



AGENDA

REGULAR JOINT MEETING OF THE OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY/OAKLEY PUBLIC FINANCING AUTHORITY

Tuesday, September 10, 2024

6:30 PM

Oakley City Council Chambers located at 3231 Main Street, Oakley, California 94561. Unless stated otherwise on the agenda, every item on the agenda is exempt from CEQA Guidelines Sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

MISSION STATEMENT: The City of Oakley will create a resilient future that fosters and attracts a vibrant and evolving community that welcomes and values all people.

VISION STATEMENT: The City of Oakley celebrates our unique Delta lifestyle and small-town feel where we Live in a safe, dynamic community, **Work** together to build the future, and **Play** in our own backyard.

Agendas are posted in Oakley at Oakley City Hall-3231 Main Street, outside the gym at Delta Vista Middle School-4901 Frank Hengel Way and outside the Library at Freedom High School-1050 Neroly Road. Agendas are also posted on the City's Internet Website www.ci.oakley.ca.us.

A complete packet of information containing staff reports and exhibits related to each item is available for public review prior to an Oakley City Council and/or City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority meeting at Oakley City Hall, 3231 Main Street, Oakley, CA 94561. Any writings or documents provided to a majority of the Oakley City Council, Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency or Oakley Public Financing Authority regarding any item on this agenda will be made available for public inspection, during regular business hours, at the front counter in the Main Lobby of the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561. Agendas may be picked up at the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561 for no charge. To request information regarding placement on the City's agenda e-mail distribution list, please contact us at (925) 625-7000.

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If you require special accommodation, please call the City Clerk's office at (925) 625-7000 before the meeting or contact City staff at the meeting.

Please keep cell phones/electronic devices turned off during the meeting. Please be advised that City Council meetings are video recorded and attendees may appear on video.

Information Regarding Public Comment

Members of the public may address the Council on items of interest that are within the City's jurisdiction. In compliance with State law, the council may not take action or have discussion on any item that is not specifically listed on the agenda. Public comment on items not listed on the agenda will be heard under the Public Comments section of the agenda. Public comments on items listed on the agenda will be heard as the Mayor calls the items. In compliance with State law, the Council may not take action on an item that is not specifically listed on the agenda. If you would like to speak on any agenda item, please fill out a public speaker card available in the lobby and submit it to the City Clerk seated in the Council Chamber **prior to the agenda item being called**. The Mayor will call you by name to the podium to hear your comment. PUBLIC COMMENTS ARE LIMITED TO THREE (3) MINUTES. Online public comments are accepted until 5 p.m. the day of the meeting and can be submitted at <https://www.ci.oakley.ca.us/online-public-comment-card/>.

1. OPENING MATTERS

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

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/Oakley Public Financing Authority

1.2 Pledge of Allegiance to the Flag (Isabella Brown, Laurel Elementary School Student)

1.3 Update on the Delta (Roger Mammon)

1.4 BART Update (Mark Foley, BART Vice President-Director, District 2)

2. PUBLIC COMMENTS

At this time, the public is permitted to address the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority on non-agendized items.

3. COUNCILMEMBER COMMENTS

4. CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority with one single action. Members of the audience, Staff or the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor remove the item. The public may request to remove an item(s) to provide input by completing a public speaker card and submitting it to the City Clerk prior to the item(s) being called by the Mayor.

- 4.1 **Approve Minutes from the Regular Joint City Council/City Council Acting as the Successor Agency to the Redevelopment Agency/Public Financing Authority Meeting held August 13, 2024 (Libby Vreonis, City Clerk)**
[Minutes 08-13-24](#)
- 4.2 **Approve Minutes from the Special City Council Meeting held August 21, 2024 (Libby Vreonis, City Clerk)**
[Minutes 08-21-24Sp](#)
- 4.3 **Adopt a Resolution Designating Mayor Anissa Williams as Voting Delegate and Vice Mayor Shannon Shaw as an Alternate Voting Delegate for the General Assembly to be held at the Cal Cities Annual Conference and Expo October 16-18, 2024, and directing the City Clerk to complete the Cal Cities online Voting Delegate submission form by September 25, 2024, to attest the Council action taken. (Libby Vreonis, City Clerk)**

[Staff Report](#)

- [1. Proposed Resolution](#)
- [2. Voting Delegate Packet](#)

- 4.4 **Adopt a Resolution Accepting the subdivision improvements associated with Baldocchi Property Subdivision 8904 located at the southeast corner of East Cypress Road and Sellers Avenue (Kevin Rohani, P.E., Public Works Director/City Engineer)**

[Staff Report](#)

- [1. Vicinity Map](#)
- [2. Resolution](#)
- [3. Maintenance Exhibit](#)

- 4.5 **Adopt a Resolution Accepting the subdivision improvements associated with Woodbury Subdivision 9516 located at the northeast corner of East Cypress Road and Emerson Ranch Way (Kevin Rohani, P.E., Public Works Director/City Engineer)**

[Staff Report](#)

- [1. Vicinity Map](#)
- [2. Resolution](#)
- [3. Maintenance Responsibility Exhibit](#)

- 4.6 **Adopt a Resolution Creating Zone 193 within the Oakley Special Police Tax Area consisting of the Oakley Shops at Laurel Fields project located at 998 Laurel Road (Parcels 1 and 2 of Minor Subdivision Map 24-976) (Kevin Rohani, P.E., Public Works Director/City Engineer)**

[Staff Report.docx](#)

- [1. Resolution](#)
- [1A. Exhibit A to Resolution](#)
- [2. Ordinance](#)

2A. Exhibit A to Ordinance

2B. Exhibit B

- 4.7 Ratify Election: Adopt Ordinance No. 13-24 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 192 within the Oakley Special Police Tax Area for Police Protection Services for the Rosewood Estates project (Subdivision 8787) located at 4073 Rose Avenue (APN 035-220-035-6) (Kevin Rohani, P.E., Public Works Director/City Engineer)**

Staff Report

1. Zone 192 Ballot Signed

2. Ordinance

2A. Exhibit A

2B. Exhibit B

- 4.8 Adopt a Resolution Amending the City's Proclamation Policy to Add Eating Disorder Awareness Week to the Approved Proclamation List (Kim Snodgrass, Deputy City Clerk)**

Staff Report

1. Resolution

2. Sample Proclamation

5. PUBLIC HEARINGS

6. REGULAR CALENDAR

- 6.1 Adopt a Resolution Authorizing the Execution of a Memorandum of Understanding with Civic Summer Lake North, LLC (Derek Cole, City Attorney)**

Staff Report

1. Memorandum of Understanding with Civic Summer Lake North, LLC

2. Resolution

7. REPORTS

7.1 CITY MANAGER

(a) City Manager

(b) Business License Update

(b) August 2024 New Business Licenses

7.2 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

(b) Requests for Future Agendas

8. WORK SESSIONS

9. CLOSED SESSION

**9.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to
Government Code Section 54956.8
Property: Neroly Road, Oakley, CA , APN 041-021-025**

Agency Negotiator: Joshua McMurray, City Manager

Negotiating Party: Diane E. Schatz

Under Negotiation: Price and term of payment

10. ADJOURN



**Minutes of Oakley City Council/Oakley City Council Acting as the
Successor Agency to the Oakley Redevelopment Agency/Oakley
Public Financing Authority held
August 13, 2024**

1) 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/Oakley Public
Financing Authority**

Mayor Anissa Williams called the meeting to order at 6:30 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Vice Mayor Shannon Shaw and Councilmembers Hugh Henderson, Dr. George Fuller, and Aaron Meadows were also present.

1.2 Pledge of Allegiance to the Flag

Councilmember Meadows led the Pledge of Allegiance to the Flag.

**1.3 Proclamation Recognizing August 31, 2024 as International Overdose Awareness
Day (Danielle Aubin, Patient Navigator, BAART Programs)**

Mayor Williams announced the agenda item and presented the proclamation.

BAART Programs Patient Navigator and volunteer with the Contra Costa County MEDS Coalition Danielle Aubin accepted the proclamation and thanked the City Council.

1.4 American Discovery Trail Update (John Mercurio, California Coordinator)

Colin Coffey, East Bay Regional Parks District Regional (EBRPD) Ward 7 representative for Northern and East Contra Costa, introduced John Mercurio.

John Mercurio provided a PowerPoint presentation and update.

Dr. Fuller provided comments.

**1.5 Contra Costa County Fire Protection District Update (Scott Wannamaker,
Assistant Fire Chief, EMS Division)**

Assistant Chief Wannamaker provided a PowerPoint presentation and update.

Dr. Fuller and Mayor Williams asked questions to which Assistant Chief Wannamaker responded to.

1.6 Contra Costa Animal Services Update (Ben Winkleblack, Director)

Contra Costa Animal Services (CCAS) Director Ben Winkleblack provided a PowerPoint presentation and update.

Dr. Fuller and Mayor Williams asked questions to which Mr. Winkleblack responded to.

2) PUBLIC COMMENTS

Public comments were provided by Silray Garcia, Field Representative for NorCal Carpenters, Supervisor Diane Burgis, and Enrique Samson.

3) COUNCILMEMBER COMMENTS

Dr. Fuller requested Councilmembers that are on the Library and the Senior Center subcommittees share specifically what is going on at those meetings and what they are working on.

4) CONSENT CALENDAR

- 4.1 Approve Minutes from the Special City Council Meeting held July 9, 2024 (Libby Vreonis, City Clerk)**
- 4.2 Approve Minutes from the Regular Joint City Council/City Council Acting as the Successor Agency to the Redevelopment Agency and Special Public Financing Authority Meeting held July 9, 2024 (Libby Vreonis, City Clerk)**
- 4.3 Accept Report Out of Closed Session Memo (Derek P. Cole, City Attorney)**
- 4.4 Waive the Second Reading and Adopt Ordinance No. 10-24 Amending Oakley Municipal Code Section 9.1.404.c.9 (Zoning Text Amendments- Winery-Related Uses) (RZ 02-24) (Ken Strelo, Community Development Director)**
- 4.5 Waive the Second Reading and Adopt Ordinance No. 11-24 Approving the project titled, Bernard Corners Rezone (RZ 01-24) (Evan Gorman, Associate Planner)**
- 4.6 Waive the Second Reading and Adopt Ordinance No. 12-24 Approving the Burroughs Subdivision 9557 Development Agreement Amendment (DA 01-24) (Ken Strelo, Community Development Director)**
- 4.7 Adopt a Resolution Amending the City's Proclamation Policy to Add Disability Pride Month (July) to the Approved Proclamation List (Kim Snodgrass, Deputy City Clerk)**
- 4.8 Adopt two Resolutions Approving a Subdivision Improvement Agreement and Final Map for Sellers Subdivision 9614 located at the west side of Sellers Avenue and south of Vitale Lane (Kevin Rohani, P.E., Public Works Director/City Engineer)**

- 4.9 Adopt a Resolution for the Award of an On-Call agreement to Martell Water Systems, Inc. for Well and Pump Maintenance Services at various City Parks and Facilities for Fiscal Years 2024/25 and 2025/26 (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 4.10 Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Townsend Public Affairs, Inc. for On-Call Grant Writing and Legislative Advocacy Services (Danielle Navarro, Assistant City Manager)**
- 4.11 Adopt a Resolution Approving the Parcel Map for Minor Subdivision 24-976 for Oakley Shops at Laurel Fields located at 998 Laurel Road (APN 035-220-028) (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 4.12 Adopt two Resolutions approving a Subdivision Improvement Agreement and Final Map for Summer Lake North (Phase 1) Village 4 Subdivision 9619 located at the northeast corner of East Cypress Road and Bethel Island Road (Large Lot 4 of Subdivision 9307) (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 4.13 Adopt Two Resolutions approving a Subdivision Improvement Agreement and Final Map for Summer Lake North (Phase 1) Village 7 Subdivision 9622 located at the northeast corner of East Cypress Road and Bethel Island Road (Large Lot 7 of Subdivision 9307) (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 4.14 Adopt a Resolution Approving a Deferred Improvement Agreement at 720 Brownstone Road for Renovation and Flip, LLC (APN 034-140-013) (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 4.15 City of Oakley as Successor Agency to the Oakley Redevelopment Agency Quarterly Investment Report (4th Quarter FY 2023/24) (Jeri Tejada, Administrative Services Director)**
- 4.16 City of Oakley Quarterly Investment Report (4th Quarter FY 2023/24) (Jeri Tejada, Administrative Services Director)**

Dr. Fuller requested to pull items 4.2, 4.6, 4.8, 4.9, 4.10, 4.11, 4.15 and 4.16.

