

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/CITY
COUNCIL SITTING AS THE
SUCCESSOR AGENCY OF THE
REDEVELOPMENT AGENCY/CITY
COUNCIL SITTING AS THE LOCAL
REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, JULY 25, 2017

The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 6:00 p.m. on Tuesday, July 25, 2017, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Councilmember Leone. 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; Patti Barsotti, City Treasurer; Marsha Moore, Deputy City Clerk; Victoria Walker, Director of Community and Economic Development; Guy Bjerke, Director of Community Reuse Planning; Karan Reid, Director of Finance; Jeff Lewis, Director of Information Technology; Steve Voorhies, Director of Parks and Recreation; Justin Ezell, Director of Public Works; Police Chief Guy Swanger; Leslye Asera, Community Relations Manager; Jeff Roubal, Fleet Manager; Laura Simpson, Planning Manager; Debbie Yamamoto, Senior Financial Analyst; Robert Ovadia, City Engineer; Cindy Turlington, Multi-Family Building Inspector; Brian Nunnally, Business Development Manager; John Montagh, Economic Development Manager; Jessica Gonzales, Assistant Planner; Ray Kuzbari, Transportation Manager; Mario Camorongan, Senior Civil Engineer; Afshan Hamid, Senior Planner

MEMBERS OF THE PUBLIC
WHO ADDRESSED THE COUNCIL: Eliot Mack, Concord; Rich Eber, Concord; Darrell Foote, Concord; Hope Johnson, Concord; Debbie Toth, Choice in Aging; Harmesh Kumar, Concord; Monica Sloboda, T-Mobile; Michele Phippen, Verizon Wireless; Ken Mintz, AT&T

PUBLIC COMMENT PERIOD

Eliot Mack, Rising Sun Energy Center, sponsored by PG&E and the City, stated that they install free LED light bulbs and other water and energy saving devices and invited the public and councilmembers to consider having their homes assessed. Rising Sun can be reached at (925) 322-0414 and www.risingsunenergy.org.

PRESENTATIONSDANIEL C. HELIX AWARD OF EXCELLANCE

This item was pulled due to a scheduling conflict with the awardee and was rescheduled to the September 5, 2017, City Council meeting.

"50 LEADING FLEETS" IN AMERICA AWARD

Fleet Manager Jeff Roubal announced the City of Concord Fleet Division was selected by Government Fleet Magazine and the American Public Works Association as one of the "50 Leading Fleets" in America for 2017.

ANNOUNCEMENTS

Mayor Hoffmeister announced open recruitments for the Concord Pavilion Community Outreach Committee and the Concord/Pleasant Hill Health Care District Grant Committee with a deadline for applications by Friday, August 25, 2017, at 5 p.m. to the City Clerk's Office.

Mayor Hoffmeister announced the Mayor's Cook Off would be held on Thursday, July 27, 2017, in Todos Santos Park from 4-6 p.m., with Canasta Kitchen and Chef Ivan Tellez representing Mayor Hoffmeister and the City of Concord. In addition, she announced that National Night Out will be held on August 1 and the Concord Library will be hosting an event from 6-8 p.m.

MEMORANDUM OF UNDERSTANDING – Episcopal Senior Communities Foundation

Motion made by Birsan and seconded by Leone to enter into a Memorandum of Understanding ("MOU") between the City and Episcopal Senior Communities Foundation regarding the proposed Home Share Concord Pilot Program; and authorize City Manager to execute necessary documents. Motion passed by unanimous vote of the Council.

EXCLUSIVE NEGOTIATING AGREEMENT – Avalon Bay

Motion made by Birsan and seconded Leone to enter into an Exclusive Negotiating Agreement with Avalon Bay for the approximately three acre Town Center II site (bounded by Galindo Street, Concord Blvd, Clayton Road and Mira Vista Street) held by the City for future development; and authorize the City Manager to execute the Agreement. Motion passed by unanimous vote of the Council.

DESIGNATION OF VOTING DELEGATE AND ALTERNATE – League of California Cities Annual Business Meeting

Motion made by Birsan and seconded by Leone to designate Vice Mayor Edi Birsan as Voting Delegate and Councilmember Tim McGallian as Alternate for the League of California Cities Annual Business Meeting scheduled for Friday, September 15, 2017, at 12:30 p.m. at the Sacramento Convention Center. Motion passed by unanimous vote of the Council.

