

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, NOVEMBER 28, 2017

The Concord City Council met in a regular meeting in the City Council Conference Room located at 1950 Parkside Drive at 6:00 p.m. on Tuesday, November 28, 2017, with Mayor Hoffmeister presiding. The meeting was recessed and immediately reconvened in a closed session under Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: two potential cases.

The meeting recessed at 7:00 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 7:00 p.m. on Tuesday, November 28, 2017, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Vice Mayor Birsan. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Edi Birsan, Ron Leone, Tim McGallian, Carlyn Obringer, Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Kathleen Tropa, Assistant City Manager; Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Steve Voorhies, Director of Parks and Recreation; Justin Ezell, Director of Public Works; Karan Reid, Director of Finance; Andrea Ouse, Director of Community and Economic Development; Suzanne McDonald, Financial Operations Manager; Michael Cass, Principal Planner; John Montagh, Economic Development Manager; Mario Camorongan, Senior Civil Engineer; Debbie Wellnitz, Purchasing Agent; Mark Migliore, Associate Civil Engineer; Florence Weiss, Downtown Program Manager; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC
WHO ADDRESSED THE COUNCIL: Florence Weiss, Concord; Natalie; Moses Sullivan, Concord; Erik Haynes, Concord; Alan Smith, Concord; Tommy Smith, Concord; Kat Castro, Concord; Dan Torres, Concord; George Fulmore, Concord; Kerri Harris-Gray, Concord Clarion

PUBLIC COMMENT PERIOD

Florence Weiss, Downtown Program Manager, presented Micah Anum a certificate for his prize winning design for the 2017 Holiday Pin and announced the annual Mayor's Sing-Along and Official Tree Lighting at Todos Santos Plaza in downtown Concord on December 3.

Natalie, stated that the City was in violation of the Brown Act because the meetings of the Parks, Recreation and Open Space Commission are periodically cancelled.

Moses Sullivan, Concord, stated that he felt that the Council safety was compromised at the last meeting, felt that there should be better safety enforcement at Council meetings, and spoke in opposition to recreational marijuana.

Eric Haynes, Concord, spoke in favor of apprenticeship programs and a Project Labor Agreement for the Concord Naval Weapons Station Project.

Jasmine Ramirez, Concord, spoke in support of opening a shelter in Concord for the homeless population and in support of adding services for drug and alcohol recovery.

Alan Smith and Tommy Smith, Representatives to the Contra Costa Library Commission, presented the Concord Library Annual Report and spoke of the successes of the library in 2016, and explained the Project Second Chance Program.

Kat Castro, Concord, spoke in opposition to the cellular towers proposed for the Orchard neighborhood.

Dan Torres, spoke in favor of a Project Labor Agreement and apprenticeship programs for the Concord Naval Weapons Station Project.

George Fulmore, Concord, spoke of rents in Concord, reminded the public it was the open enrollment period for Covered California, and spoke in support of the 211 program for homelessness.

PRESENTATIONS

2017 GOLD SUSTAINABLE BEST PRACTICES SPOTLIGHT AWARD

Principal Planner Michael Cass introduced Karalee Browne, Sustainability Program manager, Institute for Local Government, who presented the City of Concord a 2017 Gold Sustainable Best Practices Spotlight Award.

STATUS OF COMMUNITY REUSE PROJECT

Guy Bjerke, Director of Community Reuse Planning, gave an update on the status of the Community Reuse Project.

Mayor Hoffmeister opened a public comment period.

Natalie, spoke of cities offering tax breaks to attract Amazon and shared concerns about potential gentrification on the base.

Mayor Hoffmeister closed the public comment period.

ANNOUNCEMENTS – none.

