

COUNCILMEMBERS

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

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



Tuesday,
October 24, 2017

6:00 p.m. - Closed Session
6:30 p.m. - Open Session

Closed Session
City Council Conference
Room
1950 Parkside Drive

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.

CLOSED SESSION

1. OPENING

Roll Call – all present

2. PUBLIC COMMENT – none

3. CLOSED SESSION

- a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: Area within Concord Community Reuse Plan
Agency negotiators: Valerie Barone, City Manager; Guy Bjerke, Director of Community Reuse Planning
Negotiating parties: Alan Lee, Department of the Navy
Under negotiation: Price, Terms of Payment

ACTION: Closed session held.

4. RECESS TO OPEN SESSION

5. OPENING

Roll Call – all present

Pledge to the Flag – Councilmember McGallian

6. 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 to having community meetings in the Monument, the need for a shuttle to the Monument, and announced a contest he was running of what Ellis Lake Park could look like.

Natalie, spoke of banning smoking in apartment complexes.

Dea Smith, Concord, help with maintenance of the Galindo Creek Trail and crosswalks put at the trail crossings on Cobblestone and Cape Cod Way.

7. PRESENTATIONS – none

- 8. ANNOUNCEMENTS – City Clerk Joelle Fockler announced that staff is performing outreach presentations to inform and encourage participation from residents for the Multi-Family Rental Inspection Program. The presentation will explain the types of substandard conditions the program is intended to address, including the recently added bed-bug enforcement service. Two meetings for tenants will be held at Monument Impact, located at 2599 Monument Boulevard, Suite G, on November 4th at 7 a.m. and November 16th at 6 p.m. All multi-family residents are encouraged to attend the meetings. For more information contact Angie Garcia at (925) 671-3084 or angie.garcia@cityofconcord.org.**

9. 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 meeting of June 27, 2017. Recommended by the City Clerk.

ACTION: Minutes approved.

- b. **Considering** – approval of a Professional Services Agreement with Seagull Ways, LLC, for technical support and configuration of the City’s Enterprise Resource Planning Software (Lawson) in a yearly not to exceed amount of \$120,000, with the option to extend for up to two additional one-year terms, for a total of three years and \$360,000 if all options are exercised; and authorizing the City Manager to execute the agreement in a form acceptable to the City Attorney. (General Fund) Recommend by Director of Information Technology.

ACTION: Professional Services Agreement with Seagull Ways in the amount of \$360,000 approved; City Manager authorized to execute the agreement in a form acceptable to the City Attorney.

- c. **Considering** – proposed amendments to Policy & Procedure No. 37.35, Preventing Workplace Violence, to clarify that only sworn members of the Concord Police Department may be armed while at work with the City of Concord. Recommended by Chief of Police.

ACTION: Amendments to Policy & Procedure No. 37.35, Preventing Workplace Violence, approved.

- d. **Considering** – a proposed policy regarding use of closed circuit television (“CCTV”) cameras and the capture, storage, and use of images captured from the cameras. Recommended by Chief of Police.

ACTION: Policy regarding use of closed circuit television (“CCTV”) cameras and the capture, storage, and use of images captured from the cameras approved.

- e. **Considering** – acceptance of improvements for the Civic Center Playground Project, Project No. 2387, directing the City Clerk to file a Notice of Completion, and authorizing the Director of Public Works to sign the Certificate of Customer Acceptance. Recommended by Director of Public Works.

This item was pulled from the Consent Calendar by Concord resident

George Fulmore.

ACTION: Improvements for the Civic Center Playground Project, Project No. 2387, accepted; City Clerk directed to file a Notice of Completion; Director of Public Works authorized to sign the Certificate of Customer Acceptance.

- f. **Considering** – approval of the West Concord Bikeways Project (PJ 2421); acceptance and appropriation of \$120,000 Transportation Development Act – Article 3 (TDA) Grant funds from MTC; and appropriation of \$30,000 for local match funds from Measure J (Fund 475). Recommended by Director of Community and Economic Development.

CEQA: Categorically Exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 – Existing Facilities and 15304 – Minor Alternations to Land.

ACTION: West Concord Bikeways Project, PJ 2421, approved; \$120,000 Transportation Development Act – Article 3 (TDA) Grant funds from MTC accepted and appropriated; \$30,000 of Measure J (Fund 475) appropriated for local match funds.

10. CITY COUNCIL CONSIDERATION 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.

- a. **Considering** – appointment of applicants to the Residential Rent Review Panel. **Report by City Clerk.**

ACTION: Michael Pineschi appointed as the tenant of a Multi-family complex member, Sandeep Singh, as the neutral party member, Elena Lieberman, as the alternate landlord of a multi-family complex member, Francis Pyne as the alternate neutral party member, for four-year terms ending February 28, 2022, and a recruitment for the landlord of a multi-family complex member and the alternate tenant of a multi-family complex member, and set Monday, November 27, 2017, at 5 p.m. as the deadline for receipt of applications by the City Clerk's office was announced.

11. 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. **Continuing to the November 28, 2017, City Council Meeting** – consideration of adoption of Resolution No. 17-76 accepting the Concord Tourism Improvement District's 2017-18 Annual Report and adoption of Resolution No. 17-77 declaring results of majority protest proceedings and renewing the Concord Tourism Improvement District.

ACTION: Item continued to the November 28, 2017, City Council meeting.

- b. **Considering** – introduction of Ordinance No. 17-13 to amend the Municipal Code and Development Code to ban all marijuana (cannabis) uses, except for personal indoor cultivation and delivery of medical marijuana to qualified patients from licensed dispensaries located outside the City, by reading of the title only and waiving further reading; receive a presentation on the marijuana survey results; and provide direction to staff on creating a work plan, if desired, for developing additional regulations related to marijuana uses. **Report by Michael Cass, Principal Planner.**

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

ACTION: Report heard; public testimony given; direction given to staff; and, Ordinance 17-13 introduced with amendments by the following vote of the Council:

AYES: Leone, McGallian, Obringer, Hoffmeister

NOES: Birsan

12. **CORRESPONDENCE**

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

- a. Proclamation – 20th Anniversary of Central San's Household Hazardous Waste Collection Facility, October 16, 2017
- b. Proclamation – Red Ribbon Week, October 23-31, 2017
- c. Correspondence on What-Ellis-Lake-Park-Could-Look-Like-Contest from George Fulmore
- d. Benched correspondence, Agenda Item No. 11.b
- e. Marijuana Ban, Survey Results, and Work Plan PowerPoint Presentation
- f. City of Concord 2017 Cannabis Planning Survey PowerPoint Presentation
- g. Talking points submitted by Demetrio Ramirez
- h. Nearest Cities Approving Cannabis Retail PowerPoint Presentation submitted by Chris Cox
- i. Written comments submitted by Ann Macdonald
- j. Written comments submitted by Lance and Christine Gee
- k. Letter from Kenneth Hofmann dated October 16, 2017, regarding the proposed Tournament Sports Park on the Concord Naval Weapons Station.

- l. November 2014 and November 2016 City Council Election results and maps; and, November 2016 State Proposition 64 Election results and maps.
- m. Opioids vs. Medical Marijuana white paper submitted by resident.

13. REPORTS AND ANNOUNCEMENTS

Closed Session Announcements – **none.**

City Manager or Staff Reports – **none.**

Council Reports – **none.**

14. ADJOURNMENT – at 12:40 p.m.

Next Meeting: Regular Meeting

Date: 11/7/2017 - 6:30 PM

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