It was moved by Councilmember Meadows and seconded by Vice Mayor Shaw to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered. (5-0)

Item 4.2

Dr. Fuller requested revisions to page 5, number 3, and within page 11.

It was moved by Councilmember Meadows to approve the minutes.

Dr. Fuller seconded and requested clarification if that was with his amendments.

Mayor Williams inquired if the motion was to approve the minutes as written, which Councilmember Meadows confirmed it was.

Dr. Fuller withdrew his second to the motion.

Vice Mayor Shaw seconded the motion.

AYES: Henderson, Meadows, Shaw, Williams. NOES: Fuller. (4-1)

Item 4.6

Dr. Fuller inquired about affordable housing in the ordinance which Mr. McMurray responded to.

It was moved by Dr. Fuller and seconded by Councilmember Henderson to waive the second reading and adopt the ordinance. Motion was unanimous and so ordered. (5-0)

Item 4.8

Dr. Fuller recused himself and walked toward the antechamber.

It was moved by Councilmember Meadows and seconded by Councilmember Henderson to adopt the resolutions. AYES: Henderson, Meadows, Shaw, Williams. RECUSED: Fuller. (4-0)

Dr. Fuller returned to his seat.

Items 4.9 & 4.10

Dr. Fuller requested that the City meet and confer with City employees regarding on-call contracts, get their input, and see if they can fulfill it or find a way to do it before they send it out to contract.

It was moved by Vice Mayor Shaw and seconded by Councilmember Meadows to approve (adopt resolutions) items 4.9 and 4.10. AYES: Henderson, Meadows, Shaw, Williams. NOES: Fuller. (4-1)

Item 4.11

Dr. Fuller inquired why they have to subdivide the parcel of which Mr. McMurray responded to.

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

Items 4.15 & 4.16

Dr. Fuller inquired what may cause a continuous downtrend in the City's investments. He mentioned he likes it when it is on the Regular Calendar. Mr. McMurray responded.

It was moved by Dr. Fuller and seconded by Councilmember Meadows to approve (adopt resolutions) items 4.15 and 4.16. Motion was unanimous and so ordered. (5-0)

5) PUBLIC HEARINGS

There were no public hearings.

6) REGULAR CALENDAR

6.1 Appeal of Hearing Officers Decision Regarding 404 Malicoat Avenue (Kim Snodgrass, Deputy City Clerk)

Deputy City Clerk Kim Snodgrass presented the staff report.

Councilmembers asked questions to which Mr. Cole responded.

The property owner presented his appeal.

Councilmembers asked questions to which the property owner responded.

Mayor Williams called for public comments and there were none.

The City Council deliberated.

It was moved by Vice Mayor Shaw and seconded by Councilmember Henderson to uphold the administrative hearing officer's decision and authorize the City Attorney to provide the property owner a payment plan for 3 years (\$2,969.45 per month) for payment of the entirety of the debt with the caveat that it is signed within 30 days, and including an acceleration clause.

6.2 Adopt a Resolution Authorizing the City Manager to Execute an Agreement between the City of Oakley and the Liberty Union High School District for School Resource Officer Services (Joshua McMurray, City Manager)

Mr. McMurray presented the staff report.

It was moved by Councilmember Meadows and seconded by Vice Mayor Shaw to adopt the resolution. Motion was unanimous and so ordered. (5-0)

Mayor Williams called for a break at 8:20 p.m. The Council reconvened at 8:29 p.m.

7) REPORTS

7.1 CITY MANAGER (a) City Manager

Mr. McMurray announced the Heart of Oakley Festival and next Friday Night Bites and concert.

(b) Business License Update

Mr. McMurray mentioned the business license update for July is provided as an attachment in the agenda packet.

(c) Report from the Oaks Apartments

Mr. McMurray referenced a memo from the Community Development Department regarding the status of ongoing Building and Code Enforcement cases. He introduced Conrad Fromme, the City's new Chief Building Official.

Mayor Williams called for public comments.

Jackie Rider, Barbara Bautista and Velma Wilson provided public comments.

Oke Johnson with WinnResidential-Management provided a report and PowerPoint presentation.

Councilmembers asked questions and made comments to which Mr. Johnson responded to.

(d) Fireworks Update (Police Chief, Paul Beard and Lt. Robert Roberts)

Police Chief Paul Beard and Lt. Robert Roberts presented the update and PowerPoint presentation.

Councilmembers asked questions and made comments to which Lt. Roberts responded to.

7.2 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

Reports were provided by Vice Mayor Shaw, Dr. Fuller, Councilmember Meadows, Councilmember Henderson and Mayor Williams.

(b) Requests for Future Agendas

Councilmember Meadows requested staff bring back the car wash ordinance. His request was supported by Councilmember Henderson.

8) WORK SESSIONS

8.1 Work Session Discussion regarding Creekside Park (Kevin Rohani, P.E., Public Works Director/City Engineer)

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

Councilmembers asked questions and made comments to which Mr. Rohani and Mr. McMurray responded to.

Dr. Fuller provided photos of Creekside Park that he took and asked questions of Mr. Rohani to which Mr. Rohani responded to.

Mayor Williams called for a break at 10:40 p.m. The Council reconvened at 10:46 p.m.

Councilmembers provided additional comments.

9) CLOSED SESSION

There were no closed session items.

10) ADJOURN

There being no further business, the meeting was adjourned at 10:48 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk



Minutes of the Special Oakley City Council Meeting held August 21, 2024

1) Call to Order and Roll Call

The meeting was called to order by Mayor Anissa Williams at 6:30 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Vice Mayor Shannon Shaw and Councilmembers Dr. George Fuller, Hugh Henderson, and Aaron Meadows were also present.

2) Pledge of Allegiance to the Flag

Mayor Williams led the Pledge of Allegiance to the Flag.

3) Public Comments

Mayor Williams called for public comments and there were none.

City Attorney Derek Cole joined by teleconference and addressed any potential conflict of interest of the two Councilmembers running for seats in Districts 1 and 3 voting on the item.

Mayor Williams and Councilmember Meadows recused themselves and left the room. Vice Mayor Shaw announced item 4.1.

4) Regular Calendar

4.1 Adopt a Resolution accepting the City Clerk's notice of facts and options available pursuant to California Elections Code § 10229 that there are not more candidates than offices to be elected in Districts 1 and 3 for the November 5, 2024 General Municipal Election in the City of Oakley as there is one nominated candidate and one seat available in each Districts 1 and 3, and either appoint the nominated candidate for each Districts 1 and 3, or direct an election to be held in Districts 1 and 3 (Libby Vreonis, City Clerk)

City Clerk Libby Vreonis presented the staff report.

Dr. Fuller inquired about the cost difference of appointing versus holding the election and when write-in candidates are allowed versus not allowed and Ms. Vreonis addressed both questions.

Dr. Fuller, Councilmember Henderson and Vice Mayor Shaw deliberated.

It was moved by Councilmember Henderson and seconded by Vice Mayor Shaw to appoint Aaron Meadows to District 1 and to appoint Anissa Williams to District 3. AYES: Henderson, Shaw. NOES: Fuller. RECUSED: Meadows, Williams. (2-1)

Mayor Williams and Councilmember Meadows returned to the room.

5) Adjourn

There being no further business, Mayor Williams announced the meeting adjourned at 6:47 p.m.

Respectfully Submitted,

Libby Vreonis
City Clerk

DATE: September 10, 2024
TO: Joshua McMurray, City Manager
FROM: Libby Vreonis, City Clerk
SUBJECT: Adopt a Resolution Designating Mayor Anissa Williams as Voting Delegate and Vice Mayor Shannon Shaw as an Alternate Voting Delegate for the General Assembly to be held at the Cal Cities Annual Conference and Expo October 16-18, 2024, and directing the City Clerk to complete the Cal Cities online Voting Delegate submission form by September 25, 2024, to attest the Council action taken

Approved and
Forwarded to the
City Council

Background and Analysis

The Cal Cities Annual Conference and Expo will be held in Sacramento, October 16-18, 2024. Part of the conference is the General Assembly that will be held Friday, October 18, 2024. This is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

To cast a vote during the General Assembly, the Oakley City Council must 1) designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity, and 2) direct the City Clerk to complete the Cal Cities online Voting Delegate submission form by September 25, 2024, to attest the Council action taken.

The designated voting delegate and alternate voting delegate(s) must be registered to attend the conference on Friday, October 18, 2024, the date voting will occur. Cal Cities voting procedures are included in the attached Voting Delegate Packet.

Consistency with the Oakley Strategic Plan 27+

This item is aligned with the goals of Sustainable Organization and Community and Collaborative Partnerships.

Fiscal Impact

There is no direct fiscal impact. The cost of the conference, travel and lodging are part of existing budget appropriations.

Staff Recommendation

Adopt a Resolution designating Mayor Anissa Williams as Voting Delegate and Vice Mayor Shannon Shaw as an Alternate Voting Delegate for the Cal Cities General Assembly to be held October 18, 2024, and direct the City Clerk to complete the Cal Cities online Voting Delegate submission form by September 25, 2024, to attest the Council action taken.



Attachments

1. Proposed Resolution
2. Voting Delegate Packet



RESOLUTION NO. XX-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY TO
DESIGNATE MAYOR ANISSA WILLIAMS AS VOTING DELEGATE AND VICE
MAYOR SHANNON SHAW AS AN ALTERNATE VOTING DELEGATE FOR THE CAL
CITIES GENERAL ASSEMBLY TO BE HELD OCTOBER 18, 2024**

BE IT RESOLVED by the City Council of the City of Oakley that Mayor Anissa Williams is hereby designated as the Voting Delegate and Vice Mayor Shannon Shaw is designated as an Alternate Voting Delegate for the Cal Cities General Assembly to be held October 18, 2024.

