

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL/THE  
CONCORD CITY COUNCIL SITTING  
AS THE LOCAL REUSE AUTHORITY  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, MARCH 1, 2016

The Concord City Council met in a regular meeting in the City Council Conference Room located in Wing A at 1950 Parkside Drive at 5:30 p.m. on Tuesday, March 1, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session under Government Code Section 54957, Public Employment, Title: City Attorney.

The meeting recessed at 6:15 p.m. to reconvene in regular session in the Council Chamber.

The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 6:30 p.m. on Tuesday, March 1, 2016, with Vice Mayor Leone presiding. The pledge of allegiance was led by Councilmember Helix. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

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

COUNCILMEMBERS ABSENT: Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Brian Libow, Interim City Attorney; Tim McGallian, City Treasurer, Joelle Fockler, City Clerk; Jovan Grogan, Deputy City Manager; Guy Swanger, Chief of Police; Guy Bjerke, Director of Community Reuse Planning; Victoria Walker, Director of Community and Economic Development; Steve Voorhies, Director of Parks and Recreation; Justin Ezell, Director of Public Works; Robert Ovadia, City Engineer; Kevin Marstall, Senior Civil Engineer; Andy Mogensen, Principal Planner; G. Ryan Lenhardt, Senior Planner; David Boatwright, Administrative Analyst; Mark Migliore, Associate Civil Engineer; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC  
WHO ADDRESSED THE COUNCIL: Dr. Harmesh Kumar, Concord; Erica Ramos, Concord; Marisol Chavez, First Five Contra Costa; Rhea Elina Laughlin, First Five Contra Costa; Ana Villalobos, Monument Impact; Coire Reilly, Contra Costa Health Services; Ned Stilinovich, Ned's Auto Body Supply, Inc.

PUBLIC COMMENT PERIOD

Dr. Harmesh Kumar, Concord, addressed the Council and stated that he is not scared.

PRESENTATIONS – none

ANNOUNCEMENTS

City Clerk Joelle Fockler reminded the City Council and the public that there is one opening on the Concord Pavilion Community Outreach Committee for a term ending, February 28, 2017. The recruitment closes at 5 p.m. on Friday, March 4, 2016, and applications are due to the City Clerk by 5 p.m. on Friday, March 4.

CITY COUNCIL/LOCAL REUSE AUTHORITY  
MATTERS

APPROVAL OF MINUTES

Motion was made by Helix and seconded by Birsan to approve the minutes from the meeting of February 9, 2016. Motion carried by the following vote of the Council:

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

ADOPT RESOLUTION NOS. 16-13, 16-14, 16-15 AND 16-16 – Landscape and Lighting Maintenance Assessment District

Motion was made by Helix and seconded by Birsan to adopt Resolution Nos. 16-13, 16-14, 16-15 and 16-16 ordering the preparation of the Engineers Report for the levy of annual assessments for the City's four Landscape and Lighting Maintenance Assessment Districts.

- (1) Downtown Landscape Maintenance District - Resolution No. 16-13 for adoption.
- (2) Pine Hollow Landscape Maintenance District - Resolution No. 16-14 for adoption.
- (3) Landscaping and Lighting Maintenance District #3 - Resolution No. 16-15 for adoption.
- (4) Citywide Street Lighting Assessment District - Resolution No. 16-16 for adoption.

Motion carried by the following vote of the Council:

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

SET PUBLIC HEARING

Motion was made by Helix and seconded by Birsan to set a public hearing for Tuesday, March 22, 2016, at 6:30 p.m. in the Council Chamber to consider adoption of Resolution No. 16-3 to revise the Master Fee Schedule and introduction of Ordinance No. 16-2 amending the Concord Municipal Code by adopting a City-Initiated Text Amendment to the Development Code (PD 16024-DC), Section 18.200.180, Secondary Living Units, for a Two-Year Pilot Program for Small Secondary Living Units. Motion carried by the following vote of the Council:

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

ACCEPT THE CONCORD 2030 GENERAL PLAN ANNUAL PROGRESS REPORT

Motion was made by Helix and seconded by Birsan to accept the *Concord 2030 General Plan* Annual Progress Report, including the Housing Element Annual Progress Report and direct

staff to submit the report to the Governor's Office of Planning and Research and to the State Department of Housing and Community Development. Motion carried by the following vote of the Council:

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

ADOPT ADDENDUM TO TEAMSTERS UNION LOCAL 856 MEMORANDUM OF UNDERSTANDING – Communications Training Officer (CTO)

Motion was made by Helix and seconded by Birsan to adopt an addendum to the existing Memorandum of Understanding with Teamsters Union Local 856 providing Communications Training Officer training pay differential for dispatchers. Motion carried by the following vote of the Council:

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

AWARD CONTRACT TO FUTURE FORD OF CONCORD IN THE AMOUNT OF \$138,090.90 – Five (5) 2016 Ford Interceptor SUVs

Motion was made by Helix and seconded by Birsan to award a contract to Future Ford of Concord in the amount of \$138,090.90 for five 2016 Ford Interceptor SUV's. Motion carried by the following vote of the Council:

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

AWARD CONTRACT TO FLYERS ENERGY IN THE AMOUNT OF \$55,478.50 PER YEAR – Diesel Fuel

Motion made by Helix and seconded by Birsan to award a two-year contract with three, one-year extension options to Flyers Energy of San Bruno, California, in the amount of \$55,478.50 per year to provide diesel fuel as needed. Motion carried by the following vote of the Council:

