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, May 8, 2018, with Mayor Birsan presiding. The pledge of allegiance was led by Vice Mayor Obringer. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Laura Hoffmeister, Ron Leone, Carlyn Obringer, Edi Birsan (Councilmember Hoffmeister left the meeting at 7:30 p.m. and returned at 8:10 p.m.)

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; Andrea Ouse, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Steve Voorhies, Director of Parks and Recreation; Jeff Lewis, Director of Information Technology; Donna Lee, Budget Officer; Laura Simpson, Planning and Housing Manager; John Montagh, Economic Development Manager; Abhishek Panik, Transportation Manager; Kevin Marstall, Interim City Engineer; Rian Pursley, Chief Building Official; John Montagh, Economic Development Manager; Brian Nunally, Business Development Manager; Pedro Garcia, Economic Development Specialist; Michael Cass, Principal Planner; Florence Weiss, Downtown Program Manager; Bernard Enrile, Senior Civil Engineer; Ali Hatifi, Associate Civil Engineer; ZeeLaura Page, Administrative Analyst; Coleman Frick, Associate Planner

MEMBERS OF THE PUBLIC WHO ADDRESS THE COUNCIL: Florence Weiss, Concord; Catherine Hensick, Concord; Kenji Yamada, Concord; Jay Bedecare, Clayton; Maggie Knapp, Rising Sun Energy Center; Jill Hernandez, Contra Costa County Horsemen's Association; Scott Gillespie and Bud Dansie, Red Devils Restoration; George Fulmore, Concord; Claire Weer, Concord; Ajit Kaushal, Concord; Rebecca Auerback, Concord; Alexandra McGee, MCE; Melissa Yu, Sierra Club; Carol Weed, Walnut Creek

STUDY SESSION

STUDY SESSION ON ECONOMIC DEVELOPMENT

Director of Economic Development Andrea Ouse introduced the item, reporting that the study session was the annual report on Economic Development and a precursor to the Fiscal Stability Plan that will be presented on May 22, 2018. She noted that the study session would define "Economic Development", review sales tax trends, review general revenue expectations, and explain City Economic Development programs. She introduced Andy Nickerson, Hdl, and
Barry Foster, ECONSolutions by HdL, who presented on sales and property taxes and trends and economic outlook.

The Council asked clarifying questions of Mr. Nickerson and Mr. Foster, after which Mayor Birsan continued the item to the end of the meeting.

After Council’s consideration of the other items on the Agenda, this item was continued.

John Montagh, Economic Development Manager, reviewed the City’s economic development history, explained the Economic Vitality Strategy, emphasized the City’s approach to proactive economic development and outreach, including staff attendance at trade shows, industry specific attraction, award winning marketing, retention/expansion efforts, revenue generation, workforce development, and enhancement of Concord’s quality of life. Mr. Montagh also reviewed recent economic development accomplishments.

Council asked clarifying questions about new emerging technologies such as autonomous vehicles and fiber network and applauded participation by councilmembers and department heads attending goodwill visits, complimented the Music and Market series and the City’s participation in Chamber of Commerce events, and suggested looking at how to market Concord more as a bio and life sciences community.

Mayor Birsan opened a public comment period.

George Fulmore, Concord, spoke of retaining a blend of housing in Concord.

Kenji Yamada, Concord, spoke of the Council’s support of responsible consumption of alcohol and the lack of support of another substance.

Mayor Birsan closed the public comment period and moved onto Correspondence.

PUBLIC COMMENT PERIOD

Florence Weiss, Downtown Program Manager, announced the upcoming Music and Market season and recognized one of the winners of the annual Mother’s Day essay contest who cannot attend the Saturday, May 12th event.

Catherine Hensick, Concord Art Association, outlined the Mayor’s Student Art Gallery program.

Kenji Yamada, Concord, spoke about Concord Connect and thanked staff for their quick response to items submitted through the app.

Jay Bedeccare, Clayton, announced the 29th Annual Bay Area KidFest to be held Memorial Day weekend, May 26-28, at Mt. Diablo High School.

Maggie Knapp, Rising Sun Energy Center, shared about the work being done in Concord.

Jill Hernandez, Contra Costa County Horsemen’s Association, spoke of fundraising efforts and events targeted at keeping agriculture in Concord.

Scott Gillespie and Bud Dansie, Red Devils Restoration, announced their Classic Car Show scheduled for Saturday, May 19, 10 a.m. – 4 p.m. at Todos Santos Plaza.

