

Minutes of the Regular Joint Meeting of the Oakley City Council/Redevelopment Agency  
August 10, 2010

## 1.0 OPENING MATTERS

### **1.1 Call to Order and Roll Call of the City Council and Redevelopment Agency**

Call to Order – Mayor/Chair Pat Anderson called the meeting to order at 6:30 p.m. in the City Council Chambers located at 3231 Main Street in Oakley.

Roll Call – Present: Mayor/Chair Pat Anderson, Vice Mayor/Chair Jim Frazier, Councilmembers/Agencymembers Bruce Connelley, Carol Rios and Kevin Romick.

### **1.2 Pledge of Allegiance to the Flag**

Mayor/Chair Anderson led the pledge of allegiance.

## 2.0 PUBLIC COMMENTS

Fred Hoskins requested that the Mayor, with support from the other City Councilmembers, contact the BART Board to demand that BART fulfill its promise to bring extended service to East County.

Ilene Hollis requested that the City of Oakley (and the City of Brentwood) join the effort to save Antioch's Animal Shelter. Mayor Anderson suggested that she contact Vice Mayor Frazier, who is working on this issue.

Bob Caldwell encouraged the City to go "green" with L.E.D. lighting to help the environment and to save the City money.

## 3.0 CONSENT CALENDAR

### **City Council/Redevelopment Agency**

- 3.1 Approve the Minutes of the Regular Joint City Council/Redevelopment Agency Meeting of July 13, 2010**

### **City Council**

- 3.2 Accept Investment Report for the Quarter Ended June 30, 2010 (Paul Abelson, Finance Director)**
- 3.3 Adopt a Resolution Appointing Terrese Robison to the Contra Costa County Advisory Council on Aging (Nancy Ortenblad, City Clerk)**
- 3.4 Adopt a Resolution Authorizing an Equity Payment to Delta Municipal Consulting, Inc. (Bryan Montgomery, City Manager)**

- 3.5 **Adopt a Resolution Approving an Agreement for Purchase of Real Property with Brian McGlone for a Portion of APN #037-100-030 Commonly Known as 1685 Main Street, Oakley, California (Bill Galstan, Special Counsel)**
- 3.6 **Adopt a Resolution Approving an Agreement with Granite Construction, Inc. for the Construction of CIP Project No. 14 (Empire Avenue Overlay Project, Phase 1) in an Amount Not to Exceed \$408,837.10 and Authorizing the City Manager to Execute the Agreement (Jason Vogan, City Engineer)**
- 3.7 **Adopt a Resolution Authorizing the City Manager to Enter into a 3-Year Contract with TelePacific Communications for City Hall Telephone and Data Carrier Services (Paul Abelson, Finance Director)**
- 3.8 **Adopt a Resolution in Support of Proposition 22 -- the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 (Bryan Montgomery, City Manager)**
- 3.9 **Adopt a Resolution Amending and Clarifying Resolution No. 57-10 and Providing a Legal Description of a Temporary Slope Easement and a Temporary Construction Easement to be Acquired from a Portion of APN #037-200-008, Main Street Improvement Project (Bill Galstan, Special Counsel)**
- 3.10 **Adopt a Resolution Approving the Contra Costa Clean Water Program Agreement for the Years 2010 to 2025 between the Contra Costa County Flood Control & Water Conservation District and Member Agencies and Authorizing the City Manager to Sign Said Agreement (Jason Vogan, City Engineer)**
- 3.11 **Adopt a Resolution Approving the Subdivision Close-Out Agreement and Accepting the Subdivision Improvements Associated with Subdivision 8541 and Beginning the One-Year Maintenance Period for the Improvements (Jason Vogan, City Engineer)**

#### **Redevelopment Agency**

- 3.12 **Accept Investment Report for the Quarter Ended June 30, 2010 (Paul Abelson, Finance Director)**

City Attorney Derek Cole requested that item 3.9 be removed from the Consent Calendar.

It was moved by Vice Mayor/Vice Chair Frazier and seconded by Councilmember/Agencymember Romick to approve the balance of the Consent Calendar. Motion was unanimous and so ordered.

### **Item 3.9**

The City Attorney requested that item 3.9 be continued to the meeting of September 14th.

It was moved by Vice Mayor Frazier and seconded by Councilmember Romick to continue the item to the meeting of September 14<sup>th</sup>. Motion was unanimous and so ordered.

## **4.0 PUBLIC HEARINGS**

### **City Council**

#### **4.1 Continued from July 13, 2010. Request Approval of Tentative Parcel Map 09-976 Subdividing a 26.9-Acre Parcel Located at 4901 Bethel Island Road into Two Parcels (25.8 Acres and 1.1 Acres), APN #032-082-006 (Ken Strelo, Senior Planner)**

It was moved by Mayor Anderson and seconded by Councilmember Connelley to adopt a resolution approving the Tentative Parcel Map. Motion was unanimous and so ordered.

#### **4.2 A Resolution Approving the City's Participation in the California Statewide Communities Development Authority's Statewide Community Infrastructure Program ("SCIP") (Paul Abelson, Finance Director)**

It was moved by Councilmember Rios and seconded by Councilmember Romick to adopt the resolution. Motion was unanimous and so ordered.

#### **4.3 Proposed Amendments to Various Sections of the Zoning Code as Necessary to Implement the General Plan 2007-2014 Housing Element: (a) Amendment to the Density Bonus and Incentive Regulations to Provide Consistency with Recent Legislation (AB 2280); (b) Amendment to Revise the Existing Affordable Housing Overlay District Regulations to Ensure Consistency with the Housing Element; (c) Addition of Regulations to Establish a Definition of a Single Room Occupancy Land Use and to Provide Development Standards and a Permitting Process; and (d) Amendment to Provide Definitions for Transitional and Supportive Housing Land Uses as well as Providing a Permitting Process for Both Uses Consistent with State Law and SB 2 (Joshua McMurray, Senior Planner)**

Councilmember Rios requested that the Bathroom Facilities paragraph on page 2 of the ordinance dealing with Single Room Occupancy Units be amended to include at least one full bathroom per three units on each floor. The balance of the City Council concurred.

