

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/
CITY COUNCIL SITTING AS THE
LOCAL REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, MARCH 7, 2017

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The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 5:45 p.m. on Tuesday, March 7, 2017, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Councilmember McGallian. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Edi Birsan, Ron Leone, Tim McGallian, Carlyn Obringer, Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Kathleen Treppe, Assistant City Manager; Joelle Fockler, City Clerk; Chief of Police Guy Swanger; Victoria Walker, Director of Community and Economic Development; Steve Voorhies, Director of Parks and Recreation; Justin Ezell, Director of Public Works; Karan Reid, Director of Finance; Guy Bjerke, Director of Reuse Planning; Robert Ovadia, City Engineer; Laura Simpson, Planning Manager; Frank Abejo, Principal Planner; David Boatwright, Senior Administrative Analyst; Ali Hatefi, Associate Civil Engineer

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Nasrina Bargzie, Concord; George Fulmore, Concord; Rob Budetti; Dan Torres, UA Local 483; Frank Dodd, Lafayette; Cheryl Hale, Concord; Delores Loague, Concord; Jasmine Tarkoft, Lafayette; Jeff Koertzen, Concord; Kirk Shelby, Concord

INTERVIEWS FOR THE COMMUNITY ADVISORY COMMITTEE (CAC)

The City Council chose interview questions including:

1. What community involvement or life experience makes you a good representative of residents on the CAC?
2. What do the phrases "World Class" and "One Concord" mean to you?
3. Which community amenity in the Area Plan do you believe is most important for the success of the plan and why?
4. What is your single, biggest concern about the development of the Area Plan?
5. What is your understanding of the two main responsibilities of the CAC?

After questions were determined, interviews were held with applicants Peggy Tweedie, Colleen Geraghty, Jeanette Green, and Rico Ramirez to fill one Committee member and one alternate position on the Concord Naval Weapons Station Reuse Project Community Advisory Committee (CAC.) Following the interviews, a ballot vote was held, and Colleen Geraghty was appointed as Committee Member and Peggy Tweedie appointed as third alternate to the CAC.

PUBLIC COMMENT PERIOD

Nasrina Bargzie, Concord, spoke of concerns about civil rights protection for Concord immigrants and the Muslim community.

George Fulmore, Concord, spoke of a play structure at Meadow Homes Park and lack of project management status on the City's website.

PRESENTATIONS

RED CROSS MONTH

Mayor Hoffmeister presented a proclamation to Briana Taylor, Margaret Romiti, and Danny Schrerer, American Red Cross Northern California Coastal Region Contra Costa County Leadership Council, declaring March 2017 as Red Cross month in the City of Concord.

PRESCRIPTION DRUG ABUSE AWARENESS MONTH

Mayor Hoffmeister presented a proclamation to Nancy Juraka, Contra Costa MEDS Coalition, declaring March 2017 as Prescription Drug Abuse Awareness month in the City of Concord.

The Council then adopted the Consent Calendar.

ACCEPTANCE OF THE CONCORD 2030 GENERAL PLAN ANNUAL PROGRESS REPORT

Motion was made by Obringer and seconded by Birsan to accept the Concord 2030 General Plan Annual Progress Report, including the Housing Element Annual Progress Report, and authorize submittal to state agencies as required. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-15 – Downtown Landscape Maintenance District

Motion was made by Obringer and seconded by Birsan to adopt Resolution No. 17-15 entitled, "A RESOLUTION ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-16 – Pine Hollow Landscape and Lighting Maintenance District

Motion was made by Obringer and seconded by Birsan to adopt Resolution No. 17-16 entitled, "A RESOLUTION ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE PINE HOLLOW LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-17 – Landscape and Lighting Maintenance District No. 3

Motion was made by Obringer and seconded by Birsan to adopt Resolution No. 17-17 entitled, "A RESOLUTION ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 3." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-18 – Citywide Street Lighting Assessment District

Motion was made by Obringer and seconded by Birsan to adopt Resolution No. 17-18 entitled, “A RESOLUTION ORDERING THE PREPARATION OF AN ENGINEER’S REPORT FOR THE CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT.” Motion passed by unanimous vote of the Council.

