

SPECIAL MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, MARCH 20, 2018

The Concord City Council met in a special meeting in the City Council Conference Room located at 1950 Parkside Drive at 5:30 p.m. on Tuesday, March 20, 2018, with Mayor Birsan presiding. All Councilmembers were present (Councilmember Hoffmeister left the meeting at 6:11 p.m.) The meeting was recessed and immediately reconvened in a closed session under Conference with Labor Negotiators Pursuant to Government Code Section 54957.6. Agency designated representatives: Valerie Barone, City Manager; Justin Ezell, Director of Public Works; Jasmin Loi, Director of Human Resources; Jonathan Holtzman, Esq. of Renne Public Law Group. Employee organization: Field & Operations Representation unit of International Brotherhood of Teamsters Local 856.

The meeting recessed at 6:14 p.m. to reconvene in regular session in the Council Chamber.

The Concord City Council met in a special meeting in the Council Chamber located at 1950 Parkside Drive at 6:30 p.m. on Tuesday, March 20, 2018, with Mayor Birsan presiding. The pledge of allegiance was led by Councilmember Leone. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Ron Leone, Tim McGallian, Carlyn Obringer, Edi Birsan, Laura Hoffmeister (Councilmember Hoffmeister arrived at 7:30 p.m.)

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Kathleen Tropa, Assistant City Manager; Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Jasmin Loi, Director of Human Resources; Justin Ezell, Director of Public Works; Andrea Ouse, Director of Community and Economic Development; Karan Reid, Director of Finance; Donna Lee, Budget Officer; Kevin Marstall, Interim City Engineer; Michael Cass, Principal Planner; Ryan Lenhardt, Senior Planner; Brenda Kain, Housing Program Manager; Sophia Sidhu, Housing Program Analyst; Ali Hatifi, Associate Civil Engineer; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Rebecca Byars, Radical Health; Eric Rehn, Kennedy Wilson; Sutcar Sidhu, Concord; Greg Kremenlier, Concord; Tim Byars, Radical Health

PUBLIC COMMENT PERIOD – none.

PRESENTATIONS

PRESCRIPTION DRUG ABUSE AWARENESS MONTH

Mayor Birsan presented Ricardo Simental, Monument Corridor Anti-Drug & Alcohol Coalition, proclaiming March 2018 as "Prescription Drug Abuse Awareness Month" in the City of Concord.

PRELIMINARY WORKING DRAFT FRAMEWORK FOR REGULATING CANNABIS IN THE UNINCORPORATED AREAS OF CONTRA COSTA COUNTY

Principal Planner Michael P. Cass introduced Contra Costa County Supervisor Karen Mitchoff who introduced Dan Petticourt, Director of Public Health; Lea Bristol, and John Kopchik, Contra Costa County Director of Conservation and Development, who made a presentation on the Preliminary Working Draft Framework for Regulating Cannabis in the Unincorporated Areas of Contra Costa County.

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

Rebecca Byars, Concord, presented information on crime statistics and cannabis.

Eric Rehn, Kennedy Wilson, stated that caps are not necessary for manufacturing.

Sutcar Sidhu, Concord, spoke of caps, agricultural use, and crime associated with cannabis use.

Greg Kremenlier, Concord, spoke of reduced tax rates for cannabis sales.

Tim Byars, Radical Health, spoke of changes in cannabis laws and teen use.

Mayor Birsan closed the public comment period.

The Council provided the County with feedback on the presentation.

ANNOUNCEMENTS – none.

CITY COUNCIL CONSENT CALENDAR

APPROVAL OF MINUTES – February 5, 2018

Motion was made by Leone and seconded by Obringer to approve the minutes of the meeting of February 5, 2018. Motion passed by unanimous vote of the Council.

DELETION OF FORENSIC SPECIALIST 1 AND FORENSIC SPECIALIST 2 JOB CLASSIFICATIONS WITHIN THE POLICE DEPARTMENT

This item was removed from consideration by the Director of Human Resources to return on the meeting of April 10, 2018.