PASSED AND ADOPTED by the City Council of the City of Oakley this 10th day of September 2024 by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Anissa Williams, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

DATE: Wednesday, July 10, 2024

TO: Mayors, Council Members, City Clerks, and City Managers

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference and Expo, Oct. 16-18, 2024
Long Beach Convention Center

Every year, the League of California Cities convenes a member-driven General Assembly at the [Cal Cities Annual Conference and Expo](#). The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Oct. 18, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Action by Council Required. Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

Following council action, please submit your city's delegates through [the online submission portal](#) by Wed., Sept. 25. When completing the Voting Delegate submission form, you will be asked to attest that council action was taken. You will need to be signed in to your My Cal Cities account when submitting the form.

Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Conference Registration Required. The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the [Cal Cities](#) website.



For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

Seating Protocol during General Assembly. At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the Long Beach Convention Center in Long Beach, will be open at the following times: Wednesday, Oct. 16, 8:00 a.m.-6:00 p.m. and Thursday, Oct. 17, 7:30 a.m.-4:00 p.m. On Friday, Oct. 18, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for submitting your voting delegate and alternates by Wednesday, Sept. 25. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Information Sheet: Cal Cities Resolutions and the General Assembly

General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.

How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance

to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members

review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during

the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee

or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²

General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates—one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).

DATE: September 10, 2024
TO: Joshua McMurray, City Manager
FROM: Kevin Rohani, P.E., Public Works Director & City Engineer
SUBJECT: Adopting a Resolution Accepting the Subdivision Improvements Associated with the Baldocchi Property, Subdivision 8904 Located at the Southeast Corner of East Cypress Road and Sellers Avenue

Approved and
Forwarded to the
City Council

Background and Analysis

On April 24, 2006, the City Council affirmed the Planning Commission's approval of the project from April 3, 2006. As part of the Baldocchi Property development application, the City Council approved the Vesting Tentative Map (Subdivision No. 8904) for the subdivision of 23.71 acres into 97 lots with a remainder parcel.

On August 10, 2021, the City of Oakley adopted Resolution 102-21 authorizing the City Manager to enter into a subdivision improvement agreement with KB Home North Bay, LLC for the development of the residential subdivision, Subdivision 8904, known as Subdivision 8904 Baldocchi.

On August 10, 2021, the City Council approved the Final Map for the Baldocchi Property Subdivision. The conditions of approval and associated subdivision improvement agreement for the Subdivision 8904 require the completion of project frontage, and those improvements have been completed by KB Home North Bay, LLC.

The City of Oakley Public Works and Engineering staff has inspected the Subdivision Improvements and have determined the Developer has since completed all of the required improvements for East Cypress Road, Sellers Avenue, Orso Way, Ledro Way, Baldocchi Drive, Ulivo Way, Pino Lane, Lugana Lane, Olmo Way, Romana Way, and Franklin Lane. At this time, the Developer has requested that the City accept the improvements for maintenance. The Public Works and Engineering staff has completed a final inspection of all public improvements and has found them to be in substantial compliance with the approved improvement plans.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community Health and Safety goals under Community Health and Safety Goal to build safe streets and healthy neighborhoods.



Fiscal Impact

Upon acceptance of the improvements, the City will be obligated to maintain the public infrastructure. Landscape improvements along East Cypress Road, Sellers Avenue, Baldocchi Drive, and Franklin Lane will be maintained with Community Facilities District No. 2015-2 (Baldocchi).

Staff Recommendation

Staff recommends that the City Council adopt the Resolution accepting the subdivision improvements associated with the Baldocchi Property Subdivision 8904 and for the City to begin the maintenance of the public infrastructure for this subdivision.

Attachments

Attachment 1. Vicinity Map

Attachment 2. Resolution

Attachment 3. Maintenance Exhibit





Vicinity Map
Subdivision 8904
Baldocchi Property

RESOLUTION NO. __-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING THE SUBDIVISION IMPROVEMENTS ASSOCIATED WITH SUBDIVISION 8904 BALDOCCHI PROPERTY LOCATED ON THE SOUTHEAST CORNER OF EAST CYPRESS ROAD AND SELLERS AVENUE

WHEREAS, on April 24, 2006, the City Council affirmed the Planning Commission's approval of the project from April 3, 2006. As part of the Baldocchi Property development application, the City Council approved the Vesting Tentative Map (Subdivision No. 8904) for the subdivision of 23.71 acres into 97 lots with a remainder parcel; and

WHEREAS, on August 10, 2021, the City of Oakley adopted Resolution 102-21 authorizing the City Manager to enter into a subdivision improvement agreement with KB Home North Bay, LLC for the development of the residential subdivision known as Subdivision 8904 Baldocchi; and

WHEREAS, on August 10, 2021, the City Council approved the Final Map for the Baldocchi Property Subdivision. The conditions of approval and associated subdivision improvement agreement for Subdivision 8904 require the completion of project frontage, and those improvements have been completed by KB Home North Bay, LLC; and

WHEREAS, the City of Oakley Public Works and Engineering staff has inspected the Subdivision Improvements and have determined the Developer has since completed all of the required improvements for East Cypress Road, Sellers Avenue, Orso Way, Ledro Way, Baldocchi Drive, Ulivo Way, Pino Lane, Lugana Lane, Olmo Way, Romana Way, and Franklin Lane. At this time, the Developer has requested that the City accept the improvements for maintenance. The Public Works and Engineering staff has completed a final inspection for all public improvements and has found them to be in substantial compliance with the approved improvement plans; and

WHEREAS, staff recommends that the City Council adopt the Resolution accepting the subdivision improvements associated with the Baldocchi Property Subdivision and for the City to begin the maintenance of the public infrastructure for this subdivision;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley as follows:

- a) Accept the dedication for Parcel A and Parcel B (Cypress Crossings Park) for public use as recorded in Subdivision Baldocchi Property (8904) in Map Book 548, Page 4, and
- b) Accept the dedication for Cypress Road, Sellers Avenue, Orso Way, Ledro Way, Baldocchi Drive, Ulivo Way, Pino Lane, Lugana Lane, Olmo Way, Romana Way,

and Franklin Lane for public use as recorded in Subdivision Baldocchi Property (8904) in Map Book 548, Page 4, and

- c) The roadway improvements for Cypress Road, Sellers Avenue, Orso Way, Ledro Way, Baldocchi Drive, Ulivo Way, Pino Lane, Lugana Lane, Olmo Way, Romana Way, and Franklin Lane are accepted and begin the maintenance by the City, and
- d) In accordance with the City Clerk's Statement on the Subdivision Final Map, this portion of the map related to these roads, avenues, drives, or easements and right of way dedications shown on the map as dedicated to public use are accepted.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Oakley at a meeting held on this 10th day of September 2024 by the following vote.

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Anissa Williams, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2015-2
TAX ZONE 26 (BALDOCCHI) - MAINTENANCE DIAGRAM

Legend

- Masonry_Wall
- Parcels
- Landscaping
- Neighborhood Park
- CFD 2015-2 Tax Zone 26 Boundary

CYPRESS ROAD



SELLERS AVE

N

0 80 Feet

DATE: September 10, 2024
TO: Joshua McMurray, City Manager
FROM: Kevin Rohani, P.E, Public Works Director & City Engineer
SUBJECT: Adopting a Resolution Accepting the Subdivision Improvements Associated with Subdivision 9516 Woodbury Located at the Northeast Corner of East Cypress Road and Emerson Ranch Way

Approved and
Forwarded to the
City Council

Background and Analysis

On June 14, 2016, the City Council adopted Resolution 86-16 conditionally approving the tentative map for Subdivision 9516, a 104-unit subdivision. The Woodbury subdivision is located on the northeast corner of East Cypress Road and Emerson Ranch Way. This subdivision is also known as the sixth neighborhood of the Emerson Ranch development.

On April 14, 2020, the City of Oakley entered into a Subdivision Improvement Agreement with DeNova Homes, Inc., a California Limited Liability Company, for the development of a residential subdivision, Subdivision 9516, known as Woodbury.

On April 14, 2020, the City of Oakley approved the Final Map of Subdivision 9516, Woodbury Subdivision. The Final Map for this subdivision was recorded in 2020. APNs: 037-620-001 through -095, and 037-620-105 through -110. Following the recording of the Final Map, Lennar Homes, Inc. purchased the property and moved the project towards construction.

On October 12, 2021, the City Council approved the agreement with Lennar Homes, Inc. for "Agreement of Property Owner for Provision of Landscaping in the Public Right of Way Pursuant to Conditions of Approval." Condition of Approval No. 11 requires the applicant to formulate a Homeowner's Association to maintain and install landscaping, including planting and irrigation within the public right of way.

The City of Oakley Public Works and Engineering staff has inspected the Subdivision Improvements and have determined that the Developer has since completed all the required improvements for East Cypress Road, Emerson Ranch Way, Shearwater Way, Sellers Avenue, Quartz Street, Cold Creek Drive, Cinnabar Way, Granite Way, Slate Street, Coolcrest Drive, and Gemstone Way. At this time, the Developer has requested that the City accept the improvements for maintenance. The Public Works and Engineering staff has completed a final inspection of all public improvements and has found them to be in substantial compliance with the approved improvement plans.



Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community Health and Safety goals under Community Health and Safety Goal to build safe streets and healthy neighborhoods.

Fiscal Impact

Upon acceptance of the improvements, the City will be obligated to maintain the public infrastructure. Landscape improvements along East Cypress Road, Sellers Avenue, and Emerson Ranch Way will be maintained with the Community Facilities District No. 2015-1 (Emerson Ranch). Landscape improvements within the subdivision will be maintained by the HOA.

Staff Recommendation

Staff recommends that the City Council adopt the Resolution accepting the subdivision improvements associated with the Woodbury Subdivision and for the City to begin the maintenance of the public infrastructure for this subdivision.

