

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, MARCH 27, 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 27, 2018, with Mayor Birsan presiding. The pledge of allegiance was led by Councilmember McGallian. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Laura Hoffmeister, Tim McGallian, Edi Birsan

COUNCILMEMBERS ABSENT: Ron Leone, Carlyn Obringer

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Patti Barsotti, City Treasurer; Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Justin Ezell, Director of Public Works; Steve Voorhies, Director of Parks and Recreation; Andrea Ouse, Director of Community and Economic Development; Karan Reid, Director of Finance; Guy Bjerke, Director of Community Reuse Planning; Andrea Ouse, Director of Community and Economic Development; Jasmin Loi, Director of Human Resources; Bernard Enrile, Associate Civil Engineer; Aldrich Bautista, Associate Civil Engineer

MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL: Maria Villanueva, Concord; Kristal Gomez-Gonzalez, Concord; Martha Gonzalez, Concord; Maria Lira, Concord; Jazmin Gonzalez, Concord; Adan Torres, Concord; George Fulmore, Concord; Eduardo Torres, Tenants Together; Johnny Lira, Concord; Rosalinda Romero, Concord; Mike McDermott, Concord; Tami Kerr, Harmony Catiglione, and Olga Khitarishvili, Concord High School; Fro Schmidt, Concord; Corey Perrigo, Concord; Moses Sullivan, Concord; Sheila Fields, Concord; William Colin, Concord; Maria Alas, Concord; Greg Kremenlier, Concord; Matt Light; Kenji Yamada, Concord

PUBLIC COMMENT PERIOD

Maria Villanueva, Concord, spoke of her concerns about being evicted from her home with nowhere to go.

Kristal Gomez-Gonzalez, Concord, spoke of a bedbug crawling in her ear.

Martha Gonzalez, Concord, spoke of her concerns over no cause evictions and being evicted from her home with nowhere to go.

Maria Lira, Concord, spoke of her concerns about being evicted from her home without being able to find affordable housing.

Jazmin Gonzalez, Concord, spoke of her concerns about being evicted from her home and cockroaches in her apartment. She received an eviction notice last night to be out of her home by April 14 and was told she would not receive her deposit back.

Adan Torres, Concord, spoke of his concerns over unjust evictions, being evicted from his home with an eviction date of Saturday, March 31, and bedbugs and cockroaches in the apartment.

Eduardo Torres, Tenants Together, spoke of his concerns over unjust evictions and requested stronger tenant protection.

Johnny Lira, Concord, spoke of his concerns over having to move and go to a new school.

Rosalinda Romero, Concord, spoke of the high increase in her rent and stated that her apartment building is infested with cockroaches and rats.

Mike McDermott, Concord, spoke of Contra Costa County's presentation to the City Council on its plan for cannabis.

Tami Kerr, Harmony Castiglione, and Olga Khitarishvili, Concord High School, thanked Chief Swanger and the Concord City Council for its contribution to the Concord High Arts Program.

Fro Schmidt, Art Cottage, thanked the Todos Santos Arts Foundation and the City for putting the Art Cottage on the '10 Things to Do in Concord' poster at the Veranda Shopping Center.

George Fulmore, Concord, spoke of tenants' rights, stated that Ellis Lake Park is not useful in its current state, and questioned the park rule "No Amplified Music."

Corey Perrigo, Concord, advocated for tenant protection and spoke in support of fairness at his apartment complex.

Moses Sullivan, Concord, spoke of overflowing garbage and peoples' concern over speaking up in fear of retaliation.

Sheila Fields, Concord, spoke of putting a homeless shelter in Concord.

William Colin, Concord, spoke in support of the Raise the Roof Coalition and his concern over unjust evictions.

Maria Alas, Concord, spoke of the terrible conditions of her apartment, stated that she complained about her broken refrigerator on March 20, and after she complained, she received an eviction notice. Ms. Alas requested assistance from the City Council.

PRESENTATIONS

COUNTYWIDE AGING POLICY PLATFORM

Mayor Birsan introduced Debbie Toth, CEO, Choice in Aging, who presented on a Countywide Aging Policy Platform.

ANNOUNCEMENTS

City Clerk Joelle Fockler announced a recruitment to fill an unscheduled vacancy on the Concord Pavilion Community Outreach Committee for a term ending February 28, 2019; and set Friday, April 27, 2018, at 5 p.m. as the deadline for receipt of applications by the City Clerk.

CITY COUNCIL CONSENT CALENDARAPPROVAL OF MINUTES – February 6, 2018

Motion was made by McGallian and seconded by Hoffmeister to approve the minutes of the meeting of February 6, 2018. Motion passed by the following vote of the Council:

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

ADOPTION OF ORDINANCE NO. 18-1 – Amending the Development Code

Motion was made by McGallian and seconded by Hoffmeister to adopt Ordinance No. 18-1 entitled, "An Ordinance Amending Concord Municipal Code Title 18 (Development Code), Chapter 18.20 (General Terms), Chapter 18.35 (North Todos Santos [NTS]), Chapter 18.150 (General Development Standards), Chapter 18.200 (Standards for Specific Uses), and Chapter 18.425 (Minor Exceptions)." Motion passed by the following vote of the Council:

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

A motion to reconsider was requested by the City Attorney to include the deletion of the section on Unattended Temporary Donation Boxes.

