

COUNCIL MEMBERS
Laura M. Hoffmeister, Mayor
Ronald E. Leone, Vice Mayor
Edi E. Birsan
Timothy S. Grayson
Daniel C. Helix

Civic Center
1950 Parkside Drive
Concord, CA 94519
www.cityofconcord.org



**ANNOTATED AGENDA
Regular Meeting of the
Concord City Council/City Council
Sitting as the Local Reuse Authority**

Tuesday,
September 27, 2016

6:30 p.m. - Open Session

Council Chamber
1950 Parkside Drive

Information for the public on participation at Council meetings can be found on the back of the Speaker Identification Card located near the Council Chamber entrance. Should you have any questions after consulting the Speaker Identification Card, please contact the City Clerk prior to the Council meeting.

AGENDIZED ITEMS – The public is entitled to address the City Council on items appearing on the agenda before or during the City Council’s consideration of that item. Each speaker will be limited to approximately three minutes.

1. OPENING

Roll Call – all present.

Pledge to the Flag – Councilmember Helix

2. PUBLIC COMMENT PERIOD

This is a fifteen minute Public Comment Period for items within the City Council’s subject matter jurisdiction that are not on this agenda. Each speaker will be limited to approximately three minutes. State law prohibits the City Council from acting at this meeting on any matter raised during the Public Comment Period.

Silvia Amico, Concord, spoke of crime and homeless at the Shamrock Complex located at 1133 Meadow Lane.

Anne Murray, Concord, spoke of crime and homeless at the Shamrock Complex located at 1133 Meadow Lane.

Tim Hintz, Concord, spoke of lack of disability access parking at the Concord Pavilion.

George Fulmore, Concord, spoke of rent control in Concord.

Paul Poston, Concord, thanked staff for being proactive in seeking response from him regarding ongoing projects on Hillsborough Drive in the Sun Terrace neighborhood, and spoke of eight days not being enough time to respond to four supplemental questions for applicants to the Concord Naval Weapons Station Reuse Project Community Advisory Committee.

3. PRESENTATIONS

- a. **Presentation** – by Ann Wrixton, Executive Director, Court Appointed Special Advocates (CASA) on the CASA Program. **Introduction by Mayor Hoffmeister.**

ACTION: Ann Wrixton, Executive Director, Court Appointed Special Advocates (CASA) presented an overview of the CASA Program.

- b. **Presentation** – of Business Recognition Awards to JJ Phair, Owner of EJ Phair, and Chris Robinson, Vice President, Fresenius. Overview of program by Pedro Garcia, Economic Development Specialist; introduction of recipients by Marilyn Fowler, President/CEO of the Concord Greater Chamber of Commerce. **Presentations by Mayor Hoffmeister.**

ACTION: Pedro Garcia, Economic Development Specialist, highlighted the Business Recognition Program and introduced Marilyn Fowler, President/CEO of the Concord Greater Chamber of Commerce, who presented Business Recognition Awards to EJ Phair and Fresenius.

- c. **Presentation** – by Carlyn Obringer, Chair of the Concord 4th of July Parade, to the winning entries of the 2016 4th of July Parade and special recognitions to supporters of the 4th of July activities, and presentation by Florence Weiss, Downtown Program Manager, to the sponsors of Concord's 2016 Music and Market Series. **Introduction by Mayor Hoffmeister.**

ACTION: Presentation made.

- d. **Presentation** – by Justin Ezell, Director of Public Works, on the preparation of Todos Santos Plaza for the holidays. **Introduction by Mayor Hoffmeister.**

ACTION: Director of Public Works Justin Ezell introduced Parks Manager Robert Kennedy who presented an overview of the preparation of Todos Santos Plaza for the holidays.

4. **ANNOUNCEMENTS**

Mayor Hoffmeister announced a program sponsored by the Walnut Creek Watershed Council on “Living Creeks: Native Fish in Urban Waterways” to be held at the Lafayette Veterans Memorial Center on October 12, 2016, from 5:30 p.m. – 9 p.m.

5. **CITY COUNCIL CONSENT CALENDAR**

The public is entitled to address the City Council on items appearing on the Consent Calendar before or during the City Council’s consideration of the Consent Calendar. Adoption of the Consent Calendar may be made by one motion of the City Council, provided that any Councilmember, individual or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the Mayor may defer action on the particular item and place the same on the regular agenda for consideration in any order s/he deems appropriate.