George Fulmore, Concord, spoke of Concord parks.

Claire Weer, Concord, spoke of her home occupation tutorial business.
Ajit Kaushal, Concord, thanked the Council for its support of the recent Diversity Festival and spoke of the increase in his business garbage rates.

PRESENTATIONS

BUSINESS RECOGNITION AWARD – Beyond Lucid Technologies

Mayor Birsan presented a Business Recognition Award to Jonathon Feit and Chris Witt of Beyond Lucid Technologies.

PROCLAMATION – City Clerks’ Week

Mayor Birsan presented Joelle Fockler, City Clerk; Marsha Moore, Deputy City Clerk; Vicki Dunbar, Administrative Secretary, and Debbie Solomon, Administrative Clerk II a proclamation declaring the week of May 6 – 12, 2018, as “City Clerks’ Week” in the City of Concord.

PRESENTATION – Convoy of Hope Event

John Gregg, Convoy of Hope, presented a recap of the Convoy of Hope event held Saturday, April 28, 2018.

ANNOUNCEMENTS

Mayor Birsan announced the Mayor’s Art Project for elementary, middle, and high school students in Concord. Three pictures each quarter will be chosen, hung in the Mayor’s office, and presented at a City Council meeting.

CITY COUNCIL CONSENT CALENDAR

APPROVAL OF MINUTES – March 24 and 27, 2018

The meeting minutes of March 24 were pulled from consideration by staff to return at the May 22, 2018, meeting.

Motion was made by Obringer and seconded by Leone to approve the minutes from the meeting of March 27, 2018. Motion passed by the following vote of the Council:

AYES: Leone, McGallian, Obringer, Birsan NOES: None ABSENT: Hoffmeister

RESOLUTION NO. 18-36 – Housing Rehabilitation Grant and Loan Program

Motion was made by Obringer and seconded by Leone to adopt Resolution No. 18-36 entitled, “A Resolution Increasing the Maximum Grant and Loan Amounts for the Housing Rehabilitation Grant and Loan Program and Reducing the Percentage amount of Retention for Contractors Payment, as Approved by the housing and Economic Development Committee.” Motion passed by the following vote of the Council:

AYES: Leone, McGallian, Obringer, Birsan NOES: None ABSENT: Hoffmeister

RESOLUTION NO. 18-39 – Supporting Proposition 68: The California Clean Water and Safe Parks Act

Motion was made by Obringer and seconded by Leone to adopt Resolution No. 18-39 entitled, “A Resolution Supporting Proposition 68: The California Clean Water and Safe Parks Act.” Motion passed by the following vote of the Council:

AYES: Leone, McGallian, Obringer, Birsan NOES: None ABSENT: Hoffmeister
PROFESSIONAL SERVICES AGREEMENT – Brown and Caldwell – Citywide Sewer Condition Assessment Study, Project No. 2208

Motion was made by Obringer and seconded by Leone to approve a Professional Services Agreement with Brown and Caldwell in the amount of $235,452 to provide preliminary studies and related services for the Citywide Sewer Condition Assessment Study, Project No. 2208, subject to the approval of the City Attorney; and authorize the City Manager to execute the agreement. Motion passed by the following vote of the Council:

AYES: Leone, McGallian, Obringer, Birsan  NOES: None  ABSENT: Hoffmeister

RESOLUTION 18-41 – Opposing the Tax Fairness, Transparency, and Accountability Act of 2018

Motion was made by Obringer and seconded by Leone to adopt Resolution No. 18-41 entitled, "A Resolution Opposing the Tax Fairness, Transparency and Accountability Act of 2018." Motion passed by the following vote of the Council:

AYES: Leone, McGallian, Obringer, Birsan  NOES: None  ABSENT: Hoffmeister

AGREEMENT FOR COMMUNITY SURVEYING SERVICES – Godbe Research

Motion was made by Obringer and seconded by Leone to authorize the City Manager to enter into an agreement in an amount not to exceed $36,000 with Godbe Research for community surveying services. Motion passed by the following vote of the Council:

AYES: Leone, McGallian, Obringer, Birsan  NOES: None  ABSENT: Hoffmeister

ADOPTION OF CITY COUNCIL POLICY AND PROCEDURE NO. 178 – Legislative Advocacy Program and Platform

This item was pulled from the Consent Calendar by Concord resident Kenji Yamada who noted a current law that preempts local authority on rents and asked that the Council oppose that law based on the proposed Legislative Advocacy Program and Platform.

