

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, FEBRUARY 23, 2016

The Concord City Council met in a regular meeting in the City Council Conference Room located in Wing A at 1950 Parkside Drive at 5:30 p.m. on Tuesday, February 23, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to a) confer with labor negotiators pursuant to Government Code Section 54957.6. City Negotiators: Valerie Barone, City Manager; Kay Winer, Interim Director of Human Resources - 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.

The meeting recessed at 6:30 p.m. to reconvene in regular session in the Council Chamber.

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, February 23, 2016, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Councilmember Grayson. 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; Brian Libow, Interim City Attorney; Tim McGallian, City Treasurer; Joelle Fockler, City Clerk; Jovan Grogan, Deputy City Attorney; Guy Bjerke, Director of Community Reuse Planning; Victoria Walker, Director of Community and Economic Development; Karan Reid, Director of Finance; Jeff Lewis, Director of Information Technology; Robert Ovadia, City Engineer; Kevin Marstall, G. Ryan Lenhardt, Senior Planner; Doug Elloway, Computer Operations Manager; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Ben Hornstein, Concord; Ajit Kaushal, Concord; Charles Lindquist, Concord; Olga Chan, Concord; Betty Gabaldon, Concord; Dr. Harmesh Kumar, Concord; Devlyn Sewell, Concord

PUBLIC COMMENT PERIOD

Ben Hornstein, Concord Commission on Aging, invited the Council and the public to the Age Strong Live Long Health Expo to be held on Friday, February 26, 2016, from 9 a.m. – 1 p.m. at the Concord Senior Center.

Ajit Kaushal, Concord, spoke of the recent typhoon in Fiji, and requested the community's help with fundraising.

Charles Lindquist, Concord, spoke of the closed rePLANET Recycling Center located at 1600 Concord Avenue and his preference that a recycling center not be allowed for future use at the site.

Olga Chen, Concord, spoke of rent increases at the Virginia Lane apartments in Concord.

Betty Gabaldon, Concord, spoke of rent increases and requested assistance from the City Council.

Dr. Harmesh Kumar, Concord, commented that the system is broken and attention needs to be made to people's needs.

Devlyn Sewell, Concord, commented on the recent negative articles about Concord in newspapers all over the Bay Area.

PRESENTATIONS

OUTGOING CONTRA COSTA WATER DISTRICT PRESIDENT AND BOARD MEMBER – Joe Campbell

Mayor Hoffmeister presented Contra Costa Water District President and Board Member Joe Campbell with a gift from the City Council and a proclamation declaring Friday, February 26, 2016, as Joe Campbell Day in Concord.

JOHN MUIR HEALTH COMMUNITY BENEFITS PROGRAM

Mike Thomas, President and CAO, and Diana Camacho, Program Director, Community Benefits, gave a presentation on the John Muir Health Community Benefits Program.

ANNOUNCEMENTS – None

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Leone and seconded by Birsan to approve the minutes from the meetings of January 26 and February 2, 2016. Motion passed by unanimous vote of the Council.

ACCEPT IMPROVEMENTS – Centre Concord Movable Walls and Coverings, Project No. 2182

Motion was made by Leone and seconded by Birsan to accept the improvements for Centre Concord Movable Walls and Covering, Project No. 2182, constructed by J-Walt

Construction of Woodland, and direct the City Clerk to file a notice of completion. Motion passed by unanimous vote of the Council.

AWARD CONSTRUCTION CONTRACT PROJECT NO. 2325 – Rosas Brothers Construction

Motion was made by Leone and seconded by Birsan to award a construction contract in the amount of \$253,940.40 (Base Bid plus Additive Bid 1 for Project No. 2325) to Rosas Brothers Construction to construct accessibility improvements at various locations, reject a bid protest submitted by Sposeto Engineering, Inc., and authorize the use of project contingency funds. Motion passed by unanimous vote of the Council.

