



A G E N D A

**REGULAR MEETING OF THE
CONCORD CITY COUNCIL/
THE CONCORD CITY COUNCIL SITTING AS
THE LOCAL REUSE AUTHORITY
Tuesday, March 1, 2016
5:30 p.m. – Closed Session
6:30 p.m. – Open Session
1950 Parkside Drive, Concord, CA**

**CITY COUNCIL
REGULAR MEETING
CLOSED SESSION
5:30 p.m. – City Council Conference Room**

- I. ROLL CALL**
 - II. PUBLIC ANNOUNCEMENT**
 - III. PUBLIC COMMENT**
 - IV. CLOSED SESSION**
 - a. CLOSED SESSION UNDER GOVERNMENT CODE SECTION 54957
PUBLIC EMPLOYMENT
Title: (City Attorney)
 - V. RECESS TO OPEN SESSION**
-

**CITY COUNCIL
REGULAR MEETING
6:30 p.m. – City Council Chamber**

ROLL CALL

PLEDGE TO THE FLAG – Councilmember Helix

PUBLIC COMMENT PERIOD

- 1. PRESENTATIONS**
- 2. ANNOUNCEMENTS**

**CITY COUNCIL/CITY COUNCIL SITTING AS
THE LOCAL REUSE AUTHORITY
MATTERS**

3. CITY COUNCIL/LOCAL REUSE AUTHORITY CONSENT ITEMS:

- a. **Approving** – the minutes from the meeting of February 9, 2016. (No Fiscal Impact) Recommended by the City Clerk.

- b. **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. Resolution Nos. 16-13, 16-14, 16-15, and 16-16 for adoption. (Maintenance District Funds). Recommended by the Director of Community and Economic Development.
 - (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.

- c. **Matter to set for public hearing** – on March 22, 2016, at 6:30 p.m. in the City Council Chambers 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. Recommended by the Director of Community and Economic Development

Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the City Council adopted Resolution No. 15-2 on January 6, 2015, adopting a Negative Declaration for the Housing Element 2014-2022 General Plan Amendment to the Housing Element as Volume V of the *Concord 2030 General Plan* (“Approved Project”). The proposed Development Code changes are minor in nature and the codification of existing policy within the City’s Housing Element, which is the result of State legislative action, do not make substantial changes to the Approved Project or substantial changes with respect to the circumstances under which the Approved Project would be undertaken which would require revisions to the Negative Declaration due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects, there is no new information that would require preparation of a subsequent or supplemental EIR or negative declaration under Public Resources Code Section 21166 or CEQA Guidelines Section 15162, none of the elements requiring a subsequent or supplemental

negative declaration under Public Resources Code Section 21166 or CEQA Guidelines Section 15162 are met. In addition, the proposed code amendments will have minimal impact on the environment in that most all affected parcels would already be developed. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the project is classified as exempt pursuant to 15061(B)(3), falling within the “common sense” exemption set forth in 14 Cal. Code Regs. Section 15061(b)(3), excluding projects where “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment..” and no further environmental review is required. Moreover, future projects would undergo individual CEQA review.

- d. **Accepting** – 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. (No Fiscal Impact) Recommended by the Director of Community and Economic Development

Pursuant to CEQA Guidelines Section 15378(b)(5), the *Concord 2030 General Plan* Annual Progress Report is not considered a “project” and no further environmental review is required.

- e. **Adopting** – an addendum to the existing Memorandum of Understanding with Teamsters Union Local 856 providing Communications Training Officer (CTO) training pay differential for dispatchers. (General Fund) Recommended by the Director of Human Resources.
- f. **Awarding** – contract to Future Ford of Concord in the amount of \$138,090.90 for Five (5) 2016 Ford Interceptor SUVs. (Annual Vehicle Replacement Fund) Recommended by the Director of Public Works.
- g. **Awarding** – 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. (Fleet Operations Fund) Recommended by the Director of Public Works.
- h. **Extending** – 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. (No Fiscal Impact) Recommended by the Director of Community and Economic Development.
- i. **Accepting** – a \$68,000 grant from the Brenden Mann Foundation, appropriating the funds for Downtown Patrol Program Services, adopting Resolution No. 16-11 amending the Fiscal Year 2015-2016 budget, and authorizing the City Manager to execute all required documents. Recommended by the Chief of Police.

- j. **Approving** – 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. (Funding provided through a loan to the LRA from the General Fund that was approved and appropriated as part of the Adoption of the FY 2015/16 Budget) Recommended by the Director of Community Reuse Planning.
-

4. **CITY COUNCIL CONSIDERATION ITEMS:**

- a. **Accepting** – report on progress on the Subdivision Ordinance Update Project. Report by Ryan Lenhardt, Senior Planner.

