

Please note 5:30 p.m. 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](http://www.cityofconcord.org)



**Concord**  
**ANNOTATED AGENDA**  
**Special Meeting of the**  
**Concord City Council/City**  
**Council Sitting as the**  
**Local Reuse Authority**

Tuesday,  
November 29, 2016

5:30 p.m. - Open Session

Council Chamber  
1950 Parkside Drive

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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.

**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.

**1. OPENING**

**Roll Call – all present**

**Pledge to the Flag – Vice Mayor Leone**

**2. 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. If Public Comment goes longer than 15 minutes, then the item will be continued to the end of the City Council meeting.

Robyn Kuslits, Concord, thanked the Council for recognizing Transgender Day on November 20 in Concord.

Ryan Doronila, Concord, The Green Holistic Wellness Center, spoke of amending ordinances for marijuana use.

Dea Smith, Concord, thanked the Council for traffic mitigation in the Canterbury Village area.

Hope Johnson, Concord, complimented City staff on the election process and followed up on comments she made concerning conduct of public deliberation on the financial status of Lennar and how it applies to the Concord Naval Weapons Station.

Dr. Harmesh Kumar, Concord, thanked staff for their assistance during the election period, and thanked the candidates for running a fair campaign.

### 3. PRESENTATIONS

- a. **Presentation** – by Economic Development and Housing Manager John Montagh honoring Addie Mannion, 4th Grade, and Maggie Mannion, 2nd Grade, students at Highland Elementary, for their winning design used on the 2016 Holiday Pin. **Introduction by Mayor Hoffmeister.**

**ACTION: Mayor Hoffmeister introduced Economic Development and Housing Manager John Montagh who commended Addie and Maggie Mannion, students at Highland Elementary, for their winning designs used on the 2016 Holiday Pin. Mr. Montagh announced the annual Mayor’s Sing-Along and Official Tree Lighting at Todos Santos Plaza in downtown Concord on December 3.**

- b. **Presentation** – by Guy Bjerke, Director, Community Reuse Planning, on the status of the Community Reuse Project. **Introduction by Mayor Hoffmeister.**

**ACTION: Mayor Hoffmeister introduced Community Reuse Planning Director Guy Bjerke who gave an update on the Community Reuse Project.**

### 4. APPOINTMENTS

- a. **Consideration** – of appointments to the Concord Naval Weapons Station Reuse Project Community Advisory Committee (CAC.) Report by Joelle Fockler, City Clerk.

**ACTION: The following individuals were chosen through a balloting process to serve on the Concord Naval Reuse Project Community Advisory Committee:**

**Niko Anagnostopoulos, Darrin Walters, Rosanne Nieto, Ajit Kaushal, Philip Arnold, Russel Case, Susan Guest, Jerome Hudson, Jeffery Allen, Claudia Hein, Paul Sinz, and alternates Randall Horton, Charles Hoffman, and Stuart Posselt.**

## 5. CITY COUNCIL CONSENT CALENDAR

The public is entitled to address the City Council on items appearing on the Consent Calendar before or during the City Council's consideration of the 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. **Considering** – approval of the minutes from the meetings of June 28, July 5 and 12, and November 1 and 19, 2016. Recommended by the City Clerk.

**ACTION: Minutes from the meetings of June 28, July 5 and 12, and November 1 and 19, 2016 approved.**

- b. **Considering** – adoption of Resolution No. 16-84 authorizing the City Manager to negotiate and enter into new loan and regulatory agreements with Resources for Community Development to refinance existing affordable housing loans of \$5.6 million and obtain a new loan in the amount not to exceed \$1.1 million to renovate, repair and preservation of 97 existing affordable housing units in 16 buildings located along Camara Circle and Riley Court; and appropriate up to \$1.1 million from the Affordable Housing Fund as stipulated in the new loan agreement. Recommended by the Director of Community and Economic Development

This not considered a “project” under the California Environmental Quality Act (CEQA) per Public Resources Code Section 21065 and CEQA Guidelines Section 15378.

**ACTION: Resolution No. 16-84 adopted.**

- c. **Considering** – Reappointment of Edi Birsan to Serve on the John Muir/Mt. Diablo Community Health Fund Board of Directors. Recommended by Mayor Hoffmeister.

**ACTION: Councilmember Birsan appointed to serve on the John Muir/Mt. Diablo Community Health Fund Board of Directors for a term ending December 31, 2019.**

- d. **Considering** – award of a construction contract in the amount of \$337,351 to McNabb Construction of Lafayette for Ellis Lake Park Playground and Park Improvements, Project No. 2349; approve a related budget transfer; and authorize staff to utilize the available project contingency for contract change orders up to 10% of the contract amount. (Parkland Funds, Measure WW Grant Funds) Recommended by the Director of Community and Economic Development

The project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15303, New Construction, and 15304, Minor Alterations to Land.