CERTIFIED FARMERS' MARKET AT TODOS SANTOS PLAZA – Pacific Coast Farmers' Market

Motion was made by Leone and seconded by Birsan to enter into a three-year agreement with Pacific Coast Farmer's Market to continue operating a Certified Farmers' Market at Todos Santos Plaza, and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

APPROVE 18 MASTER SERVICES AGREEMENTS FOR INFORMATION TECHNOLOGY SUPPORT

Motion was made by Leone and seconded by Birsan to approve Master Services Agreements with AMS, NET Inc.; Apex Technology Management, Inc.; Axiom Technologies LLC; Botts Strategic Solutions; Entisys Solutions, Inc.; Geographic Technologies Group; Interwest Consulting Group; Kimley-Horn & Associates, Inc.; NetXperts, Inc.; Dimension Data; Precision IT Consulting; Quest Systems (Questsys); Quorum Technologies; RPI Consultants LLC; Spatial Focus LLC; THOR Inc.; TruePoint Solutions; and VIVA USA Inc. for various products and consultant services for Information Technology Support; and City Manager authorized to execute agreements. Motion passed by unanimous vote of the Council.

QUARTERLY TREASURER'S REPORT – October 1 – December 31, 2015

This item was pulled from the Consent Calendar by City Treasurer Tim McGallian who presented the report to the City Council.

Motion was made by Helix and seconded by Grayson to accept the Treasurer's Report for the period October 1 – December 31, 2015. Motion passed by unanimous vote of the Council.

CITY RESPONSE TO INVESTIGATIVE REPORT BY MICHAEL JENKINS – Master Developer Selection Process for the Concord Naval Weapons Station Project

Vice Mayor Leone recused himself from this item because he lives within 500 feet of the Concord Naval Weapons Project and left the meeting.

Councilmember Grayson recused himself from this item for the best interest of the community and the Master Developer Selection process.

Director of Community Reuse Planning Guy Bjerke presented a report, referring to the staff report dated February 23, 2016, and noting that staff was recommending that the City Council receive the investigative report by Michael Jenkins and respond to the report's two primary findings by:

1. Determining that Lennar Concord, LLC's violation of the Agreement to Negotiate by soliciting campaign contributions to Councilmember Tim Grayson's Assembly campaign does not merit the firm's disqualification from the Master Developer selection process because, among other reasons set

- forth in this report: (1) There is a public benefit to continuing with a competitive process and having both finalists considered by Council and the public as part of a robust public discussion; and (2) there is no evidence that Councilmember Grayson was aware of the source of the campaign contributions and he has indicated he was not; he returned the contributions as soon as he became aware of their possible connection to Lennar, and he has now recused himself from further participation in the selection process.
2. Responding to the report's finding of a Brown Act violation by directing staff to issue a new staff report that incorporates the staff recommendation in favor of Catellus that was removed prior to publishing the September 29, 2015 staff report.
 3. Directing staff to inform both Catellus and Lennar that the Council intends to apply the ordinary meaning of the word "lobbying" in Section 11 of the Agreement to Negotiate and that campaign contributions fall within that definition.
 4. Committing as individual Councilmembers and as a Council to approach the Master Developer selection dispassionately, disregard previous history, proceed impartially, consider all public testimony, and adhere to a merit-based evaluation focused on the Term Sheets and what is in the best interests for the City of Concord.
 5. Directing staff to calendar a public meeting for selecting the Phase 1 Master Developer.
 6. Moving forward with advanced Brown Act training for itself and hold the training in an open and public meeting.
 7. Directing the City Manager to schedule advanced Brown Act training for the Executive Team and key staff who support the City's Boards and Commissions.
 8. Directing staff to provide updates to the Council and the public on the status of the reuse of the Concord Naval Weapons Station on a regular basis.