It was moved by Mayor Anderson and seconded by Vice Mayor Frazier to waive the first reading and introduce four ordinances: 1) Amending Section 9.1.412 of Article 1 of Chapter 1 of Title 9 of the Oakley Municipal Code regarding Residential Density Bonus and Incentives; 2) Amending Section 9.1.410 of Article 1 of Chapter 1 of Title 9 of the Oakley Municipal Code regarding the Affordable Housing Overlay District; 3) Adding Section 9.1.1218 of Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code regarding Single Room Occupancy Units, as amended; and 4) Amending Section 9.1.202 of the Oakley Municipal Code and Adding subparagraphs b 5.1 and 5.2 and c 7.1 and 7.2 to Section 9.1.404 of the Oakley Municipal Code dealing with Transitional and Supportive Housing. Motion was unanimous and so ordered.

**4.4 A Resolution Approving the Initial Study and Mitigated Negative Declaration for CIP #96 – O’Hara Avenue Widening (Jason Vogan, City Engineer)**

It was moved by Vice Mayor Frazier and seconded by Councilmember Romick to adopt the resolution. Motion was unanimous and so ordered.

**Redevelopment Agency - None**

**5.0 REGULAR CALENDAR**

**City Council**

**5.1 A Resolution of Intention to Approve an Amendment to the Contract between the Board of Administration California Public Employees’ Retirement System and the City Council of the City of Oakley to Provide Section 20475 (Different Level of Benefits), Section 21353 (2% @ 60 Full Formula) and an Ordinance Amending the Contract with the Retirement System (Bryan Montgomery, City Manager)**

It was moved by Mayor Anderson and seconded by Vice Mayor Frazier to adopt the resolution of intention; to waive the first reading and introduce the ordinance. Motion was unanimous and so ordered.

**5.2 Consideration of Payment of Dues for the Association of Bay Area Governments (ABAG) (Bryan Montgomery, City Manager)**

It was the general consensus of the City Council to direct the City Manager to send ABAG a good-faith partial payment in the amount of \$3,000 for FY 2010-11 dues. The City Manager was also directed to send a letter to ABAG expressing that this pre-payment was in response to ABAG’s efforts to work with the City on ABAG’s projected population estimates and in anticipation of ABAG’s continued efforts to represent the interests of Oakley.

**Redevelopment Agency - None**

**6.0 REPORTS**

**6.1 CITY MANAGER/EXECUTIVE DIRECTOR**

Mr. Montgomery stated that the City has begun the recruitment process to fill the Police Chief position, which will be vacant as a result of the current Chief’s recent promotion.

## **6.2 CITY COUNCIL/REDEVELOPMENT AGENCY**

### **Reports from Council Liaisons to Regional Committees, Commissions and Boards AND City Council/Redevelopment Agency Comments**

Councilmember/Agencymember Connelley congratulated the candidates who had qualified to run for City Council. He stated that the water bond bill will not be on the November ballot. He reported on a conversation with FLW requesting the return of bass tournaments to Oakley but did not get a positive response. He suggested that the City encourage other fishing tournaments to come to Oakley due to the economic benefits.

Vice Mayor/Vice Chair Frazier reported on several meetings that he had attended: CCTA, animal services, Contra Costa County Mayors' Conference and the charter meeting of the Oakley Kiwanis Club. He also reported on his attendance at a vigil/fundraiser for children of murdered parents.

Mayor/Chair Anderson reported on recent California Public Utilities Commission meetings related to the power plant and a meeting regarding the YMCA site closure. She attended the Holy Ghost Parade and a recognition assembly for Oakley teacher Frank Beede. She encouraged everyone to drive safely, noting that school is back in session. She added that it will be hard to replace Police Chief Chris Thorsen.

### **Requests for Future Agendas**

Councilmember/Agencymember Connelley requested an agenda item on September 14<sup>th</sup> to offer a \$2,000 sponsorship to US Anglers Choice to bring their Tournament of Champions to Oakley.

Mayor/Chair Anderson requested two proclamations: one for Police Chief Chris Thorsen who was recently promoted and will be leaving Oakley and one for Oakley resident Frank Beede, who was recently honored as the NFL's Teacher of the Year.

Councilmember/Agencymember Romick requested that staff prepare a MOU to work with the Agricultural-Natural Resources Trust of Contra Costa County, an organization that can assist Oakley in preparing agricultural mitigation measures.

Vice Mayor/Chair Frazier requested an accounting of Keller Canyon Mitigation Funds allocated to Oakley.

## **7.0 WORK SESSIONS**

**City Council - None**

**Redevelopment Agency - None**

## **8.0 CLOSED SESSIONS**

**City Council**

**8.1 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**

(Pursuant to Section 54956.9 of the Government Code)

Name of Case: Greenbelt Alliance v. City of Oakley, et al. (Contra Costa Superior Court Case No. N06-0582)

**8.2 CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION**

One potential case. This closed session is authorized by Govt. Code §54956.9.

**8.3 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code Sec. 54956.9[c]. One potential case.

**Redevelopment Agency - None**

**8.4 REPORTING OUT OF CLOSED SESSION**

Mayor Anderson announced that no reportable action was taken during closed session.

**9.0 ADJOURN**

There being no further action, the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Nancy Ortenblad

City Clerk and Secretary to the Redevelopment Agency