VOLUNTARY CLEANUP AGREEMENT – California Department of Toxic Substances Control

Motion made by Birsan and seconded by Leone to approve the Voluntary Cleanup Agreement (with an estimated cost to the City of \$26,500) between the City of Concord and the California Department of Toxic Substances Control for the Monument Corridor Pedestrian and Bikeway Network Improvement Phase II, Project No. 2169, approved, subject to approval of the City Attorney; a transfer of approximately \$24,973 of remaining Measure J Funds from the Monument Corridor Pedestrian and Bikeway Network Improvement Phase Two project to the

Public Works Street Maintenance Account; and authorize the City Manager to execute the Agreement. Motion was passed by unanimous vote of the Council.

WIRELESS COMMUNICATIONS LICENSE AGREEMENT – New Cingular Wireless PCS (AT&T)

Motion made by Birsan and seconded by Leone to approve a Wireless Communications License Agreement with New Cingular Wireless PCS (AT&T) for installation and upgrade of cellular equipment at the Concord Pavilion; and authorize the City Manager to execute the agreement in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

MAINTENANCE AGREEMENT – California Department of Fish and Wildlife

Motion made by Birsan and seconded by Leone to approve a routine maintenance agreement with the California Department of Fish and Wildlife, which requires a \$3,000 application fee; and authorize the Director of Public Works to execute the agreement in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-62 – Unpaid inspection and re-inspection costs for the Multi-Family Housing Inspection Program

Motion made by Birsan and seconded by Leone to adopt Resolution No. 17-62 entitled, "A Resolution Approving Assessment of Unpaid Inspections and Re-Inspection Costs; and Directing Contra Costa County to Assess the Following Properties for the Amounts Totaling \$2,254 (2415 Olivera Road, APN 110-035-010 and 1660 Frisbie Court, APN 128-290-049)." Motion passed by unanimous vote of the Council.

RESOLUTION NOS. 17-56 AND 17-57 – Metropolitan Transportation Commission

This item was pulled from the Consent Calendar by Concord resident Rich Eber who spoke in concern of what he considered a pork barrel project, felt the City had higher priorities than this project, and felt the MTC would be more interested in their own priorities over the priorities of the City.

Motion made by Birsan and seconded by Obringer to adopt Resolution No. 17-56 entitled, "A Resolution of Local Support Authorizing the Filing of an Application for Funding Assigned to Metropolitan Transportation Commission and Stating Assurance to Complete the Project (Monument Boulevard Class I Path)" and Resolution No. 17-57 entitled, "A Resolution of Local Support Authorizing the Filing of an Application for Funding Assigned to Metropolitan Transportation Commission (MTC) and Committing any Necessary Matching Funds and Stating Assurance to Complete the Project (Willow Pass Road Repaving)." Motion passed by unanimous vote of the Council.

ADOPTION OF ORDINANCE NO. 17-10 – Delivery of Medical Marijuana or Cannabis from Licensed Dispensaries to Qualified Patients

This item was pulled from the Consent Calendar by Concord resident Hope Johnson who spoke of concerns about how delivery drivers would be protected in the event the federal government decided to prosecute medical marijuana cases and target drivers.

Police Chief Guy Swanger responded to Ms. Johnson's concerns and responded to questions from the Council.

Motion made by Birsan and seconded by Leone to adopt Ordinance No. 17-10 entitled, "An Ordinance Amending Chapter 5.80 (Marijuana) of The Concord Municipal Code to Allow the Delivery of Medical Marijuana by Licensed Dispensaries to Qualified Patients." Ordinance No. 17-10 was introduced on June 27, 2017, by reading of the title only and waiving further readings. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-64 – Smart City

This item was pulled from the Consent Calendar by Councilmember Obringer who explained what a Smart City was, highlighted the importance of the resolution and why the City cared about being a Smart City and celebrated some of the steps the City has taken towards being a Smart City. She highlighted an event held by Wave celebrating the introduction of gigabit speed internet in Concord.

Councilmember McGallian acknowledged Wave as a partner with the City and its extensive fiber network and complimented Director of Information Technology Jeff Lewis and the IT Department on their work bringing the City into the future with their vision.

Mayor Hoffmeister noted one of the areas of focus was to improve and implement technology infrastructure and applications not only within the organization, but also for the public and, in addition to the gigabit introduction, she highlighted the recent addition of autonomous delivery devices to Concord.

Mayor Hoffmeister opened a public comment period.

Debbie Toth, Choice in Aging, asked if ways to help the aging population with smart technology is included as part of a Smart City structure.