Following Mr. Bjerke's report, Jonathan Jaffe, Chief Operating Officer, Lennar Corporation, thanked the City Council and staff for the opportunity to be at the meeting and sent regrets from Lennar President Kofi Bonner who could not attend due to a previous commitment. Mr. Jaffe requested that the Council carefully consider the matter, commented that Lennar's reputation is very important to the company and that the company has worked very hard to build a good reputation, and did not agree with Michael Jenkin's findings, which Mr. Jaffe conveyed were Mr. Jenkin's personal perceptions. Mr. Jaffe requested the Council make its decision by considering the facts and the law, not rumors or innuendo.

Lennar attorney David Marroso thanked the Council for the opportunity to comment, and spoke of the meaning and understanding of the word lobbying.

Steve Buster, Vice President Development, Catellus, thanked the Council and staff for hiring a third party investigator to prepare an investigative report, and noted that the intention of the no lobbying clause in the Negotiating Agreements was clear.

Following a five minute recess, Mayor Hoffmeister opened a public comment period.

Mike Conklin, San Ramon, spoke in support of Lennar's proposal.

Norma Roles, Concord, requested that Council issue a Request for Proposals and begin the process over again.

Steve Weir, Concord, spoke of the Council rebuilding trust in the community and moving forward with the process of choosing a Master Developer.

Roseanne Nieto, Concord, urged the Council to make decisions with fairness and honesty.

Ralph Oliver, Concord, stated that he agreed with the Jenkins report and its definition of lobbying.

Matt Leber, East Bay Housing Organizations, urged the Council to use the competitive process to develop a world class community.

Margaret Hanlon-Gradie, Contra Costa AFLCIO, urged the Council to use the competitive process to extract the best community benefit and move forward on a Master Developer selection.

Jeff Koertzen, Concord, spoke of the public's perception of the City Council and the importance of moving forward with the selection of a Master Developer.

Dr. Harmesh Kumar, Concord, spoke of corruption.

Paul Poston, Concord, stated that people that live in Concord should comment on how the Council should proceed with choosing a Master Developer.

John Loague, Concord, felt that three bidders should have been involved in the process of selecting a Master Developer and that Lennar acted in an unprofessional manner and should be disqualified from the process.

Rebecca Alvarez, Concord, spoke of corruption and scandal associated with the selection of a Master Developer.

Hope Johnson, Concord, spoke in favor of disqualifying Lennar as a candidate for Master Developer.

John Dorsett, Concord, stated that he felt that the general public should know exactly what is going on with the selection of the Master Developer.

Suzanne Delbou, Concord, spoke in favor of disqualifying Lennar as a candidate for Master Developer.

Mayor Hoffmeister closed the public comment period.

Following questions and comments by the City Council, a motion was made by Helix and seconded by Birsan determining that Lennar Concord, LLC's violation of the Agreement to Negotiate by soliciting campaign contributions to Councilmember Tim Grayson's Assembly campaign does not merit the firm's disqualification from the Master Developer selection process because 1) There is a public benefit to continuing with a competitive process and having both finalists considered by Council and the public as part of a robust public discussion; and (2) there is no evidence that Councilmember Grayson was aware of the source of the campaign contributions and he has indicated he was not; he returned the contributions as soon as he became aware of their possible connection to Lennar, and he has now recused himself from further participation in the selection process. Motion carried by the following vote of the Council:

AYES: Birsan, Helix, Hoffmeister

NOES: None

ABSTAIN: Grayson, Leone

A motion was made by Helix and seconded by Grayson responding to the report's finding of a Brown Act violation by directing staff to issue a new staff report that incorporates the staff recommendation in favor of Catellus that was removed prior to publishing the September 29, 2015 staff report; directing staff to inform both Catellus and Lennar that the Council intends to apply the ordinary meaning of the word "lobbying" in Section 11 of the Agreement to Negotiate and that campaign contributions fall within that definition; committing as individual Councilmembers and as a Council to approach the Master Developer selection dispassionately, disregard previous history, proceed impartially, consider all public testimony, and adhere to a merit-based evaluation focused on the Term Sheets and what is in the best interests for the City of Concord; directing staff to calendar a public meeting for selecting the Phase 1 Master Developer; moving forward with advanced Brown Act training for itself and hold the training in an open and public meeting; directing the City Manager to schedule advanced Brown Act training for the Executive Team and key staff who support the City's Boards and Commissions; and directing staff to provide updates to the Council and the public on the status of the reuse of the Concord Naval Weapons Station at least on a quarterly basis. Motion carried by the following vote of the Council:

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

Mayor Hoffmeister called a five minute recess.