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH BELLECCI AND ASSOCIATES, INC. – Measure Q Pavement Repair Project #2 – Solano Way, Wren Avenue, Sixth Street Pavement Rehabilitation, Project No. 2361

Motion was made by Leone and seconded by Obringer to approve an amendment to a Professional Services Agreement with Bellecci and Associates, Inc. in the amount of \$7,380 for design engineering services for Measure Q Pavement Repair Project #2 – Solano Way, Wren Avenue, Sixth Street Pavement Rehabilitation, Project No. 2361; authorize the City Manager to

execute the Amendment, subject to the approval of the City Attorney; accept improvements for Pavement Repair Project #2 – Solano Way, Wren Avenue, Sixth Street Pavement Rehabilitation, Project No. 2361; and direct the City Clerk to file a Notice of Completion. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF THE CONCORD 2030 GENERAL PLAN ANNUAL PROGRESS REPORT

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

RESOLUTION NO. 18-19 – ACCEPTANCE OF FISCAL YEAR 2017-18 MID-YEAR REVIEW AND AMENDING THE FISCAL YEAR 2017-18 MUNICIPAL BUDGET (continued from February 13, 2018)

Budget Officer Donna Lee presented a report, reviewing the Council Priority Focus Areas, the Biennial Budget Process, the General Fund Budget Overview (prior and current Fiscal Year) – revenues and expenditures, and the recommended mid-year budget adjustments.

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

Motion was made by Hoffmeister and seconded by McGallian to accept Fiscal Year 2017-18 Mid-Year Review and adopt Resolution No. 18-19 entitled, “A Resolution Amending the Municipal Budget for Fiscal Year 2017-18.” Motion passed by unanimous vote of the Council.

ZONING ADMINISTRATOR ORDER #17-10 – WIRELESS COMMUNICATIONS FACILITY WITHIN THE PUBLIC RIGHT-OF-WAY ADJACENT TO 1039 OAK GROVE ROAD (continued from February 13, 2018)

Senior Planner Ryan Lenhardt presented a report stating that the applicant, ExteNet, was not ready to proceed with the hearing and requested a continuance to a date uncertain.

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

Motion was made by Hoffmeister and seconded by Obringer to continue the review of Zoning Administrator Order #17-10 for a wireless communications facility within the public right-of-way, adjacent to 1039 Oak Grove Road, to a date uncertain, as requested by the applicant, ExteNet. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Preliminary Framework for Cannabis Regulation in Unincorporated Contra Costa County PowerPoint Presentation
- b. Benched 2017 Accessory Dwelling Units Data with Building and Planning Status Map – Agenda Item No. 9.d
- c. Fiscal Year 2017-18 Mid-Year Budget Report PowerPoint Presentation
- d. Benched Correspondence - email dated March 20, 2018, from Joan McDavid – Agenda Item No. 11.a

COUNCIL REPORTS

Councilmember McGallian reported out on his attendance at the National League of Cities Conference, stating he attended sessions on affordable housing, tax reform, cannabis,

stormwater, gun violence, spoke of the opportunity to talk with large cities and share best practices, and learned the Lifeline Program has been cut.

Vice Mayor Obringer reported out on her attendance at the National League of Cities Conference, thanked the citizens of Concord for allowing her attendance, reported on her attendance at sessions regarding job creation, learned about Opportunity Zones, participated in discussions in preparation of the 2020 Census, and participated in advocacy day on Capitol Hill.

Councilmember Hoffmeister applauded Michael Cass and Sophia Sidhu on their work on the General Plan report, commented on the upcoming City of Concord Broadband Master Plan, and shared information on other events and activities in which she had participated since the last meeting.

Councilmember Leone showed a photo of the statue of Don Salvio Pacheco that will be unveiled on the 4th of July and asked for public feedback about what to put in the time capsule.

Mayor Birsan requested that the Policy Development and Internal Operations Committee receive a review of restrictions on home occupations for tutoring. The request was supported by Vice Mayor Obringer and Councilmember Hoffmeister.

ADJOURNMENT

By order of the Mayor, the meeting was adjourned at 8:45 p.m.



EDI E. BIRSAN
MAYOR



JOELLE FOCKLER, MMC
CITY CLERK