

**Please note 7 p.m.
Open Session start time**

COUNCIL MEMBERS
Laura M. Hoffmeister, Mayor
Ronald E. Leone, Vice Mayor
Edi E. Birsan
Timothy S. Grayson
Daniel C. Helix

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



**Regular Meeting of the
Concord City Council**

March 22, 2016

5:30 p.m. – Closed Session
7:00 p.m. – Open Session

City 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. The City Clerk can be reached at (925) 671-3390 or joelle.fockler@cityofconcord.org.

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.

CLOSED SESSION

1. OPENING

Roll Call

2. PUBLIC ANNOUNCEMENT

3. PUBLIC COMMENT

4. CLOSED SESSION

- a. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: (Genessis Figueroa v. Mario Barajas, et al., Contra Costa County Superior Court Case No. 13-01035)

- b. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6.

City Negotiators: Valerie Barone, City Manager
Kay Winer, Interim Human Resources Director – Negotiations
Charles Sakai, Esq. and Don Turko of Renne, Sloan, Holtzman & Sakai

Employee Organizations: Administrative, Technical & Clerical Representation Unit and Field & Operations Representation Unit of International Brotherhood of Teamsters Local 856; Professional Representation Unit of OPEIU Local 29; Peace Officer Representation Unit of Concord Police Officers Association and Police Managerial Representation Unit of Police Management Association.

Unrepresented Units: Executive, Management & Confidential Employees

5. RECESS TO OPEN SESSION

6. OPENING

Roll Call

Pledge to the Flag – Vice Mayor Leone

7. 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.

8. PRESENTATIONS

- a. **Presentation** – by Mayor Hoffmeister proclaiming March 22, 2016, as Joseph Surges Day in the City of Concord, in honor of his retirement and service to the citizens of Concord. Introduction by the Chief of Police.

9. ANNOUNCEMENTS

- a. **Announcing** – a recruitment to fill five positions on the Commission on Aging, one to fill an unscheduled vacancy with a term ending June 30, 2017, one additional position with a term ending June 30, 2017, and three positions with terms ending June 30, 2019; and set Friday April 22, 2016, at 5 p.m. as the deadline for receipt of applications by the City Clerk. Recommended by the City Clerk.

- b. **Announcing** - a recruitment to fill one position on the Concord Pleasant Hill Health Care District Grant Committee to serve a one-year term ending June 30, 2017; and set Friday, April 22, 2016 at 5 p.m. as the deadline for receipt of applications by the City Clerk. Recommended by the City Clerk.

10. CITY COUNCIL 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. **Adopting** - Ordinance No. 16-1 Entitled, "An Ordinance Amending the Concord Municipal Code, Title 18, Development Code, Chapter 18.170 (Water Efficient Landscaping)." Ordinance No. 16-1 was introduced on February 23, 2016, by reading of the title only and waiving further reading. Recommended by the City Clerk.
- b. **Adopting** - Ordinance No. 16-425.1 Entitled, "An Ordinance Amending the Zoning Map as Follows: Autumn Brook Residential Subdivision Rezoning (PL140280-RZ) of Parcel 147-350-003 from RS-7 (Single Family Residential; 7,000 Square Foot Minimum Lot Size) to RL (Residential Low Density.) Ordinance No. 16-425.1 was introduced on February 23, 2016, by reading of the title only and waiving further reading. Recommended by the City Clerk.
- c. **Approving** - a contract in an amount up to \$47,000 for ALH Urban & Regional Economics to prepare an Economic Impact Analysis for the proposed Veranda Shopping Center located at 2001-2003 Diamond Boulevard (Funded by the Project Applicant) Recommended by the Director of Community and Economic Development.
- d. **Accepting** - improvements for FY 14-15 Pavement Maintenance Project (affecting 78 streets), Project No. 2329, constructed by Intermountain Slurry Seal, Inc. of Reno, Nevada, directing the City Clerk to File a Notice of Completion, and approving a Professional Services Agreement Amendment with Swinerton Management and Consulting for Construction Management Services in the Amount of \$3,400. (Funded by Measure J, Measure Q, and Golf Enterprise Funds) Recommended by the Director of Community and Economic Development.

- e. **Authorizing** - the acceptance and appropriation of funds for a grant in the amount of \$10,000 received by the Concord Police Department from the Tesoro Foundation to be used for CERT training. Resolution No. 16-17 for adoption. Recommended by the Chief of Police.
- f. **Confirming** – the recommendation for appointment of City of Concord Commission on Aging member Cathy McCaughey to serve on the Contra Costa County Advisory Council on Aging and directing the City Clerk to pass the information to the County Board of Supervisors for further action. Recommended by the Mayor.
- g. **Confirming** – the recommendation for reappointment of Keith McMahon to continue to serve as the City of Concord's representative on the Contra Costa County Aviation Advisory Committee for a two-year term ending March 1, 2018.
- h. **Authorizing** - the Contra Costa County Flood Control & Water Conservation District to maintain the already established annual parcel assessment of \$35 per single family residence a year for Fiscal Year 2016-17 for drainage maintenance and implementation of the National Pollutant Discharge Elimination System Program. Resolution No. 16-1 for adoption. Recommended by the Director of Public Works
- i. **Adopting** - the All-Hazards Emergency Operations Plan Dated March 2016. Resolution No. 16-19 for adoption. Recommended by the Chief of Police.
- j. **Awarding** – a contract to MatrixHG, Inc. in the amount of \$80,000 for emergency replacement of the hot water tank and boilers at the City of Concord Police Department. (Facilities Replacement Fund) Recommended by the Director of Public Works.
- k. **Approving** – the application for funding under Fiscal Year 2015-16 California Beverage Container Recycling City/County Payment Program. Resolution No. 16-6 for adoption. Recommended by the Director of Public Works.

11. CITY COUNCIL CONSIDERATION 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.

- a. **Appointing** - one applicant to fill an unscheduled vacancy on the Measure Q Oversight Committee for a term ending December 31, 2017.
Report by Joelle Fockler, City Clerk.

12. CITY COUNCIL PUBLIC HEARING

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.

- a. **Consideration** – of an amendment to the Concord Municipal Code by adopting a text amendment to the Development Code (PL16024-DC), Section 18.200.180, Secondary Living Units, to establish a two-year pilot program to remove barriers to the construction of small secondary living units; consideration of adopting revisions to the Master Fee Schedule; and directing staff to develop and implement a marketing and/or publicity campaign for the Secondary Unit Pilot Program. Ordinance No. 16-2 for introduction. Resolution No. 16-3 for adoption.

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. **Report by Joan Ryan, Senior Planner.**

13. CORRESPONDENCE

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

14. REPORTS AND ANNOUNCEMENTS

Closed Session Announcements

City Manager or Staff Reports

Council Reports

15. ADJOURNMENT

Next Meeting: Special Meeting
Date: 3/29/2016 – 6 p.m.