Attachments

Attachment 1. Vicinity Map

Attachment 2. Resolution

Attachment 3. Maintenance Responsibility Exhibit





RESOLUTION NO. __-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING THE SUBDIVISION IMPROVEMENTS ASSOCIATED WITH SUBDIVISION 9516 WOODBURY LOCATED ON THE NORTHEAST CORNER OF EAST CYPRESS ROAD AND EMERSON RANCH WAY

WHEREAS, on June 14, 2016, the City Council adopted Resolution 86-16 conditionally approving the tentative map for Subdivision 9516, a 104-unit subdivision. The Woodbury subdivision is located on the northeast corner of East Cypress Road and Emerson Ranch Way. This subdivision is also known as the sixth neighborhood of the Emerson Ranch development; and

WHEREAS, on April 14, 2020, the City of Oakley adopted Resolution 25-20 authorizing the City Manager to enter into a subdivision improvement agreement with DeNova Homes, Inc. for public improvements associated with Subdivision 9516; and

WHEREAS, on April 14, 2020, the City Council approved the final map for the Woodbury subdivision. Following the approval of the final map, Lennar Homes, Inc. purchased the property and moved the project forward to construction. The conditions of approval and associated subdivision improvement agreement for the Subdivision 9516 require the completion of project frontage, and those improvements have been completed by Lennar Homes, Inc.; and

WHEREAS, on October 12, 2021, the City Council approved the agreement with Lennar Homes, Inc. for "Agreement of Property Owner for Provision of Landscaping in the Public Right of Way Pursuant to Conditions of Approval." Condition of Approval No. 11 requires the applicant to formulate a Homeowner's Association to maintain and install landscaping, including planting and irrigation within the public right of way; and

WHEREAS, the City of Oakley Public Works and Engineering staff has inspected the Subdivision Improvements and have determined the Developer has since completed all of the required improvements for East Cypress Road, Emerson Ranch Way, Shearwater Way, Sellers Avenue, Quartz Street, Cold Creek Drive, Cinnabar Way, Granite Way, Slate Street, Coolcrest Drive, and Gemstone Way. At this time, the Developer has requested that the City accept the improvements for maintenance. The Public Works and Engineering staff has completed a final inspection for all public improvements and has found them to be in substantial compliance with the approved improvement plans; and

WHEREAS, staff recommends that the City Council adopt the Resolution accepting the subdivision improvements associated with the Woodbury Subdivision and for the City to begin the maintenance of the public infrastructure for this subdivision;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley as follows:

- a) Accept the dedication for Cold Creek Drive, Coolcrest Drive, Cinnabar Way, Gemstone Way, Granite Way, Slate Street, and Quartz Street for public use as recorded in Subdivision Woodbury (9516) in Map Book 543, Page 39, and
- b) The roadway improvements for Cold Creek Drive, Coolcrest Drive, Cinnabar Way, Gemstone Way, Granite Way, Slate Street, and Quartz Street are accepted and begin the maintenance by the City, and
- c) In accordance with the City Clerk's Statement on the Subdivision Final Map, this portion of the map related to these roads, avenues, drives, or easements and right of way dedications shown on the map as dedicated to public use are accepted.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Oakley at a meeting held on this 10th day of September 2024 by the following vote.

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Anissa Williams, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date



LEGEND

- HOA RESPONSIBILITY – PRIVATE LANDSCAPING & SOUNDWALLS
- HOA RESPONSIBILITY – PRIVATE LANDSCAPING (FRONT YARD LANDSCAPING)
- CFD#2 RESPONSIBILITY – PUBLIC LANDSCAPING & SOUNDWALLS
- 6" SOUNDWALL
- 8" SOUNDWALL
- 8" SOUNDWALL WITH RETAINING
- HOA (DENOTES HOA RESPONSIBILITY)
- STORM DRAIN – HOA RESPONSIBILITY (PUMP STATION & BIORETENTION FACILITIES)
- STORM DRAIN – CITY MAINTAINED (INSTALLED WITH WOODBURY PROJECT)
- STORM DRAIN – CITY MAINTAINED (SURROUNDING AREAS)

EMERSON RANCH MAINTENANCE RESPONSIBILITIES NEIGHBORHOOD 6 - WOODBURY

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

cbg Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

2633 CAMINO RAMON, SUITE 350
SAN RAMON, CALIFORNIA 94583
(925) 866-0322
www.cbng.com

SCALE: 1" = 50' DATE: APRIL 19, 2022

DATE: September 10, 2024
TO: Joshua McMurray, City Manager
FROM: Kevin Rohani, P.E., Public Works Director/City Engineer
SUBJECT: Adopt a Resolution Creating Zone 193 within the Oakley Special Police Tax Area consisting of the Oakley Shops at Laurel Fields project located at 998 Laurel Road (Parcels 1 and 2 of Minor Subdivision Map 24-976)

Approved and
Forwarded to the
City Council

Background and Analysis

On July 2, 2024, the City Planning Commission approved a tentative parcel map with certain Conditions of Approval for the proposed Oakley Shops at Laurel Fields project (the "Project"). The Project is designated as Commercial (CO) in the Oakley 2020 General Plan and zoned RB (Retail Business) District on the City of Oakley Zoning Map. The Project is currently comprised of Parcels 1 and 2 of Minor Subdivision Map 24-976: Parcel 1 containing a 78,645 square foot shopping center and Parcel 2 containing a 3,083 square foot service station.

The Conditions of Approval for the Project require the Developer to mitigate the financial impact their project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area that authorizes the levy of an annual special tax on parcels to mitigate their financial impact to the City's police services budget. The property owner for the Project has requested the City assist with annexing the Project into the Oakley Special Police Tax Area to satisfy their Conditions of Approval.

Beginning May 2016, the City established its own police department and no longer contracts with the Sheriff's office to provide public safety. In order to ensure that revenue grows at a rate sufficient to cover the cost of providing police services, City Council approved Resolution No. 113-16 on July 12, 2016, that allows for an adjustment in the annual tax per parcel by the increase in the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland-Bay Area to become effective July 1, 2016. Adoption of the attached resolution and introduction of the attached ordinance will set an election date for October 11, 2024, which shall be conducted by the City Clerk via a mail ballot election. The vote will then be ratified at the November 12, 2024 regular City Council meeting, and the ordinance will take effect at that time assuming a favorable vote.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Park and Open Space and Finance and Fiscal Responsibility section goals.



Fiscal Impact

There will be no financial impact to the City's General Fund. The applicant has funded all costs associated with the annexation of Zone 193 to the Oakley Special Police Tax Area. The FY 2024-25 special tax rate is \$5,322.56/parcel for shopping center parcels and \$2,661.28/parcel for service station parcels (FY 2024-25 rates). The project is anticipated to consist of one shopping center parcel and one service station parcel at build-out. Therefore, successful creation of the Zone is expected to provide up to \$7,983.84 (in FY 2024-25 dollars) in revenue annually at build-out. The taxes can be collected on the property tax rolls commencing in FY 2025-26.

Staff Recommendation

The Conditions of Approval for the Oakley Shops at Laurel Fields project located at 998 Laurel Road (Parcels 1 and 2 of Minor Subdivision Map 24-976) require the property owner to mitigate their financial impact on the police services budget. Adoption of this resolution and ordinance will set an election to be held on October 11, 2024. The election will then be ratified at the November 12, 2024, regular City Council meeting. Staff recommends that the City Council:

1. Adopt the Resolution creating Zone 193 within the Oakley Special Police Tax Area consisting of the Oakley Shops at Laurel Fields project located at 998 Laurel Road (Parcels 1 and 2 of Minor Subdivision Map 24-976); and
2. Introduce the Ordinance Establishing a Special Tax for Police Protection.

Attachments

1. Resolution Creating Oakley Special Police Tax Zone 193
 1. Exhibit A - Diagram
2. Ordinance Establishing a Special Tax
 1. Exhibit A – Diagram
 2. Exhibit B – Schedule for Police Service Tax



CITY OF OAKLEY

RESOLUTION NO. ____-24

**A RESOLUTION CREATING OAKLEY SPECIAL POLICE TAX AREA ZONE 193
WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR THE OAKLEY SHOPS
AT LAUREL FIELDS PROJECT LOCATED AT 998 LAUREL ROAD (PARCELS 1
AND 2 OF MINOR SUBDIVISION MAP 24-976)**

WHEREAS, it is the intention of the City Council to create Oakley Special Police Tax Area Zone 193 (Zone 193) within the Oakley Special Police Tax Area and authorize an election; and

WHEREAS, it is the intention of the City Council to adopt an ordinance establishing a special tax for police services within Zone 193; and

WHEREAS, the City recognizes the need for increased police protection services within Zone 193 and the difficulty of funding the current or increased level of police services with revenues now available; and

WHEREAS, it is the intention of the City Council to direct the City Clerk to conduct the election required by Government Code Section 53978, to be conducted by mail ballot pursuant to Elections Code Section 4108 and to be held on the earliest date permitted by law; and

WHEREAS, the property located at 998 Laurel Road known as Oakley Shops at Laurel Fields (the "Project") is designated as Commercial (CO) in the Oakley 2020 General Plan and zoned RB (Retail Business) District on the City of Oakley Zoning Map. The Project is currently comprised of Parcels 1 and 2 of Minor Subdivision Map 24-976: Parcel 1 containing a 78,645 square foot shopping center and Parcel 2 containing a 3,083 square foot service station. The Conditions of Approval for the Project require the Developer to mitigate the financial impact that their project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area that authorizes the levy of an annual special tax on parcels to mitigate their financial impact to the City's police services budget. The property owner for the Project has requested the City assist with annexing the Project into the Oakley Special Police Tax Area to satisfy their Conditions of Approval. Per the rate schedule that was adopted by the City Council on July 12, 2016, by Resolution No. 113-16, the initial annual special tax rate for shopping center parcels is \$5,322.56/parcel and the initial annual special tax rate for service station parcels is \$2,661.28/parcel (FY 2024-25 rates); and

WHEREAS, this Resolution is adopted pursuant to Government Code section 53978; and

WHEREAS, under Government Code section 53978 and for the purposes of this Resolution, a "voter" entitled to vote on the creation of Zone 193 is a person who owns real property within Zone 193 at the time Ordinance No. ____-24 is adopted, as shown on

the last equalized assessment roll prepared by the Contra Costa County Assessor's Office.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley hereby finds and determines as follows:

1. All of the City of Oakley shall be considered as the Oakley Special Police Tax Area.
2. That portion of the City of Oakley shown on the plats titled Exhibit "A" is established as Zone 193 of the Oakley Special Police Tax Area.
3. That Ordinance No. __-24 introduced this date is to be presented for approval of the voters of Zone 193 by a mail ballot election, to be held on October 11, 2024. The ballot proposition shall read as follows:

"Shall Ordinance No. __-24 of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 193 of the Oakley Special Police Tax Area to maintain the present level of police protection service and provide additional funding for increased police protection service? The initial annual special tax rate is \$5,322.56 per parcel for County use code 42 (Shopping Centers), \$2,661.28 per parcel for County use code 35 (Service Stations, Car Wash), and \$665.32 per vacant parcel per the current FY 2024-25 rate schedule."

