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, April 24, 2018, with Mayor Birsan 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: Laura Hoffmeister, Ron Leone, Tim McGallian, Carlyn Obringer, Edi Birsan

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Patti Barsotti, City Treasurer; Kathleen Trepa, Assistant City Manager; Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Karan Reid, Director of Finance; Andrea Ouse, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Jasmin Loi, Director of Human Resources; Steve Voorhis, Director of Parks and Recreation; Jeff Lewis, Director of Information Technology; Bernard Enrile, Senior Civil Engineer; Aldrich Bautista, Associate Civil Engineer; Mark Migliore, Associate Civil Engineer; Kevin Marstall, Interim City Engineer; Bob Hardie, Facilities Maintenance Manager; David Boatwright, Senior Administrative Analyst; Tim Stuart, Information Technology Project Manager; Brian Nunnally, Economic Development Manager; ZeeLaura Page, Administrative Analyst; Leslye Asera, Community Affairs Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Alex Savakis, Concord; George Fulmore, Concord; Ajit Kaushal, Concord; Mike McDermott, Concord; Debra Taraskewick, Concord; Lana Hanlon, Concord; Kenji Yamada, Concord; Tim Reinholdt, Concord; Natalie; Steve McCaffress, Concord; Josh Haller, Concord

PUBLIC COMMENT PERIOD

Alex Savakis, Concord, spoke of his personal art project to commemorate the Concord 150th Anniversary Celebration.

George Fulmore, Concord, spoke about the need for a park study to see who uses the parks.

Ajit Kaushal, Concord, announced the Spring Diversity Festival to be held Saturday, April 28, 10 a.m. – 5 p.m., and invited the Council to attend.

Mike McDermott, Concord, spoke in support of the action taken April 10 on cannabis.
Debra Taraskewick, Concord, spoke in opposition of inviting any aspect of the cannabis industry to Concord; however, appreciated the reflective thinking and the decision on April 10 to proceed on a limited basis.

Lana Hanlon, Concord, announced the American Association of University Women Art, Wine, and Beer Walk to be held on May 12 at Todos Santos Plaza and around downtown Concord from 1-4 p.m. Money raised from the event goes towards scholarships for women.

Kenji Yamada, Concord, shared concerns about previous comments made regarding cannabis and noted that speakers in support of cannabis are also Concord residents.

Tim Reinholdt, Concord, spoke about the Joan Avenue drainage project and encouraged the City to find money to fund the project.

Natalie, spoke of lifting the warning about the smoke from the fire too soon and informed the public about the May Day rally at Meadow Homes Park on May 1, 4-6 pm.

Steve McCaffree, Concord, spoke in support of the decisions to map out where testing and manufacturing of cannabis could take place and the decision to not allow manufacturing cannabis for the purpose of intoxication.

PRESENTATIONS

DANIEL C. HELIX AWARD OF EXCELLENCE – Sean Cofer

Director of Public Works Justin Ezell presented Maintenance Worker II Sean Cofer the Daniel C. Helix Award of Excellence.

ANNOUNCEMENTS

Mayor Birsan announced the retirement of Community Relations Manager Leslye Asera.

CITY COUNCIL CONSENT CALENDAR

APPROVAL OF MINUTES – March 6 and 20, 2018

Motion was made by Hoffmeister and seconded by Obringer to approve the minutes from the meetings of March 6 and 20, 2018. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-28 - Accepting Preliminary Engineer's Report, Downtown Landscape Maintenance District

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-28, entitled “A Resolution Accepting the Preliminary Engineer’s Report for the Downtown Landscape Maintenance District.” Motion passed by unanimous vote of the Council.

