

COUNCILMEMBERS

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

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



Tuesday,
March 6, 2018

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 Hoffmeister

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.

Eric Vandetta, Aerielle Spusta, Beth Bremer, and Aline Lee from Wren Avenue Elementary School of the Arts, a magnet school, spoke of the programs at the school.

Anna Rikkelman, Concord, commended the City’s Engineering Division, and specifically Mark Migliore, on the completion of the Treat/Denkinger/Clayton Road project.

George Fulmore, Concord, spoke of access to Concord schools, commented that the Rent Review Board should meet monthly, and spoke of Stand Together CoCo.

Hope Johnson, Concord, spoke of her disappointment in the reduction of public comment timing from three minutes to two minutes at the last public hearing on District Elections.

Laura Nakamura, Concord, spoke of wanting to speak in public and not in a one-on-one meeting with a Councilmember and the need for improvements to make Cowell Road safer.

3. PRESENTATIONS

- a. **Presentation** – to Anne O, American Red Cross Northern California Coastal Region Contra Costa County Leadership Councilmember, proclaiming March 2018 as "American Red Cross Month" in the City of Concord. **Introduction by Mayor Birsan.**

ACTION: Presentation made.

- b. **Presentation** – of Business Recognition Awards to Jamie and Dana Finegold, TART (JD FINE); Monika Luedtke, DJ Bistro; and Volker Stieber, Prowess. Overview of program by Pedro Garcia, Economic Development Specialist; introduction of recipients by Marilyn Fowler, President/CEO, and Sharon Jenkins, Chair of the Board, Concord Greater Chamber of Commerce. **Presentations by Mayor Birsan.**

ACTION: Business Recognition Awards presented to Jamie and Dana Finegold, TART (JD FINE); Monika Luedtke, DJ Bistro; and Volker Stieber, Prowess.

- c. **Presentation** – Legal Overview of new California Housing Legislation and the City of Concord's next steps to implement the new laws by Barb Kautz, Goldfarb and Lipman. **Introduction by Laura Simpson, Planning and Housing Manager.**

ACTION: Presentation made.

4. ANNOUNCEMENTS – none

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** – approval of the minutes from the meeting of January 23, 2018. Recommended by the City Clerk.

ACTION: Minutes from the meeting of January 23, 2018, approved.

- b. **Considering** – adoption of Ordinance No. 18-2 entitled, "An Ordinance of the City of Concord Amending Concord Municipal Code Chapter 2.35 (Elections) to Establish a By-District Election Process." Ordinance No. 18-2 was introduced on February 27, 2018, by reading of the title only and waiving further reading. Recommended by the City Clerk.

CEQA: Exempt under CEQA Guidelines Sections 15320, 15378, and 15061(b)(3).

This item was pulled from the Consent Calendar by Concord resident Hope Johnson.

ACTION: Ordinance No. 18-2 adopted.

- c. **Considering** – the award of a construction contract in the amount of \$3,171,279.75 to Ghilotti Construction Company of Santa Rosa for the Farm Bureau Road Complete Streets – Phase 2 (Wren Ave. to Walnut Ave.), Project No. 2354, and authorizing staff to utilize the available project contingency for contract change orders up to 10 percent of the contract amount (Funded by Gas Tax, Measure Q Lease Revenue Funds, and Measure J Bond Funds) Recommended by the Director of Community and Economic Development.

CEQA: Categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15301 – Existing Facilities, 15302- Replacement and Reconstruction, and 15304 Minor Alterations of Land; statutorily exempt pursuant to Public Resources Code Section 20180.19 – Restriping of Streets and CEQA Guidelines Section 15282(j).

Item was pulled from the Consent Calendar by Councilmember Hoffmeister.

ACTION: Construction contract in the amount of \$3,171,279.75 awarded to Ghilotti Construction for the Farm Bureau Road Complete Streets – Phase 2 (Wren Ave. to Walnut Ave.), Project No. 2354; staff authorized to utilize the available project contingency for contract change orders up to 10 percent of the contract amount.

- d. **Considering** – adoption of Resolution No. 18-26 supporting Proposition 69 and opposing repeal of “The Road Repair and Accountability Act” (SB 1 – Beal), and approval to join the Coalition to Protect Local Transportation Improvements. Recommended by the Community Relations Manager.

ACTION: Resolution No. 18-26 adopted.

- e. **Considering** – adoption of Resolutions Nos. 18-20, 18-21, 18-22 and 18-23, ordering the preparation of the Engineer’s Report for the levy of the 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. 18-20, 18-21, 18-22, and 18-23 adopted.

- f. **Considering** – adoption of Resolution No. 18-24 adopting Contra Costa County Hazard Mitigation Plan Volume 1 – Planning Area-Wide Elements and Volume 2, Chapter 4 – City of Concord, as the City of Concord’s Local Hazard Mitigation Plan. Recommended by the Chief of Police.

ACTION: Resolution No. 18-24 adopted.

6. CORRESPONDENCE

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

- a. Proclamation – Putnam Clubhouse 10th Anniversary – presented 3/1/18
- b. Wren Avenue Elementary brochure
- c. Impact of New Housing Legislation PowerPoint
- d. Item 5.b. benched correspondence - email correspondence from Hope Johnson dated March 6, 2018
- e. Letter sent to Assemblymember Grayson from Mayor Birsan

7. REPORTS AND ANNOUNCEMENTS

Closed Session Announcements – **none**

City Manager or Staff Reports – **none**

Council Reports -

Mayor Birsan distributed a letter that he wrote to Assemblymember Grayson expressing his view as the Mayor that was not sent on City letterhead and asked for consensus for the Council to use City letterhead at will. Mayor Birsan did not receive consensus.

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

interest.

8. ADJOURNMENT – 10:30 p.m.

Next Meeting: Special Meeting
Date: 3/20/2018 - 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) 671-3031, 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.

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), or on the date that a written decision or written findings is mailed by first-class mail. 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 the next City Council meeting, regardless of whether it is a regular or special meeting. The City Council may be requested to reconsider a decision if the request is made by a City Council member who was on the prevailing side of the vote and at the same meeting that the decision was made. (Policy and Procedure No. 2, Section 4.24). For more information on the next regular or special City Council meeting, please call (925) 671-3390.

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