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

EXTEND COUNCIL COMMITTEE ON EARLY CALIFORNIA ARCHITECTURAL REVIEW

Motion made by Helix and seconded by Birsan to extend the Council Committee on Early California Architectural Review through September 2016 and reappointing Vice Mayor Ron Leone, Councilmember Tim Grayson and Design Review Board member Kirk Shelby. Motion carried by the following vote of the Council:

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

ADOPT RESOLUTION No. 16-11 – Brenden Mann Foundation Grant

Motion made by Helix and seconded by Birsan to adoption Resolution No. 16-1, accept a \$68,000 grant from the Brenden Mann Foundation, appropriate the funds for Downtown Patrol Program Services; and authorize the City Manager to execute all required documents. Motion carried by the following vote of the Council:

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

APPROVE AMENDMENT TO MASTER AGREEMENT – H.T. Harvey & Associates

Motion made by Helix and seconded by Birsan to approve 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 \$80,000; and authorize the Executive Director of the LRA to execute the agreement. Motion carried by the following vote of the Council:

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

APPROVAL OF MEASURE WW FUND REALLOCATION IN THE AMOUNT OF \$775,000 – Ellis Lake and Meadow Homes Park

City Engineer Robert Ovadia presented a report, referring to the staff report dated March 1, 2016, and noting that most of the City's Measure WW projects have been completed, but there was \$365,000 of residual funds saved from other projects and those funds were allocated towards improvements at Ellis Lake Park and Meadow Homes Park; however, those projects were not fully funded. Mr. Ovadia noted staff identified savings at other Measure WW projects. The total requested reallocation of \$775,000 will fully fund the improvements at Meadow Homes Park and fund the continued expansion of the playground and pathway enhancements at Ellis Lake Park.

Following questions by the Council, Vice Mayor Leone opened a public comment period.

Erica Ramos, Concord, spoke in favor of staff recommendations for the improvements at Ellis Lake Park.

Marisol Chavez, First Five Contra Costa, spoke in favor of the improvements at both Ellis Lake and Meadow Homes Parks.

Rhea Elina Laughlin, First Five Contra Costa, spoke in favor of the improvements proposed by staff and thanked the Council and staff for progress made over the last six months.

Ana Villalobos, Monument Impact, spoke in favor of the improvements at Ellis Lake and Meadow Homes Parks.

Coire Reilly, Contra Costa Health Services, commended staff for keeping them in the loop on the

Vice Mayor Leone closed the public comment period.

Motion by Grayson and second by Birsan to approve Measure WW reallocation in the amount of \$775,000 as presented, authorized staff to prepare the necessary Measure WW applications for submission to the EBRPD by the March 31, 2016 deadline; and authorize the City Engineer to sign the subject application documents. Motion carried by the following vote of the Council:

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

PROGRESS REPORT ON THE SUBDIVISION ORDINANCE UPDATE PROJECT

Senior Planner G. Ryan Lenhardt presented a report, referring to the staff report dated March 1, 2016, and noting that the updated Subdivision Ordinance will align with the City's Development Code with the General Plan vision through a unified set of regulations and design standards for development. He commented that the Planning Commission held a study session on the proposed Subdivision Ordinance updates on January 6, 2016, where they provided feedback and direction. He then turned the presentation over to the project consultant, Ben Noble of Ben Noble City and Regional Planning who presented the Subdivision Ordinance Update goals and process.

Following questions by the City Council, Vice Mayor Leone opened a public comment period, and upon receiving no comments, closed the public comment period.

Council provided feedback on the issues and information presented by Mr. Lenhardt and Mr. Noble.

ACCEPTANCE OF TWO PROPOSED APPLICATIONS TO AMEND THE GENERAL PLAN AND ZONING FOR TWO DEFINED AREAS TO WEST CONCORD MIXED USE (WMX) – BMW, 1967 Market Street and Mazda, 1951 Concord Avenue

Principal Planner Andrew Mogensen presented a report, referring to the staff report dated March 1, 2016, and noting that the item before the Council is not for a project, rather a request for a motion to allow Impact Motors, Inc. (BMW) and DG Concord, LLC. (Mazda) to submit applications to amend the General Plan and zoning for two defined areas to West Concord Mixed Use (WMX).

Following questions by the City Council, Vice Mayor Leone opened a public comment period.

Ned Stilinovich, Ned’s Auto Body Supply, Inc., Concord, questioned what the impact of the two projects would be on his business, which is located near the two projects.

Vice Mayor Leone closed the public comment period.

Following comments by the City Council, a motion was made by Grayson and seconded by Helix directing staff to allow both Impact Motors, Inc. (BMW) and DG Concord, LLC. (Mazda) to proceed with an application for their proposed General Plan and Zoning amendments, as per Concord Development Code Section 18.455.020. Motion carried by the following vote of the Council:

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

CCORRESPONDENCE

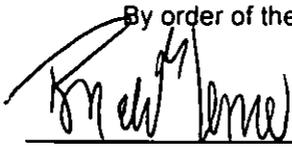
- a. Letter submitted by BMW Concord for Agenda Item No. 4.c.
- b. Progress Report Subdivision Ordinance Update Powerpoint Presentation.

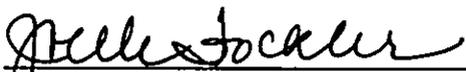
CLOSED SESSION REPORTS – none

COUNCIL AND STAFF REPORTS

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

By order of the Vice Mayor, the meeting was adjourned at 7:35 p.m.

  
 \_\_\_\_\_  
 RONALD LEONE  
 VICE MAYOR

  
 \_\_\_\_\_  
 JOELLE FOCKLER, MMC  
 CITY CLERK