CITY COUNCIL CONSENT CALENDAR

APPROVAL OF MEETING MINUTES – September 5, November 5, and November 14, 2017

Motion was made by Birsan and seconded by Leone to approve the September 5, November 5, and November 14, 2017, meeting minutes. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-81 – Grant Funding from the California Office of Traffic and Safety

Motion was made by Birsan and seconded by Leone to adopt Resolution No. 17-81 entitled, "A Resolution Accepting Grant Funding from the California Office of Traffic Safety in the Amount of \$212,000 for Select Traffic Enforcement and Appropriation of the Funds and Approval for Use for the City's Selective Traffic Enforcement Program." Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS – Traffic Signal and Related Improvements at Various Locations Project, Project Nos. 2285 and 2293

Motion was made by Birsan and seconded by Leone to accept improvements for the Traffic Signal and Related Improvements at Various Locations Project, Project Nos. 2285 and 2293, that included the installation of new traffic signals at the following three intersections: Treat Boulevard/San Miguel Road, Oak Grove Road/Smith Lane, and Oak Grove Road/Sierra Road; as well as modification of 10 existing traffic signals at the following intersections: Willow Pass Road/Sixth Street, Willow Pass Road/Parkside Drive, Willow Pass Road/Grant Street, Willow Pass Road/Galindo Street, Concord Boulevard/Farm Bureau Road, Concord Boulevard/Sixth Street, East Street/Salvio Street, and Market Street/Fry Way; and direct the City Clerk to file a Notice of Completion. Motion passed by unanimous vote of the Council.

LOCAL REUSE AUTHORITY CONSENT CALENDARSERVICE AGREEMENT – Willis Towers and Watson

Motion was made by Birsan and seconded by Obringer to approve a Service Agreement with Willis Towers and Watson as insurance brokers for the purpose of securing appropriate environmental insurance to manage the risk and to protect the Local Reuse Authority/City in agreements associated with the property transfers at the former Concord Naval Weapons Station (CNWS); and authorize the Executive Director of the Local Reuse Authority to execute the agreement in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

CITY COUNCIL CONSIDERATION ITEMSADOPTION OF A POLICY AND PROCEDURE – Disaster Procurement during a Proclaimed Emergency or Disaster

Purchasing Agent Debbie Wellnitz presented a report on disaster procurement during a proclaimed emergency or disaster, reporting that the disaster procurement goal is compliance with Federal requirements during a proclaimed emergency or disaster.

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

Motion was made by McGallian and seconded by Leone to adopt a Policy and Procedure entitled, "Disaster Procurement during a Proclaimed Emergency or Disaster." Motion passed by unanimous vote of the Council.

REVISIONS TO CITY POLICY AND PROCEDURE NO. 34 – Business Meeting Attendance and Travel

Financial Operations Manager Suzanne McDonald presented a report on revisions to City Policy and Procedure No. 34, Business Meeting/Attendance and Travel – Authorization and Reimbursement of Expenses, reporting that the policy was last updated in September 2006, and the proposed revisions to the policy adhere to current Internal Revenue Service (IRS) standards

and align with industry best practices. She explained that the Committee on Policy Development and Internal Operations reviewed the Policy in June 2017, provided comment, and authorized staff to bring the Travel Policy to the City Council for consideration.

Ms. McDonald reported that consensus was not reached by the PD&IO on two items, the use of personal vehicles by the City Council and cancellation fees. She confirmed that the use of personal vehicles section (Section 3.4) was amended to document the current practice of elected officials using their personal vehicle at their discretion without prior approval and language was added to the Cancellation Fee section (Section 3.10) to define travel costs and to notify employees of their responsibility to understand the cancellation policy.

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

The Council discussed the cancellation policy and what constitutes an emergency, and it was the consensus of the Council to add the sentence, "Exceptions may be made by the City Manager or her designee" to Section 3.10.

Motion was made by Birsan and seconded by Leone to approve revisions to City Policy and Procedure No. 34, Business Meeting Attendance and Travel – Authorization and Reimbursement of Expenses, as proposed with the addition of the sentence, "Exceptions may be made by the City Manager or her designee" to Section 3.10. Motion passed by unanimous vote of the Council.