AWARD OF PURCHASE – Sound System Equipment

Motion was made by Obringer and seconded by Birsan to award purchase of sound system equipment to Third Ear Sound of Hayward in a not to exceed amount of \$120,000. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – Measure Q Pavement Repair Project #2 – Solano Way, Wren Avenue and Sixth Street Pavement Rehabilitation, Project No. 2361

Motion was made by Obringer and seconded by Birsan to award a Construction Contract in the amount of \$2,407,016.60 to Granite Rock Construction; authorize staff to utilize the available project contingency for contract change orders up to 10 percent of the contract amount and approve a related \$78,500 budget transfer; approve a Professional Services Agreement with CSG Consultants in the amount of \$137,420 for construction management services and \$15,000 for materials testing services (total agreement amount of \$152,420); authorize the City Manager to execute the contract and agreement, subject to approval of the City Attorney; and accept and appropriate CalRecycle grant funds of \$60,450 to the Pavement Rehabilitation Project – Measure Q Pavement Repair Project #2. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-20 – Designating alternates to act on behalf of Councilmembers in a disaster or emergency

This item was pulled from the Consent Calendar by Councilmember Leone who requested to make changes to his designated alternates.

Motion was made by Birsan and seconded by McGallian to adopt Resolution No. 17-20 entitled, “A RESOLUTION DESIGNATING ALTERNATES FOR MEMBERS OF THE CITY COUNCIL TO ACT ON THEIR BEHALF IN CASE OF A DISASTER OR EMERGENCY” as amended. Motion passed by unanimous vote of the Council.

2017 CITIZEN SATISFACTION SURVEY

Community Relations Manager Leslye Asera introduced Bryan Godbe, Godbe Research, who presented the results of the 2017 Citizen Satisfaction Survey.

ANNOUNCEMENTS

City Manager Valerie Barone introduced and welcomed Assistant City Manager Kathleen Tropa.

City Clerk Joelle Fockler announced that the Council Chamber is now equipped with a T-Coil Hearing Loop. This system allows “T” coil reception of the audio proceedings. In addition, a loop receiver that picks up the audio loop is available from the City Clerk.

APPOINTMENTS TO THE CITY OF CONCORD PLANNING COMMISSION

Following ballot voting, a motion was made by McGallian and seconded by Obringer to appoint Dominic Aliano, Ray Barbour, and John Mercurio to the City of Concord Planning Commission for terms ending February 28, 2021 and Mark Weinmann to the City of Concord Planning Commission for a term ending February 28, 2019.

VERANDA SHOPPING CENTER – Exterior Building Design Changes

Principal Planner Frank Abejo reported that in August 2016 the Veranda Shopping Center Project was approved by Resolution No. 16-64 with Conditions of Approval that specify that “major design changes” to the project shall be reviewed by the City Council, and due to a proposed series of major changes to the project design requested by the project developer, CenterCal, Council was being asked to approve the modifications that the Council found to be of “equal or better quality” than the approved project design. Council was also being asked to direct the applicant to return to the City Council with revisions or additional information to address any concerns regarding the proposed design modifications, refer any or all proposed design modifications to the Design Review Board for review and recommendation to the City Council.

Principal Planner Abejo presented the Veranda Shopping Center Project design modifications requested by CenterCal.

The applicant architect, Rob Budetti, addressed Council questions and comments.

The meeting recessed at 9:30 p.m. and resumed at 9:40 p.m.

Mayor Hoffmeister opened a public comment period.

Dan Torres, UA Local 483, spoke of non-signatory contractors being used for the Veranda project.

Mayor Hoffmeister closed the public comment period.

It was the consensus of the Council to agendize a formation of an Ad-Hoc Committee for the project for the March 28, 2017 City Council meeting; and directed staff to work with the applicant to make design modifications to the Veranda Shopping Center Project.

INTRODUCTION OF ORDINANCE NO. 17-2 AND ADOPTION OF RESOLUTION NO. 17-6042.1 – Accessory Dwelling Units and Junior Accessory Dwelling Units

Planning Manager Laura Simpson introduced Assistant Planner Jessica Gonzalez who presented a background on City regulations, an overview of new legislation, and review of modifications and recommendations recommended by the Housing and Economic Development Committee, Planning Commission, and staff, including height restrictions, the definition of “public transit,” and owner occupancy and deed restrictions in regards to Accessory Dwelling Units.

