

Please note 6:00 p.m. start time

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



AMENDED AGENDA
Regular Meeting of the
Concord City Council

This agenda has been amended to add
Consent Calendar item 5.n

Tuesday, June 27, 2017

6:00 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 McGallian

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.

Bruce Feld, Clayton, spoke in support of keeping and using the rail line as a rail bus for tourists on the Concord Naval Weapons Station Reuse Project.

Jonathan Cook, Concord, encouraged the Council to adopt a resolution affirming the City of Concord as a safe city.

Maritza Cardenas, Concord, inquired when the play structure at Meadow Homes Park would be completed.

George Fulmore, Concord, spoke of PG&E workers replacing gas lines on Oakbrook Court; and the timing of the installation and completion of the play structure at Meadow Homes Park.

Tim Carr, Concord, spoke of the lack of speed limit signs in the Sun Terrace neighborhood.

Sheila Hill, Concord, Contra Costa Climate Leaders, requested that the City of Concord adopt a resolution in support of the Paris Agreement.

3. PRESENTATIONS – none

4. ANNOUNCEMENTS – none

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 meeting of May 2, 2017. Recommended by the City Clerk.

ACTION: May 2, 2017 approved.

- b. **Considering** – confirmation of appointment of Tommy Smith as Concord's representative to the Contra Costa County Library Commission. Recommended by the Mayor.

ACTION: Tommy Smith appointed as the City of Concord's representative to the Contra Costa County Library Commission.

- c. **Considering** – confirmation of appointment of Dan Mackay as Concord's representative to the Contra Costa County Iron Horse Trail Committee. Recommended by the Mayor.

ACTION: Dan Mackay recommended to appointment as the City of Concord's representative to the Contra Costa County Iron Horse Trail Committee.

- d. **Considering** – acceptance of improvements for Pavement Rehabilitation Project – Salvio Street Complete Streets and Oak Grove Road, Project Nos. 2331 and 2355; acceptance and appropriation of CalRecycle grant funding into the project budget; and directing the City Clerk to file a Notice of Completion. Recommended by the Director of Community and Economic Development.

ACTION: Improvements for Pavement Rehabilitation Project – Salvio Street Complete Streets and Oak Grove Road, Project Nos. 2331 and 2355 accepted; CalRecycle grant funding accepted and appropriated into the project budget; and City Clerk directed to file a Notice of Completion.

- e. **Considering** – acceptance of improvements for Measure Q Pavement Repair Project #4 – Citywide Pothole and Base Repairs, Project No. 2364; and directing the City Clerk to file a Notice of Completion. Recommended by the Director of Community and Economic Development.

ACTION: Improvements for Measure Q Pavement Repair Project No. 4 – Citywide Pothole and Base Repairs, Project No. 2364, accepted; City Clerk directed to file a Notice of Completion.

- f. **Considering** – award of purchase of smart irrigation controllers and related equipment in the amount of \$62,777 to Horizon Distributors of Concord. (Measure Q and General Fund) Recommended by the Director of Public Works.

This project qualifies for a Categorical Exemption pursuant to CEQA Guidelines Sections 15301 – Existing Facilities; and 15302 – Replacement or Reconstruction.

This item was pulled from the Consent Calendar by Mike Valentine, Imperial Sprinklers.

ACTION: A motion was made by Obringer and seconded by Birsan to continue this item to the July 11, 2017, City Council meeting. Motion passed by unanimous vote of the Council.

- g. **Considering** – approval of Green Infrastructure Framework to comply with Municipal Regional Permit (MRP 2.0). Recommended by the Director of Community and Economic Development.

The Green Infrastructure Framework does not constitute a "project" within the meaning of Public Resources Code Section 21065, 14 Cal Codes Regs. Section 15060(c)(3), or Section 15378.

ACTION: Green Infrastructure Framework to comply with Municipal Regional Permit (MRP 2.0) approved.

- h. **Considering** – approval of various annual license and maintenance agreements for IT hardware and software for Fiscal Year 2017-2018. (General Fund) Recommended by the Director of Information Technology.