WORK PLAN – Establishing a University at the Former Concord Naval Weapons Station

Assistant City Manager Kathleen Trepa presented a report on consideration of a work plan to define the opportunities for establishing a university at the former Concord Naval Weapons Station campus district. She explained that the Base Reuse Area Plan outlines guiding principles and general land uses for the development of the former Concord Naval Weapons Station and includes setting aside approximately 120 acres for a campus site capable of accommodating a variety of education, research, and cultural uses such as a university or research and development center.

Ms. Trepa reported that developing a campus requires an academic partner, or partners, and significant resources, including funding, time, and expertise. She stated that in order to evaluate options for the campus district, staff was proposing a work plan that includes retaining consulting support and forming a blue ribbon committee to evaluate options for the campus district. She explained that the committee would be supported by staff and the consultant would consider information such as: baseline information regarding regional socio-economic demographics, educational attainment, and work force needs; an overview of recent new campus development projects, such as UC Merced, and CSU San Marcos, Channel Islands, and Monterey; innovative higher education models around the country, focusing on innovation, collaboration, and partnerships; and funding options and opportunities. Staff recommends the committee represent stakeholders with expertise in a wide array of fields related to higher education, capital campaigns and funding, workforce development in local industries, and elected officials and community advocates. Ms. Trepa reported that a final report would be issued by the committee for Council consideration and adoption, setting forth the vision for the campus district.

She stated that the proposed work plan timeline includes drafting an RFP to select a consultant in the next 30 days, which could be reviewed by a Council committee prior to issuance of the RFP, and an award of contract to be considered and approved by the City Council in late February 2018. She noted that the formation of the Blue Ribbon Committee could also go before Council in February 2018; however staff recommends that the consultant assist with defining the committee's final work plan, which would result in the committee beginning work in spring 2018.

Ms. Trepa stated that the committee's work could take up to 18 months with a quarterly or bi-monthly meeting schedule.

Ms. Trepa concluded her presentation by requesting that the Council consider the proposed work plan to promote the development of the campus district, provide feedback, and direct staff to proceed.

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

Alan Smith, Concord, spoke of including a public library as a higher education use.

Natalie, spoke of implementing a California State University versus a University of California institution on the site and not allowing campus police.

George Fulmore, Concord, spoke in favor of a California State University.

Hope Johnson, Concord, spoke in favor of a university and of putting just as much energy into attracting businesses and finding out what attracts businesses to Concord.

Mayor Hoffmeister closed the public comment period.

Councilmember Obring stated support of the consultant having experience supporting projects in the higher education field, innovative high education models, and establishment of a Council Committee to review the RFP. Ms. Obring noted the outreach and conversations on the subject that have already taken place.

Councilmember Leone stated support of affordability for students, a public library incorporated into the project, obtaining a consultant to assist the City with the process, and the blue ribbon committee.

Vice Mayor Birsan stated support for a Concord City College and a blue ribbon committee; however, he had concerns about obtaining a consultant.

Councilmember McGallian stated support for the blue ribbon committee, innovative higher education models, focus on innovation, collaborations, and partnerships.

Mayor Hoffmeister stated support of obtaining a consultant and innovative higher education models.

Motion was made by Obring and seconded by Birsan to approve the proposed work plan to promote the development of the campus district at the former Concord Naval Weapons Station. Motion passed by unanimous vote of the Council.

Mayor Hoffmeister called a recess at 9:05 p.m. The meeting resumed at 9:15 p.m.

CITY COUNCIL PUBLIC HEARINGS

CONCORD TOURISM IMPROVEMENT DISTRICT – continued from October 24, 2017

A notice of Public Hearing was published in the East Bay Times on October 12, 2017, mailed to interested parties of record, and posted in the City's posting cabinet.

