

SPECIAL MEETING OF THE
 CONCORD CITY COUNCIL/CITY
 COUNCIL SITTING AS THE
 LOCAL REUSE AUTHORITY
 CITY COUNCIL CHAMBER
 1950 PARKSIDE DRIVE
 CONCORD, CALIFORNIA
 WEDNESDAY, APRIL 13, 2016

The Concord City Council met in a special meeting in the City Council Chamber located at 1950 Parkside Drive at 6:30 p.m. on Wednesday, April 13, 2016, with Mayor Hoffmeister presiding. Councilmember Tim Grayson and Vice Mayor Ron Leone were absent. The pledge of allegiance was led by Councilmember Birsan. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Edi Birsan, Dan Helix, Laura Hoffmeister

COUNCILMEMBERS ABSENT: Tim Grayson, Ron Leone

STAFF PRESENT: Valerie Barone, City Manager; Brian Libow, Interim City Attorney; Joelle Fockler, City Clerk; Jovan Grogan, Deputy City Manager; Guy Bjerke, Director of Reuse Planning; Leslye Asera, Community Relations Manager; Pamela Laperchia, Executive Assistant to the Reuse Project

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Tim Lynch, Concord; Kim Casteneda, Volunteers of America; Mike Conklin, San Ramon; Joel Devalcourt, Greenbelt Alliance; Kristi Laughlin, East Bay Alliance for a Sustainable Economy; Roger Hay, Lafayette; David Wong, Bay Area Deputy Sheriffs' Foundation; Jim Summers, DeSilva Gates Construction; Hamid Taeb, Habitat for Humanity; Ray Sloan, Martinez; Greg Colley, Faith Alliance for a Moral Economy; Cookie Moran, Concord; Mike McDermott, Concord; Gina Del Carlo, Concord; Nancy Jacobsen, Multi Faith Committee; Elizabeth Copley, Concord; Carlyn Obringer, Concord; Pete Bennett, Walnut Creek; Victoria Addison, Walnut Creek; Allen Payton, Antioch; Anna Rikkelman, Concord

PUBLIC COMMENT PERIOD – None

PRESENTATIONS – None

ANNOUNCEMENTS – None

SELECTION OF MASTER DEVELOPER TO NEGOTIATE A DISPOSITION AND DEVELOPMENT AGREEMENT TO IMPLEMENT THE FIRST PHASE OF THE CONCORD REUSE PROJECT (CRP) AREA PLAN (continued from April 5, 2016)

Mayor Hoffmeister opened a public comment period.

Tim Lynch, Concord, spoke in favor of Lennar.

Kim Casteneda, speaking for Christie Holderegger, Volunteers of America, spoke in favor of Lennar.

Mike Conklin, San Ramon, spoke in favor of Lennar.

Joel Devalcourt, Greenbelt Alliance, spoke in favor of Lennar and requested that the term sheet provide for 50% of the units in the first phase.

Kristi Laughlin, East Bay Alliance for a Sustainable Economy, spoke of the integrity of the process, community involvement, living wage, and job access.

Roger Hay, Lafayette, spoke in favor of Lennar.

David Wong, Bay Area Deputy Sheriffs' Foundation, spoke in favor of Lennar.

Jim Summers, DeSilva Gates Construction, spoke in favor of Lennar.

Hamid Taeb, Habitat for Humanity, spoke in favor of Lennar.

Ray Sloan, Martinez, spoke in favor of Lennar.

Greg Colley, Faith Alliance for a Moral Economy, spoke in favor of Lennar.

Cookie Moran, Concord, spoke of concern about water sustainability in the project and in the City of Concord.

Mike McDermott, Concord, spoke in opposition to Lennar.

Gina Del Carlo, Concord, spoke in favor of Lennar.

Nancy Jacobsen, Multi Faith Committee, spoke in favor of affordable housing.

Elizabeth Copley, Concord, spoke in favor of a strict term sheet.

Carlyn Obringer, Concord, spoke of a four-year university on the project.

Pete Bennett, Walnut Creek, spoke of a law suit between himself and Catellus.

Victoria Addison, Walnut Creek, spoke in favor of Lennar.

Allen Payton, Antioch, spoke in favor of traffic mitigation fees.

Anna Rikkelman, Concord, spoke in favor of Lennar.

Mayor Hoffmeister closed the public comment period.

The Council asked questions on traffic mitigation, the selection process, the TOD component, how Lennar would address mistrust in the community, and the EB-5 visa component.

Mayor Hoffmeister called a recess at 8:25 p.m.

Mayor Hoffmeister reconvened the meeting at 8:33 p.m.

Following discussion by the Council, a motion was made by Birsan and seconded by Helix to re-open negotiations with Lennar on the areas of concern listed below, defer the selection of Lennar as the Master Developer until staff can return with a revised Term Sheet for Council consideration, and research and return with information on restarting the process, the possibility of the City serving as its own Master Developer, and forming a Joint Powers Authority (JPA.)

1. Affordable Housing Requirements
2. Tournament Sports Park

3. LRA Retention of Land for Direct Leasing
4. Backbone Infrastructure and Offsite Roadway Improvements
5. Future Development Rights
6. Binding Arbitration of LRA Cost Disputes
7. Traffic Mitigation Studies
8. Open Book Accounting
9. Protection of City Interests in Property and Security of Developer Obligations
10. Corporate Structure and Capitalization of the LLC
11. Expedited Transit-Oriented Development (TOD)
12. Revised Term Sheet Financial Projections
13. Interim Leasing
14. Lease vs. Fee Transfers
15. Use of EB-5 Program for Financing of Development
16. Attorney's Fees
17. Specific Plan Schedule

Motion passed by the following vote of the Council:

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

This item will return to the City Council sitting as the Local Reuse Authority sometime in May 2016.

CORRESPONDENCE

- a. Benched Correspondence Received, Item No. 3.a
- b. March 28, 2016, letter from Richard Clark

By order of the Mayor, the meeting was adjourned at 9:03 p.m.

LAURA M. HOFFMEISTER
MAYOR

JOELLE FOCKLER, MMC
CITY CLERK