



CONCORD ANNOTATED AGENDA

**REGULAR MEETING OF THE
CONCORD CITY COUNCIL/
CITY COUNCIL SITTING AS
THE LOCAL REUSE AUTHORITY**

Tuesday, September 1, 2015

7:45 p.m.

**City Council Chamber
1950 Parkside Drive, Concord, CA**

NOTE THE LATER STARTING TIME

**CLOSED SESSION
Garden Conference Room
5:30 p.m.**

Note: Agenda Items I through III were conducted in the City Council Chambers. Agenda Items IV and V were conducted in the Garden Conference Room, Wing A, 1950 Parkside Drive, Concord

- I. ROLL CALL – all present (Councilmember Hoffmeister arrived at 5:45 p.m.)**
- II. PUBLIC ANNOUNCEMENT (Open Session)**
- III. PUBLIC COMMENT (Open Session) (Public Comment Period will be limited to a total of 15 minutes)**

Juan Pablo Galvan, Save Mt. Diablo and Community Coalition for a Sustainable Concord, requested that the Reuse Project have open space, parks, and affordable housing.

Matt Leber, East Bay Housing Organization, Community Coalition for a Sustainable Concord, emphasized the need for affordable housing and to identify jobs for the Reuse Project. He noted that this project will contribute to making Concord a world class community.

Chris Fallon, Pittsburg, spoke of affordable housing and good paying jobs which create a healthy society and community.

Carlos Gallosa, Concord, requested that the Council pick a developer for the Reuse Project that is going to be a responsible developer that respects the worker and shared his hope that the project brings good jobs to Concord.

IV. CLOSED SESSION:

- a. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8.

Property: Area within Concord Community Reuse Plan

Negotiating Parties: Michael Wright – City of Concord
Alan Lee – Department of Navy, BRAC Project Office

Under Negotiation: Price, Terms of Payment

ACTION: Closed Session held.

- V. **ADJOURNMENT** - at 7:25 p.m. to reconvene in regular session in the Council Chamber.

**CITY COUNCIL
REGULAR MEETING
7:30 p.m. – City Council Chamber**

ROLL CALL – all present

PLEDGE TO THE FLAG – Councilmember Birsan

PUBLIC COMMENT PERIOD

Joe Partansky, Concord, spoke of date stamping agendas when they are posted, requested follow up from the Chief of Police or staff regarding a recent presentation by the Chief of Police, requested a Council prohibition of donations to Council for one year before voting on contracts with donors that may benefit, and recommended that the City of Concord work toward earning an award for its code of ethics.

George Fulmore, Concord, submitted and read into the record a suggested press release regarding Meadow Homes Spray Park.

Roseanne Nieto, Concord, spoke as a representative of the Neighborhood Alliance and offered assistance to improve communication and noted that they are thrilled with the appointment of Guy Bjerke as the Executive Director of the Local Reuse Authority.

Hope Johnson, Concord, spoke of the importance of the Master Developer selection for the Reuse Project and requested Mayor Grayson return campaign contributions to donors affiliated with Master Developer finalists.

1. **PRESENTATIONS**

- a. **Presentation** – to Father Marin of the St. Demetrios Greek Orthodox Church proclaiming September 18-20, 2015 as Greek Festival Days in Concord.
Presentation by Mayor Grayson.

ACTION: Mayor Grayson presented Father Marin of the St. Demetrios Greek Orthodox Church a proclamation declaring September 18-20, 2015 as *Greek Festival Days* in Concord.

2. **ANNOUNCEMENTS**

Mayor Grayson announced that he returned campaign contributions to donors affiliated with the Reuse Project Master Developer finalists and noted that if the donors had made their affiliation known, he would not have accepted them.

- a. **Announcing** – an extension to the recruitment to fill five positions on the Concord Pleasant Hill Health Care District Grant Committee, three members to serve a two-year term ending June 30, 2017 and two members to serve a four-year term ending June 30, 2019; and set Friday, September 25, 2015 at 5 p.m. as the deadline for receipt of applications by the City Clerk. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: City Clerk Fockler announced an extension to the recruitment to fill five positions on the Concord Pleasant Hill Health Care District Grant Committee, and set Friday, September 25, 2015 at 5 p.m. as the deadline for receipt of applications by the City Clerk.

**CITY COUNCIL
MATTERS**

3. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meeting of July 28, 2015. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: Minutes approved.

- b. **Matter to set for public hearing** – on Tuesday, September 8, 2015, at 7:00 p.m. in the City Council Chamber to consider City-initiated amendment to the Concord Development Code to correct minor code errors and inconsistencies, implement actions mandated by the State Legislature, and to codify policies discussed at prior study sessions. The proposed Development Code update would amend Sections 18.20.020, Personal Services Restricted Use Classifications; 18.40.020, Small Residential Care Facilities in Office and Commercial Districts; 18.200.130, Mechanical and Electronic Games; 18.200.050, Child Day Care Facilities; 18.200.200, Temporary Events, Uses, and Structures; Section 18.415.100, Decisions and Findings; 18.505.020, Time Limits and Extensions; and 18.540.090, Limitations of Actions. The Planning Commission recommended the City Council approve the proposed amendments by a 4-0 vote at its regular meeting held July 15, 2015. Recommended by the Director of Community and Economic Development.

