

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
August 12, 2014

1.0 OPENING MATTERS

1.1 Call to Order and Roll Call

Mayor Pope called the meeting to order at 6:31p.m in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Diane Burgis, Doug Hardcastle, Randy Pope, Carol Rios and Kevin Romick were present.

1.2 Pledge of Allegiance to the Flag

Mayor Pope led the Pledge of Allegiance to the Flag.

1.3 Update from IronHouse Sanitary District (Jenny Skrel, Engineer)

Jenny Skrel, the District Engineer at Ironhouse Sanitary District, presented an update on recycled water followed by a question and answer session.

2.0 PUBLIC COMMENTS

Online Comment Forms

No online comment forms were submitted for Public Comments.

Public Comment Cards

Vincent Wells, President of Firefighters Local 1230 informed the Council that as of August 4th the Fire Board of Directors in East County is moving forward with a benefit assessment and hopes the Council will support it.

Noor Abdullah mentioned the need for a stop sign at Walnut Meadows Drive between Merlot Lane and Fetzer Lane to slow down speeding vehicles.

Ron Johansen, Vice President of the Board of Directors of East Contra Costa Fire Protection District mentioned he is excited about the direction they are moving and thanked the Council for its support at the August 4th meeting to move forward with a benefit assessment district which was unanimously passed by the Board. He also mentioned that this will give the community an opportunity to voice its opinion and speak out to hopefully find a temporary solution to a long- term problem.

Mayor Pope asked Mr. Johansen to go over the terms that people will be voting on.

Mr. Johansen, mentioned that the benefit assessment district would allow property owners in the District to determine whether or not they would be willing to pay an assessment on their property based on an engineer's report that establishes the benefit they receive from fire protection services.

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 July 8, 2014 (Libby Vreonis, City Clerk)**
- 3.2 Reporting Out of Closed Session from the July 8, 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 Quarterly Investment Report (4th Quarter Fiscal Year 2013-2014) (Paul Abelson, Finance Director)**
- 3.4 Waive the Second Reading and Adopt an Ordinance Amending Section 6.5.142 of the Oakley Municipal Code Dealing with Removal from Public Property for Prohibited Conduct (William Galstan, Special Counsel)**
- 3.5 Waive the First Reading and Introduce an Ordinance to Add Chapter 12 to Title 6 of the Oakley Municipal Code Dealing with Floodplain Management (William Galstan, Special Counsel)**
- 3.6 Waive the First Reading and Introduce an Ordinance to Add Chapter 11 to Title 2 of the Oakley Municipal Code Dealing with the City's Personnel System (William Galstan, Special Counsel)**
- 3.7 Waive the First Reading and Introduce an Ordinance Amending Title 7 of the Oakley Municipal Code Dealing with Uniform Building Codes (William Galstan, Special Counsel)**
- 3.8 Adopt a Resolution Accepting as Complete the Work Performed by Knife River Construction for Capital Improvement Project Number 14-Citywide Pavement Management (Various Neighborhoods) (Kevin Rohani, Public Works Director/City Engineer)**
- 3.9 Adopt a Resolution Accepting as Complete the Work Performed by Bay Cities Paving & Grading for Main Street Downtown Improvements-Capital Improvement Projects Numbers 11 and 103 (Kevin Rohani, Public Works Director/City Engineer)**

- 3.10 Approve Authorization of Payment for Duran & Venables Inc. for Emergency Storm Drain Repairs Under the Existing On-Call Maintenance Contract (Kevin Rohani, Public Works Director/City Engineer)**
- 3.11 Adopt a Resolution Approving an Agreement with PlaceWorks to Conduct a General Plan and Zoning Code Legislative Review for a Cost Not to Exceed \$20,000. (Ken Strelo, Senior Planner)**

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

- 3.12 Quarterly Investment Report (4th Quarter Fiscal Year 2013-2014) (Paul Abelson, Finance Director)**
- 3.13 Adopt a Resolution Approving a Recognized Obligations Payment Schedule for January-June 2015 (Paul Abelson, Finance Director)**
- 3.14 Adopt a Resolution Approving Submission to the State Department of Finance Regarding a Proposed Refunding of the Agency's 2003 Tax Allocation Bonds (Paul Abelson, Finance Director)**