- a. **Considering** – award of On-Call Construction Contract for Citywide On-Call Sidewalk Replacement Pilot Program, Project No. 2341, to Kerex Engineering Inc. of Pleasant Hill, and authorizing direct project reimbursements. (Funded by Measure J and Project Reimbursements) Recommended by the Director of Community and Economic Development.

This project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Sections 15301 – Existing Facilities, 15302 – Replacement or Reconstruction, and 15304 – Minor Alterations to Land.

ACTION: On-Call Construction Contract for Citywide On-Call Sidewalk Replacement Pilot Program, Project No. 2341, to Kerex Engineering Inc. of Pleasant Hill approved, direct project reimbursements authorized.

- b. **Considering** – award of purchase of 2017 model telescopic aerial truck to Altec Industries in the amount of \$116,305. (Annual Vehicle Replacement) Recommended by the Director of Public Works.

ACTION: Purchase of 2017 model telescopic aerial truck in the amount of \$116,305 awarded to Altec Industries.

- c. **Considering** – award of a contract to DRT Paving and Grading Inc. in the amount of \$72,600 for Bailey Road Pothole Repair, and authorizing the City Manager to execute the contract in a form acceptable to the City Attorney. (Measure Q, State Gas Tax and Measure J Local Funds) Recommended by the Director of Public Works.

This project is categorically exempt from further review under the provisions of the California Environmental Quality Act under CEQA Guidelines Sections 15301(b) “Existing Facilities” and 15302 “Replacement or Reconstruction” as the project consists of minor alteration to existing public facilities. A Notice of Exemption will be filed with the County Clerk’s Office after contract award.

ACTION: Contract to DRT Paving and Grading, Inc. in the amount of \$72,000 for Bailey Road Pot Hole Repair awarded, City Manager authorized to execute the contract in a form acceptable to the City Attorney.

- d. **Considering** – a motion of the City Council to initiate an application to rezone six properties west of Port Chicago Highway and north of Bates Avenue from Office Business Park (OBP) to Industrial Business Park (IBP.) Recommended by the Director of Community and Economic Development.

A motion to initiate a Rezoning Application does not constitute a “project” pursuant to the California Environmental Quality Act (CEQA) Sections 15352 and 15378, and Public Resources Code Section 21080(a).

ACTION: Motion was made to initiate an application to rezone six properties west of Port Chicago Highway and north of Bates Avenue from Office Business Park (OBP) to Industrial Business Park (IBP.)

- e. **Considering** – acceptance of improvements for FY14-15 Accessibility Improvements at Various Locations, Project No. 2325; directing the City Clerk to file a Notice of Completion; and approving a budget transfer in the amount of \$40,000 for Citywide Accessibility Improvements No. 3, Project No. 2357. Recommended by the Director of Community and Economic Development.

ACTION: Improvements for FY14-15 Accessibility Improvements at Various Locations, Project No. 2325 accepted; City Clerk directed to file a Notice of Completion; budget transfer in the amount of \$40,000 for Citywide Accessibility Improvements No. 3, Project No. 2357 approved.

- f. **Considering** – adoption of Resolution No. 16-3493.2 approving the creation of the Manager of Business Systems and Project Management classification assigned to the Unrepresented unit; Resolution No. 16-3493.3 approving the creation of the Network and Operations Manager classification assigned to the Unrepresented unit; and Resolution No. 16-3493.4 approving the creation of the Supervising Accountant classification assigned to the Office and Professional Employees International Union (OPEIU) representation unit. Recommended by the Director of Human Resources.

ACTION: Resolution No. 16-3493.2, 16-3493.3, and 16-3493.4 adopted.

- g. **Considering** – adoption of Ordinance No. 16-6 entitled, "An Ordinance Amending Concord Municipal Code Title 18 (Development Code), Chapter 18.180 (Signs), Sections 18.20.030 (Definitions), 18.180.040 (Review Authority), 18.180.060 (Master Sign Programs), 18.180.180 (Prohibited Signs), 18.180.110 (Sign Regulations for Specific Uses), and 18.180.130 (Standards for Specific Sign Types) in Order to Allow for the Inclusion of Freeway-Oriented Building Wall and Pylon Signs in Multi-Tenant Projects Subject to a Master Sign Program." Ordinance No. 16-6 was introduced on August 2, 2016 by reading of the title only and waiving further reading. Recommended by the City Clerk.

This item was pulled from the Consent Calendar by Concord resident Paul Poston and Mayor Hoffmeister.

