road (APN: 037-080-021) (Joshua McMurray, Planning Manager)**

Mr. McMurray reminded Councilmembers of the location of the property and mentioned the item was continued so the applicant could explore options with staff in regards to the

Deferred Improvement Agreement; after discussion between the applicant and staff, the applicant has requested to move forward with the project as originally conditioned.

It was moved by Councilmember Hardcastle and seconded by Councilmember Perry to adopt the resolution approving the Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16), as conditioned. Motion was unanimous and so ordered.

4.2 Emerson Ranch Neighborhood 6 - Woodbury (GPA 01-15, RZ 01-15, FDP 01-15, TM 01-15, and DR 05-15) - Adopt resolutions for a General Plan Amendment, Final Development Plan, Tentative Map, and Design Review, and waive the first reading and introduce an ordinance for a Rezone. (Ken Strelo, Senior Planner)

Ken Strelo presented the staff report and PowerPoint presentation and mentioned that the project is located within the Emerson Ranch Subdivision, he mentioned there are five different entitlement requests; A General Plan Amendment to designate approximately 16 acres from commercial to Multi-family residential, A Rezone to amend a planned unit development district, A Vesting Tentative Map to subdivide approximately 16 acres into 104 single family lots, A Final Development Plan for the portion of the P-1 district modified by the tentative map and A Design Review of house plans and architecture and a development plan, he also mentioned the applicant will place a roundabout at the entry to eliminate the need for a stop sign, applicant has also come up with an HOA which will maintain all front yards, right of entry landscaping, a majority of the entry, the roundabout and the storm water area.

Councilmember Perry asked what the size of the Lucky's and Raley's shopping centers are for comparison.

Staff responded that the Lucky's shopping center is approximately 9 acres, the Raley's shopping center is about 11 acres.

Vice Mayor Higgins asked why there are no single story homes and could the HOA be required to install security cameras at the entryway.

Staff responded that it becomes difficult to plot single story homes when the lot size is under 6,000 feet, homes and yards would be too small and currently the requirement of cameras is not in the conditions of approval, however, it could be asked of the applicant.

Michael Evans of Denova Homes responded that they would not have a problem installing cameras to enhance security.

Councilmember Pope asked what can be expected of the brook, will it only run when it is raining.

Staff responded that the idea for the brook is not to use treated water, just water that falls on the ground and is recirculated so therefore would only run during the rainy season

Councilmember Pope commented that he is against the project, however if approved by colleagues, he would like to see the brook run year round and the installation of security cameras.

Councilmember Hardcastle mentioned he likes the idea of security cameras and would like to see the brook be a year round feature.

Mayor Romick mentioned he is impressed with the project, likes that they're multi-family homes and that the HOA will take care of the front yards

It was moved by Councilmember Perry and seconded by Vice Mayor Higgins to adopt the resolution approving the General Plan Amendment, as conditioned. Ayes: Hardcastle, Higgins, Perry, Romick Noes: Pope

It was moved by Vice Mayor Higgins and seconded by Councilmember Hardcastle to waive the first reading and introduce the ordinance approving the rezone, as conditioned. Ayes: Hardcastle, Higgins, Perry, Romick Noes: Pope

It was moved by Vice Mayor Higgins and seconded by Councilmember Perry to adopt the resolution approving the Vesting Tentative Map, Final Development Plan, and Design Review, as conditioned. Ayes: Hardcastle, Higgins, Perry, Romick Noes: Pope

4.3 Adopt Ordinance No.09-16 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 158 within the Oakley Special Police Tax Area for Police Protection Services for Minor Subdivision 14-977 (Doyle Rd) (Kevin Rohani, Public Works Director/City Engineer)

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

There were no questions or comments from Councilmembers.