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

- 3.15 Adopt a Resolution of the City Council of the City of Oakley Authorizing Payment of \$1,450,000 in City Funds to the Successor Agency of the City of Oakley, and Acceptance of the Same by the Successor Agency, in Exchange for all Rights, Title, and Interests to and in the Design and Construction Loan Associated with the Carpaccio's Restaurant and for all Rights, Title, and Interests in the Adjacent Retail Building at 3080 Main Street (William Galstan, Special Counsel)**
- 3.16 Adopt a Joint Resolution of the City Council of the City of Oakley and the Successor Agency to the Oakley Redevelopment Agency Authorizing and Accepting, Respectively, a Loan Regarding Payment to Bay Cities Paving and Grading, Inc. for Capital Improvement Project Numbers 11 and 103 (William Galstan, Special Counsel)**

Public Financing Authority

- 3.17 Adopt a Resolution Appointing Underwriter, Bond Counsel and Financial Advisor in Connection with Refunding of the Oakley Public Financing Authority Infrastructure Revenue Bonds, Series 2006 (Paul Abelson, Finance Director)**

It was moved by Councilmember Romick and seconded by Councilmember Burgis to approve the Consent Calendar. Motion carried unanimously and 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 HEARING

Oakley City Council

4.1 (A) Adopt an Urgency Ordinance Adding Section 9.1.1224 to the Oakley Municipal Code, Dealing with Check Cashing, Pay Day Loans, Car Title Loans and Other Financial Service Businesses (Joshua McMurray, Senior Planner)

Joshua McMurray, Senior Planner, presented the staff report for both the Urgency Ordinance and the Permanent Ordinance.

Councilmember Romick asked why the urgency ordinance is necessary.

Mr. McMurray responded that currently there is nothing on the books and the urgency ordinance allows us to have regulations in effect immediately.

It was moved by Councilmember Rios and seconded by Councilmember Burgis to adopt the urgency ordinance. Motion carried unanimously and so ordered.

(B) Waive the First Reading and Introduce a Permanent Ordinance Adding Section 9.1.1224 to the Oakley Municipal Code, Dealing with Check Cashing, Pay Day Loans, Car Title Loans and Other Financial Service Businesses (Joshua McMurray, Senior Planner)

Mr. Hardcastle asked if there could be a limit to the amount of the loan.

Mr. McMurray responded that if that was something the Council wanted, staff would do further research to see if limits could be set.

Special Counsel William Galstan added that the City may be preempted from regulating the loan; staff can research and advise at the second reading.

Councilmember Burgis thanked staff for keeping an eye out for this and mentioned that she supports it.

Councilmember Romick asked if the ordinance says anything about hours of operation.

Mr. McMurray responded that it is on a case by case basis.

Mr. Galstan added that hours would have to be stated during the application process and that would be subject to approval in the use permit.

Mayor Pope agreed with the comments from other Councilmembers regarding loan limits and hours and mentioned that he does not think the hours should be any later than surrounding businesses.

It was moved by Councilmember Romick and seconded by Councilmember Burgis to waive the first reading and introduce the permanent ordinance. Ayes: Burgis, Hardcastle, Rios, Romick. Noes: Pope.

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

5.0 REGULAR CALENDAR

Oakley City Council

5.1 Discuss Potential for City Council Member Salary Increase (William Galstan, Special Counsel)

Mr. Galstan presented the staff report and mentioned that there is an opportunity every two years for a City Council salary adjustment. Council can adopt an ordinance to increase the stipend only before the next municipal election and it can only take effect after the election.

Councilmember Romick mentioned that a recent Grand Jury investigated stipends in Contra Costa County and of those that receive a stipend, Oakley is one of the lowest.

Councilmember Burgis mentioned that we want to be competitive and if it will help to attract quality people, she supports it.

Mayor Pope mentioned that the stipend could be a deciding factor for someone considering to run for a seat on the Council. He also mentioned that he would like to suggest a couple of things in lieu of a raise, such as laptops provided to Councilmembers to encourage going with paperless agenda packets or cell phones to be used just for Council business.

Councilmember Burgis supports going paperless; however thinks it would cost more to provide laptops.

City Manager Bryan Montgomery mentioned that the City is exploring agenda management systems and mentioned that one of the vendors provides ipads as part of the package, so going paperless could be on the way. He also mentioned that the reimbursement for cell phones and mileage reimbursement is very common in other cities and could all be researched as a reimbursement not as part of the salary increase.

