REGULAR MEETING OF THE
CONCORD CITY COUNCIL/CITY
COUNCIL SITTING AS THE LOCAL
REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, OCTOBER 23, 2018

The Concord City Council met in a regular meeting in the City Council Conference Room located at 1950 Parkside Drive at 5:30 p.m. on Tuesday, October 23, 2018, with Mayor Birsan presiding. Councilmembers Hoffmeister and McGallian were absent. The meeting was recessed and immediately reconvened in a closed session under Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) Name of case: Paul Duckart v. City of Concord, WCAB Case Nos. ADJ9453191, ADJ7614730, and ADJ8898597; Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) Name of case: Jeffrey Crump v. City of Concord, WCAB Case No. ADJ9965979; and Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) Name of case: Stephen Chiabotti v City of Concord, WCAB Case No. ADJ9965870.

The meeting recessed at 5:50 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, October 23, 2018, with Mayor Birsan presiding. The pledge of allegiance was led by Councilmember Hoffmeister. 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; Kathleen Trepa, Assistant City Manager; Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Justin Ezell, Director of Public Works; Steve Voorhies, Director of Parks and Recreation; Andrea Ouse, Director of Community and Economic Development; Kevin Marstall, City Engineer; Bernard Enrile, CIP Manager; Mark Migliore, Associate Civil Engineer; Scott Conn, IT Operations Manager; Russ Norris, Police Sergeant; Jennifer Ortega, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Silvia Barajas, Concord; Dolores Ramos, Concord; Betty Gabaldon, Concord; Blaine Carter, Concord; Kristi Laughlin, Raise the Roof; Lamar Anderson, Concord; Crystal Chandler, Concord; George Fulmore, Concord; Eduardo Torres, Concord; Kenji Yamada, Concord; Hope Johnson, Concord; Debra Bernstein, Monument Impact; Victor Benedict Tiglao, Concord; Marianne Callahan, Concord
PUBLIC COMMENT PERIOD

Silvia Barajas, Concord, spoke of the lack of affordable housing and ability to attract employees in Concord.

Dolores Ramos, Concord, spoke of the lack of affordable housing and how moving negatively affects children.

Betty Gabaldon, Concord, spoke of receiving an eviction notice.

Blaine Carter, Concord, spoke in opposition to rent control.

Kristi Laughlin, Raise the Roof, spoke in support of rent control and just cause evictions.

Lamar Anderson, Concord, spoke of clean up at the Naval Weapons Station.

Crystal Chandler, Concord, spoke in support of rent control and just cause evictions.

George Fulmore, Concord, spoke in support of rent control and just cause evictions.

Eduardo Torres, Concord, spoke in support of rent control and just cause evictions.

Kenji Yamada, Concord, spoke to points made during the October 9, 2018, meeting Public Comment period.

Mayor Birsan suspended the Public Comment Period until the end of the meeting.

Marianne Callahan, Concord, spoke in support of rent control.

Anonymous, stated that a notice for a recent community meeting was intentionally sent to discourage attendance to the meeting.

PRESENTATIONS

STATE SB1, "THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017" FUNDS

Mayor Birsan introduced Assemblymember Tim Grayson who presented the City of Concord State SB1 funds in the amount of $6 million.

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

LIGHTS ON AFTERSCHOOL DAY – October 25, 2018

Mayor Birsan presented Margarita Marshall, Principal, and Jeremy Macahilig, Program Coordinator, CARES – After School Program, Holbrook Language Academy School, a proclamation declaring October 25, 2018, as "Lights on Afterschool Day" in the City of Concord.

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

SUBSTANCE USE PREVENTION MONTH – October 2018

 Mayor Birsan presented Jenna Stewart, Monument Corridor Anti-Drug and Alcohol Coalition, a proclamation declaring October 2018 as “Substance Use Prevention Month” in the City of Concord.

Mayor Birsan opened a public comment period.
George Fulmore, Concord, inquired about the Monument Corridor Anti-Drug and Alcohol Coalition.

Mayor Birsan closed the public comment period.

**HOMELESSNESS AWARENESS MONTH – November 2018**

Mayor Birsan presented Gloria Schafer, Vincentian, St. Agnes St. Vincent de Paul, a proclamation declaring November 2018 as “Homelessness Awareness Month” in the City of Concord.

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

**COORDINATED OUTREACH REFERRAL, ENGAGEMENT (C.O.R.E.) PROGRAM**

Mayor Birsan introduced Chief Guy Swanger who introduced Jenny Robbins, LCSW, Chief of Program Health, Housing and Homeless Services, who gave a presentation on the status of the Coordinated Outreach, Referral, and Engagement Program.

Mayor Birsan opened a public comment period.

George Fulmore, Concord, spoke of the lack of affordable housing in Concord.

Hope Johnson, Concord, spoke of finding easier ways for people to get to the shelter on Arnold Industrial Way.

Mayor Birsan closed the public comment period.

**ANNOUNCEMENTS – none.**

**CITY COUNCIL CONSENT CALENDAR**

**APPROVAL OF MINUTES – August 14, 2018**

A motion was made by Hoffmeister and seconded by Obringer to approve the minutes of the August 14, 2018, meeting. Motion passed by unanimous vote of the Council.

**STATE OF CALIFORNIA GOVERNOR’S OFFICE OF EMERGENCY SERVICES CAL OES 130 RESOLUTION – Designation of Applicant’s Agent Resolution for Non-State Agencies**

A motion was made by Hoffmeister and seconded by Obringer to adopt State of California Governor’s Office of Emergency Services Cal OES 130 Resolution, Designation of Applicant’s Agent Resolution for Non-State Agencies. Motion passed by unanimous vote of the Council.

**AMENDMENT TO EXCLUSIVE NEGOTIATION AGREEMENT – AvalonBay Communities**

A motion was made by Hoffmeister and seconded by Obringer to approve an amendment to the August 1, 2018, Exclusive Negotiation Agreement between the City of Concord and AvalonBay Communities for City owned property located at 1765 Galindo Street known as Town Center II extending the negotiating period; and authorize the City Manager to execute the amendment in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

A citizen wished to pull the item from the Consent Calendar, but due to a communication error did not, so the Mayor allowed him to comment at this time.
Dave Thompson spoke of the project being market rate and not benefiting the homeless or low income population.

**FUNDING MODIFICATION – Body Worn/Dash Camera Project (Project No. 2487)**

A motion was made by Hoffmeister and seconded by Obringer to approve a funding modification for the Body Worn Camera Project (BWC) such that $148,765.18 is paid from asset forfeiture funds and $461,000 paid from Police Department operating funds for FY2018-19; and authorize a transfer and appropriation of $461,000 from the General Fund to Project No. 2487.

**ADOPTION OF RESOLUTION NO. 18-64 – Starship Technologies, Inc.**

A motion was made by Hoffmeister and seconded by Obringer to adopt Resolution No. 18-64 entitled, “A RESOLUTION EXTENDING THE INITIAL 12-MONTH PILOT PROGRAM TO ALLOW THE USE OF AUTONOMOUS ROBOTS, ALSO KNOWN AS PERSONAL DELIVERY DEVICES (PDD), IN THE CITY OF CONCORD FOR AN ADDITIONAL PROGRAM PERIOD OF UP TO 24 MONTHS.” Motion passed by unanimous vote of the Council.

**PROFESSIONAL SERVICES AGREEMENT – Harris and Associates**

A motion was made by Hoffmeister and seconded by Obringer to approve a Professional Services Agreement with Harris and Associates in the amount of $472,410 for design and related services for Willow Pass Road Repaving and Willow Pass Road Safe Route to Transit Improvement Project, Project No. 2449; and authorize the City Manager to execute the agreement in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

**ACCEPTANCE OF IMPROVEMENTS – 2018 Citywide Residential Pavement Maintenance (Project No. 2434)**

This item was pulled from the Consent Calendar by Concord resident George Fulmore who spoke to the costs to build roads.

A motion was made by Obringer and seconded by Leone to accept improvements for 2018 Citywide Residential Pavement Maintenance, Project No. 2434; direct the City Clerk to file a notice of completion; and transfer $48,265 from Residential Pavement Maintenance, Project No. 2434, to Pedestrian Safety Improvement, Project No. 2489. Motion passed by unanimous vote of the Council.

**ADOPTION OF RESOLUTION NO. 18-67 – Opposing Proposition 6**

This item was removed from the Consent Calendar by Concord resident Hope Johnson who stated her offense to Assemblymember Grayson’s presentation of SB1 funds to the City of Concord.

A motion was made by Hoffmeister and seconded by McGallian to adopt Resolution No. 18-67 entitled, “A RESOLUTION OPPOSING PROPOSITION 6, REPEAL OF SENATE BILL 1, ‘THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017’.” Motion passed by unanimous vote of the Council.

**ADOPTION OF RESOLUTION NO. 18-68 – Monument Community Shuttle**

This item was removed from the Consent Calendar by Concord resident George Fulmore who spoke of the overall needs of the Monument community.

Debra Bernstein, Monument Impact, spoke in support of the Monument Shuttle.
A motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 18-68 entitled, "A RESOLUTION ACCEPTING A $250,000 ALLOCATION OF MEASURE J LINE 20A FUNDS, AND APPROPRIATING THE FUNDS FOR THE MONUMENT COMMUNITY SHUTTLE OPERATIONS." Motion passed by unanimous vote of the Council.

LOCAL REUSE AUTHORITY CONSENT CALENDAR

ADOPTION OF LOCAL REUSE AUTHORITY RESOLUTION NO. 18-22

A motion was made by Hoffmeister and seconded by Obringer to adopt Local Reuse Authority Resolution No. 18-22 entitled, "A RESOLUTION INCREASING THE NUMBER OF MEMBERS AND APPOINTING VICTOR BENEDICT TIGLAO TO THE CAMPUS DISTRICT BLUE RIBBON COMMITTEE FOR THE CAMPUS DISTRICT VISIONING PROJECT AT THE FORMER CONCORD NAVAL WEAPONS STATION." Motion passed by unanimous vote of the Council.

Mayor Birsan opened a public comment period.

Victor Benedict Tiglao, Concord, thanked the Council for appointing him to the Campus District Blue Ribbon Committee.

Mayor Birsan closed the public comment period.

CORRESPONDENCE

a. Information from Bechtel's website and Concord Naval Weapons Station Contaminant List submitted by Lamar Anderson
b. Coordinated Outreach, Referral, and Engagement PowerPoint Presentation
c. Cooking with Kids Foundation Brochure

COUNCIL REPORTS

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

Mayor Birsan, Councilmember Leone, and Councilmember McGallian supported sending the issue of having Committee items returned to City Council even if the Committee did not reach consensus on the item to the Policy, Development, and Internal Operations Committee for consideration.

ADJOURNMENT

By order of the Mayor, the meeting was adjourned at 9:05 p.m.

[Signature]
EDI E. BIRSAN
MAYOR

[Signature]
JOELLE FOCKLER, MMC
CITY CLERK