Dr. Harmesh Kumar, Concord, felt technology was taking away human dignity and respect and requested that, in these conversations, the decision makers take into account what it means to be human.

Mayor Hoffmeister closed the public comment period.

Motion made by Obringer and seconded by McGallian to adopt Resolution No. 17-64 entitled, "A Resolution Affirming the City of Concord's Commitment as a Smart City." Motion was passed by unanimous vote of the Council.

COOPERATIVE AGREEMENT – El Molino Cross-Tie Sewer Project

This item was pulled from the Consent Calendar by Mayor Hoffmeister who recused herself due to her employment with the City of Clayton, and though she was not involved in the project, did not want an appearance of a possible conflict of interest. Mayor Hoffmeister left the dais and handed this portion of the meeting to Vice Mayor Birsan.

Motion made by Leone and seconded by Obringer to approve a Cooperative Agreement for the City of Clayton to design and construct the El Molino Cross-Tie Sewer Project, Project No. 2405, in the amount of \$560,000 between the City of Concord and the City of Clayton subject to approval of the City Attorney; and authorize the City Manager to execute the Cooperative Agreement. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, Obringer, McGallian NOES: None ABSENT: Hoffmeister

Mayor Hoffmeister returned to the dais.

ANNUAL WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS

This item was pulled from the Consent Calendar by Councilmembers McGallian and Obringer who recused themselves due to involvement as volunteers with the Fourth of July events; they left the dais.

Motion made by Birsan and seconded by Leone to accept the annual write-off of uncollectible accounts receivable in the amount of \$53,954 for FY 2016-17. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, Hoffmeister NOES: None ABSENT: Obringer and McGallian

Councilmembers McGallian and Obringer returned to the dias.

ADOPT RESOLUTION NO. 17-781S – 1601 Sutter Street

Motion made by Birsan and seconded by McGallian to adopt Resolution No. 17-781S entitled, "A Resolution Approving an Agreement of Purchase and Sale and Initial Escrow Instructions between the Successor Agency as Seller and Stephen Cuneo and Hien Tran as Buyer for 1601 Sutter Street, Concord, CA (APN 126-045-012)." Motion passed by unanimous vote of the Council.

APPOINTMENT – Parks, Recreation and Open Space Commission

Motion made by Leone and seconded by Obringer to appoint Christopher Lucas, Michael Miller, and Wayne Schafer to the Parks, Recreation, and Open Space Commission for four-year terms ending June 30, 2021. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 17-61 – Residential Rent Review Panel

Laura Simpson, Planning Manager, reported that the Residential Rent Review Panel was approved by Council on May 23, 2017 and became effective on June 23. She explained that the program allows tenants that receive a greater than 10 percent increase in rent in a 12-month period to request reconciliation and mediation through the City's service provider, ECHO Housing, and if the rent dispute is not resolved through the mediation, tenants have the option to seek a non-binding decision by a Rent Review Panel. Ms. Simpson reported the City Council was being requested to adopt Resolution No. 17-61 to approve the three-member Rent Review Panel and authorize the City Clerk to initiate the recruitment process. All members of the panel must be residents of the City of Concord, one member must be a landlord of a multi-family complex of three or more units, one a tenant of a multi-family complex and one a neutral party. Members would serve a term of four years. Ms. Simpson added that staff was requesting an amendment to the resolution to allow for an alternate landlord and an alternate tenant in the event of a conflict of interest. Ms. Simpson noted the recruitment deadline for the receipt of applications to the City Clerk's Office would be Friday, August 25, 2017, at 5 p.m.

Councilmember Leone suggested adding an alternate for the neutral party. The Council discussed the requirement of the landlord to own property within the City of Concord or if the landlord could own property outside of the City of Concord. Councilmember Leone suggested the preference be that the landlord own property within the City of Concord, and allow the appointment of a landlord owning property outside of the City if no applicants meet the preference of owning within the City.

Motion made by Birsan and seconded by McGallian to adopt Resolution No. 17-61 entitled, "A Resolution Establishing Additional Parameters for the Rent Review Panel (created by the Residential Rent Review Program Ordinance No. 17-7)," as amended to add one alternate for each position and set the priority, as discussed, for the landlord to own property within Concord and a second preference of a landlord that owns property outside of Concord. Motion passed by unanimous vote of the Council.

APPROVE FY 2017-2018 INVESTMENT POLICY UPDATE

City Treasurer Patti Barsotti presented the Investment Policy statement to the Council for its annual review explaining that she reviewed the policy and it was in compliance with the government code that governs the document.

