

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 28, 2017

The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 6:00 p.m. on Tuesday, March 28, 2017, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Councilmember Obring. 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 Obring, Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Kathleen Tropa, 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: Linda Bell, Concord; Richard Davilla, Concord, George Fulmore, Concord; Rich Eber, Concord; Kira Hall, Concord; Moses Sullivan, Concord

PUBLIC COMMENT PERIOD

Linda Beil, Concord, spoke of traffic and pedestrian safety on La Vista Avenue.

Richard Davilla, Concord, spoke of flooding at La Vista Avenue.

George Fulmore, Concord, spoke of the play structure at Meadow Homes Park and the implementation of project management software.

Rich Eber, Concord, praised the Council for not getting involved with passing sanctuary city resolutions.

Kira Hall, Concord, spoke of recent rent increases and mold, rodent, and insect problems at the Parkhaven apartment complex.

The rest of public comment occurred after the City Treasurer interviews.

Moses Sullivan, Concord, spoke of parking and safety issues on Carey Drive.

PRESENTATIONS150TH CELEBRATION STATUE OF DON SALVIO PACHECO

Councilmember Leone made a disclosure on his and Councilmember Obringer's behalf stating that he and Councilmember Obringer are members of the Concord Historical Society and are involved in private fundraising efforts for Concord's 150th Anniversary, and in order to avoid any conflict of interest, recused themselves and left the dais and Chamber during discussion of the item.

Mayor Hoffmeister introduced Carol Longshore and Ray Barbour, Concord Historical Society, who made a presentation on celebrating Concord's 150th Anniversary in 2018.

RECOGNITION OF TIMOTHY A. MCGALLIAN FOR HIS SERVICE AS CITY TREASURER

Mayor Hoffmeister presented Timothy A. McGallian a plaque in recognition of his service as City Treasurer.

ANNOUNCEMENTS

Mayor Hoffmeister announced a recruitment to fill three positions on the Commission on Aging and three positions on the Concord/Pleasant Hill Health Care District Grant Committee; and set Friday, April 28, 2017, at 5 p.m. as the deadline for receipt of applications by the City Clerk's office.

Mayor Hoffmeister created an Ad Hoc Committee made up of herself and Councilmember Obringer to evaluate design changes to the Veranda Shopping Center.

APPROVAL OF MINUTES – February 14 and February 28, 2017

Motion was made by Leone and seconded by McGallian to adopt the minutes from the meetings of February 14 and 28, 2017. Motion passed by unanimous vote of the Council.

AMENDMENT TO BUS SHELTER AGREEMENT – Outfront Media, LLC

Motion was made by Leone and seconded by McGallian to approve an amendment to the bus shelter agreement with Outfront Media, LLC, extending the term by five years and modifying payment terms; and authorize the City Manager to execute the amendment subject to City Attorney approval. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS – Measure Q Pavement Project No. 1 – Hillsborough Dr., from Labrador St. to St. George Dr., and E Olivera Rd., from Pt. Chicago Hwy to Wexford Dr., Project No. 2359

Motion was made by Leone and seconded by McGallian to accept improvements for Measure Q Pavement Project No. 1 – Hillsborough Dr., from Labrador St. to St. George Dr., and E. Olivera Rd., from Pt. Chicago Hwy to Wexford Dr., Project No. 2359; and direct the City Clerk to file a Notice of Completion. Motion passed by unanimous vote of the Council.

MASTER AGREEMENTS – On-Call Transportation Engineering Services in the City of Concord through FY 2019/20

Motion was made by Leone and seconded by McGallian to approve Master Agreements to provide On-Call Transportation Engineering Services in the City of Concord through FY 2019/20 with DKS Associates, Fehr & Pehrs, Kimley-Horn and Associates, Inc., Kittelson & Associates, and Omni-Means, Ltd. for a not-to-exceed amount of \$250,000 per year each; and authorize the City Manager to execute the agreements subject to City Attorney approval. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-21 – Participation in the Institute for Local Government's Recognition Program, the Beacon Program

Motion was made by Leone and seconded by McGallian to adopt Resolution No. 17-21 entitled, "A RESOLUTION APPROVING PARTICIPATION IN THE INSTITUTE FOR LOCAL GOVERNMENT'S RECOGNITION PROGRAM, THE BEACON PROGRAM." Motion passed by unanimous vote of the Council.