4. The City Clerk is directed to take all steps necessary to conduct the election required by this order. Said election shall be conducted by mailed ballot pursuant to Elections Code Section 4000 and shall be held on a date other than the same date as a statewide direct primary election or statewide general election as specified above.
5. Zone 193 of the Oakley Special Police Tax Area shall not be created, and the tax authorized in Ordinance No. __-24 shall not be imposed if the Ordinance is not approved by two-thirds of the voters participating in the election called in Ordinance No. __-24.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on September 10, 2024 by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

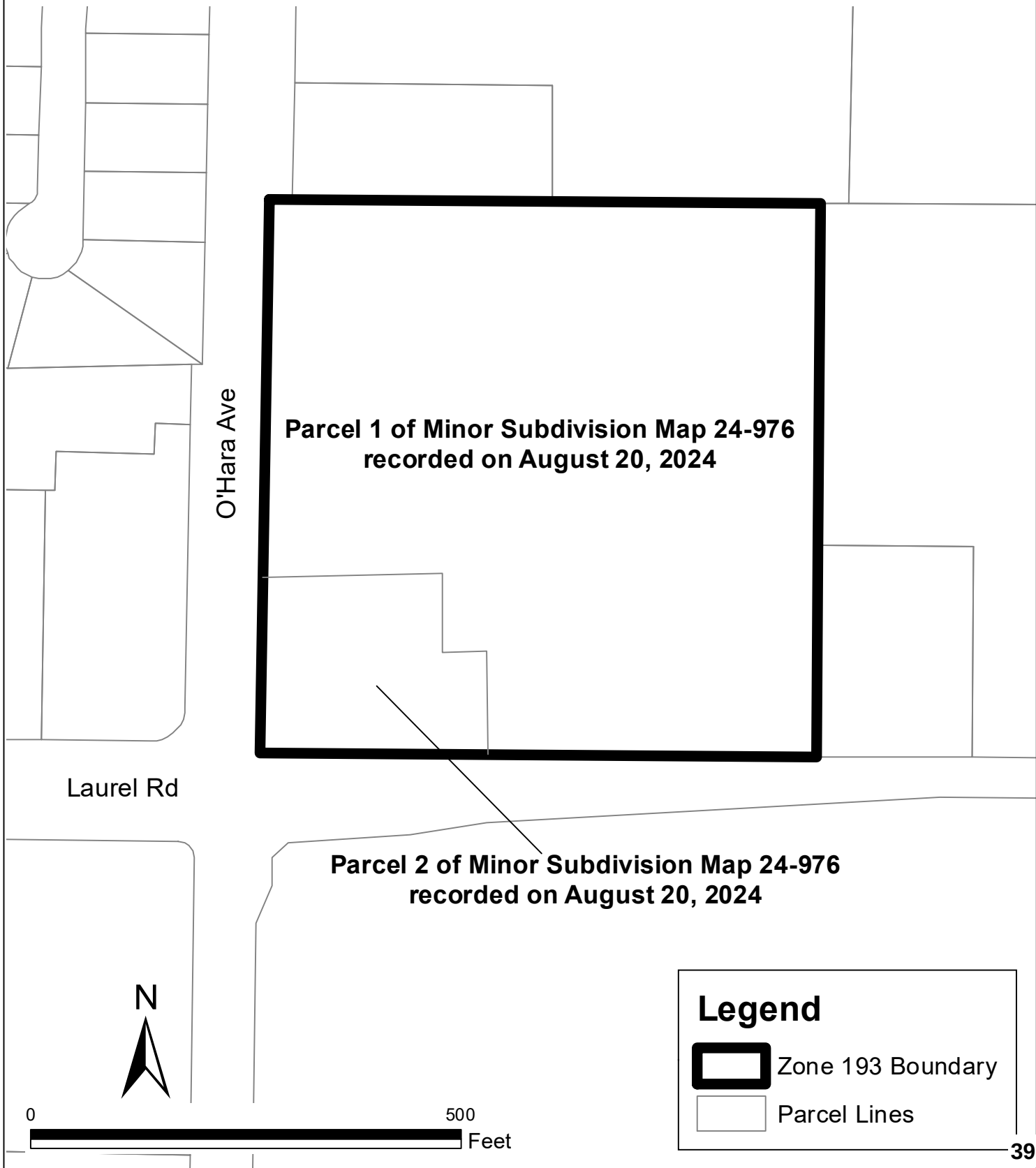
Anissa Williams, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA (P-6) ZONE 193
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
OAKLEY SHOPS AT LAUREL FIELDS



CITY OF OAKLEY

ORDINANCE NO. __-24

AN ORDINANCE OF THE CITY OF OAKLEY ESTABLISHING OAKLEY SPECIAL POLICE TAX AREA ZONE 193 WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL TAX FOR POLICE PROTECTION SERVICES FOR THE OAKLEY SHOPS AT LAUREL FIELDS PROJECT LOCATED AT 998 LAUREL ROAD (PARCELS 1 AND 2 OF MINOR SUBDIVISION MAP 24-976)

The Voters of the City of Oakley do ordain as follows:

Section 1. Purpose, Intent and Authority.

It is the purpose and intent of this Ordinance to authorize the levy of a special tax on real property that is within Oakley Special Police Tax Area Zone 193 of the Oakley Special Police Tax Area as shown on the Exhibit A map attached hereto in order to provide funding for police protection to serve the property and persons within said Zone.

This Tax is a special tax within the meaning of Section 4 of Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary for the benefit of the residents of Zone 193.

This Ordinance is enacted pursuant to the authority of Government Code Section 53978.

Section 2. Definitions.

The following definitions shall apply throughout this Ordinance.

A. "Constant first year dollars" shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing price

as the base amount in first fiscal year dollars as measured by the actual cost of services for the City of Oakley's cost of obtaining police services. The base amount shall be the amount of tax per parcel as specified in Section 3.A herein. The adjustments from actual to constant dollars shall be made by use of the actual cost of services, as specified in Section 3.B herein.

B. "Fiscal year" means the period of July 1 through the following June 30.

C. "Oakley Special Police Tax Area" includes all properties within the jurisdictional limits of the City of Oakley.

D. Oakley Special Police Tax Area Zone 193 (hereinafter called "Zone") means that portion of the incorporated area of the City of Oakley located within the boundaries as shown on the map Exhibit A hereto.

E. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of this Ordinance, parcel does not include any land or improvements outside the boundaries of Zone 193, nor any land or improvements owned by any governmental entity.

F. Pursuant to Government Code §53978, "voter" means a person owning real property within the Zone at the time this Ordinance was adopted, as shown on the last equalized assessment role prepared by the Contra Costa County Assessor's Office.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2024 through June 30, 2025) shall be the amount of Tax Per Parcel for a Property Use Code Category as set forth on Exhibit B hereto. If any new development, including new residential units, is completed prior to the tax being effective for the first fiscal year, the owner of the Parcel, as shown on the latest assessment roll, shall pay the tax for the remainder of such fiscal year on a pro-rated basis to the City, no later than receipt of Certificate of Occupancy or final building permit inspection.

B. For Subsequent Fiscal Year:

The tax rates shown in Exhibit B shall be automatically adjusted on July 1 of each year, beginning on July 1, 2025, by the increase in the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland Bay Area and applying that rate to the prior year amounts for each property use code category. However, the City Council reserves the right to itself the opportunity to adjust the rate in the following year if the CPI adjustment is insufficient to reimburse the City for the costs of providing levels of police services as approved by the City Council.

In no event shall the tax per parcel for any fiscal year be less than the amount established for the previous fiscal year.

C. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Section 4, below.

Section 4. Collection and Administration.

A. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

B. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and are to be collected in the same manner in which the County of Contra Costa collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedure regarding exceptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

- i) The secured roll tax bills shall be the only notices required for this tax, and
- ii) The homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

C. Costs of Administration by County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

Section 5. Severability Clause.

If any article, section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the Zone hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentenced phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

Section 6. Effective Date and Posting.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within the Zone in an election to be held on October 11, 2024, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2025. If not confirmed by two-thirds of the voters participating in the election, this Ordinance and the tax approved herein shall not become effective.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on November 12, 2024, by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

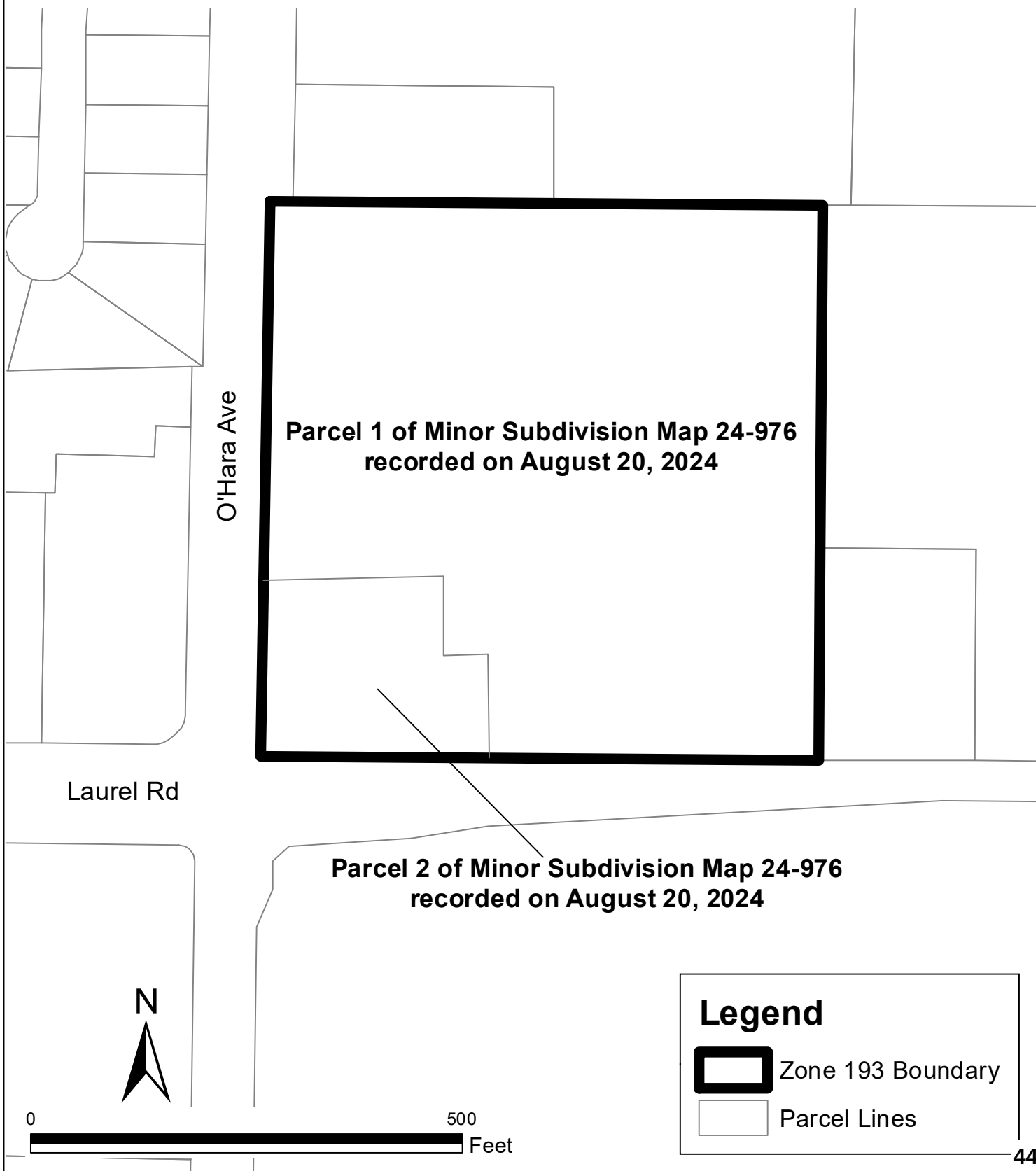
Anissa Williams, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA (P-6) ZONE 193
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
OAKLEY SHOPS AT LAUREL FIELDS



