

Please note 5:30 p.m. start time

COUNCIL MEMBERS

Laura M. Hoffmeister, Mayor
Edi E. Birsan, Vice Mayor
Ronald E. Leone
Timothy A. McGallian
Carlyn S. Obringer

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



**Regular Meeting of the
Concord City Council
ANNOTATED AGENDA**

Tuesday,
March 7, 2017

5:30 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

2. PUBLIC COMMENT

3. INTERVIEWS FOR THE COMMUNITY ADVISORY COMMITTEE (CAC)

- a. **Interview and appoint** – applicants for member and alternate positions on the Concord Naval Weapons Station Reuse Project Community Advisory Committee. **Report by Joelle Fockler, City Clerk.**

ACTION: Interviews held; opportunity for public testimony given; Colleen Geraghty appointed as Committee Member and Peggy Tweedie appointed as third alternate to the CAC.

4. **OPENING**

Pledge to the Flag – Councilmember McGallian

5. **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.

Nasrina Bargzie, Concord, spoke of concerns about civil rights protection for Concord immigrants and the Muslim community.

George Fulmore, Concord, spoke of a play structure at Meadow Homes Park and lack of project management status on the City's website.

6. **PRESENTATIONS**

- a. **Presentation** – to Briana Taylor and Margaret Romiti, American Red Cross Northern California Coastal Region Contra Costa County Leadership Council, proclaiming March as Red Cross Month in the City of Concord. **Introduction by Mayor Hoffmeister.**

ACTION: Proclamation declaring March as Red Cross Month in the City of Concord presented to Briana Taylor, Margaret Romiti, and Danny Schrerer, American Red Cross Northern California Coastal Region Contra Costa County Leadership Council.

- b. **Presentation** – to Nancy Juraka and April Rovero, Contra Costa MEDS Coalition, proclaiming March 2017 as Prescription Drug Abuse Awareness Month in the City of Concord. **Introduction by Mayor Hoffmeister.**

ACTION: Proclamation declaring March 2017 as Prescription Drug Abuse Awareness Month in the City of Concord presented to Nancy Juraka, Contra Costa MEDS Coalition.

- c. **Presentation** – of the results of the 2017 Citizen Satisfaction Survey by Bryan Godbe, Godbe Research. **Introduction by Leslye Asera, Community Relations Manager.**

ACTION: Community Relations Manager Leslye Asera introduced Bryan Godbe, Godbe Research, who presented the results of the 2017 Citizen Satisfaction Survey.

7. **ANNOUNCEMENTS**

City Manager Valerie Barone introduced Assistant City Manager Kathleen Tropa.

City Clerk Joelle Fockler announced that the Council is now equipped with a T-Coil Hearing Loop.

8. **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** – acceptance of the Concord 2030 General Plan Annual Progress Report, including the Housing Element Annual Progress Report, and authorization for submittal to state agencies as required. Recommended by the Director of Community and Economic Development.

Pursuant to CEQA Guidelines Section 153378(b)(5), the Concord 2030 General Plan Progress Report is not considered a “project” and no further environmental review is required.

ACTION: Concord 2030 General Plan Annual Progress Report, including the Housing Element Annual Progress Report accepted; submittal to state agencies as required authorized.

- b. **Considering** – adoption of Resolution Nos. 17-15, 17-16, 17-17, and 17-18 ordering the preparation of the Engineer's Report for the levy of annual assessments for the City's four Landscape and Lighting Maintenance Assessment Districts. (Maintenance District Funds) Recommended by the Director of Public Works.

ACTION: Resolution Nos. 17-15, 17-16, 17-17 and 17-18 adopted.

- c. **Considering** – award of purchase of sound system equipment to Third Ear Sound of Hayward in a not to exceed amount of \$120,000. (Information Technology Replacement Fund) Recommended by the Director of Public Works.

ACTION: Award of purchase of sound system equipment to Third Ear Sound in a not to exceed amount of \$120,000 approved.

- d. **Consideration** – award of two contracts for the Measure Q Pavement Repair Project #2 – Solano Way, Wren Avenue & Sixth Street Pavement Rehabilitation, Project No. 2361: (1) a Construction Contract in the amount of

\$2,407,016.60 to Granite Rock Construction, authorize staff to utilize the available project contingency for contract change orders up to 10% of the contract amount, and approve a related \$78,500 budget transfer; and (2) a Professional Services Agreement with CSG Consultants in the amount of \$137,420 for construction management services and \$15,000 for materials testing services (total contract amount of \$152,420); authorize the City Manager to execute the agreements, subject to approval of the City Attorney and accept and appropriate CalRecycle grant funds of \$60,450 to the Pavement Rehabilitation Project – Measure Q Pavement Repair Project #2. (Funded by Measure Q Lease Revenue Bond and Information Technology Operating Funds and a CalRecycle Grant). Recommended by the Director of Community and Economic Development.

The project qualifies for a Categorical Exclusion pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15301 – Existing Facilities, 15302 – Replacement and Reconstruction, and 15304 – Minor Alterations to Land.

ACTION: Construction Contract in the amount of \$2,407,016.60 awarded to Granite Rock Construction; staff authorized to utilize the available project contingency for contract change orders up to 10% of the contract amount, and related \$78,500 budget transfer approved; a Professional Services Agreement with CSG Consultants in the amount of \$137,420 for construction management services and \$15,000 for materials testing services (total agreement amount of \$152,420 approved; City Manager authorized to execute the contract and the agreement, subject to approval of the City Attorney; CalRecycle grant funds of \$60,450 accepted and appropriated to the Pavement Rehabilitation Project - Measure Q Pavement Repair Project #2.