AUTHORIZE THE MAYOR TO SEND CEASE AND DESIST RESPONSE LETTER UNDER THE BROWN ACT FOR INADVERTENT VIOLATION OF ACT ON DECEMBER 8, 2015

Vice Mayor Leone returned to the dais.

Interim City Attorney Brian Libow gave a report, referring to the staff report dated February 23, 2016, and noting that on December 8, 2015, a member of the public was inadvertently not allowed to speak on an agenda item. Mr. Libow recommended that the Mayor send a letter to the complainant, warranting that the Council will adhere to its long-standing commitment to allow members of the public to speak on each agenda item.

Mayor Hoffmeister opened a public comment period.

Hope Johnson, Concord, requested that the response letter be changed to include the Council not discussing unagenda items at Council meetings.

Joe Partansky, Concord, spoke of the Little Hoover Commission Report on the Brown Act.

Mayor Hoffmeister closed the public comment period.

Following comments by the Council, a motion was made by Leone and seconded by Grayson to authorize the Mayor to send a cease and desist response letter for inadvertent violation of the Brown Act on December 8, 2015. Motion carried by unanimous vote of the Council.

INTRODUCE ORDINANCE NO. 16-1 – Water Efficient Landscaping

Principal Planner Andrew Mogensen presented a report, referring to the staff report dated February 23, 2016, noting that the item was continued from January 23, 2016, and addressing the questions Council asked at the January 23 hearing.

Mayor Hoffmeister opened a public comment period, and upon receiving no comment, closed the public comment period.

Motion by Leone and second by Helix to introduce Ordinance No. 16-1 entitled, "AN ORDINANCE AMENDING THE CONCORD MUNICIPAL CODE, TITLE 18, DEVELOPMENT CODE, CHAPTER 18.170 (WATER EFFICIENT LANDSCAPING)," by reading of the title only and waiving further readings. Motion carried by unanimous vote of the Council.

AUTUMN BROOK EIGHT-LOT, SINGLE FAMILY RESIDENTIAL SUBDIVISION – 1890 Risdon Road

Senior Planner Ryan Lenhardt presented a report, referring to the staff report dated February 23, 2016, and reporting that requested approval included adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, approving a rezoning from RS-7 (Single Family Residential) to RL (Residential Low Density), approving a Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal, and approving the "Autumn Brook Lane" street name for the Autumn Brook eight-lot, single family residential subdivision located at 1890 Risdon Road.

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

Jim Parsons, Design Resources Walnut Creek, representing the applicant, spoke of the community outreach and the modifications to the plans that were made due to community outreach. He noted that they aimed to provide a project that complemented the area.

Vincent Steele, Concord, objected to 5,000 square foot lots on the project.

Mayor Hoffmeister closed the public comment period.

Motion by Helix and second by Leone to adopt Resolution No. 16-10 entitled, "A RESOLUTION ADOPTING THE AUTUMN BROOK SUBDIVISION MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM," introduce 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)," by reading of the title only and waiving further readings, and adopt Resolution No. 16-8 entitled, "A RESOLUTION APPROVING THE AUTUMN BROOK SUBDIVISION TENTATIVE SUBDIVISION MAP, DESIGN REVIEW, MINOR EXCEPTION, AND TREE REMOVAL (PL140280-TM, DR, AA, RT)," and approve the proposed street name of "Autumn Brook Lane" for the private street serving the subdivision. Motion carried by unanimous vote of the Council.