RESOLUTION NO 18-29 – Accepting Preliminary Engineer’s Report – Pine Hollow Landscape and Lighting Maintenance District

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-29, entitled “A Resolution Accepting the Preliminary Engineer’s Report for the Pine Hollow Landscape and Lighting Maintenance District.” Motion passed by unanimous vote of the Council.
RESOLUTION NO. 18-30 – Accepting Preliminary Engineer’s Report – Landscaping and Lighting Assessment District No. 3

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-30, entitled “A Resolution Accepting the Preliminary Engineer’s Report for the Landscaping and Lighting Assessment District No. 3.” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-31 – Citywide Street Lighting Assessment District

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-31, entitled “A Resolution Accepting the Preliminary Engineer’s Report for the Citywide Street Lighting Assessment District.” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-32 – Resolution of Intention to Order Improvements and Set Public Hearing – Downtown Landscape Maintenance District

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-32, entitled “A Resolution of Intention to Order Improvements and set a Public Hearing for the Downtown Landscape Maintenance District.” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-33 – Resolution of Intention to Order Improvements and Set Public Hearing – Pine Hollow Landscape and Lighting Maintenance District

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-33, entitled “A Resolution of Intention to Order Improvements and set Public hearing for the Pine Hollow Landscape and Lighting Maintenance District.” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-34 – Resolution of Intention to Order Improvements and Set Public Hearing – Landscaping and Lighting Assessment District No. 3

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-34, entitled “A Resolution of Intention to Order Improvements and set Public Hearing for the Landscaping and Lighting Assessment District No. 3.” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-35 – Resolution of Intention to Order Improvements and Set Public Hearing – Citywide Street Lighting Assessment District

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-35, entitled “A Resolution of Intention to Order Improvements and set Public Hearing for the Citywide Street Lighting Assessment District.” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-37 – Projects for Fiscal Year 2018-19 funded by SB 1

Motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-37, entitled “A Resolution Adopting a List of Projects for Fiscal Year 2018-19 Funded by SB 1: The Road Repair and Accountability Act of 2017.” Motion passed by unanimous vote of the Council.

PARKING LICENSE AGREEMENT – Six Flags Concord LLC

Motion was made by Hoffmeister and seconded by Obringer to approve a Parking License Agreement with Six Flags Concord LLC to allow temporary employee parking within the
City of Concord’s property located on Waterworld Way for a fee of $875 per month from May through September 2018; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

REJECTION OF BIDS – Sanitary Sewer Restoration Service

Motion made by Hoffmeister and seconded by Obringer to reject all bids for the Sanitary Sewer Restoration Service Request for Bid #2396; and direct staff to re-advertise at a later date. Motion passed by unanimous vote of the Council.

LETTER OF UNDERSTANDING BETWEEN CITY OF CONCORD AND TEAMSTERS LOCAL UNION 856 – Landscape Maintenance Services

Motion made by Hoffmeister and seconded by Obringer to approve the Letter of Understanding between the City of Concord and Teamsters Local Union 856 on the City’s decision to contract out landscape maintenance services within street medians and certain small parks; and authorize the creation of five new positions in the Public Works Department. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-38 – Monument Community Shuttle

This item was pulled from the Consent Calendar by Concord resident George Fulmore who spoke of the need of parking in the area and more shuttles to homes.

Motion made by Obringer and seconded by Hoffmeister to adopt Resolution No. 18-38, entitled “A Resolution Supporting the Submittal of a Grant Application to the Contra Costa Transportation Authority, in cooperation with Monument Impact, for funding the Operations of the Monument Community Shuttle.” Motion passed by unanimous vote of the Council.

SUCCESSOR AGENCY CONSENT CALENDAR

SUCCESSOR AGENCY RESOLUTION NO. 18-782S – Purchase and Sale Agreement for 1956 Colfax Street

This item was pulled from the Consent Calendar by Concord resident George Fulmore who spoke of proposed senior housing on Colfax Street.

Mayor Birsan opened a public comment period.

Josh Haller, Concord, stated that the parking lot is a big part of La Pinata’s business, and the business will be negatively impacted if they lost the land.

Mayor Birsan closed the public comment period.

Motion by Leone and seconded by Obringer to adopt Resolution No. 18-782S, entitled “A Resolution Approving an Agreement of Purchase and Sale and Initial Escrow Instructions between the Successor Agency as Seller, and La Pinata Concord, Inc. as Buyer, for 1956 Colfax Street, Concord, CA (APN 126-074-019).” Motion passed by unanimous vote of the Council.