Vice Mayor Birsan asked if there was anything to prohibit the City from investing in foreign banks. Finance Director Karan Reid responded that the City could not legally directly invest in foreign banks; they have to have a domicile in the United States and be approved by the State.

Councilmember Obringer asked when the quarterly investment report would be posted for the public. Treasurer Barsotti responded it would be posted 30 days after the end of the quarter.

Motion made by McGallian and seconded by Leone to approve the FY 2017-2018 Investment Policy. Motion passed by unanimous vote of the Council.

ADOPT RESOLUTION NO. 17-58 – Wireless Master License Agreement form

Afshan Hamid, Senior Planner, presented a report on Master License Agreements for small cells on city owned poles and recommended the adoption of Resolution No. 17-58 to allow the approval of a Wireless Master License Agreement (MLA) and authorize the City Manager to execute the master license agreement to issue licenses for city owned poles in the public right-of-way.

Ms. Hamid explained there had been an increase in consumer demand for wireless capacity and faster speed, and wireless providers had requested to deploy small cells in the right-of-way. The MLA gives the city discretion to approve or deny any licenses and allows a consistent and streamlined approval process for small cell licenses.

Senior Planner Hamid noted that on April 10, 2017, the Infrastructure and Franchise Committee looked at the MLA and provided feedback and direction to staff, on May 8, 2017, a stakeholder and public meeting was held. She stated that outreach was done with the public through the City's website and Nextdoor, and providers were directly contacted.

Ms. Hamid introduced Tripp May, Telecom Law Firm, the outside counsel that assisted the City with this process. Mr. May explained what a small cell was, why the desire to have them on City owned poles, and examples of designs. Mr. May discussed the process for the MLA, the City Manager's authorization to sign it, and the MLA's relationship to the issuance of a pole license and permits.

Mr. May answered the Council's questions regarding the letters from the wireless providers, negotiable items in the MLAs, the potential impact from SB 649, process for applying for the permit and license, providers sharing poles, design guidelines for cell towers, liability in the case of potential damage to the pole or cell, and the fee structure.

Mayor Hoffmeister opened a public comment period.

Ken Mintz, AT&T, thanked the City for working on the MLA, applauded the City for the Smart City resolution, noted the small cell technology would densify the signals, thanked the Council for approving the wireless lease for the Concord Pavilion and was hopeful AT&T would continue to work well with staff.

Michele Phippen, Verizon, thanked the City for working on the MLA, applauded the City for the Smart City resolution, and shared Verizon's concern that the suggested fee range was too high.

Monica Sloboda, T-Mobile, thanked the City for working on the MLA and appreciated the staff taking time to partner with and take comments from the carriers. She felt it would be in the best interest of the City and carriers to clarify some items in the MLA, and wanted to ensure that there were provisions for a third party to enter into the MLA and sublease to T-Mobile.

Hope Johnson, Concord, spoke to the possibility that there would be multiple boxes and shared her thoughts about the carriers.

Mayor Hoffmeister closed the public comment period.

Motion made by Birsan and seconded by Hoffmeister to adopt Resolution No. 17-58 entitled, "A Resolution Approving Form Wireless Master License Agreement and Authorizing City Manager to Execute Wireless Master License Agreements and Issue Pole Licenses for City-Owned Poles in the Right of Way," as amended to allow for up to a 20-year term for the MLA. Motion passed by unanimous vote of the Council.

At 9:02 p.m., Mayor Hoffmeister called for a five-minute recess.

At 9:10 p.m., Mayor Hoffmeister reconvened the meeting.

ADOPT RESOLUTION NO. 17-12 – Draft FY 2017-2018 Action Plan

A notice of Public Hearing announcing the hearing date of July 25, 2017, was published in the East Bay Times on July 11, 2017, mailed to interested parties of record, and posted in the City's posting cabinet.

Program Manager Brenda Kain presented a report explaining the final draft Fiscal Year 2017-18 Action Plan, the 2015-19 Analysis of Impediments to Fair Housing and the updated Citizen Participation Plan.

Ms. Kain explained the Action Plan included the Community Services Commission spending recommendation and a description of each project, and a proposed number of Concord residents to be served. She stated that this would be the first year of a three-year funding cycle, no new applications would be accepted in the two following years. Programs funded this year would receive proportionate amounts for the following two years. The recommended allocations included the 2017-18 CDBG Entitlement Grants, remaining grant funds, Revolving Grant Funds, and Child Care Developer Fees.

