

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, NOVEMBER 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, November 1, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session for Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1).) Name of case: Diaz v. City of Concord, et. al., Contra Costa County Superior Court Case No. C14-02179.

The meeting recessed at 6 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, November 1, 2016, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Councilmember Birsan. 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, Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Tim McGallian, City Treasurer, Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Karan Reid, Director of Finance; Victoria Walker, Director of Community and Economic Development; Jeff Lewis, Director of Information Technology; Steve Voorhies, Director of Parks and Recreation; Robert Ovadia, City Engineer; Robert Beckler, Systems and Programming Manager; Damaris Sambajon, Systems and Programming Manager; Tim Stuart, Information Technology Manager; Brenda Kain, Program Manager; Mark Migliore, Associate Civil Engineer; Pedro Garcia, Economic Development Specialist; Deborah Yamamoto, Senior Financial Analyst; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Olivia Rivera, Concord; Gabi Rivas, Concord; Hope Johnson, Concord; Mary Harms, Martinez; Teri House, Pittsburg; Greg Colley, Concord; Mary Dahlquist, Concord; George Fulmore, Concord; Bob Lane, Pleasanton; Carlyn Obringer, Concord; Harmesh Kumar, Concord; Eduardo Torres, Tenants Together

PUBLIC COMMENT PERIOD

Olivia Rivera and Gaby Rivas, Central County Regional Group/First 5 Contra Costa, spoke in support of a rent moratorium in Concord.

Hope Johnson, Concord, wanted to ensure that it was on record that the Council is on notice because Lennar and Five Point are having to redo their financials for the Bay View Hunter's Point project; and requested that Lennar and Five Point's financials be constantly reviewed.

Mary Harms, Contra Costa Labor Council, spoke in support of a rent moratorium in Concord and requested that the item be put on the November 29 City Council meeting agenda.

Terri House, Contra Costa Council on Homelessness, spoke on National Hunger and Homeless Awareness week, which is scheduled for November 12-20, 2016.

Greg Colley, Concord, spoke in support of a temporary rent moratorium in Concord, dialog with all concerned stake holders, and fair and balanced policies for all Concord residents.

Mary Dahlquist, Concord, spoke of how gardens can help wildlife, her concern over the decline of birds and supporting wildlife through plant life.

George Fulmore, Concord, spoke in support of a rent moratorium and of the status of Capital Improvement Projects.

Bob Lane, Faith Alliance for a Moral Economy, spoke in support of affordable housing in Concord.

Carlyn Obringer, Concord, spoke of transportation options for Concord seniors.

Harmesh Kumar, Concord, spoke of both the expense of staying at an assisted living facility and the expense of running an assisted living facility.

Eduardo Torres, Tenants Together, spoke in support of a rent moratorium in Concord.

PRESENTATIONS

CONTRA COSTA COUNTY CONCORD LIBRARY – Culture, Community and Connections Program

Mayor Hoffmeister introduced Lynne Noone, Contra Costa County Library, who gave a presentation on the Culture, Community and Connections Program.

MUNICIPAL INFORMATION SYSTEMS ASSOCIATION OF CALIFORNIA (MISAC) AWARD

Mayor Hoffmeister introduced Gaurav Garg, MISAC Board Member, who presented the Municipal Information Systems Association Systems Association of California Award to the City of Concord.

ANNOUNCEMENTS

Mayor Hoffmeister announced an open recruitment for the Board of Appeals, Personnel Board, Planning Commission, Design Review Board, Concord Pavilion Outreach Committee, Concord/Pleasant Hill Health Care District Grant Committee and Commission on Aging with a deadline for applications to the City Clerk by Friday, January 6, 2017.

TREASURER'S REPORT

City Treasurer Tim McGallian presented the Quarterly Treasurer's Report for the period July 1 – September 30, 2016.

Motion was made by Helix and seconded by Birsan to accept the Quarterly Treasurer's Report for the period July 1 – September 30, 2016. Motion passed by unanimous vote of the Council.

APPROVAL OF MINUTES

Motion was made by Grayson and seconded by Leone to approve the minutes from the meetings of June 7 and 14 and October 11 and 25, 2016. Motion passed by unanimous vote of the Council.

AWARD OF SITE CONSTRUCTION CONTRACT – Meadow Homes Park Playground Installation, Project No. 2352

Motion was made by Grayson and seconded by Leone to award a site construction contract in the amount of \$160,580 to McNabb Construction of Lafayette for the Meadow Homes Park Playground Installation (sitework), Project No. 2352, approve a related budget transfer; and authorize staff to utilize the available project contingency for contract change orders up to 10% of the amount of the construction contract. Motion passed by unanimous vote of the Council.