FIVE-YEAR PAVEMENT EXPENDITURE PLAN

Associate Civil Engineer Aldrich Bautista presented an overview of the Five-Year Pavement Expenditure Plan and introduced Joe Ririe, Pavement Engineering, Inc., who provided
a technical view of the principals and methods used to organize and prioritize potential project streets.

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

Tim Reinholdt, Concord, inquired about bringing manhole covers up to street level.

George Fulmore, Concord, spoke in support of identifying Monument Blvd as a problem and felt four years was a long time to wait for that road to be repaired.

Ajit Kaushal, Concord, spoke of missing and non-existent sidewalks.

Mayor Birsan closed the public comment period.

Motion by Hoffmeister and seconded by Leone to approve the proposed approach for expending an expected $27 million in street repair/rehabilitation funding over the next five years for inclusion in the Five-Year Pavement Expenditure Plan and in FY 2018-19 and FY 2019-20 Capital Improvement Plan. Motion passed by unanimous vote of the Council.

CAPITAL IMPROVEMENT PROGRAM AND PROPOSED CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEARS 2018-19 AND 2019-20

Director of Community and Economic Development Andrea Ouse introduced the team who worked on the project, including ZeeLaura Page, Mark Migliore, Aldrich Bautista, Bernard Enrile, Kevin Marstall, and Tim Stuart. Ms. Ouse turned the presentation over to Interim City Engineer Kevin Marstall who reviewed the FY 2017-18 Accomplishments, including projects completed during FY 2017-18, projects under construction or soon to be, and other on-going projects.

Mr. Marstall turned the presentation over to Information Technology Project Manager Tim Stuart who outlined the FY 18-19 active Information Technology Projects.

Mr. Marstall then presented the proposed two-year Capital Budget focused on Council Priorities totaling $41.5 million and turned the presentation over to Information Technology Manager Tim Stuart to outline the proposed FY 18-19 Information Technology Projects.

Following clarifying questions by the City Council, Mayor Birsan recessed the meeting at 9:10 p.m. The meeting resumed at 9:25 p.m.

Mayor Birsan opened a public comment period.

Tim Reinholdt, Concord, spoke of flooding on La Vista Avenue.

George Fulmore, Concord, spoke of inaccuracies in the information presented to the Council.

Kenji Yamada, Concord, inquired about the use of Level of Service (LOS) in on an ongoing project.

Mayor Birsan closed the public comment period.

The Council requested clarification on the funding amounts and an expanded summary table; shared concerns over the flooding issue and asked about the possibility of reprioritizing projects; and requested exploration of further improvements at Kinney Bridge.
BROADBAND MASTER PLAN

Director of Information Technology Jeff Lewis introduced Jory Wolf, Magellan Advisors, who reviewed the City of Concord project objectives, project overview, current broadband market, internet delivery systems, satisfaction measures, reasons for dissatisfaction, anchor needs and partnerships, best governance practices, strategic approach, a phased approach over ten years (dependent on funding), and proposed network and buffer zones.

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

Kenji Yamada, Concord, requested the City to require certain standards for the providers, for example, net neutrality requirements.

Mayor Birsan closed the public comment period.

A motion was made by McGalian and seconded by Obringer to adopt the proposed Broadband Master Plan and approve the proposed two-step implementation strategy: 1) continue coordinating projects with open trenches and install fiber infrastructure, and 2) develop and bring forward to Council for adoption a Dig Once Policy. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

a. Five-Year Pavement Expenditure Plan PowerPoint Presentation from Pavement Engineering
b. Five-Year Pavement Expenditure Plan PowerPoint Presentation from City staff
d. Fiber Master Plan PowerPoint Presentation
e. Benched Correspondence submitted by Mayor Birsan on April 24, 2018 regarding North Concord BART Station

COUNCIL REPORTS

Council members shared information on events and activities in which they had participated since the last meeting and commented on items of interest.

ADJOURNMENT

By order of the Mayor, the meeting was adjourned at 11:15 p.m. in memory of Kenneth H. Hofmann.

EDI E. BIRSAN
MAYOR

JOELLE FOCKLER, MMC
CITY CLERK