

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, MARCH 6, 2018

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, March 6, 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 Tropa, Assistant City Manager; Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Jasmin Loi, Director of Human Resources; Justin Ezell, Director of Public Works; Steve Voorhies, Director of Parks and Recreation; Andrea Ouse, Director of Community and Economic Development; Laura Simpson, Planning and Housing Manager; Kevin Marstall, Interim City Engineer; Margaret Romiti, Emergency Manager; Jeff Rogers, Infrastructure Maintenance Manager; Pedro Garcia, Economic Development Specialist; Mark Migliore, Associate Engineer; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Eric Vandetta, Aerielle Spusta, Beth Bremer, and Aline Lee, Wren Avenue Elementary School; Anna Rikkelman, Concord; George Fulmore, Concord; Hope Johnson, Concord; Laura Nakamura, Concord; Kenji Yamada, Concord; Greg Colley, Concord; Nicole Zapata, Concord; Cora Mitchell, Concord; Ajit Kaushal, Concord

PUBLIC COMMENT PERIOD

Eric Vandetta, Aerielle Spusta, Beth Bremer, and Aline Lee from Wren Avenue Elementary School of the Arts, a magnet school, spoke of the programs at the school.

Anna Rikkelman, Concord, commended the City's Engineering Division, and specifically Mark Migliore, on the completion of the Treat/Denkinger/Clayton Road project.

George Fulmore, Concord, spoke of access to Concord schools, commented that the Rent Review Board should meet monthly, and spoke of Stand Together CoCo.

Hope Johnson, Concord, spoke of her disappointment in the reduction of public comment timing from three minutes to two minutes at the last public hearing on District Elections.

Laura Nakamura, Concord, spoke of wanting to speak in public and not in a one-on-one meeting with a Councilmember and the need for improvements to make Cowell Road safer.

PRESENTATIONS

AMERICAN RED CROSS MONTH

Mayor Birsan presented Margaret Romiti and Briana Taylor a proclamation declaring March 2018 as "American Red Cross Month."

BUSINESS RECOGNITION AWARDS

Pedro Garcia, Economic Development Specialist, highlighted the Business Recognition Program and introduced Marilyn Fowler, President/CEO, and Sharon Jenkins, Chair of the Board, Concord Greater Chamber of Commerce, who presented Business Recognition Awards to Jamie and Dana Finegold, TART (JD FINE); Monika Luedtke, DJ Bistro; and Volker Stieber, Prowess.

LEGAL OVERVIEW OF NEW CALIFORNIA HOUSING LEGISLATION

Laura Simpson, Planning and Housing Manager, introduced Eric Phillips, Goldfarb and Lipman, who presented a legal overview of new California Housing Legislation and the City of Concord's next steps to implement the new laws. Council asked clarifying questions throughout the presentation.

Mayor Birsan called a recess at 9:10 p.m. The meeting resumed at 9:18 p.m.

Mayor Birsan opened a public comment period.

Kenji Yamada, Concord, asked if parking included bicycle parking in SB 35.

Hope Johnson, Concord, urged the Council to find a way to build affordable and middle-income housing.

Mayor Birsan closed the public comment period.

Councilmembers commented on their disappointment in the legislation and spoke of the importance of educating and informing the community on the subject.

Mayor Birsan proposed and the Council supported writing a letter to oppose the adopted legislation to be brought back as an agenda item for approval.

Vice Mayor Obringer proposed and the Council supported sending letters on upcoming legislation to ensure that Concord's views are heard.

ANNOUNCEMENTS – none.

CITY COUNCIL CONSENT CALENDAR

APPROVAL OF MINUTES – January 23, 2018

Motion was made by Obringer and seconded by McGallian to approve the minutes of the meeting of January 23, 2018. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-26 – Supporting Proposition 69 and Opposing Repeal of "The Road Repair and Accountability Act" and Approval to Join the Coalition to Protect Local Transportation Improvements

Motion was made by Obringer and seconded by McGallian to adopt Resolution No. 18-26 entitled, "A Resolution Supporting Proposition 69 and Opposing 'The Road Repair and Accountability Act' (SB 1 – Beal) Repeal, and Approval to Join the Coalition to Protect Local Transportation Improvements." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-20 – Downtown Landscape Maintenance District