**CITY OF OAKLEY SCHEDULE FOR POLICE SERVICE TAX
FOR FISCAL YEAR 2024/2025**

PROPERTY USE CODE CATEGORY	DESCRIPTION	FY23/24 TAX PER PARCEL	FY24/25 TAX PER PARCEL
11	Single Family Residence – 1res., 1 site	\$1,282.30	\$1,330.64
12	Single Family Residence – 1 res., 2 or more sites	\$1,282.30	\$1,330.64
13	Single Family Residence – 2 res., on 1 or more sites	\$2,051.68	\$2,129.02
14	Single Family Residence – other than single fam. Land	\$1,282.30	\$1,330.64
15	Misc. Improvements – 1 site	\$1,282.30	\$1,330.64
16	Misc. Improvements – 2 or more sites	\$1,282.30	\$1,330.64
17	Vacant – 1 site	\$641.15	\$665.32
18	Vacant – 2 or more sites	\$641.15	\$665.32
19	Single Family Residence – Det. W/common area	\$1,282.30	\$1,330.64
20	Vacant – Multiple	\$641.15	\$665.32
21	Duplex	\$2,051.68	\$2,129.02
22	Triplex	\$3,077.52	\$3,193.54
23	Fourplex	\$4,103.36	\$4,258.05
24	Combinations	\$1,282.30	\$1,330.64
25	Apartments (5 – 12 Units)	\$5,129.20	\$5,322.56
26	Apartments (13 – 24 Units)	\$13,335.92	\$13,838.66
27	Apartments (25 – 59 Units)	\$25,646.00	\$26,612.80
28	Apartments (60+ units)	\$61,550.40	\$63,870.72
29	Attached PUDs: Cluster Homes, Condos, etc.	\$1,282.30	\$1,330.64
30	Vacant – Commercial	\$641.15	\$665.32
31	Commercial Stores – Not Supermarkets	\$2,564.60	\$2,661.28
32	Small Grocery Stores – (7-11, etc.)	\$3,846.90	\$3,991.92
33	Office Buildings	\$2,564.60	\$2,661.28
34	Medical, Dental	\$2,564.60	\$2,661.28
35	Service Stations, Car Wash	\$2,564.60	\$2,661.28
36	Garages	\$2,564.60	\$2,661.28
37	Community Facilities (Recreational, etc.)	\$5,129.20	\$5,322.56
38	Golf Courses	\$2,564.60	\$2,661.28
39	Bowling Alleys	\$1,282.30	\$1,330.64
40	Boat Harbors	\$3,205.75	\$3,326.60
41	Supermarkets – (not shopping centers)	\$3,846.90	\$3,991.92
42	Shopping Centers	\$5,129.20	\$5,322.56
43	Financial Buildings – (Ins., Title, Banks, S&L)	\$1,282.30	\$1,330.64
44	Motels, Hotels & Mobile Home Parks	\$6,411.50	\$6,653.20
45	Theaters	\$2,885.18	\$2,993.94
46	Drive-in Restaurants	\$1,923.45	\$1,995.96
47	Restaurants	\$1,923.45	\$1,995.96
48	Multiple & Commercial	\$1,923.45	\$1,995.96
49	New Car Agencies	\$1,923.45	\$1,995.96
50	Vacant Land (not part of Ind. Park or P. & D.)	\$480.86	\$498.99
51	Industrial Park	\$3,846.90	\$3,991.92
52	Research & Development	\$1,923.45	\$1,995.96
53	Light Industrial	\$1,923.45	\$1,995.96
54	Heavy Industrial	\$1,923.45	\$1,995.96
55	Mini Warehouses (public storage)	\$3,846.90	\$3,991.92
56	Misc. Improvements	\$3,846.90	\$3,991.92
61	Rural, Res., Improvement 1A-10A	\$961.73	\$997.98
62	Rural, w/or w/o structure 1A-10A	\$961.73	\$997.98
70	Convalescent Hospitals / Rest Homes	\$1,923.45	\$1,995.96
73	Hospitals	\$1,923.45	\$1,995.96
74	Cemeteries / Mortuaries	\$1,923.45	\$1,995.96
75	Fraternal & Service Organizations	\$1,923.45	\$1,995.96
76	Retirement Housing Complex	\$6,411.50	\$6,653.20
78	Parks & Playgrounds	\$3,846.90	\$3,991.92
85	Public & Private Parking	\$1,923.45	\$1,995.96
87	Common Area	\$1,923.45	\$1,995.96
88	Mobile Homes	\$961.73	\$997.98
89	Other (split parcels in different tax code areas)	\$961.73	\$997.98
99	Homeowner's Association Owned Common Areas	\$769.38	\$798.38

The tax rates shown in this schedule shall be automatically adjusted on July 1 of each year, beginning on July 1, 2016 by the increase in the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland-Bay Area and applying that rate to the prior year amounts for each property use code category. However, the City Council reserves the right to itself the opportunity to adjust the rate in the following year if the CPI adjustment is insufficient to reimburse the City for the costs of providing levels of police services as approved by the City Council.

CALCULATION OF COST OF LIVING INCREASE

Percent increase from FY 2023-24 in the San Francisco-Oakland-Bay Area Consumer Price Index for all Urban Consumers.	3.77%
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DATE: September 10, 2024
TO: Joshua McMurray, City Manager
FROM: Kevin Rohani, P.E., Public Works Director/City Engineer
SUBJECT: Ratify Election: Adopt Ordinance No. 13-24 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 192 within the Oakley Special Police Tax Area for Police Protection Services for the Rosewood Estates project (Subdivision 8787) located at 4073 Rose Avenue (APN 035-220-035-6)

Approved and
Forwarded to the
City Council

Background and Analysis

On March 23, 2010, the City Council approved a vesting tentative map with certain Conditions of Approval for the proposed Rosewood Estates project (Subdivision 8787) (the "Project"). The Project is designated as Single Family Residential, High Density (SH) in the Oakley 2020 General Plan and zoned R-6 (Single-Family Residential) on the City of Oakley Zoning Map. The Project is currently comprised of APN 035-220-035-6, which is expected to be subdivided into 58 single-family residential parcels at build-out.

The Conditions of Approval for the Project require the property owner to mitigate the financial impact that their project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area District that authorizes the levy of an annual special tax on parcels to mitigate their financial impact to the City's police services budget. The property owner for the Project has requested the City assist with annexing the project into the Oakley Special Police Tax Area to satisfy their Conditions of Approval.

On July 9, 2024, the City Council introduced Ordinance No. 13-24 which would authorize a special tax for police services within Zone 192 subject to property owner voter approval. On September 3, 2024, the City Clerk conducted the property owner election. There was one (1) ballot issued to the property owner representing Rosewood Estates. The City Clerk tabulated the property owner ballot, and the property owner was in favor of annexing into the Oakley Special Police Tax Area as Zone 192.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Park and Open Space and Finance and Fiscal Responsibility section goals.



Fiscal Impact

There will be no financial impact to the City's General Fund. The applicant has funded all costs associated with the annexation of Zone 192 to the Oakley Special Police Tax Area. The FY 2024-25 special tax rate for Single Family Residence (1 res., 1 site) parcels is \$1,330.64/parcel (FY 2024-25 rates). Therefore, successful creation of the Zone is expected to provide up to \$77,177.12 (in FY 2024-25 dollars) in revenue annually at build-out. The taxes can be collected on the property tax rolls commencing in FY 2025-26.

Staff Recommendation

Staff recommends that the City Council ratify the election and adopt Ordinance No. 13-24 authorizing the levy of a special tax on parcels of land within Tax Area Zone 192 within the Oakley Special Police Tax Area for Police Protection Services for the Rosewood Estates project (Subdivision 8787) located at 4073 Rose Avenue (APN 035-220-035-6).

Attachments

1. One (1) Signed Ballot
2. Ordinance No. 13-24
 1. Exhibit A – Boundary Map for Police Tax Area Zone 192
 2. Exhibit B – Tax Rate Schedule for Fiscal Year 2024-25



SPECIAL POLICE TAX AREA BALLOT
CREATING ZONE 192 FOR THE ROSEWOOD ESTATES (SD 8787) PROJECT
LOCATED AT 4073 ROSE AVENUE

Parcel Description: Assessor Parcel Number 035-220-035-6

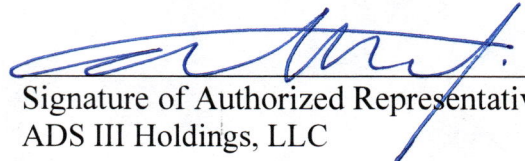
Record Owner: ADS III Holdings, LLC

Address: 4073 Rose Avenue

Shall Ordinance No. 13-24 of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 192 of the Oakley Special Police Tax Area to maintain the present level of police protection service and provide additional funding for increased police protection service? The initial annual special tax rate for County use code 11 (Single Family Residence – 1 res., 1 site) is \$1,330.64 per parcel and \$665.32 per vacant parcel per the current FY 2024-25 rate schedule. I also acknowledge that the tax rate can be adjusted annually as described in Ordinance No. 13-24.

✓ Yes, Ordinance No. 13-24 shall be approved.

 No, Ordinance No. 13-24 shall not be approved.


Signature of Authorized Representative for
ADS III Holdings, LLC

Albert D. Seeno III
Printed Name

Manager / Authorized Agent
Title

CITY OF OAKLEY

ORDINANCE NO. 13-24

AN ORDINANCE OF THE CITY OF OAKLEY ESTABLISHING OAKLEY SPECIAL POLICE TAX AREA ZONE 192 WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL TAX FOR POLICE PROTECTION SERVICES FOR THE ROSEWOOD ESTATES PROJECT (SUBDIVISION 8787) LOCATED AT 4073 ROSE AVENUE (APN 035-220-035-6)

The Voters of the City of Oakley do ordain as follows:

Section 1. Purpose, Intent and Authority.

It is the purpose and intent of this Ordinance to authorize the levy of a special tax on real property that is within Oakley Special Police Tax Area Zone 192 of the Oakley Special Police Tax Area as shown on the Exhibit A map attached hereto in order to provide funding for police protection to serve the property and persons within said Zone.

This Tax is a special tax within the meaning of Section 4 of Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary for the benefit of the residents of Zone 192.

This Ordinance is enacted pursuant to the authority of Government Code Section 53978.

Section 2. Definitions.

The following definitions shall apply throughout this Ordinance.

A. "Constant first year dollars" shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing price

as the base amount in first fiscal year dollars as measured by the actual cost of services for the City of Oakley's cost of obtaining police services. The base amount shall be the amount of tax per parcel as specified in Section 3.A herein. The adjustments from actual to constant dollars shall be made by use of the actual cost of services, as specified in Section 3.B herein.

B. "Fiscal year" means the period of July 1 through the following June 30.

C. "Oakley Special Police Tax Area" includes all properties within the jurisdictional limits of the City of Oakley.

D. Oakley Special Police Tax Area Zone 192 (hereinafter called "Zone") means that portion of the incorporated area of the City of Oakley located within the boundaries as shown on the map Exhibit A hereto.

E. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of this Ordinance, parcel does not include any land or improvements outside the boundaries of Zone 192, nor any land or improvements owned by any governmental entity.

F. Pursuant to Government Code §53978, "voter" means a person owning real property within the Zone at the time this Ordinance was adopted, as shown on the last equalized assessment role prepared by the Contra Costa County Assessor's Office.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2024 through June 30, 2025) shall be the amount of Tax Per Parcel for a Property Use Code Category as set forth on Exhibit B hereto. If any new development, including new residential units, is completed prior to the tax being effective for the first fiscal year, the owner of the Parcel, as shown on the latest assessment roll, shall pay the tax for the remainder of such fiscal year on a pro-rated basis to the City, no later than receipt of Certificate of Occupancy or final building permit inspection.