It was moved by Councilmember Pope and seconded by Councilmember Hardcastle to ratify the election and adopt ordinance No. 09-16 authorizing the levy of a special tax on parcels of land within Tax Area Zone 158 within the Oakley Special police tax area for police protection services for Minor Subdivision 14-977 (Doyle Road)

4.4 Adopt Ordinance No.08-16, Establishing Oakley Special Police Area Zone 157 within the Oakley Special Police Tax Area for a Special Tax for Police Protection Services for Subdivision 9027 (Duarte Ranch). (Kevin Rohani, Public Works Director/City Engineer)

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

There were not questions or comments from Councilmembers.

It was moved by Councilmember Hardcastle and seconded by Councilmember Pope to amend the boundaries of tax area zone 157, ratify the election and adopt ordinance No. 08-16 authorizing the levy of a special tax on parcels of land within tax area zone 157 of the Oakley special police tax area for police protection services for phase 1 of subdivision 9027 (Duarte Ranch)

4.5 Public Hearing to Consider Confirming the Diagrams and Assessments and Ordering the Levy and Collection of the Annual Assessments for Fiscal Year 2016-2017 for the City of Oakley Street Lighting and Landscape Assessment District No. 1 (Kevin Rohani, Public Works Director/City Engineer)

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

There were no questions or comments from Councilmembers.

It was moved by Vice Mayor Higgins and seconded by Councilmember Perry to adopt the resolution confirming the diagrams and assessments, and ordering the levy and collection of the annual assessments for FY 2016-2017 for the City of Oakley Street Lighting and Landscape Assessment District No. 1

Online Comment Forms - None

Public Comment Cards-None

5.0 REGULAR CALENDAR

Oakley City Council

5.1 Resolution setting forth the Salary and Compensation Plan for 2016-17 (Nancy Marquez-Suarez, Assistant to the City Manager)

Nancy Marquez-Suarez presented the staff report and mentioned that what is being proposed is a merit increase from 0-5%, and mentioned that typically in other cities they have an automatic step increase of 5%; in Oakley, increases are tied to performance evaluations, she mentioned a change this year is to add 16 hours of administrative leave to salaried employees and all other benefits would remain the same.

Councilmember Perry commented that staff is doing a great job and all their hard work is appreciated, she also mentioned she likes the idea of looking into the comparative cities.

Councilmember Hardcastle asked about the automatic step increases in other cities.

Ms. Marquez replied that most comparable cities are unionized and get an automatic 5% step increase and offer a merit increase on top of that, in Oakley no one gets an automatic increase.

Councilmember Pope asked how staff came up with the 16 additional hours of Administrative leave and how would it be used.

Ms. Marquez responded that due to the 9/80 work schedule, when there is a fifth Friday in a month, staff works four additional hours, salaried staff does not get paid for those hours; in 2016/2017 there are five months that have a fifth Friday which would be the equivalent of 20 hours, 16 additional hours is what was proposed. Administrative leave can be used by the employee within the year, if it's not used, they lose it, it can be used however staff would like.

It was moved by Councilmember Perry and seconded by Councilmember Hardcastle to adopt the resolution approving the 2016-2017 compensation and benefits program and employee salary ranges.

5.2 Adoption of Fiscal Year 2016-17 Budget and Capital Improvement Plan (Deborah Sultan, Finance Director)

Deborah Sultan presented the staff report and thanked staff and Council for their assistance during the budget process. She mentioned two changes, one is the addition of the dog park at Nunn Wilson Community Park for \$828,000, we received notice that we will likely receive a Land and Water Conservation Fund program grant for \$413,515 and that has a 50% match, we will use the park impact fees for the match, the other increase is due to the estimate received from the MPA on insurance and there is a \$38,000 increase in the budget based on those estimates.

Mayor Romick thanked Ms. Sultan.

It was moved by Councilmember Pope and seconded by Councilmember Perry to adopt the resolution adopting the FY 2016-2017 recommended budget, statement of financial policies, appropriations limit, and CIP for FY 2016-2017 through 2020-2021 and the City's recommended 5-year capital improvement plan for FY 16-17 through 20-21, confirming the plan is consistent with the adopted Oakley General Plan and meets the requirements of section 65401 of the Government code

5.3 Appeal of Order to Demolish building located at 150 Acme Street (Troy Edgell, Code Enforcement Manager)

Special Counsel William Galstan reviewed the procedures for the hearing.