Motion was made by Obringer and seconded by McGallian to adopt Resolution No. 18-20 entitled, "A Resolution Ordering the Preparation of an Engineer's Report for the Downtown Landscape Maintenance District." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-21 – Pine Hollow Landscape and Lighting Maintenance District

Motion was made by Obringer and seconded by McGallian to adopt Resolution No. 18-21 entitled, "A Resolution Ordering the Preparation of an Engineer's Report for the Pine Hollow Landscape and Lighting Maintenance District." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-22 – Landscape and Lighting Maintenance District No. 3

Motion was made by Obringer and seconded by McGallian to adopt Resolution No. 18-22 entitled, "A Resolution Ordering the Preparation of an Engineer's Report for the Landscaping and Lighting Maintenance District No. 3." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-23 – Citywide Street Lighting Assessment District

Motion was made by Obringer and seconded by McGallian to adopt Resolution No. 18-23 entitled, "A Resolution Ordering the Preparation of an Engineer's Report for the Citywide Street Lighting Assessment District." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-24 – City of Concord's Local Hazard Mitigation Plan

Motion was made by Obringer and seconded by McGallian to adopt Resolution No. 18-24 entitled, "A Resolution Adopting Contra Costa County Hazard Mitigation Plan Volume 1 – Planning Area-Wide Elements and Volume 2, Chapter 4 – City of Concord, as the City of Concord's Local Hazard Mitigation Plan." Motion passed by unanimous vote of the Council.

AWARD OF CONSTRUCTION CONTRACT – Farm Bureau Road Complete Streets – Phase 2 (Wren Ave. to Walnut Ave.), Project No. 2354

This item was removed from the Consent Calendar by Councilmember Hoffmeister who pointed out that she looks forward to Phase 2 of this project and is glad the project extends to Walnut Avenue.

Mayor Birsan opened a public comment period.

George Fulmore, Concord, asked about the length of the stretch of road.

Mayor Birsan closed the public comment period.

Motion was made by Hoffmeister and seconded by Leone to award a construction contract in the amount of \$3,171,279.75 to Ghilotti Construction Company of Santa Rosa for the Farm Bureau Road Complete Streets – Phase 2 (Wren Ave. to Walnut Ave.), Project No. 2354, and authorize staff to utilize the available project contingency for contract change orders up to 10 percent of the contract amount. Motion passed by unanimous vote of the Council.

ORDINANCE NO. 18-2 – Establishing a By-District Election Process

This item was pulled from the Consent Calendar by Concord resident Hope Johnson.

Mayor Birsan opened a public comment period.

Hope Johnson, Concord, spoke in opposition of the way the districts favor the area east of Willow Pass Road, her disappointment about the lack of residency requirement, and the lack of an independent commission.

Kenji Yamada speaking for Laura Nakamura, Concord, stated that the formation of an independent commission should be included in the Ordinance.

Greg Colley, Concord, stated that there is still time for a more robust exercise in policy formation.

Nicole Zapata, Concord, stated that the formation of an independent commission should be included in the Ordinance.

Cora Mitchell, Concord, spoke of Council being self-serving during this process.

Ajit Kaushal, Concord, spoke of his disappointment in this process, and stated that the citizens of Concord were not adequately informed about the process.

Kenji Yamada, Concord, spoke of implementing a residency requirement in the Ordinance and implementing an independent commission for the next districting process.

Mayor Birsan closed the public comment period.

Motion by Hoffmeister and second by Leone to adopt Ordinance No. 18-2 entitled, "An Ordinance of the City of Concord Amending Concord Municipal Code Chapter 2.35 (Elections) to Establish a By-District Election Process." Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Proclamation – Putnam Clubhouse 10th Anniversary – presented 3/1/18
- b. Wren Avenue Elementary brochure
- c. Impact of New Housing Legislation PowerPoint
- d. Item 5.b. benched correspondence - email correspondence from Hope Johnson dated March 6, 2018
- e. Letter sent to Assemblymember Grayson from Mayor Birsan

COUNCIL REPORTS

Mayor Birsan distributed a letter that he wrote to Assemblymember Grayson expressing his view as the Mayor that was not sent on City letterhead and asked for consensus for the Council to use City letterhead at will. Mayor Birsan did not receive consensus.

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

ADJOURNMENT

By order of the Mayor, the meeting was adjourned at 10:33 p.m.



EDI E. BIRSAN
MAYOR



JOELLE FOCKLER, MMC
CITY CLERK