ACTION: Public Hearing set for Tuesday, September 8, 2015, at 7:00 p.m. in the Council Chamber.

- c. **Matter to set for public hearing** – on Tuesday, September 8, 2015, at 7:00 p.m. in the City Council Chamber to consider a proposed resolution establishing a non-binding strategy for the annexation of Ayers Ranch, a 189± acre portion of unincorporated Concord. Any environmental review conducted under the California Environmental Quality Act (CEQA) will be considered with the annexation at a later date. Recommended by the Director of Community and Economic Development.

ACTION: Public Hearing set for Tuesday, September 8, 2015, at 7:00 p.m. in the Council Chamber.

- d. **Recommending** – the appointment of Judi Waterson to serve on the Contra Costa County Library Commission. Recommended by the Mayor.

ACTION: Judi Waterson appointed to serve on the Contra Costa County Library Commission for a term ending June 30, 2017.

- e. **Amending** – the Rules of the Planning Commission of the City of Concord to change the meeting start time to 6:30 p.m. Resolution No. 15-58 for adoption. (No fiscal impact) Recommended by the Director of Community and Economic Development.

ACTION: Resolution No. 15-58 adopted.

4. CITY COUNCIL CONSIDERATION ITEMS:

- a. **Authorizing** – the Mayor to execute a Cooperative Agreement with the Contra Costa Transportation Authority to fund the Monument Neighborhood Shuttle, and authorizing the City Manager to execute a Memorandum of Understanding with Monument Impact to define project responsibilities. (CIP Project No. 2279) Report by Ray Kuzbari, Transportation Manager.

Staff recommendation: Report heard, public testimony given, the Mayor authorized to execute a Cooperative Agreement with the Contra Costa Transportation Authority to fund the Monument Neighborhood Shuttle, and the City Manager authorized to execute a Memorandum of Understanding with Monument Impact to define project responsibilities.

- b. **Approving** – the Citywide On-Call Sidewalk Replacement Pilot Program, Project No. 2341, and appropriating project funding. (Measure J and Property Owner Payment) Report by Robert Ovadia, City Engineer.

Staff recommendation: Report heard, opportunity for public testimony given, the Citywide On-Call Sidewalk Replacement Pilot Program approved, and project funding appropriated.

**CITY COUNCIL SITTING
AS THE LOCAL REUSE AUTHORITY**

5. LOCAL REUSE AUTHORITY CONSENT ITEMS:

- a. **Approving** – the minutes from the special meeting of July 27, 2015. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: Minutes approved.

- b. **Approving** – an amendment to the Master Agreement for Professional Services associated with preparation of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station with H.T. Harvey & Associates (HTH), not to exceed \$110,000; and authorizing the Local Reuse Authority Executive Director to execute the amendment. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

ACTION: Amendment to the Master Agreement for Professional Services with H. T. Harvey & Associates not to exceed \$110,000 approved; the Local Reuse Authority Executive Director authorized to execute the amendment.

- c. **Approving** – an amendment to the Master Agreement for Professional Services associated with preparation of conceptual flood management plans and creek restoration plans in support of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station with Environmental Science Associates (ESA), not to exceed \$148,000; and authorizing the Local Reuse Authority Executive Director to execute the amendment. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

ACTION: Amendment to the Master Agreement for Professional Services with Environmental Science Associates not to exceed \$148,000 approved; the Local Reuse Authority Executive Director authorized to execute the amendment.

-
6. **CORRESPONDENCE** – City Council correspondence not selectively included in the following list is available for inspection during normal business hours by contacting the City Clerk at 671-3390.
- a. Proposed Press Release written and submitted by George Fulmore
 - b. Monument Neighborhood Shuttle Service Area Map – Item 4.a.

7. **PUBLIC COMMENTS ON PRESENTATION ITEMS – none.**

8. **CLOSED SESSION REPORTS – none.**

9. **COUNCIL AND STAFF REPORTS**

Councilmember Birsan spoke of the importance of a directly elected Mayor and his aspiration to have it implemented in Concord whether initiated by the City or by a petition.

Councilmembers shared information on events and activities in which they had participated since the last meeting and commented on items of interest.

Mayor Grayson announced an ad-hoc committee for a period of six months consisting of Councilmember Leone, Kirk Shelby from the Design Review Commission, and himself to provide review, comment, and recommendations on early California Architectural Design within the Downtown Concord Specific Plan Area.

10. **ADJOURNMENT** – at 9:06 p.m.

NOTICE

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting (Policy and Procedure No. 2, Section 4.24). For information on the next regular or special City Council meeting, please call (925) 671-3390.

NEXT REGULAR CITY COUNCIL MEETING: 7:00 p.m.; Tuesday, September 8, 2015.

MEETING RECORDS

City Council meetings are available for viewing on the City's website, www.cityofconcord.org and at the Concord Public Library. Copies of DVDs of the Council Meeting are available for purchase. Contact the City Clerk's Office at (925) 671-3390 for further information.

TELEVISED MEETINGS

All meetings are broadcast live on Comcast channel 28, Astound Broadband channel 29, and AT&T U-Verse channel 99. The meeting is replayed on the Wednesday following the meeting at 8 a.m., 2 p.m. and 7 p.m. Replays are also broadcast on Thursday, Friday and Saturday. Please check the City website, <http://www.cityofconcord.org/pdf/about/citynews/tvlistings.pdf>