B. For Subsequent Fiscal Year:

The tax rates shown in Exhibit B shall be automatically adjusted on July 1 of each year, beginning on July 1, 2025, by the increase in the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland Bay Area and applying that rate to the prior year amounts for each property use code category. However, the City Council reserves the right to itself the opportunity to adjust the rate in the following year if the CPI adjustment is insufficient to reimburse the City for the costs of providing levels of police services as approved by the City Council.

In no event shall the tax per parcel for any fiscal year be less than the amount established for the previous fiscal year.

C. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Section 4, below.

Section 4. Collection and Administration.

A. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

B. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and are to be collected in the same manner in which the County of Contra Costa collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedure regarding exceptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

- i) The secured roll tax bills shall be the only notices required for this tax, and
- ii) The homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

C. Costs of Administration by County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

Section 5. Severability Clause.

If any article, section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the Zone hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentenced phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

Section 6. Effective Date and Posting.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within the Zone in an election to be held on September 3, 2024, so that taxes shall first be collected hereunder for the tax year beginning July 1, 2025. If not confirmed by two-thirds of the voters participating in the election, this Ordinance and the tax approved herein shall not become effective.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on September 10, 2024, by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

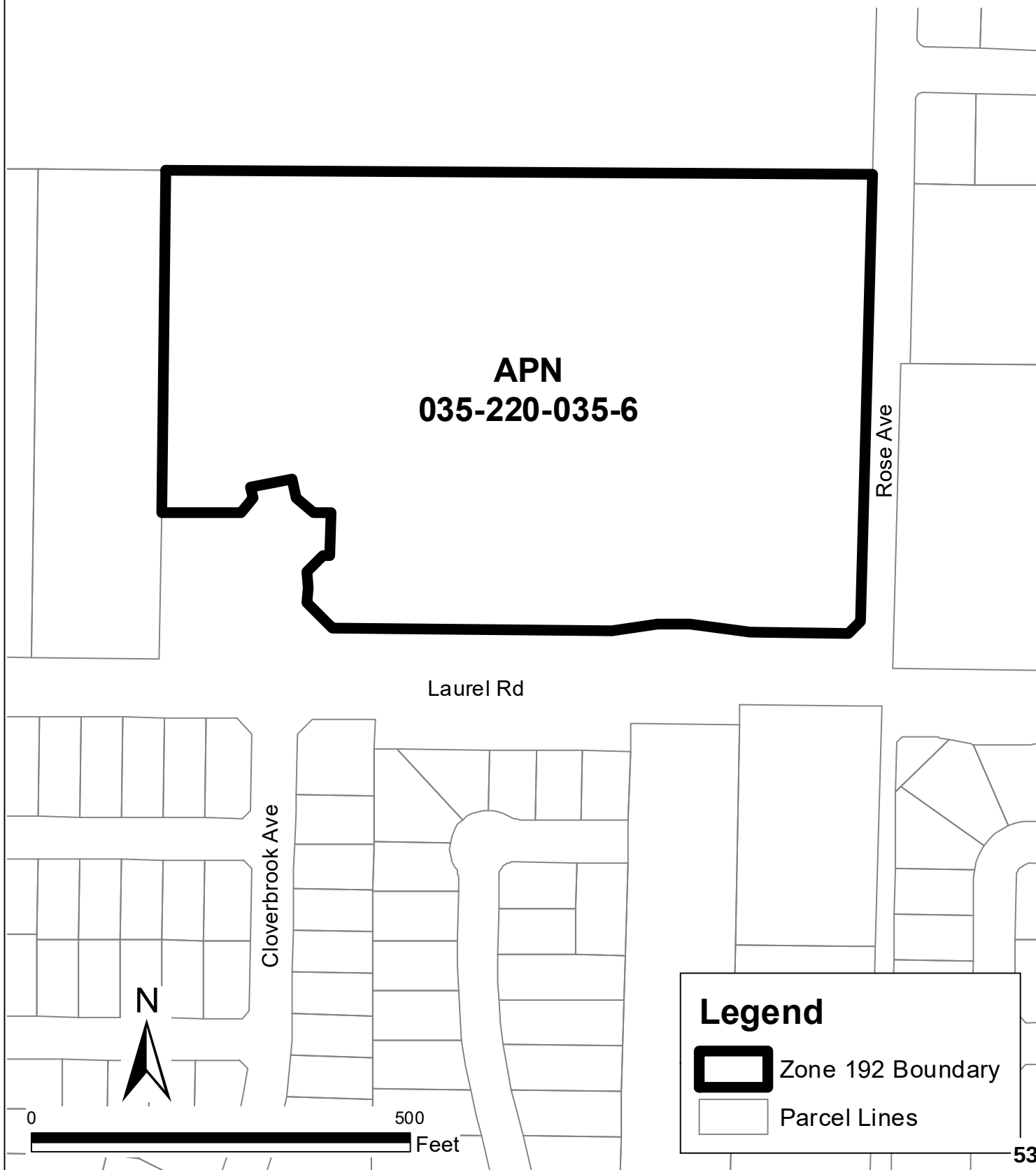
Anissa Williams, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA (P-6) ZONE 192
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
ROSEWOOD ESTATES (SUBDIVISION 8787)



**CITY OF OAKLEY SCHEDULE FOR POLICE SERVICE TAX
FOR FISCAL YEAR 2024/2025**

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CALCULATION OF COST OF LIVING INCREASE

Percent increase from FY 2023-24 in the San Francisco-Oakland-Bay Area Consumer Price Index for all Urban Consumers.	3.77%
--	-------

DATE: September 10, 2024
TO: Joshua McMurray, City Manager
FROM: Kim Snodgrass, Deputy City Clerk
SUBJECT: Adopt a Resolution Amending the City's Proclamation Policy to add National Eating Disorders Awareness Week to the Approved Proclamation List

Approved and
Forwarded to the
City Council

Background and Analysis

On August 9, 2022, the Oakley City Council approved a proclamation policy. In accordance with the policy, the Mayor, without formal action of the City Council, may issue proclamations on behalf of the City Council that adhere to the policy and are on a pre-approved list adopted by the City Council. Proclamations not on the list may be submitted and brought forth to the City Council for consideration. National Eating Disorders Awareness Week is not on the pre-approved list; therefore, approval is requested.

Consistency with the Oakley Strategic Plan 27+

Council engagement with community partners is consistent with the Community and Collaborative Partnerships Goal in the Oakley Strategic Plan 27+.

Fiscal Impact

None.

Staff Recommendation

Staff recommends that the City Council review the requested proclamation and either approve or deny.

Attachments

1. Resolution
2. Sample Proclamation



RESOLUTION NO. XX-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AMENDING
THE CITY'S APPROVED PROCLAMATION LIST**

BE IT RESOLVED by the City Council of the City of Oakley that the City's Approved Proclamation List is hereby Amended to add National Eating Disorder Awareness Week.

PASSED AND ADOPTED by the City Council of the City of Oakley this 10th day of September 2024 by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Anissa Williams, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

Sample Proclamation:

Whereas, National Eating disorders Awareness week (NEDAW) highlights the seriousness of eating disorders across the United States, particularly for women and girls of all ages; and

Whereas, nearly 1 in 10 Americans are expected to develop an eating disorder in their lifetime; and

Whereas, when left untreated, eating disorders can have devastating effects on a person's health.

Whereas, each of us has the power to show compassion to those who are struggling to receive the support and treatment they need and to promote a culture that treats everyone with dignity and respect.

Whereas, Eating Disorders are the deadliest mental illness, resulting in 10,200 deaths per year, which equals 1 death every 52 minutes.

Whereas, eating disorders strike everyone, with documented instances from ages 5 to 80.

Whereas, eating disorders impact all races, but diagnosis and treatment is half as likely for people of color suffering with ED

Whereas, this disease impacts all genders, but with females being 2 times more likely to have an eating disorder,

Whereas, the yearly economic cost is \$65 billion dollars annually in the US and whereas the rate of people suffering with an eating disorder has more than doubled since 2014

Now, Therefore, be it resolved that we recognize the week of February 24th-March 2nd as Eating Disorder Week

DATE: September 10, 2024
TO: Hon. Mayor and Members of the City Council
FROM: Derek Cole, City Attorney
SUBJECT: Resolution Authorizing the Execution of a Memorandum of Understanding with Civic Summer Lake North, LLC Regarding the Summer Lake North Development (Subdivision 9307)

Approved and
Forwarded to the
City Council

Background and Analysis

Civic Summer Lake North, LLC ("Civic") is the developer and owner of the development known as Summer Lake North (Subdivision 9307, Planning Area 2), located within the East Cypress Corridor Specific Plan ("ECCSP"). The ECCSP's environmental impact report, prepared in 2006, identified several traffic impacts for roadways in an around the development area. In accordance with the California Environmental Quality Act, mitigation measures were developed for these impacts and were incorporated into the ECCSP's Mitigation Monitoring and Reporting Program. But these measures were not incorporated into the City's Traffic Impact Fee ("TIF").

Because the TIF does not address these measures, the City and Civic have discussed an alternate mechanism by which the City may receive payments in accordance with the mitigation measures for the ECCSP(Mitigation Numbers 3.13-13 and 3.13-20 through 3.13-30). The parties have agreed upon the attached Memorandum of Understanding. This Memorandum would require Civic to pay fees in the following amounts for its previously entitled lots and future phases and lots:

Lot Designations	Number of SFD Lots*	Per SFD Lot Payment**	Total Projected Payments
First 817 SFD lots	817	\$1,000	\$817,000
Brady-Kurtz/Custom Lots	16	\$8,000	\$128,000
Large Lot 822	54	\$8,000	\$432,000
Large Lot 823	85	\$8,000	\$680,000
Large Lot 824	131	\$8,000	\$1,048,000
School site	106	\$8,000	\$848,000
Commercial site	51	\$8,000	\$408,000
TOTAL	1260		\$4,361,000
*Approved, anticipated, or potential SFD lots			
**Paid at the time Owner pays SFD building permit fees			



The City and Developer have also addressed an additional matter. The Developer has agreed that in-lieu of the Developer's construction of its required improvements on Bethel Island Road per certain of its Conditions of Approval (45, 51, 53, 56, 68 and 77) for its currently entitled lots, it will pay \$5,654.84 per lot as an in lieu fee. (The total cost of these improvements is \$4,620,000, divided by 817 entitled units.)

Consistency with the Oakley Strategic Plan 27+

The proposed action is consistent with the Sustainable Organization Goal.

Fiscal Impact

The execution of the Memorandum of Understanding will allow the City to receive the above payments to mitigate impacts long identified in the ECCSP. If the City does not adopt this agreement, it will have no mechanism to recover these fees and would likely have to find an alternative source to fund the traffic impacts through other funds or sources.

Staff Recommendation

Staff recommends the City Council authorize the City Manager to execute the Memorandum of Understanding with Civic Summer Lake North, LLC.

Attachments

1. Memorandum of Understanding with Civic Summer Lake North, LLC
2. Resolution



MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF OAKLEY AND SUMMER LAKE NORTH, LLC

This Memorandum of Understanding (“**MOU**”), dated September 11, 2024, is entered into by and between the City of Oakley, a municipality (“**City**”) and Civic Summer Lake North, LLC, a Delaware limited liability company (“**Owner**”) (each, a “**Party**” and collectively the “**Parties**”) with regard to the following:

RECITALS

A. Owner is the fee title owner and developer of that certain real property commonly known as Summer Lake North (the “**Project**”) and more particularly described on **Exhibit 1** attached hereto.

