

JOINT MEETING OF THE
CONCORD CITY COUNCIL
AND THE CONCORD
PLANNING COMMISSION/
REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY APRIL 8, 2014

The Concord City Council met in a joint meeting with the Concord Planning Commission in the Council Chamber located at 1950 Parkside Drive at 5:30 p.m. on Tuesday, April 8, 2014, with Mayor Grayson presiding. All Councilmembers were present and Vice Chair Mercurio of the Concord Planning Commission was absent. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Edi Birsan, Dan Helix, Laura Hoffmeister, Ron Leone, Tim Grayson

PLANNING COMMISSIONERS PRESENT: Ernesto Avila, Robert Hoag, Tim McGallian, Carlyn Obringer

PLANNING COMMISSIONERS ABSENT: John Mercurio

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney; Mary Rae Lehman, City Clerk; Joelle Fockler, Deputy City Clerk,; Victoria Walker, Director of Community and Economic Development; Carol Johnson, Planning Manager; Joan Ryan, Senior Planner

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Miriam Hernandez, Concord; Nati Flores, Concord; Joel Devalcourt, Greenbelt Alliance; Peter Wallar, EBHO; Rev. Will McGarvey, Interfaith Council of Contra Costa County; Dr. Harmesh Kumar, Interfaith Council of Contra Costa County; Adam Foster, Concord

PUBLIC COMMENT PERIOD

Miriam Hernandez, Concord, expressed her concern about safe and affordable housing and spoke about the difficulty she has experienced finding affordable and safe housing for her and her children.

Nati Flores, Monument Impact, spoke of a recent focus group held with the Monument community and the Greenbelt Alliance, and spoke of the concerns of the Monument community regarding not lodging complaints to landlords for fear of increased rent and the inability to move to a better environment due to affordability.

Joel Devalcourt, Greenbelt Alliance, encouraged the City Council and Planning Commission to look at the Housing Element as an opportunity to bring affordable residential development into the downtown and requested that the matrix and policies that define the Housing Element align with the Downtown Specific Plan.

Peter Wallar, East Bay Housing Organization (EBHO), stated support for all kinds of housing in the downtown and particularly the importance of affordable housing in the downtown, and requested that the Council and Commission consider affordability when developing the Housing Element.

Rev. Will McGarvey, Interfaith Council of Contra Costa County, asked that a diversity of affordable housing be considered in development of the Housing Element and encouraged mixed neighborhoods for people of mixed income levels.

Dr. Harmesh Kumar, Interfaith Council of Contra Costa County, noted that he has been providing housing for developmentally and mentally disabled individuals for the past 20 years and requested that Council and the Commission sustain housing for these subgroups.

Adam Foster, Concord, spoke in favor of parking maximums, increased density for downtown commercial development, and larger secondary dwelling units.

STUDY SESSION – Housing Element Update 2014-2022 for Cycle 5

Senior Planner Joan Ryan, referring to the memorandum dated April 8, 2014, introduced Janet Smith-Heimer, BAE Urban Economics, who presented the project team's initial findings and current housing data. She asked key policy questions and requested feedback necessary to move forward with preparation of the Draft Housing Element.

Following comments by the Planning Commissioners and the City Council respectively, staff was directed to proceed with the Housing Element Update.

Mayor Grayson called a recess at 7:18 p.m. and reconvened the meeting at 7:27 p.m.

CITY COUNCIL
REGULAR MEETING

ROLL CALL

COUNCILMEMEBERS PRESENT: Edi Birsan, Dan Helix, Laura Hoffmeister, Ron Leone, Tim Grayson

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney; Scott P. Johnson, Assistant City Manager; Leslye Asera, Community Relations Manager; Victoria Walker, Director of Economic and Community Development; Jeff Roubal, Fleet Management Program Manager; Ray Kuzbari, Transportation Manager; Police Chief Guy Swanger; Justin Ezell, Public Works Director; Karan Reid, Director of Finance; Joelle Fockler, Deputy City Clerk

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Keith Cormier, Battalion Chief, Contra Costa County Fire Protection District; Carlyn Obringer, Concord Ambassadors; Ray Barbour, Concord; George Fulmore, Concord; Rich Eber, Concord; Don Mount, Concord; Shawna Moreland, PG&E; Tom Guarino, PG&E; Scott Jenny, Martinez

PUBLIC COMMENT PERIOD

Keith Cormier, Battalion Chief, Contra Costa County Fire Protection District, introduced himself and the on-duty crew who provide fire protection and emergency services for the citizens of the City of Concord.

Carlyn Obringer, Concord Ambassadors, invited the public to an event to be held with the Greater Concord Chamber of Commerce at the Brenden Theatre on April 17, 5:30 p.m. – 7:30 p.m., to showcase the origami Rainbow Bridge sculpture that is on display at the Theatre. She noted that host families are needed for visitors from Kitakami, Japan from October 2 - 5, 2014.

Ray Barbour, Concord, spoke of his recent attendance to a recent La Vista/Markham Park neighborhood watch meeting, and presented the Council with a list of suggestions on improvement at the park.

George Fulmore, Concord, shared his experience ordering tickets for Concord Pavilion shows, stating that the prices listed for tickets online vary from the prices presented when purchased in person at the Pavilion. Mr. Fuller also commented on the content and circulation of the Contra Costa Times newspaper.

Rich Eber, Concord, announced the Diversity Spring Festival, to be held on May 3, 2014. He noted that host families are needed for home stays from visitors from China, aged 10 – 16, for the period May 1 – 5, 2014.