ORDINANCE NO. 17-1 – Speed Limit on Rolling Woods Way

Motion was made by Leone and seconded by McGallian to adopt Ordinance No. 17-1 entitled, "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TITLE 10 (TRAFFIC AND VEHICLES), CHAPTER 10.20 (OPERATION OF VEHICLES), ARTICLE IV (SPECIAL SPEED ZONES), SECTION 10.20.080 (SPEED LIMITS ESTABLISHED) TO CHANGE THE SPEED LIMIT ON ROLLING WOODS WAY FROM PINE HOLLOW ROAD TO THE NORTHERNMOST BOUNDARY OF THE CRYSTYL RANCH DEVELOPMENT FROM 25 MILES PER HOUR TO 30 MILES PER HOUR." Motion passed by unanimous vote of the Council.

ORDINANCE NO. 17-2 – Accessory Dwelling Units

Motion was made by Leone and seconded by McGallian to adopt Ordinance No. 17-2 entitled, "AN ORDINANCE AMENDING THE CONCORD MUNICIPAL CODE AS FOLLOWS: A TEXT AMENDMENT TO THE DEVELOPMENT CODE (PL1723-DC), REPEALING AND REPLACING SECTION 18.200.180 (SECONDARY LIVING UNITS) WITH SECTION 18.200.180 (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 DISTRICT), TABLE 18.40.020 (OFFICE AND COMMERCIAL DISTRICTS), 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). Motion passed by unanimous vote of the Council.

AGREEMENT FOR PROFESSIONAL SERVICES – Kittelson and Associates, Inc.

Motion was made by Leone and seconded by McGallian to approve an Agreement for Professional Services with Kittelson and Associates, Inc. in the amount of \$48,040 to provide transportation consulting services in connection with the preparation of the Concord Reuse Project Specific Plan and related environmental documents, subject to approval of the City Attorney; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES – TRB+

This item was pulled from the Consent Calendar by Concord resident George Fulmore.

Motion was made by Leone and seconded by Obringer to approve a third amendment to the Agreement for Professional Services with TRB+ increasing the not-to-exceed amount to \$975,000 per year and extending the agreement through June 30, 2019; and authorize the City Manager to execute the amendment. Motion passed by unanimous vote of the Council.

DETERMINE INTERVIEW QUESTIONS AND INTERVIEW APPLICANTS FOR CITY TREASURER VACANCY

Council determined interview questions as follows:

1. As Treasurer, what do you feel would be your first priority you would take action on?
2. What in your background, including community involvement and/or professional experience, makes you a strong candidate for City Treasurer?
3. How do you see the City Treasurer's role as it relates to City Council and the interaction with the public?
4. How do you see yourself establishing effective working relationships with the Finance staff and City Manager?
5. Have you reviewed the City's Quarterly Treasurer Reports and Investment Policy, and what are your thoughts about the City's investment strategies?

Council then interviewed the following applicants: Edith "Patti" Barsotti, Richard Cole, Mary Helix Elliot, Gregory Grassi, John King, Harmesh Kumar, Carla Lundstrom, William Manning, and John Pamer. Applicants Robert Hoag, Sylvia Bajjaliya, David Rose, and Phyl van Ammers withdrew their applications.

Following interviews, Council voted by ballot for the City Treasurer position. The first round of voting results are as follows:

Councilmember Obringer – Gregory Grassi
Councilmember Leone – Patti Barsotti
Councilmember McGallian – Patti Barsotti
Vice Mayor Birsan – John Pamer
Mayor Hoffmeister – Patti Barsotti

Patti Barsotti was confirmed as City Treasurer after the first round of voting.