CORRESPONDENCE

- a. Correspondence received for City Council/Local Reuse Authority Agenda Item No. 4.a.
- b. Postcard on the Age Strong, Live Long Health Expo.
- c. Written comments submitted by Olga Chan.
- d. Newspaper articles about Concord submitted by Devlin Sewell.
- e. John Muir Health PowerPoint Presentation.
- f. Autumn Brook Residential Subdivision Rezoning PowerPoint Presentation.

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 11:18 p.m.

LAURA M. HOFFMEISTER
MAYOR

JOELLE FOCKLER, MMC
CITY CLERK

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/THE
CONCORD CITY COUNCIL SITTING
AS THE LOCAL REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, MARCH 1, 2016

The Concord City Council met in a regular meeting in the City Council Conference Room located in Wing A at 1950 Parkside Drive at 5:30 p.m. on Tuesday, March 1, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session under Government Code Section 54957, Public Employment, Title: City Attorney.

The meeting recessed at 6:15 p.m. to reconvene in regular session in the Council Chamber.

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, March 1, 2016, with Vice Mayor Leone 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

COUNCILMEMBERS ABSENT: Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Brian Libow, Interim City Attorney; Tim McGallian, City Treasurer, Joelle Fockler, City Clerk; Jovan Grogan, Deputy City Manager; Guy Swanger, Chief of Police; Guy Bjerke, Director of Community Reuse Planning; Victoria Walker, Director of Community and Economic Development; Steve Voorhies, Director of Parks and Recreation; Justin Ezell, Director of Public Works; Robert Ovadia, City Engineer; Kevin Marstall, Senior Civil Engineer; Andy Mogensen, Principal Planner; G. Ryan Lenhardt, Senior Planner; David Boatwright, Administrative Analyst; Mark Migliore, Associate Civil Engineer; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Dr. Harmesh Kumar, Concord; Erica Ramos, Concord; Marisol Chavez, First Five Contra Costa; Rhea Elina Laughlin, First Five Contra Costa; Ana Villalobos, Monument Impact; Coire Reilly, Contra Costa Health Services; Ned Stilinovich, Ned's Auto Body Supply, Inc.

PUBLIC COMMENT PERIOD

Dr. Harmesh Kumar, Concord, addressed the Council and stated that he is not scared.

PRESENTATIONS – none.

ANNOUNCEMENTS

City Clerk Joelle Fockler reminded the City Council and the public that there is one opening on the Concord Pavilion Community Outreach Committee for a term ending, February 28, 2017. The recruitment closes at 5 p.m. on Friday, March 4, 2016, and applications are due to the City Clerk by 5 p.m. on Friday, March 4.

CITY COUNCIL/LOCAL REUSE AUTHORITY
MATTERS

APPROVAL OF MINUTES

Motion was made by Helix and seconded by Birsan to approve the minutes from the meeting of February 9, 2016. Motion carried by the following vote of the Council:

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

ADOPT RESOLUTION NOS. 16-13, 16-14, 16-15 AND 16-16 – Landscape and Lighting Maintenance Assessment District

Motion was made by Helix and seconded by Birsan to adopt Resolution Nos. 16-13, 16-14, 16-15 and 16-16 ordering the preparation of the Engineers Report for the levy of annual assessments for the City’s four Landscape and Lighting Maintenance Assessment Districts.

- (1) Downtown Landscape Maintenance District - Resolution No. 16-13 for adoption.
- (2) Pine Hollow Landscape Maintenance District - Resolution No. 16-14 for adoption.
- (3) Landscaping and Lighting Maintenance District #3 - Resolution No. 16-15 for adoption.
- (4) Citywide Street Lighting Assessment District - Resolution No. 16-16 for adoption.