AWARD OF SITE CONSTRUCTION CONTRACT – Willow Pass Park Restroom Replacement, Project No. 2334

Motion was made by Grayson and seconded by Leone to award a site construction contract in the amount of \$167,716 to Sposeto Engineering of Livermore for the Willow Pass Park Restroom Replacement, Project No. 2334; and authorize staff to utilize the available project contingency for contract change orders up to 10% of the amount of the construction contract. Motion passed by unanimous vote of the Council.

CITY OF CONCORD POLICY AND PROCEDURE NO. 170 AND RESOLUTION NO. 16-6042.6 – Special Events Fees

Motion was made by Grayson and seconded by Leone to adopt changes to City of Concord Policy and Procedure No. 170, User Fees and Charges Cost Recovery Policy, adjusting Special Events Fees by 3% per annum, and adopt Resolution No. 16-6042.6 entitled, "A RESOLUTION AMENDING EXHIBIT A TO RESOLUTION NO. 78-6042 (ESTABLISHING FEES AND CHARGES FOR VARIOUS MUNICIPAL SERVICES IN THE CITY OF CONCORD) ADJUSTING CITY EMPLOYEE SERVICES FEES FOR SPECIAL EVENTS." Motion passed by unanimous vote of the Council.

ORDINANCE NO. 16-7 – Buildings and Building Regulations

Motion was made by Grayson and seconded by Leone to adopt Ordinance No. 16-7 entitled, "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TITLE 2 (ADMINISTRATION), TITLE 8 (HEALTH AND SAFETY), AND TITLE 15 (BUILDING AND BUILDING REGULATIONS)." Motion passed by unanimous vote of the Council.

ITEM TO SET FOR PUBLIC HEARING – Multiple-Family Rental Inspection Program Fees and Charges

Motion was made by Grayson and seconded by Leone to set a public hearing on Tuesday, November 29, 2016, at 6:30 p.m. (or as soon as the item can be heard) to consider

amending Concord Municipal Code Title 15 (Buildings and Building Regulations), Chapter 15.50 (Multiple-Family Rental Dwelling Units) and to consider proposed amendment to Table 3b of Resolution No. 78-6042 of the Master Fees and Charges Resolution to set for the Multiple-Family Rental Inspection Program fees and charges. Motion passed by unanimous vote of the Council.

ITEM TO SET FOR PUBLIC HEARING – Inclusionary Housing Fees

Motion was made by Grayson and seconded by Leone to set a public hearing on Tuesday, November 29, 2016, at 6:30 p.m. (or as soon as the item can be heard) to consider 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 and to consider Resolution No. 16-6042.4 amending the City's Fees and Charges Resolution to increase inclusionary housing fees. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-81 – California Statewide Communities Development Authority Revenue Bonds

Notice of the public hearing was published in the East Bay Times, posted in the City's posting cabinet and mailed to any interested parties on record on October 14, 2016.

Economic Development Specialist Pedro Garcia presented a report stating that the City of Concord received a request from Community Housing Works, a California nonprofit housing organization, to conduct a Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing that is a requirement for \$49 million in tax exempt bonds to be issued through the California Statewide Communities Development Authority (CSCDA.) He clarified that the purpose of the bond financing request is to fund the acquisition, construction, improvements, renovation, rehabilitation, remodeling and affordable housing extension of the 198-unit Sun Ridge Apartment Complex located at 1265 Monument Boulevard. Mr. Garcia emphasized that bond repayment is the sole responsibility of Community Housing Works, and the City of Concord will have no responsibility for bond repayments.

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

George Fulmore, Concord, spoke of concern of relocation requirements for the project.

Mayor Hoffmeister closed the public comment period.

Motion was made by Helix and seconded by Leone to adopt Resolution No. 16-81 entitled, "A RESOLUTION APPROVING THE ISSUANCE OF ONE OR MORE SERIES OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS (COMMUNITY HOUSING WORKS) SERIES 2016 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$39,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION IMPROVEMENT, RENOVATION, REHABILITATION AND REMODELING AT SUN RIDGE APARTEMENTS LOCATED AT 1265 MONUMENT BOULEVARD, CONCORD." Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Culture, Community and Connections 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 Mayor, the meeting was adjourned at 8:04 p.m.



LAURA M. HOFFMEISTER
MAYOR



JOELLE FOCKLER, MMC
CITY CLERK