Program Manager Kain noted the City received 24 applications for public services. The CSC used an established criteria, reviewed applications, heard presentations, and reviewed the needs of the community. Ms. Kain explained that historically the funding had been based on ranking; however, this year the CSC chose Interfaith Winter Night Shelter over the Lions Center for the Visually Impaired based on feeling the shelter filled a more critical need in the City. In addition to the public services funding, the CSC recommended funding for three Economic Development programs, the Housing Rehabilitation Loan and Grant Program and the City's ADA Transition Plan. The 2017-18 projects funded were:

PUBLIC SERVICE	
Ombudsman Services of Contra Costa	\$10,000
Contra Costa Crisis Center - 211 Line	\$10,000
Food Bank - Collaborative Food Distribution	\$10,000
Monument Crisis Center - Safety Net Resources	\$10,000

Meals on Wheels/Senior Outreach Services - MOW	\$10,000
Court Appointed Special Advocates (CASA)	\$10,000
STAND! - Rollie Mullen Emergency Shelter	\$10,000
Contra Costa Homeless Programs - CORE Team	\$10,000
Meals on Wheels/Senior Outreach Svc - CC Cafes	\$10,000
Trinity Center - Trinity Day Center	\$10,000
ECHO Housing - Fair Housing	\$10,000
Bay Area Legal Aid - Tenant/Landlord Services	\$10,000
Contra Costa Homeless Programs - Adult Shelter	\$10,000
Interfaith Council - Winter Nights Family Shelter	\$10,000
INFRASTRUCTURE	
City of Concord Engineering - ADA Transition Plan	\$400,000
ECONOMIC DEVELOPMENT	
Monument Impact - Technology 2017	\$20,000
Workforce Development Board - SBDC	\$30,000
HOUSING REHABILITATION	
"Hello Housing - Housing Rehabilitation Loan & Grant Program (CDBG)"	\$200,000
"Hello Housing - Housing Rehabilitation Loan Program (Revolving Loan Funds)"	\$200,000
Hello Housing - Housing Administration	\$120,000
City of Concord Housing Administration	\$30,000
CHILD CARE DEVELOPER FEES	
"Mt. Diablo Unified School District (CARES After School Program)"	\$22,000
"Contra Costa Child Care Council (Economic Development)"	\$10,000

Following questions and comments by the Council, Mayor Hoffmeister opened a public comment period. There was no public comment. Mayor Hoffmeister closed the public comment period.

Motion made by Birsan and seconded by Obringer to adoption of Resolution No. 17-12 entitled, "A Resolution Accepting the Action Plan for Fiscal Year 2017-18 and Adopting the Analysis of Impediments to Fair Housing Choice and the Revised Citizen Participation Plan; and Authorizing the City Manager to Submit, on Behalf of the City of Concord, the One Year Action Plan, Consistent with the Program Rules which Govern the Receipt and Expenditure of Community Development Block Grant Funds Allocated by the U.S. Department of Housing and Urban Development During Fiscal Year 2017-18." Motion passed by unanimous vote of the Council.

INFORMATIONAL REPORT ON FUNDING OF LOCAL REUSE AUTHORITY EFFORTS

Director of Community Reuse Planning Guy Bjerke made a presentation in response to a request that staff report on funding and expenditures to date for the Reuse Project and outline expenditure estimates for the future. Mr. Bjerke presented the work and funding of the LRA from 2006 to the present, future work and funding for the LRA, and future decisions the LRA would need to make regarding repayment of loans. Director Bjerke noted the presentation was for informational purposes and the Council was not being asked to take action at this time.

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

Hope Johnson, Concord, spoke to how much of the specific plan fund was going to staff and how much to consultants, shared concerns about the loans potentially being paid with community benefits or waterfall profits, expressed her appreciation for Mr. Bjerke's memo; and shared her concerns about the land shift to retail.

Mayor Hoffmeister closed the public comment period.

COMMUNITY ADVISORY COMMITTEE – Appointment of up to two (2) alternates

Director of Community Reuse Guy Bjerke reported that two members of the Community Advisory Committee, Russel Case and Jeffrey Allen, had resigned and alternates Charles "Jim" Hoffman and Stuart Posselt were elevated to voting members, leaving the Committee with two vacant alternate positions. Mr. Bjerke noted the CAC had about 12 months of work remaining and presented the Council with options to fill the vacancies. One option was to let the Committee shrink if others resign and not fill the vacancies, the second option was to appoint two new alternates now or interview and appoint at a later date.