RESOLUTION NO. 17-23 – Appointing Edith Patricia Barsotti as City Treasurer

A motion was made by Birsan and seconded by Obringer to adopt Resolution No. 17-23 entitled, "A RESOLUTION APPOINTING EDITH PATRICIA BARSOTTI TO FILL THE CITY TREASURER VACANCY FOLLOWING AN APPLICATION AND INTERVIEW PROCESS." The motion passed by unanimous vote of the Council.

City Clerk Joelle Fockler administered the Oath of Office to Treasurer Barsotti.

INTRODUCTION OF ORDINANCE NO. 17-3 – 2016 State Regulatory Fire Code

Plan Check Engineer Ryan Pursley presented a report, referring to the Staff Report dated March 28, 2017. Mr. Pursley gave a brief presentation on the purpose of the Public Hearing, to introduce Ordinance No. 17-3 for the adoption of the 2016 California Fire Code and Amendments contained in County Ordinance 2016-23. Mr. Pursley explained the outline of the code adoption cycle, highlighted significant code changes, outlined proposed amendments; and introduced Fire Marshal Robert Marshall, who was available to answer Council questions.

Following questions by the City Council, Mayor Hoffmeister opened a public comment period, and upon receiving no public comment, closed the public comment period.

A motion was made by Birsan and seconded by Leone to introduce Ordinance No. 17-3 entitled, "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TITLE 15 (BUILDINGS AND BUILDING REGULATIONS) CHAPTER 15.65 (FIRE CODE) ADOPTING THE 2016 CALIFORNIA FIRE CODE AND RATIFYING THE AMENDMENTS CONTAINED IN COUNTY ORDINANCE NO. 2016-23," by reading of the title only and waiving further reading. Motion passed by unanimous vote of the Council.

INTRODUCTION OF ORDINANCE NO. 17-4 – Reauthorizing the City's Public, Educational, and Governmental (PEG) Fees

Director of Information Jeff Lewis introduced Principal Consultant Scott Conn who presented a report on the reauthorization of the City's Public, Educational, and Governmental (PEG) Fees. Mr. Conn reported that the City has the current ability to collect PEG fees from state video franchise holders operating within the City of Concord. He stated that a provision of State law addressing franchise expirations makes it unclear whether PEG fee collection ordinances expire with the franchises, and in order to preserve the City's rights to PEG fees, requested Council, through Ordinance No. 17-4, to reauthorize their collection.

Following questions by the Council, Mayor Hoffmeister opened a public comment period, and upon receiving no public comment, closed the public comment period.

A motion was made by McGallian and seconded by Leone to introduce Ordinance No. 17-4 entitled, "AN ORDINANCE REAUTHORIZING THE CITY'S PUBLIC EDUCATIONAL AND GOVERNMENT (PEG) FEES BY AMENDING CONCORD MUNICIPAL CODE TITLE 5 (BUSINESS LICENSES AND REGULATIONS), CHAPTER 5.30 (CABLE COMMUNICATIONS SYSTEMS), SECTION 5.30.180 (STATE VIDEO FRANCHISE AND PEG FEES) BY ADDING SECTION 5.30.810(d) (REAUTHORIZATION)" by reading of the title only and waiving further reading. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. March 17, 2017 letter to the California State Senate in support of Senate Constitutional Amendment 3 (SCA3) which would reduce the voter threshold for library construction bond measures to 55 percent
- b. Celebrating Concord's 150th Anniversary in 2018-City Founded by Don Salvio Pacheco in 1868 PowerPoint Presentation
- c. Introduction of Ordinance No. 17-3 2016 State Regulatory Fire Code PowerPoint
- d. Questions to ask Applicants for City Treasurer
- e. City Treasurer Ballots
- f. Letter submitted Against Concord becoming a Sanctuary City
- g. Correspondence submitted regarding Flooding on La Vista Avenue
- h. Correspondence submitted regarding traffic situation on La Vista Avenue

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 9:40 p.m. in memory of Kathryn Roseberry, Steve Sage, and Judy Trette.


LAURA M. HOFFMEISTER
MAYOR


JOELLE FOCKLER, MMC
CITY CLERK