

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, SEPTEMBER 27, 2016

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, September 27, 2016, with Mayor Hoffmeister 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, Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Tim McGallian, City Treasurer; Joelle Fockler, City Clerk; Chief of Police Guy Swanger; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Guy Bjerke, Director of Community Reuse Planning; Elia Bamberger, Director of Human Resources; Jeff Lewis, Director of Information Technology; Ray Kuzbari, Transportation Manager; Robert Ovidia, City Engineer; Laura Simpson, Planning Manager; Mario Camorongan, Senior Civil Engineer; Joan Ryan, Senior Planner; Florence Weiss, Downtown Program Manager; Pedro Garcia, Economic Development Specialist; Robert Kennedy; Parks Manager; Jeff Rogers, Infrastructure Manager; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Silvia Amico, Concord; Anne Murray, Concord; Tom Hintz, Concord; George Fulmore, Concord; Paul Poston, Concord; Delores Ramos, Concord; Rhea Elina Laughlin, First 5; Zuleika Godinez, Concord; Mary Fenelon, East Bay Housing Organization; Matthew Leber, East Bay Housing Organization; Greg Colley, Concord; Coire Reilly, Concord; Claire Linder, Concord; Kenji Yamada, Concord; Laura Nakamura, Concord

PUBLIC COMMENT PERIOD

Silvia Amico, Concord, spoke of crime and homeless at the Shamrock Complex located at 1133 Meadow Lane.

Anne Murray, Concord, spoke of crime and homeless at the Shamrock Complex located at 1133 Meadow Lane.

Tim Hintz, Concord, spoke of lack of disability access parking at the Concord Pavilion.

George Fulmore, Concord, spoke of rent control in Concord.

Paul Poston, Concord, thanked staff for being proactive in seeking response from him regarding ongoing projects on Hillsborough Drive in the Sun Terrace neighborhood; and spoke of eight days not being enough time to respond to four supplemental questions for applicants to the Concord Naval Weapons Station Reuse Project Community Advisory Committee.

PRESENTATIONS

COURT APPOINTED SPECIAL ADVOCATES (CASA)

Mayor Hoffmeister introduced Ann Wrixton, Executive Director, Court Appointed Special Advocates (CASA), who gave a presentation on the CASA Program.

BUSINESS RECOGNITION AWARDS – EJ Phair and Fresenius

Economic Development Specialist Pedro Garcia presented an overview of the Business Recognition Awards program and introduced Marilyn Fowler, President/CEO of the Concord Chamber of Commerce who presented Business Recognition Awards to JJ Phair, owner of EJ Phair and Chris Robinson, Vice President of Fresenius.

4TH OF JULY 2016 PARADE AND 2016 MUSIC AND MARKET SERIES RECOGNITION

Mayor Hoffmeister introduced Downtown Program Manager Florence Weiss who presented 2016 Music and Market Series Sponsorship Certificates of Recognition to Concord Disposal, Tesoro, Golden Eagle, Pacific Service Credit Union, Ashby Lumber, Pacific Coast Farmers' Market, Concord Police Officers Association, Dolans Lumber, Hop Grenade, Brenden Mann Foundation, and Diablo Valley Exceeding Expectations.

Downtown Program Manager Weiss introduced Carlyn Obringer, 2016 4th of July Parade Chair, and Tim McGallian, 2016 Festival and Fireworks Chair.

Carlyn Obringer thanked the many volunteers who helped put on the parade and presented the following awards:

Most Patriotic – Concord High School Minutemen Marching Band

Favorite – Los Consejos de Brentwood

Tim McGallian thanked the volunteers and sponsors for the 2016 Festival and Fireworks and presented certificates to volunteers who helped with the event.

PREPARATION OF TODOS SANTOS PLAZA FOR THE HOLIDAYS

Director of Public Works Justin Ezell introduced Parks Manager Robert Kennedy who gave a presentation on the preparation of Todos Santos Plaza for the holidays.

ANNOUNCEMENTS

Mayor Hoffmeister announced a program sponsored by the Walnut Creek Watershed Council on "Living Creeks: Native Fish in Urban Waterways" to be held at the Lafayette Veterans Memorial Center on October 12, 2016, from 5:30 p.m. – 9 p.m.

ON-CALL CONSTRUCTION CONTRACT – Citywide On-Call Sidewalk Replacement Pilot Program, Project No. 2341

Motion was made by Grayson and seconded by Birsan to award an On-Call Construction Contract for Citywide On-Call Sidewalk Replacement Pilot Program, Project No. 2341, to Kerex Engineering Inc. of Pleasant Hill and authorizing direct project reimbursements. Motion passed by unanimous vote of the Council.