Code Enforcement Manager Troy Edgell presented the staff report and informed the Council how the decision was made to demolish the building to protect the health, safety and welfare of the community, and mentioned that the property owner was

provided sufficient time and due process to avoid this action. He showed the Councilmembers photos of the building before an emergency abatement was performed. He mentioned that in August the building was red tagged and an order to demolish or repair was issued, he also mentioned that the property owner did not meet the timeline following the resolution that was approved on January 12th, 90 days later a notice of intent to demolish was issued. The property owner was informed of the time and date of the hearing on two occasions.

The appellant was not present at the point when he was to provide his statement.

Online Comment Forms

Peter Connell commented that this is a blighted area and it is a makeshift living space for several homeless individuals, the alleyways are often blocked with trash and he believes that demolishing this building would be a step in the right direction for revitalizing this section of downtown.

Jeff Wayne commented that the structure at 150 Acme Street has been an eyesore for many years and it's time that something is done about it.

Lynn Peterson commented that she has lived near the property at 150 Acme Street since 1978 and has never seen any maintenance or improvements done and believes it poses a safety hazard to the neighborhood and nearby businesses.

Public Comment Cards-None

It was moved by Councilmember Hardcastle and seconded by Councilmember Pope to deny the appeal of Order to demolish 150 East Acme Street. Motion was unanimous and so ordered.

Mayor Romick confirmed that the property owner was still not in attendance.

5.4 Main Street Downtown Improvement Project Gateway Design Monument Selection (Kevin Rohani, Public Works Director/City Engineer)

Kevin Rohani presented the staff report and mentioned that this report is a continuation of the report presented at the previous meeting and this monument is a major component to the downtown improvement project and will be located in the median at Main and 2nd Street, he also mentioned that at the previous meeting Councilmembers narrowed it down to three choices.

Nancy Marquez-Suarez mentioned that the three choices selected by Councilmembers at the previous meeting were posted on Engage in Oakley to solicit input from the community and option 7 had the most votes.

The consensus of the Councilmembers is to move forward with option 7.

Mayor Romick mentioned that at some point he would like to see a "Founders Plaza" in the Downtown to make mention of those that helped create this community.

Kevin Rohani mentioned that at 2nd Street, where Main Street bends, between the gateway and the Railroad tracks there will be landscaping done to enhance that area and perhaps that would be a good area for a Founders Plaza.

6.0 REPORTS

6.1 CITY MANAGER

(a) City Manager

City Manager Bryan Montgomery thanked staff and residents for helping to inform residents on the library measure, he mentioned that on Thursday night the Warriors game will be showing at Civic Center Park and reminded everyone that no alcohol is allowed, he also mentioned the Cityhood Celebration will be held on July 2nd at the Freedom Basin Park.

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 Pope reported his attendance at the Fireboard Meeting on June 6th, and two big items were discussed, the Task Force reported on the Utility User Tax recommendation they came up with and it should come to the City Council in the near future to take action, he mentioned the other big item is to move the appointed Board to an elected board, the Board moved to place it on the ballot, the next Fireboard meeting will be June 20th, he also reported the next Habitat Conservancy Meeting will be June 27th in Pittsburg.

Vice Mayor Higgins reported that in May 2016 the Water District says we can water four days a week in Oakley, the Water District will also be doing Fire hydrant flushing to keep water free of sediment, she reported that she attended the Fire academy graduation and four new firemen were hired, she attend Oakley's Memorial day Ceremony as well as Brentwood's post 10789 and Auxiliary

Councilmember Perry thanked the Veterans of Oakley for a great car show, and mentioned they will be hosting a paint night on June 24th at Providence and the proceeds go back to the Veterans of Oakley.

(b) Requests for Future Agendas - None

7.0 WORK SESSIONS-None

8.0 CLOSED SESSIONS-None

9.0 ADJOURN

There being no further business, the meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Kim Carmody
Records Management Clerk