Economic Development Manager John Montag reported that a Tourism Improvement District (TID) is a tool to collect assessments from participating hotels to fund tourism marketing and promotional programs that directly benefit participating lodging businesses. Mr. Montag reported that the Concord Tourism Improvement District (CTID) was approved for a five-year

period in May 2013, and the CTID is required to provide an annual report outlining its work plan and past year's budget and accomplishments. He noted the Council was being asked to accept the annual report and renew the Concord Tourism Improvement District.

Mr. Montag introduced Elaine Schroth, Executive Director, Visit Concord, who presented the 2017-18 Annual Report.

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

Kerri Harris-Gay, Concord Clarion, spoke in support of Visit Concord.

Mayor Hoffmeister closed the public comment period.

All written protest and public comment was received and it was determined that no majority of protest exists.

Motion by Birsan and seconded by Obringer to adopt Resolution No. 17-76 entitled, "A Resolution Accepting the Concord Tourism Improvement District's 2017-18 Annual Report," and Resolution No. 17-77 entitled, "A Resolution Declaring Results of Majority Protest Proceedings and Renewing the Concord Tourism Improvement District." Motion passed by unanimous vote of the Council.

FEES AND CHARGES FOR WIRELESS COMMUNICATIONS FACILITIES APPLICATIONS

A notice of Public Hearing was published in the East Bay Times on November 16 and 22, 2017, mailed to interested parties of record, and posted in the City's posting cabinet.

Principal Planner Michael Cass made a presentation regarding the fees needed for processing the Wireless Master License Agreements and associated pole licenses. This was a new program adopted by Resolution No. 17-58 on July 25, 2017, and Ordinance No. 17-11, on September 26, 2017.

Following questions from the Council, Mayor Hoffmeister opened a public comment period, and upon receiving no public comment, closed the public comment period.

Motion by Birsan and seconded by Obringer to adopt Resolution No. 17-6042.5 entitled, "A Resolution Amending Exhibit "A" to Resolution No. 78-6042 Updating Processing Fees and Charges for Wireless Communications Facilities Applications and Wireless Master License Agreements and Pole Licenses in the City of Concord." Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Concord Library Annual 2016 Report
- b. City of Concord Sustainability Best Practices Activities – Institute for Local Government
- c. Disaster Procurement during a Proclaimed Emergency PowerPoint Presentation
- d. Visit Concord 2017-18 Annual Report PowerPoint Presentation
- e. Wireless Fees PowerPoint Presentation

CLOSED SESSION REPORTS – none

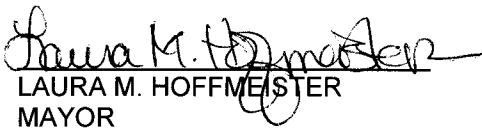
COUNCIL AND STAFF REPORTS

Mayor Hoffmeister appointed Councilmember Obringer and herself to a Council Ad Hoc Committee for the period of one year to discuss and review Concord/Pittsburg border issues related to the potential adoption of the Reuse Project Specific Plan and consideration of the annexation and potential approval of land use entitlements for the Faria Ranch Project.

Councilmember Obringer informed the public of the Citywide Clean-Up Day on December 2, 2017 and requested the housing allocation issue come back to the Council for further discussion and give better direction to staff. There was a consensus of the Council to bring the housing allocation item back to a future council meeting

Councilmember Leone shared concern over the City not having zoning control over an area near the airport and another near Highway 4 that are unincorporated and he would like to look into the possibility of incorporating the areas. Mayor Hoffmeister asked if some research could be done on those two areas. City Manager Barone said yes, staff could do some research. Councilmember Leone additionally asked for information regarding the tidal area.

By order of the Mayor, the meeting was adjourned at 9:55 p.m. in memory of Dr. Steven Wolf.


LAURA M. HOFFMEISTER
MAYOR


JOELLE FOCKLER, MMC
CITY CLERK