City Attorney Susanne Brown asked that if any individual from outside of the original list of CAC applicants were to be appointed, they be asked to complete the supplemental questions asked of the original applicants.

Mayor Hoffmeister opened for a public comment period.

Hope Johnson, Concord, spoke in support of keeping the same number of people on the CAC and not let it dwindle, felt the CAC should be strong, and members should be expected to participate to the full extent they can. Ms. Johnson shared a concern that members were not attending meetings and had little information about the Reuse Project.

Mayor Hoffmeister closed the public comment period.

The Council agreed to appoint two alternates to the Community Advisory Committee. Councilmember McGallian suggested each Councilmember recommended two individuals.

The Council recommended the following individuals:

Councilmember McGallian – Steve Older and Julie Dennler
Vice Mayor Birsan – Bruce McManis and Jeannette Green
Councilmember Obringer – Ron Bennett and Scott Sysum
Councilmember Leone – Steve Older and Ken Edgcombe
Mayor Hoffmeister – Steve Older and Julie Dennler

Mayor Hoffmeister opened a public comment period.

Hope Johnson, Concord, spoke in support of having representation from Sun Terrace.

Darrell Foote, Concord, spoke in support of Jeannette Green.

Mayor Hoffmeister closed the public comment period.

Motion made by Leone and seconded by McGallian to appoint Steve Older as the second alternate on the Community Advisory Committee. Motion passed by the follow vote of the Council:

AYES: Leone, McGallian, Hoffmeister, Obringer NOES: Birsan ABSENT: None

Councilmember McGallian explained Julie Dennler had recently interviewed for the Parks, Recreation and Open Space Commission and lived in Mission Estates. Councilmember Leone agreed Julie Dennler was a good option and also felt Jeannette Green would be a good choice. Councilmember Birsan noted Jeannette Green had already been interviewed for this position.

Motion made by McGallian and seconded by Leone to appoint Julie Dennler as the third alternate on the Community Advisory Committee. Motion passed by the follow vote of the Council:

AYES: Leone, McGallian, Hoffmeister NOES: Obringer, Birsan ABSENT: None

CORRESPONDENCE

- a. Benched Correspondence – Letter to Honorable Steve Glazer dated July 25, 2017 in support of AB 22 – Storing and Recording Electronic Data
- b. Benched Correspondence from John di Bene with AT&T Wireless dated July 25, 2017, for Item No. 7.d Wireless Master Agreement
- c. Benched Memo for Item No. 5.c from Economic Development Manager John Montag dated July 25, 2017
- d. Master License for Small Cells on City-Owned Poles PowerPoint Presentation
- e. Benched memo for item No. 8.b from Reuse Director Bjerke dated July 24, 2017
- f. Rising Sun Energy Center sign-up sheet and materials
- g. Funding of the Local Reuse Authority for the Concord Community Reuse Project PowerPoint Presentation
- h. Correspondence for item No. 7.d from T-Mobile dated July 25, 2017
- i. Correspondence – Letter regarding the Community Advisory Committee from CAC Chair Helix dated July 24, 2017

CLOSED SESSION REPORTS

City Attorney Susanne Brown reported that at its November 1, 2016, Closed Session, the City Council unanimously authorized the City Attorney to settle that certain Contra Costa County Superior Court action entitled Alfredo Diaz, et al. v. City of Concord, et al., Case No. C14-02179. At private, court-ordered mediation on October 26, 2016, the parties tentatively agreed to resolve this matter for \$200,000, pending approval by both the Concord City Council and the Contra Costa County Superior Court. The Superior Court recently approved the settlement, and the case was dismissed with prejudice in July 2017. This settlement resolves any and all claims against the City of Concord and/or its employees arising out of that case.

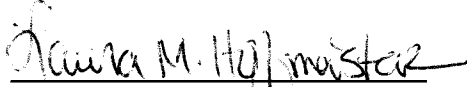
COUNCIL AND STAFF REPORTS


Councilmember Obringer entered into the record an email received by the Council from former Mayor and current CAC Chair Helix where he expressed concerns about how the CAC was functioning and level of understanding some of the CAC had of the Specific Plan.

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

Mayor Hoffmeister noted that the Council is taking a recess for the month of August and will return with the next regular meeting at 6:30 p.m. on September 5, 2017.

By order of the Mayor, the meeting was adjourned at 10:44 p.m.


LAURA M. HOFFMEISTER
MAYOR


MARSHA MOORE, CMC
DEPUTY CITY CLERK