PRESENTATIONS

POLICE DEPARTMENT ACTIVITIES – QUARTERLY UPDATE

Mayor Grayson introduced Chief of Police Guy Swanger who gave a presentation on police department activities and answered questions about the department's operations, goals and objectives.

ANNOUNCEMENTS – None

CITY COUNCIL MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Leone to approve the minutes from the meetings of March 22 and March 25, 2014. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 14-3521.1 – Installation of All-Way STOP Control at the Intersection of Stanwell Drive and Bisso Lane

Motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 14-3521.1 entitled, "A RESOLUTION AMENDING THE TRAFFIC RESOLUTION, SECTION C, STOP INTERSECTIONS," authorizing the installation of All-Way STOP control at the intersection of Stanwell Drive and Bisso Lane for an estimated total cost of \$3,000. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT TO FUTURE FORD, RFB #2282 - Two 2015 Ford F-350 Stake Body Trucks

Motion was made by Hoffmeister and seconded by Leone to award a contract to Future Ford as the lowest responsive bidder in the amount of \$54,676.32 to purchase two new 2015 Ford F-350 stake body trucks. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 14-21 – Demand that Pacific Gas & Electric Refrain from all Tree Removal Activities in the City of Concord

This item was pulled from the consent calendar by Don Mount, Concord, who questioned PG&E's safety program.

Following comments by the Councilmembers, Mayor Grayson opened a public comment period.

Shawna Moreland, PG&E, spoke to address the resolution, noted that PG&E and the City share aesthetic concerns, and that PG&E wishes to find a balance between beauty and safety and believes that there is a meeting point.

Tom Guarino, PG&E, reported that PG&E has been working closely with the City Attorney and City Manager to resolve the issue and that nothing would be done by PG&E until there is an agreement in place with the City of Concord.

Mayor Grayson closed the public comment.

City Attorney Mark Coon, referring to the memorandum dated April 8, 2014, reported that while PG&E has recently agreed to “pause” their Pathways Project, a plan to cut down over 700 trees in Concord and over 3,000 trees countywide, it remains important for the City Council to express their position formally, through adoption of Resolution No. 14-21. He relayed that many of the trees slated for pruning or destruction under the Pipeline Pathways Project are protected under the City of Concord’s Protected Tree Ordinance, some in place before PG&E installed its gas pipeline.

Following additional comments by the Councilmembers, a motion was made by Hoffmeister and seconded by Helix to adopt Resolution No. 14-21 entitled, “A RESOLUTION DEMANDING THAT PACIFIC GAS & ELECTRIC COMPANY REFRAIN FROM ALL TREE REMOVAL ACTIVITIES IN CITY OF CONCORD,” with noted typographical changes. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 14-22 – Resolution of Necessity

Notice of the public hearing was posted in the Civic Center posting cabinet, mailed to interested parties, and published in the Contra Costa Times on March 25, 2014.

City Attorney Mark Coon gave a report, referring to the memorandum dated April 8, 2014, stating the City is allowed to acquire by eminent domain a permanent right-of-way and utility easement and a temporary construction easement from the property located at 4300 Clayton Road and 4420 through 4498 Treat Boulevard, and advising that the action is essential to the Clayton Road/Treat Boulevard Intersection Capacity Improvements Project, which will widen the Treat Boulevard approach of the intersection to the appropriate level to allow for an 8-phase signal operation, substantially increasing the intersection’s capacity and improving its level of service during the PM peak period.

Following comments by the Councilmembers, Mayor Grayson opened a public comment period.

Scott Jenny, Martinez, Attorney for Myron Zimmerman, Bel Air Development, urged the Council not adopt the proposed Resolution of Necessity, and asked that should the resolution be adopted, to please provide Mr. Zimmerman with a full appraisal. Mr. Jenny also requested a striping study.

Ray Barbour, Concord, spoke of his support for widening the road.

Mayor Grayson closed the public comment.

Following additional comments by the Councilmembers, motion was made by Helix and seconded by Hoffmeister to adopt Resolution No. 14-22 entitled, “A RESOLUTION AUTHORIZING THE ACQUISITION BY EMINENT DOMAIN OF A PORTION OF ASSESSOR PARCEL NUMBERS 133-150-009, 108, 121, 122, 13, AND 124 (4300 CLAYTON ROAD AND 4420-4498 TREAT BOULEVARD, CONCORD, CA) FOR A PERMANENT RIGHT OF WAY AND UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE CITY OF CONCORD’S CLAYTON/TREAT BOULEVARD/DENKINGER ROAD INTERSECTION CAPACITY IMPROVEMENT PROJECT (CODE OF CIVIL PROCEDURE SECTION 1245.230),” and authorize the City Manager to accept the funds as part of the approval of the Resolution of Necessity. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Copy of suggestions regarding Markham Park submitted by Ray Barbour during the public comment period.
- b. Copy of the PowerPoint presentation given by Police Chief Guy Swanger.
- c. List of events and meetings that Vice Mayor Ron Leone had participated in during the period March 26 through April 8, 2014.

CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

The Councilmembers shared highlights of some of the events and activities in which they had participated over the past couple of weeks.

By order of the Mayor, the meeting was adjourned at 10:34 p.m.

TIMOTHY S. GRAYSON
MAYOR

RONALD E. LEONE
VICE MAYOR

JOELLE FOCKLER, CMC
DEPUTY CITY CLERK