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

Frank Dodd, Lafayette, spoke in opposition to an owner occupancy requirement.

Cheryl Hale, Concord, spoke in favor of an owner occupancy requirement.

Delores Loague, spoke in favor of accessory dwelling units and making them affordable.

Jasmine Tarkoft, Lafayette, spoke in favor of adoption of Ordinance no. 17-2 without an owner occupancy requirement.

Jeff Koertzen, Concord, asked the Council to keep in mind not only affordable housing, but buyable affordable housing.

Kirk Shelby, Concord, spoke of the City implementing design guidelines for Accessory Dwelling Units.

Mayor Hoffmeister closed the public comment period.

Following questions and comments by the Council, a motion was made by Birsan and seconded by Leone to introduce Ordinance No. 17-2 entitled, "AN ORDINANCE AMENDING THE CONCORD MUNICIPAL CODE AS FOLLOWS: A TEXT AMENDMENT TO THE DEVELOPMENT CODE (PL1723DC), REPEALING AND REPLACING SECTION 18.200.180 (SECONDARY LIVING UNITS) WITH SECTION 18.20.180 (ACCESSORY DWELLING UNITS), AND AMENDING SECTIONS 18.200 (STANDARDS FOR SPECIFIC USES), CHAPTER 18.20 (GENERAL TERMS), TABLE 18.30.020 (RESIDENTIAL DISTRICTS), TABLE 18.35.020 (NORTH TODOS SANTOS DISTRICT), TABLE 18.45.020 (DOWNTOWN DISTRICTS), TABLE 18.50.020 (BUSINESS PARK AND INDUSTRIAL DISTRICTS), TABLE 18.55.020 (PUBLIC/QUASI-PUBLIC DISTRICT), TABLE 18.60.020 (COMMUNITY LAND DISTRICTS), CHAPTER 18.420 (ADMINISTRATIVE PERMITS), CHAPTER 18.415 (DESIGN AND SITE REVIEW), CHAPTER 18.160 (PARKING LOADING AND ACCESS), AND CHAPTER 18.155.060 (DESIGN CRITERIA FOR SMALL LOT SINGLE-FAMILY SUBDIVISIONS), AND A TEXT AMENDMENT TO CONCORD MUNICIPAL CODE CHAPTER 13.05 (SEWER SYSTEM)," amended to omit reference to deed restriction for Accessory Dwelling Units by reading of the title only and waving further reading, with a review of Accessory Dwelling Unit requirements yearly. Motion passed by unanimous vote of the Council.

A motion was made by Obringer and seconded by Leone to adopt Resolution No. 17-6042.1 entitled, "A RESOLUTION AMENDING EXHIBIT A TO RESOLUTION NO. 78-6042 (ESTABLISHING FEES AND CHARGES FOR VARIOUS MUNICIPAL SERVICES IN THE CITY OF CONCORD.)" Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Letter dated March 5, 2017 from Jennifer Folsom
- b. Proposed questions for CAC applicants
- c. Community Advisory Committee ballots
- c. Flyer on Contra Costa County Drug Related Overdose Deaths
- d. Flyer advertising a presentation on prescription drug trends and parenting tips
- e. Flyer advertising a free screening of the documentary Chasing the Dragon
- f. Flyer advertising the "Dose of Awareness" 5k Walk/Health Expo
- g. Planning Commission ballots
- h. Benched Color Renderings for Veranda Design Modifications
- i. 2017 Community Priorities Survey PowerPoint Presentation
- j. Veranda Design Modifications PowerPoint Presentation
- k. Vice Mayor Birsan's comments on the Veranda Design Modification PowerPoint Presentation
- l. Accessory Dwelling Units & Junior Accessory Dwelling Units PowerPoint Presentation
- m. Multi-faith ACTION Coalition petition in support of JADUs and ADUs

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.

It was the consensus of the Council to send the concept of an Education Commission to the Council Committee on Youth and Education for discussion.

By order of the Mayor, the meeting was adjourned at 12 a.m.

LAURA M. HOFFMEISTER
MAYOR

JOELLE FOCKLER, MMC
CITY CLERK