Motion carried by the following vote of the Council:

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

SET PUBLIC HEARING

Motion was made by Helix and seconded by Birsan to set a public hearing for Tuesday, March 22, 2016, at 6:30 p.m. in the Council Chamber to consider adoption of Resolution No. 16-3 to revise the Master Fee Schedule and introduction of Ordinance No. 16-2 amending the Concord Municipal Code by adopting a City-Initiated Text Amendment to the Development Code (PD 16024-DC), Section 18.200.180, Secondary Living Units, for a Two-Year Pilot Program for Small Secondary Living Units. Motion carried by the following vote of the Council:

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

ACCEPT THE CONCORD 2030 GENERAL PLAN ANNUAL PROGRESS REPORT

Motion was made by Helix and seconded by Birsan to accept the *Concord 2030 General Plan* Annual Progress Report, including the Housing Element Annual Progress Report and direct

staff to submit the report to the Governor’s Office of Planning and Research and to the State Department of Housing and Community Development. Motion carried by the following vote of the Council:

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

ADOPT ADDENDUM TO TEAMSTERS UNION LOCAL 856 MEMORANDUM OF UNDERSTANDING – Communications Training Officer (CTO)

Motion was made by Helix and seconded by Birsan to adopt an addendum to the existing Memorandum of Understanding with Teamsters Union Local 856 providing Communications Training Officer training pay differential for dispatchers. Motion carried by the following vote of the Council:

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

AWARD CONTRACT TO FUTURE FORD OF CONCORD IN THE AMOUNT OF \$138,090.90 – Five (5) 2016 Ford Interceptor SUVs

Motion was made by Helix and seconded by Birsan to award a contract to Future Ford of Concord in the amount of \$138,090.90 for five 2016 Ford Interceptor SUV’s. Motion carried by the following vote of the Council:

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

AWARD CONTRACT TO FLYERS ENERGY IN THE AMOUNT OF \$55,478.50 PER YEAR – Diesel Fuel

Motion made by Helix and seconded by Birsan to award a two-year contract with three, one-year extension options to Flyers Energy of San Bruno, California, in the amount of \$55,478.50 per year to provide diesel fuel as needed. Motion carried by the following vote of the Council:

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

EXTEND COUNCIL COMMITTEE ON EARLY CALIFORNIA ARCHITECTURAL REVIEW

Motion made by Helix and seconded by Birsan to extend the Council Committee on Early California Architectural Review through September 2016 and reappointing Vice Mayor Ron Leone, Councilmember Tim Grayson and Design Review Board member Kirk Shelby. Motion carried by the following vote of the Council:

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

ADOPT RESOLUTION No. 16-11 – Brenden Mann Foundation Grant

Motion made by Helix and seconded by Birsan to adoption Resolution No. 16-1, accept a \$68,000 grant from the Brenden Mann Foundation, appropriate the funds for Downtown Patrol Program Services and authorize the City Manager to execute all required documents. Motion carried by the following vote of the Council:

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

APPROVE AMENDMENT TO MASTER AGREEMENT – H.T. Harvey & Associates

Motion made by Helix and seconded by Birsan to approve an amendment to the Master Agreement for Professional Services associated with preparation of site wide permits for sensitive

habitat and species on the Concord Naval Weapons Station with H.T. Harvey & Associates (HTH), not to exceed \$80,000, and authorize the Executive Director of the LRA to execute the agreement. Motion carried by the following vote of the Council:

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

APPROVAL OF MEASURE WW FUND REALLOCATION IN THE AMOUNT OF \$775,000 – Ellis Lake and Meadow Homes Park

City Engineer Robert Ovadia presented a report, referring to the staff report dated March 1, 2016, and noting that most of the City's Measure WW projects have been completed, but there was \$365,000 of residual funds saved from other projects and those funds were allocated towards improvements at Ellis Lake Park and Meadow Homes Park; however, those projects were not fully funded. Mr. Ovadia noted staff identified savings at other Measure WW projects. The total requested reallocation of \$775,000 will fully fund the improvements at Meadow Homes Park and fund the continued expansion of the playground and pathway enhancements at Ellis Lake Park.

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

Erica Ramos, Concord, spoke in favor of staff recommendations for the improvements at Ellis Lake Park.