- e. **Considering** – adoption of Resolution No. 17-20 designating alternates to act on behalf of Councilmembers in a disaster or emergency. Recommended by the City Clerk.

ACTION: Resolution No. 17-20 adopted as amended.

9. CITY COUNCIL CONSIDERATION 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.

- a. **Considering** – appointments to the City of Concord Planning Commission (three applicants to fill positions with terms ending February 28, 2021 and one unscheduled vacancy with a term ending February 28, 2019.) **Report by Joelle Fockler, City Clerk.**

ACTION: Dominic Aliano, Ray Barbour, and John Mercurio appointed to the Planning Commission with terms ending February 28, 2021 and Mark

Weinmann appointed to the Planning Commission with a term ending February 28, 2019.

- b. **Considering** – exterior building design changes to the Veranda Shopping Center. **Report by Frank Abejo, Principal Planner.**

The proposed design changes will not result in any significant impacts that were not analyzed in the Veranda Shopping Center Environmental Impact Report (EIR) certified by the City Council on August 2, 2016, none of the factors listed in Public Resources Code Section 21166 or CEQA Guidelines Section 15162 are present, and no changes to the EIR are necessary, therefore no additional environmental review is required.

ACTION: Report heard; public testimony given; staff directed to work with developer to make revisions to the exterior building design changes.

10. 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** – changes to the Development Code to implement new state law related to accessory (secondary) dwelling units, specifically: (1) introduction of Ordinance No. 17-2 amending the Concord Municipal Code as follows: a text amendment to the Development Code (PI1723-Dc), repealing and replacing Section 18.200.180 (Secondary Living Units) with Section 18.200.180 (Accessory Dwelling Units), and amending Sections 18.200 (Standards for Specific Uses), Chapter 18.20 (General Terms), Table 18.30.020 (Residential Districts), Table 18.35.020 (North Todos Santos District), Table 18.40.020 (Office and Commercial Districts), Table 18.45.020 (Downtown Districts), Table 18.50.020 (Business Park and Industrial Districts), Table 18.55.020 (Public/Quasi-Public District), Table 18.60.020 (Community Land Districts), Chapter 18.420 (Administrative Permits), Chapter 18.415 (Design and Site Review), Chapter 18.160 (Parking Loading and Access), and Chapter 18.55.060 (Design Criteria for Small Lot Single-Family Subdivisions), and a text amendment to Concord Municipal Code Chapter 13.05 (Sewer System) to bring the regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units into compliance with state law by reading of the title only and waiving further reading, and (2) adoption of Resolution No. 17-6042.1 to revise the Master Fee Schedule by establishing a Ministerial Review Fee and developing a process for evaluating sewer connection fees for different Accessory Dwelling Units.

Pursuant to the California Environmental Quality Act of 1970, Public Resources Code §21000 et seq., as amended, and implementing State CEQA Guidelines, Title 14, Chapter 3, of the California Code of Regulations (collectively, “CEQA”), the Amendment is statutorily exempt from CEQA review pursuant to Public Resources Code Section 21080.17 (“Act not applicable to local ordinances regulating construction of dwelling units and second units”) and CEQA Guidelines Section 15282(h) (“Other Statutory Exemptions”): “the adoption of an ordinance regarding second units in a single-family or multi-family residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.”

ACTION: Report heard; public testimony given; Ordinance No. 17-2 introduced by reading of the title only and waiving further reading; Resolution No. 17-6042.1 adopted.

11. CORRESPONDENCE

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

- a. Letter dated March 5, 2017 from Jennifer Folsom
- b. Proposed questions for CAC applicants
- c. Community Advisory Committee ballots
- c. Flyer on Contra Costa County Drug Related Overdose Deaths
- d. Flyer advertising a presentation on prescription drug trends and parenting tips
- e. Flyer advertising a free screening of the documentary Chasing the Dragon
- f. Flyer advertising the “Dose of Awareness” 5k walk/health expo
- g. Planning Commission ballots
- h. Benched Color Renderings for Veranda Design Modifications
- i. 2017 Community Priorities Survey PowerPoint Presentation
- j. Veranda Design Modifications PowerPoint Presentation
- k. Vice Mayor Birsan’s comments on the Veranda Design Modification PowerPoint Presentation
- l. Accessory Dwelling Units & Junior Accessory Dwelling Units PowerPoint Presentation
- m. Multi-faith ACTION Coalition petition in support of JADUs and ADUs

12. 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.**

13. ADJOURNMENT - at 12 a.m.

Next Meeting: Regular Meeting
 Date: 3/28/2017 - 6:30 PM

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with a T-Coil Hearing Loop. This system allows “T” coil reception of the audio proceedings. Please switch your hearing aid or cochlear device to the “T”, “T” Coil or telephone position. If you would like better audio reception, a loop receiver that picks up the audio loop is available from the City Clerk.

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/Birsan	2 nd Thursday at 6:00 p.m.
Housing & Economic Development	Leone/Obringer	4 th Monday at 5:30 p.m.
Infrastructure & Franchise	Birsan/Hoffmeister	2 nd Monday at 6:00 p.m.
Recreation, Cultural Affairs & Comm. Svc.	Obringer/McGallian	3 rd Wednesday at 5:30 p.m.
Youth & Education	McGallian/Leone	3 rd Monday at 5:30 p.m.