MODEL TELESCOPIC AERIAL TRUCK – Altect Industries

Motion was made by Grayson and seconded by Birsan to award the purchase in the amount of \$116,305 for the purchase of a 2017 model telescopic aerial truck. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Bailey Road Pothole Repair

Motion was made by Grayson and seconded by Birsan to award a contract to DRT Paving and Grading, Inc. in the amount of \$72,600 for Bailey Road Pothole Repair; and authorize the City Manager to execute the contract in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

MOTION TO INITIATE AN APPLICATION TO REZONE

Motion was made by Grayson and seconded by Birsan to initiate an application to rezone six properties west of Port Chicago Highway and north of Bates Avenue from Office Business Park (OBP) to Industrial Business Park (IBP.) Motion passed by unanimous vote of the Council.

ACCEPT IMPROVEMENTS – FY14-15 Accessibility Improvements at Various Locations, Project No. 2325

Motion was made by Grayson and seconded by Birsan to accept improvements for FY14-15 Accessibility Improvements at Various Locations, Project No. 2325, direct the City Clerk to file a Notice of Completion; and approve a budget transfer in the amount of \$40,000 for Citywide Accessibility Improvements No. 3, Project No. 2357. Motion passed by unanimous vote of the Council.

RESOLUTION No. 16-3493.2 – Manager of Business Systems and Project Management Classifications

Motion was made by Grayson and seconded by Birsan to adopt Resolution No. 16-3493.2 entitled, "A RESOLUTION APPROVING THE CREATION OF THE MANAGER OF BUSINESS SYSTEMS AND PROJECT MANAGEMENT CLASSIFICATION ASSIGNED TO THE UNREPRESENTED UNIT." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-3493.3 – Network and Operations Manager Classification

Motion was made by Grayson and seconded by Birsan to adopt Resolution No. 16-3493.3 entitled, "A RESOLUTION APPROVING THE CREATION OF THE NETWORK AND OPERATIONS MANAGER CLASSIFICATION ASSIGNED TO THE UNREPRESENTED UNIT." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-3493.4 – Supervising Accountant Classification

Motion was made by Grayson and seconded by Birsan to adopt Resolution No. 16-3493.4 entitled, "A RESOLUTION APPROVING THE CREATION OF THE SUPERVISING ACCOUNTANT CLASSIFICATION ASSIGNED TO THE OFFICE AND PROFESSIONAL EMPLOYEES UNION (OPEIU) REPRESENTATION UNIT." Motion passed by unanimous vote of the Council.

AGREEMENT FOR PROFESSIONAL SERVICES – Towill, Inc.

Motion was made by Grayson and seconded by Birsan to approve an Agreement for Professional Services with Towill, Inc. in a not to exceed amount of \$80,000 to provide land surveying services related to the Area Plan for the former Concord Naval Weapons Station. Motion passed by unanimous vote of the Council.

ORDINANCE NO. 16-6 – Amending Development Code

This item was pulled from the consent calendar by Concord resident Paul Poston and Mayor Hoffmeister.

Motion was made by Helix and seconded by Leone to adopt Ordinance No. 16-6 entitled, "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TITLE 18 (DEVELOPMENT CODE), CHAPTER 18.180 (SIGNS), SECTIONS 18.20.030 (DEFINITIONS), 18.180.040 (REVIEW AUTHORITY), 18.180.060 (MASTER SIGN PROGRAMS), 18.;180.080 (PROHIBITED SIGNS), 18.180.110 (SIGN REGULATIONS FOR SPECIFIC USES), AND 18.180.130 (STANDARDS FOR SPECIFIC SIGN TYPES) IN ORDER TO ALLOW FOR THE INCLUSION OF FREEWAY-ORIENTED BUILDING WALL AND PYLON SIGNS IN MULTI-TENANT PROJCTS SUBJECT TO A MASTER SIGN PROGRAM." Ordinance No. 16-6 was introduced on August 2, 2016 by reading of the title only and waiving further reading. Motion passed by the following vote of the Council:

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

ORDINANCE NO. 16-3 – Affordable Housing Ordinance, RESOLUTION NO. 16-6042.2 – In-Lieu Fees for Ownership Projects, RESOLUTION No. 16-6042.5 – Affordable Housing Impact Fees

Senior Planner Joan Ryan presented a report summarizing the proposed improvements to the City's Affordable Housing Program. The proposed improvements include adopting a text amendment to the Affordable Housing Ordinance to reduce the applicable project size from five to two units, increasing the in-lieu fees for ownership projects, and requiring a modest affordable housing impact fee for rental project.