ACTION: Annual license and maintenance agreements for IT hardware and software for Fiscal Year 2017-18 with Accela Government Software in the amount of \$96,761.05, Infor (name change from Lawson) in the amount of \$121,172.23, Cisco/Quest in the amount of \$69,993.13, EBRCSA – JPA in the amount of \$188,280; Contra Costa County for the ACCJIN (Criminal Justice System) in the amount of \$11,428, Contra Costa County for ARIES (Sheriff’s Office Info Exchange) in the amount of \$35,070; Contra Costa County for CLETS (maintenance) in the amount of \$1,800; Contra Costa County for CLETS (level II software access) in the amount of \$9,021.62, TriTech for Computer Aided Dispatch (CAD) in the amount of \$120,620.23, and TriTech for Police Records Management System in the amount of \$120,104.60 approved.

- i. **Considering** – acceptance of improvements under two contracts for Ellis Lake Park Restroom Building, Project No. 2351; and directing the City Clerk to file Notices of Completion. Recommended by the Director of Community and Economic Development.

ACTION: Improvements for Ellis Lake Park Restroom Building, Project No. 2351, accepted; City Clerk directed to file Notices of Completion.

- j. **Considering** – approval of the Lease Agreement with First 5 Contra Costa Children and Families Commission for the use of the Monument Community First 5 Center. Recommended by the Director of Parks and Recreation.

Not a “project” pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and 15378; exempt pursuant to Section 15061(b)(3) as there is no possibility that the Lease may have a significant effect on the environment; and/or categorically exempt pursuant to Section 15301 – Existing Facilities.

This item was pulled from the Consent Calendar by Concord resident George Fulmore.

ACTION: Lease Agreement with First 5 Contra Costa Children and Families Commission for the use of the Monument Community First 5 Center approved.

- k. **Considering** – approval of a professional services agreement in an amount not to exceed \$108,000 (\$89,900 base contract with \$18,100 contingency) with Management Partners to develop a range of budget strategies that address the long-term funding of City services and capital projects (General Fund). Recommended by Director of Finance.

ACTION: Professional Services Agreement in an amount not to exceed \$108,000 with Management Partners approved; City Manager authorized to execute agreement.

- l. **Considering** – project changes to the Willow Pass Park Restroom and Concession Facility Replacement- Field 1 - Project No. 2334, specifically: (1) approving Construction Change Order No. 1 in the amount of \$41,310 to the Building Procurement Agreement; (2) awarding a construction contract in the amount of \$68,781 to Hi-Voltage Splicing Company of Danville; (3) authorizing the City Manager to execute the agreements; (4) authorizing staff to utilize the available project contingency for contract change orders up to 10% of the contract amount, and (5) authorizing budget transfers of \$75,700 from the Fleet Replacement Fund (Fund 633) to Willow Pass Park Restroom and Concession Facility Replacement- Field 1 - Project No. 2334 and \$44,771 to the Parks System Immediate Needs Project (Project 2372) (Funded by General Fund and Measure Q Capital Improvement Program funds). Recommended by the Director of Community and Economic Development.

This project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15302 – Replacement or Reconstruction, 15303 – New Construction or Conversion of Small Structures, and 15304 – Minor Alterations to Land.

ACTION: Construction change order no. 1 in the amount of \$41,310 to the building procurement agreement approved; construction contract in the amount of \$68,781 to Hi-Voltage Splicing Company awarded; City Manager authorized to execute the change order and agreement; staff authorized to utilize the available project contingency for contract change orders up to 10 percent of the contract amount; and budget transfers of \$75,700 from the Fleet Replacement Fund (Fund 644) to Willow Pass Park Restroom and Concession Facility Replacement – Field 1, Project No. 2334, and \$44,771 to the Parks System Immediate Needs Project, Project No. 2372, approved.

- m. **Considering** – approval of a budget transfer in the amount of \$90,000 for the Traffic Signal and Related Improvements at Various Locations project, Project Nos. 2285 and 2293, Federal-Aid Project No. HSIPCML-5135(043) (Funded by Highway Safety Improvement Program (HSIP), Congestion Management Air Quality (CMAQ), Measure J, and Prop. 111). Recommended by the Director of Community and Economic Development.

ACTION: Budget transfer in the amount of \$90,000 for the Traffic Signal and Related Improvements at Various Locations project, Project Nos. 2285 and 2293, Federal-Aid Project No. HSIPCML-5135(043) approved.