Staff recommendation: Hear the report, take public testimony and provide feedback.

- b. **Approving** - Measure WW Fund Reallocation in the amount of \$775,000 to support park improvements at Ellis Lake and Meadow Homes Parks, and authorizing the City Engineer to sign the application. (Measure WW Fund) Report by Robert Ovadia, City Engineer.

Meadow Homes Playground Installation: This project will create an alteration an existing park facility, which will include installation of playground equipment, and is categorically exempt under CEQA Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction) and/or 15303 (New Construction or Conversion of Small Structures).

Ellis Lake Park & Playground Improvements Project: This project will expand the existing playground area that will include installation of new playground equipment in an existing park facility, and is categorically exempt under CEQA Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction) and/or 15303 (New Construction or Conversion of Small Structures).

Staff recommendation: Hear the report, take public testimony, authorize 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.

- c. **Directing** – staff to accept two proposed applications to amend the General Plan and Zoning for two defined areas to West Concord Mixed Use (WMX):
- A request by Import Motors Inc. to amend the General Plan Land Use and Zoning from Regional Commercial (RC) to West Concord Mixed (WMX) use for twelve parcels located along the west side of Market Street, east of Highway 242, North of Willow Pass Road and south of Concord Boulevard.

- A request by DG Concord LLC. to amend the General Plan Land Use and Zoning from Downtown Mixed Use (DMX) to West Concord Mixed Use (WMX), amend the Downtown Specific Plan, and amend Section 18.45.010 of the Development Code to revise the description of the location of West Concord Mixed Use Zoning District for six parcels located along the north side of Concord Boulevard between Market Street and Bonifacio Street.

Report by Andrew Mogensen, Principal Planner

Staff recommendation: Hear the report, take public testimony and direct 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.

5. **CORRESPONDENCE** – City Council correspondence not selectively included in the following list is available for inspection during normal business hours by contacting the City Clerk at 671-3390.
6. **CLOSED SESSION REPORTS**
7. **COUNCIL AND STAFF REPORTS**
8. **ADJOURNMENT**

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). 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 or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting (Policy and Procedure No. 2, Section 4.24). For information on the next regular or special City Council meeting, please call (925) 671-3495.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m., Tuesday, March 22, 2016

NOTICE TO PUBLIC

AGENDA REPORTS - Agenda reports are available for public viewing in a binder on the front staff desk.

PUBLIC COMMENT PERIOD - This is a fifteen-minute Public Comment Period for items not on this agenda, and 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

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.

SPEAKER’S CARD – Members of the audience who wish to address the City Council are requested to complete a Speaker’s Card available at the podium and in the Chamber foyer. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

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.

PUBLIC HEARINGS - 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/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency. No public hearing shall commence after 10 p.m. unless approved by majority vote of the City Council.

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with Easy Listener Sound Amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the Easy Listener Phonic Ear Personal Sound Amplifier from the City Clerk for personal use during Council meetings.

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) 671-3170, 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
Housing & Economic Development	Leone/Helix	4 th Monday at 5:30 p.m.
Infrastructure & Franchise	Helix/Birsan	2 nd Monday at 5:30 p.m.
Recreation, Cultural Affairs & Comm. Svc.	Grayson/Hoffmeister	3 rd Wednesday at 5:30 p.m.
Policy Development & Internal Operations	Hoffmeister/Leone	2 nd Thursday at 5:30 p.m.
Youth & Education	Birsan/Grayson	3 rd Monday at 5:30 p.m.

Correspondence received that constitutes a public record under the Public Records Act concerning any matter on this agenda is available for inspection during normal business hours by contacting the City Clerk's office at 1950 Parkside Drive, Wing A, Concord, CA.

MEETING RECORDS

DVDs of most City Council meetings are available for listening or viewing in the City Clerk's office and at the Concord Public Library. Copies of the DVDs may be purchased. Contact the Community Relations Manager at (925) 671-3272 for further information.

TELEVISED MEETINGS

All meetings are broadcast live on Comcast channel 28, Astound Broadband channel 29, and AT&T U-Verse channel 99. The meeting is replayed on the Wednesday following the meeting at 8 a.m., 2 p.m. and 7 p.m. Replays are also broadcast on Thursday, Friday and Saturday. Please check the City website, <http://www.cityofconcord.org/pdf/about/citynews/tvlistings.pdf>