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

Delores Ramos, Concord, spoke of lack of affordable housing in Concord.

Rhea Elina Laughlin, First Five Contra Costa, spoke of lack of affordable housing in Concord.

Zulika Godinez, Ensuring Opportunity Campaign, spoke of lack of affordable housing in Concord.

Mary Fenelon, Walnut Creek, East Bay Housing Organization, spoke of lack of affordable housing in Concord.

Matt Lieber, EBHO, spoke in favor of the housing impact fees.

Greg Colly, spoke in favor of the housing impact fees.

George Fulmore, Concord, spoke of a moratorium on rent increases in Concord.

Mayor Hoffmeister closed the public comment period.

A motion was made by Hoffmeister and seconded by Leone to return the item back to the Housing and Economic Development Committee for further revision and clarification.
Motion passed by the following vote of the Council:

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

Recess at 9:35 p.m. – Resumed at 9:45 p.m.

Councilmember Helix left the meeting.

RESOLUTION NO. 16-77 – Bicycle, Pedestrian and Safe Routes to Transit Plan, Appendices, and Infrastructure Design Guidelines

Planning Manager Laura Simpson reported that after two years of plan development and public outreach, the draft Concord Bicycle, Pedestrian, and Safe Routes to Transit Plan was released for public review on April 25, 2016, and in May, a number of public review meetings, including a community workshop and three study sessions were held to receive input on the draft Plan. She noted that Planning Commission, Plan Advisory Committee (PAC), and public comments were received and incorporated into the final Bicycle, Pedestrian and Safe Routes to Transit Plan, Appendices, and Infrastructure Design Guidelines. Ms. Simpson recommended that the City Council adopt Resolution No. 16-77 adopting the Bicycle, Pedestrian, and Safe Routes to Transit Plan, Appendices, and Infrastructure Design Guidelines. Ms. Simpson then introduced Jeff Knowles, Alta Planning + Design, who presented a report summarizing the Bicycle, Pedestrian and Safe Routes to Transit Plan development and public outreach.

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

City Clerk Joelle Fockler read into the record comments from Jima Monson and Gabi Rivas, Concord, in support of adoption of the Bicycle, Pedestrian and Safe Routes to Transit Plan.

Cindy Preuss, Concord, spoke in support of the Bicycle, Pedestrian and Safe Routes to Transit Plan and suggested installation of bike lockers.

Coire Reilly, Concord, spoke in support of the Bicycle, Pedestrian and Safe Routes to Transit Plan.

Claire Linder, Concord, spoke of bicycle safety in Concord.

Kenji Yamata, Concord, spoke of needed bicycle safety in the Bicycle, Pedestrian and Safe Routes to Transit Plan.

Laura Nakamura, Concord, spoke in support of the Bicycle, Pedestrian and Safe Routes to Transit Plan, and expressed concern over lack of continuous bike lanes on Concord Boulevard.

Mayor Hoffmeister closed the public comment period.

Following comments by the Council, a motion was made by Grayson and seconded by Birsan to adopt Resolution No. 16-77 entitled, "A RESOLUTION ADOPTING THE BICYCLE, PEDESTRIAN AND SAFE ROUTES TO TRANSIT PLAN, APPENDICES, AND INFRASTRUCTURE DESIGN GUIDELINES." Motion passed by the following vote of the Council:

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

CORRESPONDENCE

- a. Photos submitted by Tim Hintz
- b. CASA of Contra Costa County PowerPoint Presentation
- c. Tree Planter & Holiday Treatment PowerPoint Presentation
- d. Affordable Housing – Inclusionary Housing and Affordable Housing Impact Fees PowerPoint Presentation
- e. Letter from Browman Development Company, Inc. – Item No. 6.a
- f. Letter from Bike Concord – Item No. 6.b
- g. City of Concord Bicycle, Pedestrian and Safe Routes to Transit Plan PowerPoint Presentation
- h. Written comments from Jima Monson – Item No. 6.b
- i. Written comments from Gabi Rivas – Item No. 6.b

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 10:50 p.m. in memory of Richard “Dick” Allen.



LAURA M. HOFFMEISTER
MAYOR



JOELLE FOCKLER, MMC
CITY CLERK