- n. **Considering** – approval of a change in representation on the Transportation and Cooperation Regional Committee (TRANSPAC) and affirm the Mayor’s recommendation to place Councilmember Obringer as the voting member and Councilmember Leone as the alternate. Recommended by the Mayor.

ACTION: Councilmember Obringer approved as the voting member and Councilmember Leone approved as the alternate on the Transportation and Cooperation Regional Committee (TRANSPAC).

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** – approval of the City of Concord Biennial Operating Budget for Fiscal Years 2017-18 and 2018-19; Ten-Year Financial Forecasts; and related items (including a public hearing on an increase in residential solid waste disposal fees), which include:
 1. a public hearing on adoption of Resolution No. 17-6042.4 amending Exhibit A to the City’s Master Fees and Charges Resolution 78-6042 for a 3.04% increase in fees relating to residential solid waste collection;
 2. adoption of Resolution No. 17-52 establishing the appropriation limit for the City of Concord for Fiscal Year 2017-18 pursuant to California Constitution Article XIII B;
 3. adoption of Resolution No. 17-53 establishing the minimum threshold over which City Council approval is required in accordance with Concord Municipal Code Title III, Sec. 3.10.040(a), for Fiscal Year 2017-18;
 4. adoption of Resolution No. 17-54 adopting the Municipal Budget for Fiscal Years 2017-18 and 2018-19, Including a Ten-Year Financial Forecast and amendments to budget policies; and

5. adoption of Local Reuse Authority Resolution No. 17-18 approving an Interfund Loan Agreement between the City of Concord (lender) and the Local Reuse Authority (borrower) for the temporary use of Workers' Compensation Fund dollars to support the Base Reuse Project.

This Public Hearing on the budget was continued from June 13, 2017. **Report by Karan Reid, Director of Finance.**

ACTION: Report heard; public testimony given; Resolution No. 17-6042.4 adopted; Resolution No. 17-52 adopted; Resolution No. 17-53 adopted; Resolution No. 17-54 adopted; Local Reuse Authority Resolution No. 17-18 was pulled from consideration to return at the July 11, 2017, meeting.

- b. **Considering** – 1) introduction of Ordinance No. 17-10 amending Chapter 5.80 of the Municipal Code to allow delivery of medical marijuana or cannabis from licensed dispensaries to qualified patients by reading of the title only and waiving further reading; and 2) receipt of information on marijuana regulations and provide direction to staff. **Report by Michael Cass, Principal Planner, and Pedro Garcia, Economic Development Specialist.**

Ordinance No. 17-10 does not constitute a “project” pursuant to CEQA Guidelines 15060(c)(2) and 15378; and, in the alternative, is exempt pursuant to Section 15061(b)(3) as there is no possibility that the Ordinance may have a significant effect on the environment.

ACTION: Report heard; public testimony given; Ordinance No. 17-10 introduced by reading of the title only and waiving further reading; staff directed to research and bring back information on manufacturing, lab testing regulations, commercial cultivation, dispensaries, a statistically valid survey of the community, taxes, opening one pilot medical marijuana dispensary, “green” indoor grows, and outdoor grows.

7. **CORRESPONDENCE**

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

- a. Proclamation – Father Richard Mangini Retirement, June 17, 2017
- b. Proclamation – Marine Barracks/Marine Corps Security Force Company NWS, June 24, 2017
- c. June 14, 2017, letter to California State Assemblymember Timothy S. Grayson in opposition of SB 649 (Hueso) Wireless Telecommunications Facilities
- d. Email from Kenji Yamata re: US Conference of Mayors' Climate Protection Agreement
- e. Email from Silvia Amico re: crime on Meadow Lane
- f. Budget Hearing PowerPoint Presentation
- g. Marijuana Regulations PowerPoint Presentation
- h. Correspondence Received on Agenda Item No. 6.b – Marijuana Regulations

8. REPORTS AND ANNOUNCEMENTS

Closed Session Announcements – **none**

City Manager or Staff Reports – **none**

Council Reports – **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 9:30 p.m.

Next Meeting: Regular Meeting

Date: 7/11/2017 - 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 5:30 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.