**ACTION: Construction contract in the amount of \$337,351 awarded to McNabb Construction of Lafayette for Ellis Lake Park Playground and Park Improvements, Project No. 2349; related budget transfer approved; and staff authorized to utilize the available project contingency for contract change orders up to 10% of the contract amount.**

## 6. 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. **Discussing and Providing** – direction to staff regarding City Council Committee on Housing and Economic Development's recommendations on rent stabilization and tenant protection. Report by John Montagh, Economic Development and Housing Manager.

**ACTION: Staff was directed to create a rental housing telephone and website "hotline" for both tenants and landlords in both English and Spanish for the City's information only for units greater than 11 and to bring the implementation of a non-binding mediation program for tenants and landlords back to the Committee on Housing and Economic Development for consideration.**

- b. **Considering** – adoption of revisions to Policy and Procedure No. 2, City Council Meeting Procedures. Report by Joelle Fockler, City Clerk.

**ACTION: This item was continued to the December 13, 2016 City Council Meeting.**

## 7. CITY COUNCIL 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 level for discussion and action. Further comment from the audience will not be received unless requested by the Council. No public hearing shall commence after 10 p.m. unless approved by majority vote of the City Council.

- a. **Considering** – the introduction of Ordinance No. 16-8 Amending Concord Municipal Code Title 15, Chapter 15.20 Multi-Family Housing Inspection Program, the adoption of Resolution No. 16-6042.7 amending the City of Concord Fees and Charges Schedule, and the adoption of Resolution No. 16-3493.5 approving and authorizing new staffing positions and Policy and Procedure No. 171, "Multi-Family Rental Dwelling Inspection and Maintenance Program." Report by Robert Woods, Chief Building Official.

The proposed changes to the Multi-Family Inspection Program are not subject to environmental review under the California Environmental Quality Act (CEQA), as the administration of an inspection program is not considered a “project” pursuant to Public Resources Code Section 21065 and Section 15378 of the CEQA guidelines.

**ACTION: Ordinance No. 16-8 was introduced by reading of the title only and waiving further reading; Resolution No. 16-6042.7 adopted; Resolution No. 16-3493.5 adopted.**

- b. **Considering** – the introduction of 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 to reduce the minimum applicable project size, subject to the Affordable Housing Ordinance, from five units to two units, adoption of Resolution No. 16-6042.4 amending the City's Fees and Charges Resolution to increase in-lieu fees for ownership units within the City's Inclusionary Housing Program, effective on January 1, 2017, and adoption of Resolution No. 16-6042.5 amending the City's Fees and Charges Resolution to adopt affordable housing impact fees for development of rental units within the City's Affordable Housing Program, effective on July 1, 2018. Report by Joan Ryan, Senior Planner.

The project qualifies for a Categorical Exemption pursuant to Public Resources Code Section 21166, California Environmental Quality Act (CEQA) Guidelines Sections 15061(b)(3), 15162, and 15378(b)(4).

**ACTION: Ordinance No. 16-3 not introduced; Resolution No. 16-6042.4 adopted; Resolution No. 16-6042.5 adopted.**

## 8. **CORRESPONDENCE**

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

- a. Draft Concord Reuse Project Implementation Schedule
- b. Rental Housing in Concord PowerPoint Presentation
- c. Correspondence Received on Rent Stabilization Item
- d. Flyer from Food Bank of Contra Costa & Solano
- e. Article on the High Cost of Rent Control
- f. Letter submitted by the Multi-faith Action Coalition
- g. Remarks submitted by John DeSousa
- h. Remarks submitted by Cindy Molander
- i. Remarks submitted by Joel Devalcourt
- j. Proposed motions for Rent Stabilization submitted by Councilmember Birsan
- k. Proposed Multi-Family Inspection Program Changes PowerPoint Presentation
- l. Affordable Housing PowerPoint Presentation

**9. REPORTS AND ANNOUNCEMENTS**

Closed Session Announcements - **none**

City Manager or Staff Reports - **none**

Council Reports - **none**

**10. ADJOURNMENT – at 1:30 a.m.**

Next Meeting: Regular Meeting

Date: 12/6/2016 – 6:30 p.m.

**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) 671-3021, 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
Policy Development & Internal Operations	Hoffmeister/Leone	2 <sup>nd</sup> Thursday at 5:30 p.m.
Housing & Economic Development	Leone/Helix	4 <sup>th</sup> Monday at 5:30 p.m.
Infrastructure & Franchise	Helix/Birsan	2 <sup>nd</sup> Monday at 5:30 p.m.
Recreation, Cultural Affairs & Comm. Svc.	Grayson/Hoffmeister	3 <sup>rd</sup> Wednesday at 5:30 p.m.
Youth & Education	Birsan/Grayson	3 <sup>rd</sup> Monday at 5:30 p.m.