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

5.2 Adopt a Resolution Appointing Two Members to the East Contra Costa Fire Protection District Board (Libby Vreonis, City Clerk)

Libby Vreonis presented the staff report. The Council interviewed applicants for the position and after a brief discussion decided to appoint Randy Pope and Ron Johansen to the East Contra Costa Fire Protection District Board. The votes were as follows:

It was moved by Vice Mayor Hardcastle and seconded by Councilmember Romick to appoint Randy Pope to the term commencing September 1, 2014 and expiring August 31, 2016. AYES: Burgis, Hardcastle, Rios, Romick. ABSTAINED: Pope.

It was moved by Councilmember Romick and seconded by Councilmember Burgis to appoint Ron Johansen to the term commencing October 1, 2014 and expiring September 30, 2016. AYES: Burgis, Hardcastle, Pope, Rios, Romick.

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.

6.0 REPORTS

6.1 CITY MANAGER

(a) Update on Long-Term Delivery of Police Services (Bryan Montgomery, City Manager and Paul Abelson, Finance Director)

City Manager Bryan Montgomery gave an update on the research of bringing Police services in house. He thanked Mr. Abelson for his assistance and mentioned that a number of staff visited the City of Citrus Heights, a community that left the Sacramento County Sheriffs Office and formed its own police department. He mentioned the next step will be to evaluate the survey that was sent out and by the end of the year present a cost comparison of what we currently pay, what we believe our options will be, and what the cost for those options will be.

Mr. Montgomery reported that the second annual Heart of Oakley Festival will be held September 13th, there will be a brief ribbon cutting at 11am that day to inaugurate the new amphitheater, and that temporary parking is being prepared at the corner of Gardenia and Main Street as well as the north side of Norcross for the event.

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 convocation for the Liberty Union High School District and there are now 8,216 students attending 6 sites with Freedom High School having the largest number of students. She mentioned that she heard from a lot of the school board members that they will be looking for another campus in the near future. She reported that she attended National Night Out, and Big Break Second Sundays. She mentioned she saw that Almond Grove School opened and improvements are being made to make sure it's safe. She reported there will be a meeting with Congressman McNerney this Friday related to recreation and water in East County and that she will be attending a Downtown visioning meeting soon with Councilmember Romick. She mentioned that she's excited to see the amphitheater being built. She reported that Oakley had their 8th suicide of the year and that she appreciates the support in doing something for suicide prevention month in September; she thanked Supervisor Piepho for her support for suicide prevention and the support of her staff.

Councilmember Hardcastle reported that clergy of the area are getting together Thursday at 7p.m. as part of You, Me, We = Oakley! to discuss suicide prevention. He mentioned he attended the Mayors Conference where East Bay Municipal Utility District and Contra Costa Water District gave a water report.

Councilmember Romick attended National Night Out, and mentioned that September 10th is the meeting for the Downtown visioning project. He reported that the City has surpassed its goal for the Veterans' Memorial and work is on schedule for a Veterans Day dedication.

Mayor Pope reported that he attended a meeting with regional city managers and mayors, and the Senior Spaghetti feed. He mentioned the kids fishing derby will be held Saturday, August 16th at the Oakley-Antioch Pier, the next Brown Bag Lunch with the Mayor is September 1st, and the next Mayors Conference is September 4th. He also mentioned that he participated in Urban Shield, where fire, medical and police emergency services participate in a massive simulation over a 48 hour period. He announced the next Habitat Conservancy meeting is August 25th. He also gave a report on his trip to China.

(b) Requests for Future Agendas

Mayor Pope would like to have the November Council meeting moved from Wednesday, November 12th to Tuesday, November 18th.

Councilmember Burgis would like a resolution supporting the East Contra Costa Fire Protection District Benefit Assessment on the next agenda.

7.0 WORK SESSION

7.1 Economic Development Work Session (Dwayne Dalman, Economic Development Manager)

- (a) Fiscal Year 2014-2015 Economic Development Work Plan**
- (b) Downtown Revitalization Loan Program**

Dwayne Dalman presented the staff report and a power point presentation regarding the Economic Development Work Plan and the Downtown Revitalization Loan Program.

Council asked questions and provided input and direction on both programs.

8.0 CLOSED SESSION

Oakley City Council

8.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to Government Code Section 54957)

Title: City Manager

8.2 Report Out of Closed Session (William Galstan, Special Counsel)

9.0 ADJOURN

There being no further business, the meeting was adjourned at 10:20 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk