

COUNCILMEMBERS

Edi E. Birsan, Mayor
Carlyn S. Obringer, Vice Mayor
Laura M. Hoffmeister
Ronald E. Leone
Timothy A. McGallian

Civic Center
1950 Parkside Drive
Concord, CA 94519
www.cityofconcord.org



Tuesday, April 10, 2018

6:30 p.m. - Open Session

Council Chamber
1950 Parkside Drive

Information for the public on participation at Council meetings can be found on the back of the Speaker Identification Card located near the Council Chamber entrance. Should you have any questions after consulting the Speaker Identification Card, please contact the City Clerk prior to the Council meeting.

AGENDIZED ITEMS – The public is entitled to address the City Council on items appearing on the agenda before or during the City Council’s consideration of that item. Each speaker will be limited to approximately three minutes.

1. OPENING

Roll Call – all present

Pledge to the Flag – Councilmember Leone

2. PUBLIC COMMENT PERIOD

This is a fifteen minute Public Comment Period for items within the City Council’s subject matter jurisdiction that are not on this agenda. Each speaker will be limited to approximately three minutes. State law prohibits the City Council from acting at this meeting on any matter raised during the Public Comment Period.

George Fulmore, Concord, spoke of Ellis Lake Park, low-income housing, and requested that the Council not endorse any candidates until after the nomination period.

Catherine Hensiek, Concord Art Association, announced that on May 3 the Concord Art Association will be celebrating its 55th anniversary, explained that the association sent an email to seven Title 1 schools regarding a grant program for teachers to provide art in the classroom, and suggested an arts related subcommittee of the Parks, Recreation, and Open Space Commission.

Greg Dewhurst, Concord, spoke of a homeless encampment behind his home.

Hope Johnson, Concord, spoke of problems with soils reports by TetraTech at Lennar's Hunters' Point project and the need for evaluation of the issues at the Hunters' Point project.

Azucena Torres, Concord, spoke of banning the sale of flavored tobacco products.

Lupe Zuniga, Concord, spoke of concern over the sale of flavored tobacco products.

Blanca Colin, spoke of banning the sale of flavored tobacco products.

David Pitman, Concord, spoke of banning the sale of flavored tobacco products.

Natalie, spoke of banning sale of flavored tobacco products and smoking in apartments.

3. PRESENTATIONS

- a. **Presentation** – by Aaron Hawkins, Concord Pavilion General Manager, providing an update on the Concord Pavilion. **Introduction by Mayor Birsan.**

ACTION: Presentation made.

- b. **Presentation** – to Shannon Griffin, Recreation and Special Events Program Coordinator, and Chris Llata, Senior Maintenance Team Leader, proclaiming Saturday, April 21, 2018, as "Earth Day" and "Arbor Day" in the City of Concord. **Introduction by Mayor Birsan.**

ACTION: Mayor Birsan presented Chris Llata, Senior Maintenance Team Leader, a proclamation declaring Saturday, April 21, 2018, as "Earth Day" and "Arbor Day" in the Concord.

4. ANNOUNCEMENTS

5. CITY COUNCIL CONSENT CALENDAR

The public is entitled to address the City Council on items appearing on the Consent Calendar before or during the City Council's consideration of the Consent Calendar. Adoption of the Consent Calendar may be made by one motion of the City Council, provided that any Councilmember, individual or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the Mayor may defer action on the particular item and place the same on the regular agenda for consideration in any order s/he deems appropriate.

- a. **Considering** – approval of the minutes from the meetings of February 24 and 27, 2018. Recommended by the City Clerk.

ACTION: Minutes approved.

6. CITY COUNCIL PUBLIC HEARING

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the public hearing is opened, except on public hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council level for discussion and action. Further comment from the audience will not be received unless requested by the Council. No public hearing shall commence after 10 p.m. unless approved by majority vote of the City Council.

- a. **Considering** - 1) introduction of Ordinance No. 18-3 amending the Municipal Code and Development Code to establish a Commercial Cannabis Overlay District, associated development standards, and a licensing framework for cannabis manufacturing, testing laboratories, and distribution by reading of the title only and waiving further reading; and 2) adoption of Resolution No. 18-6042.1 updating the processing fees and charges for cannabis businesses.

CEQA: Not a project under Public Resources Code 21065, Guidelines Sections 15060(c)(2), 15061(b)(3), or 15378; in the alternative, is Categorical Exempt pursuant to California Environmental Quality Act Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment.

ACTION: Report heard; public testimony given; Ordinance 18-3 introduced as amended by reading of the title and waiving further reading.

7. CORRESPONDENCE

Correspondence received at the City Council meeting will be listed here on the Annotated Agenda.

- a. Benched Correspondence Agenda Item No. 6.a. - City of Concord 2017 Cannabis Planning Survey dated September 27, 2017
- b. Cannabis Manufacturing Testing Laboratories & Distribution PowerPoint Presentation
- c. Benched Correspondence Agenda Item No. 6.a
- d. Commercial Cannabis Overlay: Manufacturing, Testing Laboratories, & Distribution Map
- e. Information on Cannabis submitted by Greg Kremenlier
- f. Map of delivery services submitted by Michaela Toscas

8. REPORTS AND ANNOUNCEMENTS

- a. Closed Session Announcements - **none**
- b. City Manager or Staff Reports – **none**

c. Council Reports

It was the consensus of the Council to bring flavored tobacco and vaping to the Policy Development and Internal Operations Committee for consideration.

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

9. ADJOURNMENT – at 11:30 p.m.

Next Meeting: Regular Meeting

Date: 4/24/2018 - 6:30 PM

NOTICE

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6), or on the date that a written decision or written findings is mailed by first-class mail. Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to the next City Council meeting, regardless of whether it is a regular or special meeting. The City Council may be requested to reconsider a decision if the request is made by a City Council member who was on the prevailing side of the vote and at the same meeting that the decision was made. (Policy and Procedure No. 2, Section 4.24). For more information on the next regular or special City Council meeting, please call (925) 671-3390.

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with a T-Coil Hearing Loop. This system allows "T" coil reception of the audio proceedings. Please switch your hearing aid or cochlear device to the "T", "T" Coil or telephone position. If you would like better audio reception, a loop receiver that picks up the audio loop is available from the City Clerk.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3031, at least five days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

The following is a list of regular **Council Committee** meeting dates. Most meetings are held in the Garden Conference Room, 1950 Parkside Drive, Concord. **NOTE: Meetings are subject to change or cancellation. For latest information and committee agendas please call 671-3158.**

Committee	Chair/Member	Meeting Time
Policy Development & Internal Operations	Birsan/Obringer	2 nd Wednesday at 5:30 p.m.
Housing & Economic Development	Obringer/McGallian	4 th Monday at 5:30 p.m.
Infrastructure & Franchise	Hoffmeister/Leone	2 nd Monday at 6:00 p.m.
Recreation, Cultural Affairs & Comm. Svc.	McGallian/Birsan	3 rd Wednesday at 5:30 p.m.
Youth & Education	Leone/Hoffmeister	3 rd Monday at 6:00 p.m.