Marisol Chavez, First Five Contra Costa, spoke in favor of the improvements at both Ellis Lake and Meadow Homes Parks.

Rhea Elina Laughlin, First Five Contra Costa, spoke in favor of the improvements proposed by staff and thanked the Council and staff for progress made over the last six months.

Ana Villalobos, Monument Impact, spoke in favor of the improvements at Ellis Lake and Meadow Homes Parks.

Coire Reilly, Contra Costa Health Services, commended staff for keeping them in the loop on the project.

Vice Mayor Leone closed the public comment period.

Motion by Grayson and second by Birsan to approve Measure WW reallocation in the amount of \$775,000 as presented, authorized staff to prepare the necessary Measure WW applications for submission to the EBRPD by the March 31, 2016 deadline, and authorize the City Engineer to sign the subject application documents. Motion carried by the following vote of the Council:

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

PROGRESS REPORT ON THE SUBDIVISION ORDINANCE UPDATE PROJECT

Senior Planner G. Ryan Lenhardt presented a report, referring to the staff report dated March 1, 2016, and noting that the updated Subdivision Ordinance will align with the City's Development Code with the General Plan vision through a unified set of regulations and design standards for development. He commented that the Planning Commission held a study session on the proposed Subdivision Ordinance updates on January 6, 2016, where they provided feedback and direction. He then turned the presentation over to the project consultant, Ben Noble of Ben Noble City and Regional Planning who presented the Subdivision Ordinance Update goals and process.

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

Council provided feedback on the issues and information presented by Mr. Lenhardt and Mr. Noble.

ACCEPTANCE OF TWO PROPOSED APPLICATIONS TO AMEND THE GENERAL PLAN AND ZONING FOR TWO DEFINED AREAS TO WEST CONCORD MIXED USE (WMX) – BMW, 1967 Market Street and Mazda, 1951 Concord Avenue

Principal Planner Andrew Mogensen presented a report, referring to the staff report dated March 1, 2016, and noting that the item before the Council is not for a project, rather a request for a motion to allow Impact Motors, Inc. (BMW) and DG Concord, LLC. (Mazda) to submit applications to amend the General Plan and zoning for two defined areas to West Concord Mixed Use (WMX).

Following questions by the City Council, Vice Mayor Leone opened a public comment period.

Ned Stilinovich, Ned’s Auto Body Supply, Inc., Concord, questioned what the impact of the two projects would be on his business, which is located near the two projects.

Vice Mayor Leone closed the public comment period.

Following comments by the City Council, a motion was made by Grayson and seconded by Helix directing staff to allow both Impact Motors, Inc. (BMW) and DG Concord, LLC. (Mazda) to proceed with an application for their proposed General Plan and Zoning amendments, as per Concord Development Code Section 18.455.020. Motion carried by the following vote of the Council:

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

CCORRESPONDENCE

- a. Letter submitted by BMW Concord for Agenda Item No. 4.c.
- b. Progress Report Subdivision Ordinance Update Powerpoint Presentation.

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 Vice Mayor, the meeting was adjourned at 7:35 p.m.

RONALD LEONE
VICE MAYOR

JOELLE FOCKLER, MMC
CITY CLERK

SPECIAL MEETING OF THE
CONCORD CITY COUNCIL
HUMAN RESOURCES
CONFERENCE ROOM
2974 SALVIO STREET
CONCORD, CALIFORNIA
FRIDAY, MARCH 18, 2016

The Concord City Council met in a special meeting on Friday, March 18, 2016, at 1:00 p.m. in the Human Resources Conference Room with Mayor Hoffmeister presiding. All members of the City Council were present.

PUBLIC COMMENT – None.

The meeting recessed and immediately reconvened in a closed session in the City Council Conference Room under Government Code Section 54957, Public Employment, Title: City Attorney.

Minutes are in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

By order of the Mayor, the closed session meeting was adjourned at 5:30 p.m.

LAURA M. HOFFMEISTER
MAYOR

JOELLE FOCKLER, MMC
CITY CLERK