B. A dispute has arisen between Owner and the City regarding the amount of the traffic impact fee that is due and payable by Owner to City. Owner contends that it is only required to pay the City’s approved and published “Traffic Impact Fee,” on a per lot basis, as of the date that the Owner obtains a building permit; the City disagrees, claiming that Owner is responsible for payment of an additional traffic impact fee that is allegedly due on a per lot basis as a result of the Project entitlements, including but not limited to the Project Development Agreement (as amended from time-to-time) and the East Cypress Corridor Specific Plan Mitigation Monitoring Plan (“**ECCSP MMP**”).

C. The Parties wish to settle this dispute and have agreed upon the terms for payment of an additional traffic impact fee, which, when paid on a per lot basis as outlined herein, the Parties agree will fully and finally settle any claim by City that Owner has failed to meet its obligations related to traffic impacts under the ECCSP MMP (including, but not limited to, Mitigation Numbers 3.13-13 and 3.13-20 through 3.13-30, inclusive).

AGREEMENT

NOW THEREFORE, in consideration of the foregoing premises and the promises, covenants, and mutual undertakings set forth below, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties hereto, the Parties hereto agree as follows:

1. **Traffic Impact Fee.** Owner shall pay, on a per lot basis, the following additional traffic impact fees in order to fully and finally settle any claim by the City that Owner has amounts due and owing pursuant to the ECCSP and the ECCSP MMP:

Lot Designations	Number of SFD Lots*	Per SFD Lot Payment**	Total Projected Payments
First 817 SFD lots	817	\$1,000	\$817,000
Brady-Kurtz/Custom Lots	16	\$8,000	\$128,000
Large Lot 822	54	\$8,000	\$432,000
Large Lot 823	85	\$8,000	\$680,000
Large Lot 824	131	\$8,000	\$1,048,000
School site	106	\$8,000	\$848,000
Commercial site	51	\$8,000	\$408,000
TOTAL	1260		\$4,361,000
*Approved, anticipated, or potential SFD lots			
**Paid at the time Owner pays SFD building permit fees			

Payment of these additional traffic impact fees does not alter or amend the existing Project entitlements or approvals, which remain in full force and effect.

2. Bethel Island Road In-Lieu Fee. In-lieu of constructing the required improvements on Bethel Island Road per Conditions of Approval numbers 45, 51, 53, 56, 68 and 77 (“**Conditions**”), City and Developer have agreed that Developer will pay an in-lieu fee, calculated as a prorated per-unit share of one-half of the total cost of the ultimate, planned improvements that would be constructed in accordance with the Conditions, and based upon the costs in Exhibit 1 attached to this MOU. In total, Developer has agreed to pay \$5,654.83 per lot as an in lieu fee, which per lot cost represents the quotient of \$4,620,000.00 (calculated as Developer’s one half share of the total cost for the planned improvements required by the Conditions, as set forth in in Exhibit 1 attached hereto) divided by 817 (the already-existing entitled lots with planned dwelling units per the table in Paragraph 1 above). The parties recognize the in lieu fee provided in this paragraph may be adjusted for inflation pursuant to the Engineering News-Record, or “ENR,” index in the manner and at the time the City regularly adjusts its other adopted development impact fees for inflation.

3. No Limitation on City Discretion or Guarantee of Approval. This MOU shall not be deemed to be or interpreted as any limitation on the discretion of the City or its City Council, Planning Commission, staff, employees, consultants, or contractors in reviewing, applying, or complying with any law, statute, regulation, plan, ordinance, or authority related to the City’s consideration and approval of the Project, including but not limited to the California Environmental Quality Act, State Planning and Zoning Law, the Subdivision Map Act, and Titles 8 and 9 of the Oakley Municipal Code. Nothing in this Agreement shall be deemed to be or interpreted as any guarantee, promise, or covenant of the City to approve the Project, or any discrete component of or application that is part of the Project, or of approval of any entitlement affecting any lots or sites that comprise the Project. The parties recognize and agree that the fee agreed upon in the foregoing Paragraph shall be paid only to the extent the City grants approvals or entitlements as Owner has requested.

4. Miscellaneous

4.1 Counterparts; Electronic Signature. This MOU may be executed in several counterparts and all so executed shall constitute one agreement, binding upon all of the Parties hereto, notwithstanding that all of the Parties are not signatories to the original or the same counterparts. The Parties may also deliver executed copies of this MOU to each other by facsimile or by electronic copy (e.g. pdf) including by electronic signature (e.g., docuSign, adobesign), which facsimile or electronic signatures shall be binding as if they were originals.

4.2 Voluntary Agreement. It is expressly understood and agreed that this MOU has been voluntarily entered into by the Parties, and that it may not be altered, amended or modified, except by a writing executed by a duly authorized representative of both Parties. This writing contains the full agreement of the Parties and is not subject to any oral alteration, amendment or modification of any kind.

4.3 Agreement to Cooperate. The Parties hereby agree to cooperate fully and execute any and all supplementary documents and take all additional actions that may be necessary or appropriate to give full force and effect to the basic terms and intent of this MOU.

4.4 Governing Law. This MOU has been negotiated and entered into in the State of California. It shall be governed by, construed, and enforced in accordance with the laws of the State of California in effect as of the date of this Agreement and according to its fair meaning as if prepared by all Parties hereto.

4.5 Severability. If for any reason any portion of this MOU shall be determined to be illegal, invalid, void or unenforceable, the validity and enforceability of all and any portions of this MOU shall not be affected thereby.

4.6 Legal Counsel. Each of the individuals executing this MOU represents that they have read it, understand it, have had the opportunity to consult with their legal counsel with regard to it, and have the necessary authority, capacity and/or approval needed to execute it on behalf of those entities listed below. Each Party hereto agrees to bear his, their or its own attorney's fees and costs incurred with respect to the above-referenced matters and/or this MOU.

4.7 No Assignment of Rights. No Party has assigned, hypothecated, or transferred, nor will they in the future, in any manner, assign or transfer, or purport to assign or transfer, to any other entity, person, corporation, or anyone else, any claim, demand or cause of action based upon or arising out of or in conjunction with any matter, fact or thing described in this MOU.

4.8 Construction. This MOU is to be construed fairly and not in favor of or against any Party regardless of which Party or Parties drafted or participated in the drafting of its terms. It is acknowledged that all Parties have had an opportunity to consult with their attorneys concerning the terms and conditions of this MOU. As a result, this MOU shall be deemed to have been drafted by all Parties hereto and no Party shall urge otherwise. No representation, warranty or guarantee, express or implied, has been made by any Party or their counsel regarding the tax effect of the transactions contemplated by this MOU. The Parties have relied on their own investigation and knowledge with respect to all tax aspects of this MOU.

4.9 Enforcement. The terms and existence of this MOU shall be admissible in any legal proceeding brought pursuant to Code of Civil Procedure §664.6 to enforce compliance with any of the terms and provisions of this MOU.

4.10 Joint Drafting. This MOU is the product of negotiation and preparation by and among the Parties and their respective attorneys. Neither this MOU nor any provision thereof shall be deemed prepared or drafted by one Party or another, or its' attorneys, and shall not be construed more strongly against any Party. Additionally, the Parties hereby waive the provisions of Civil Code section 1654, which provides: In cases of uncertainty not removed by the preceding rules, the language of a contract shall be interpreted most strongly against the party who caused the uncertainty to exist.

4.11 Integration. This MOU constitutes the entire understanding and agreement between and among the Parties with regard to the matters herein set forth. There are no representations, warranties, agreements, arrangements, undertakings, oral or written, between or among the Parties hereto relating to the subject matter of this MOU, which are not fully expressed herein. This MOU shall be interpreted according to its own terms, as defined in this MOU or otherwise according to their ordinary meaning, without any parol evidence. This is an integrated agreement.

4.12 Attorney's Fees. If legal action of any kind is brought to enforce the terms of this MOU, the prevailing Party in any litigation brought for that purpose shall recover reasonable attorney's fees and costs of investigation, experts, appeal and enforcement of any judgment obtained in connection therewith.

4.13 Full Force and Effect. The Development Agreement and all other project entitlements are hereby ratified and shall remain in full force and effect; provided, however, that in the event of a conflict between the terms of this MOU and the interpretation of those entitlements, the terms of this MOU shall prevail.

[Signatures on following page]

IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the date written above.

CITY:

The City of Oakley, a California municipality

By: _____

OWNER:

CIVIC SUMMER LAKE NORTH, LLC,
a Delaware limited liability company

By: _____

Approved as to form:

Derek P. Cole
City Attorney

RESOLUTION NO. XX-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY AUTHORIZING
THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH CIVIC
SUMMER LAKE NORTH, LLC REGARDING THE SUMMER LAKE NORTH
DEVELOPMENT (SUBDIVISION 9307)**

WHEREAS, Civic Summer Lake North, LLC (“Developer”) is the owner of the entitled land use development known as Summer Lake North, Subdivision 9307 (“Project”); and

WHEREAS, the City has discussed with Developer the funding, through a fee-based mechanism, certain traffic impacts identified in the East Cypress Corridor Specific Plan (“ECCSP”) and associated with the Project that are not covered in the City’s Traffic Impact Fee; and

WHEREAS, the City and Developer have agreed to a per-lot fee schedule to cover the traffic impacts under the ECCSP and to avoid any disputes regarding such payments; and

WHEREAS, the City and Developer have memorialized their agreement concerning the payment of the ECCSP traffic impacts in a written memorandum of understanding they jointly wish to execute.

WHEREAS, the City and Developer have further agreed that in-lieu of the Developer’s construction of the required improvements on Bethel Island Road per Conditions of Approval numbers 45, 51, 53, 56, 68 and 77, Developer has agreed, and the City has agreed to accept, \$5,654.84 per lot as an in lieu fee.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley authorizes the City Manager to execute the Memorandum of Understanding Between the City of Oakley and Civic Summer Lake North, LLC.

BE IT FURTHER RESOLVED that the City Council finds that the approval of the Agreement is not subject to the California Environmental Quality Act (“CEQA”) because the agreement provides only for the creation of a funding mechanism and thus is not a project under 14 Cal. Code Regulations/CEQA Guideline § 15573(b)(4).

PASSED AND ADOPTED by the City Council of the City of Oakley this 10th day of September 2024 by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Anissa Williams, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

Business Name	Primary Contact Email Address	Primary Address Phone #	Full Primary Address	Active Licenses
RICKY DIAZ HANDYMAN LLC	RICKYDIAZHANDYMANLLC@GMAIL.COM	(925) 744-0375	5050 LIVE OAK AVE OAKLEY CA 94561-4103	HOME BASED BUSINESS LICENSE
SWEET RUSH BAKING CO	SWEETRUSHBAKINGCO@GMAIL.COM	(510) 867-4354	172 CORAL BELL WAY OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
TERRY'S TIMELESS TRAVELS	LEON@TERRYSTIMELESSTRAVELS.COM	(707) 567-4380	1378 MAPLE DR OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
TRUE MARK MART LLC		(415) 238-9003	250 CAPUTO CIR OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
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