ACTION: Ordinance No. 16-6 adopted by the following vote of the Council:

AYES: Birsan, Grayson, Helix, Leone NOES: Hoffmeister ABSENT: None

- h. **Considering** – approval of an Agreement for Professional Services in a not to exceed amount of \$80,000 to provide land surveying services related to the Area Plan for the former Concord Naval Weapons Station with Towill, Inc. (Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund) Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Professional Services with Towill, Inc. in a not to exceed amount of \$80,000 to provide land surveying services related to the Area Plan for the former Concord Naval Weapons Station approved.

6. CITY COUNCIL PUBLIC HEARING

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the public hearing is opened, except on public hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council level for discussion and action. Further comment from the audience will not be received unless requested by the Council. No public hearing shall commence after 10 p.m. unless approved by majority vote of the City Council.

- a. **Considering** – introduction of Ordinance No. 16-3 amending the Concord Municipal Code by adopting a text amendment to the Development Code (PL160109-DC) to Sections 18.185.020 and 18.185.040 of the Affordable Housing Ordinance to reduce the applicable project size from 5 units to 2 units; adoption of Resolution No. 16-6042.4 amending the City's Fees and Charges Resolution to increase Affordable Housing In-Lieu Fees for Ownership Projects, and adoption of Resolution No. 16-6042.5 amending the City's Fees and Charges Resolution to adopt Affordable Housing Impact Fees for Rental Projects, and approval of the Text and Fee Amendments as exempt from CEQA including and pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b)4. This item was continued from September 13, 2016. **Report by Joan Ryan, Senior Planner.**

ACTION: Report heard, public testimony given, item returned to Housing and Economic Development Committee by the following vote of the Council:

AYES: Grayson, Leone, Hoffmeister NOES: Birsan, Helix ABSENT: None

- b. **Considering** – adoption of Resolution No. 16-77 adopting the Bicycle, Pedestrian and Safe Routes to Transit Plan, Appendices, and Infrastructure Design Guidelines. **Report by Laura Simpson, Planning Manager.**

Statutorily exempt from California Environmental Quality Act pursuant to CEQA Guidelines Section 15262 (Article 18, Statutory Exemptions) which states that planning studies such as the Bicycle, Pedestrian and Safe Routes to Transit Plan do not require the preparation of an Environmental Impact Report or Negative Declaration.

ACTION: Report heard, public testimony given, Resolution No. 16-77 adopted by the following vote of the Council:

AYES: Birsan, Grayson, Leone, Hoffmeister NOES: None ABSENT: Helix

7. CORRESPONDENCE

Correspondence received at the City Council meeting will be listed here on the Annotated Agenda.

- a. Photos submitted by Tim Hintz
- b. CASA of Contra Costa County PowerPoint Presentation
- c. Tree Planter & Holiday Treatment PowerPoint Presentation
- d. Affordable Housing – Inclusionary Housing and Affordable Housing Impact Fees PowerPoint Presentation
- e. Letter from Browman Development Company, Inc. – Item No. 6.a
- f. Letter from Bike Concord – Item No. 6.b
- g. City of Concord Bicycle, Pedestrian and Safe Routes to Transit Plan PowerPoint Presentation

- h. Written comments from Jima Monson – Item No. 6.b
- i. Written comments from Gabi Rivas – Item No. 6.b

8. REPORTS AND ANNOUNCEMENTS

Closed Session Announcements – **none.**

City Manager or Staff Reports – **none.**

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

9. ADJOURNMENT – at 10:50 p.m. in memory of Richard “Dick” Allen.

Next Meeting: Regular meeting
 Date: October 11, 2016 – 6:30 p.m.

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with Easy Listener Sound Amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the Easy Listener Phonic Ear Personal Sound Amplifier from the City Clerk for personal use during Council meetings.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3021, at least five days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

The following is a list of regular **Council Committee** meeting dates. Most meetings are held in the Garden Conference Room, 1950 Parkside Drive, Concord. **NOTE: Meetings are subject to change or cancellation. For latest information and committee agendas please call 671-3158.**

| Committee | Chair/Member | Meeting Time |
|-------------------------------------------|---------------------|----------------------------------------|
| Policy Development & Internal Operations | Hoffmeister/Leone | 2 nd Thursday at 5:30 p.m. |
| Housing & Economic Development | Leone/Helix | 4 th Monday at 5:30 p.m. |
| Infrastructure & Franchise | Helix/Birsan | 2 nd Monday at 5:30 p.m. |
| Recreation, Cultural Affairs & Comm. Svc. | Grayson/Hoffmeister | 3 rd Wednesday at 5:30 p.m. |
| Youth & Education | Birsan/Grayson | 3 rd Monday at 5:30 p.m. |