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

Motion was made by Obringer and seconded by Leone to adopt City Council Policy and Procedure No. 178 – Legislative Advocacy Program and Platform. Motion passed by the following vote of the Council:

AYES: Leone, McGallian, Obringer, Birsan  NOES: None  ABSENT: Hoffmeister

CITY COUNCIL CONSIDERATION ITEM

MCE’S “LIGHT GREEN” OR “DEEP GREEN” PROGRAMS

Planning and Housing Manager Laura Simpson introduced Associate Planner Coleman Frick who presented a report to consider enrollment in MCE’s “Light Green” or “Deep Green” programs or opting-out to remain with PG&E for the City’s municipal electricity accounts.

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

Rebecca Auerbach, Concord, urged the Council to opt in for the 100 percent Deep Green program.
Kenji Yamada, Concord, urged the Council to opt in for the 100 percent Deep Green program.

Alexandra McGee, MCE, presented updated statistics regarding MCE Light Green and reminded the Council that half of the penny per kilogram under Deep Green goes into a local development fund.

Melissa Yu, Sierra Club, urged the Council to opt into the 100 percent Deep Green program.

Carol Weed, Walnut Creek, urged the Council to opt in for the 100 percent Deep Green program.

Mayor Birsan closed the public comment period.

The Council shared their opinions regarding enrolling in MCE's "Deep Green" program with support of enrolling in MCE's "Light Green" program instead due to financial constraints, requested review of the "Deep Green" program in the future, and requested research of solar and other energy savings on City buildings.

Motion was made by Hoffmeister and seconded by McGallian to enroll in MCE's "Light Green" program and direct staff to study solar options on City buildings and grounds.

Councilmember Leone offered an amendment to the motion to direct staff to study solar and other energy efficient options, to which Hoffmeister and McGallian agreed.

Motion was made by Hoffmeister and seconded by McGallian to enroll in MCE's "Light Green" program and direct staff to study solar and other energy efficient options. The motion passed by the following vote of the Council:

AYES: Hoffmeister, Leone, McGallian, Obringer   NOES: Birsan   ABSENT: None

CITY COUNCIL PUBLIC HEARING

RESOLUTION NO. 18-40 – Adopting the Capital Budget for Fiscal Years 2018-2019 and 2019-2020

A notice of Public Hearing announcing the hearing date of May 8, 2018, was published in the East Bay Times on April 27, 2018, mailed to interested parties of record, and posted in the City’s posting cabinet.

Interim City Engineer Kevin Marstall presented a report recommending adopting Resolution No. 18-40, adopting the Fiscal Years 2018-19 and 2019-20 Capital Budget.

Mayor Birsan opened a public comment period.

George Fulmore, Concord, spoke of the errors and inconsistencies with the attachments to the staff report.

Mayor Birsan closed the public comment period.

Motion by Hoffmeister and second by Obringer to adopt Resolution No. 18-40 entitled, "A Resolution Adopting the Capital Budget for Fiscal Years 2018-2019 and 2019-2020." Motion passed by the unanimous vote of the Council.
CORRESPONDENCE

a. April 18, 2018, letter to California State Assembley members Chiu and Grayson regarding AB 2923 (Chiu/Grayson) San Francisco Bay Area Rapid Transit: TOD Notice of Opposition Unless Amended
b. April 18, 2018, letter to Governor Brown in support of State Budget Funding to Strengthen Disaster Response
c. Hdl Companies Revenue and Development Trends PowerPoint Presentation
d. City of Concord’s Economic Development Program PowerPoint Presentation
e. 2018 Music and Market Series brochure
f. KidFest 2018 Flyer
g. Contra Costa Horseman’s Association Mother’s Day Tea Party Flyer
h. Contra Costa Horseman’s Association Chili Cook Off Fundraiser Flyer
i. Red Devils Restoration Car Show Flyer
j. The Bay Church Convoy of Hope Concord Event Results Flyer
k. City Electrical Accounts PowerPoint Presentation
l. Correspondence Received – Agenda Item No. 7.a
m. Capital Budget PowerPoint Presentation

COUNCIL REPORTS

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

The Council discussed adding art to one of the standing committees and there was support to add it to the Youth and Education Committee, making the committee the Youth, Education, and Art Committee.

ADJOURNMENT

By order of the Mayor, the meeting was adjourned at 10:00 p.m.

[Signatures]

EDI E. BIRSAN
MAYOR

JOELLE FOCKLER, MMC
CITY CLERK