A motion was made by McGallian and seconded by Hoffmeister to reconsider adoption of Ordinance No. 18-1. Motion passed by the following vote of the Council:

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

Motion was made by Hoffmeister and seconded by McGallian to adopt Ordinance No. 18-1 entitled, "An Ordinance Amending Concord Municipal Code Title 18 (Development Code), Chapter 18.20 (General Terms), Chapter 18.35 (North Todos Santos [NTS]), Chapter 18.150 (General Development Standards), Chapter 18.200 (Standards for Specific Uses), and Chapter 18.425 (Minor Exceptions)" removing the section on Unattended Temporary Donation Boxes. Motion passed by the following vote of the Council:

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

ADOPTION OF ORDINANCE NO. 18-425.1 – 2171 Sunshine Drive

This item was pulled by Concord resident George Fulmore who questioned if the property was part of Meadow Homes Park or across the canal.

Motion was made by McGallian and seconded by Hoffmeister to adopt Ordinance No. 18-425 entitled, "An Ordinance Amending the Zoning Map of the City of Concord for 2171 Sunshine Drive from PR (Parks and Recreation) to RS6 (Single-Family Residential)." Motion passed by the following vote of the Council:

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

ACCEPTANCE OF IMPROVEMENTS – Detroit Avenue/Whitman Road Pedestrian Improvements, Project No. 2318

This item was pulled from the City Council Consent Calendar by Councilmember Hoffmeister who wanted to ensure that the barrier was removed before the project was signed off.

Motion was made by Hoffmeister and seconded McGallian by to accept improvements for Detroit Avenue/Whitman Road Pedestrian Improvements, Project No. 2318; and direct the City Clerk to file a Notice of Completion by the following vote of the Council:

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

PROFESSIONAL SERVICES AGREEMENT – HdL Companies

This item was pulled for the City Council Consent Calendar by Mayor Birsan who requested that Karan Reid, Director of Finance, explain why HdL Companies was chosen for the Professional Services Agreement.

Mayor Birsan opened a public comment period.

Greg Kremenlier, Concord, spoke in opposition to the agreement with HdL Companies.

Matt Light, asked the Council to not tax cannabis back into the black market.

Mayor Birsan closed the public comment period.

Motion was made by Hoffmeister and seconded by McGallian to approve a Professional Services Agreement in an amount not to exceed \$11,000 with HdL Companies for cannabis fiscal analysis and taxation strategies; and authorize the City Manager to execute the Agreement by the following vote of the Council:

AYES: Hoffmeister, McGallian NOES: Birsan ABSENT: Leone, Obringer

LOCAL REUSE AUTHORITY CONSENT CALENDAR

AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES – Johnson Marigot Consulting, LLC

Motion was made by Hoffmeister and seconded by McGallian to approve an Amendment to the Agreement for Professional Services with Johnson Marigot Consulting, LLC for preparation of materials to support an application for a 404 Permit under the Clean Water Act and Regulatory Support Services for the Community Reuse Project at the former Concord Naval Weapons Station in the amount not to exceed \$106,000; and authorize Executive Director of the Local Reuse Authority to execute the Amendment, subject to approval of the City Attorney by the following vote of the Local Reuse Authority:

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

AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES – Arup North America LTD

Motion was made by Hoffmeister and seconded by McGallian to approve an Amendment to the Agreement for Professional Services with Arup North America Ltd. associated with land transfer and development planning for the Community Reuse Project at the former Concord Naval Weapons Station in an amount not to exceed \$408,000; and authorize the Executive Director of the Local Reuse Authority to execute the Amendment subject to the approval of the City Attorney by the following vote of the Local Reuse Authority:

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

AMENDMENT TO AGREEMENT FOR LEGAL PROFESSIONAL SERVICES -- Lubin Olson & Niewiadomski, LLP

Motion was made by Hoffmeister and seconded by McGallian to approve an Amendment to the Agreement for Legal Professional Services with Lubin Olson & Niewiadomski, LLP in an amount not to exceed \$43,540 for work with the Community Reuse Project; and authorize the City Attorney to execute the Amendment by the following vote of the Local Reuse Authority:

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

CORRESPONDENCE

- a. Age Friendly Community PowerPoint Presentation
- b. Choice in Aging Learning Lab for Policy Makers flyer
- c. Benched Correspondence, Item No. 3.a., Contra Costa Senior Policy Platform 2020
- d. Benched Correspondence, Item No. 5.e., email dated March 26, 2018, from Karan Reid, Finance Director, in response to email dated March 24, 2018, from Rebecca Byars
- e. Marin Clean Energy Contra Costa informational materials

COUNCIL REPORTS

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

The Council discussed bringing just cause evictions back to the committee level, and decided to have staff instead research specific issues and locations reported at public comment.


Kenji Yamada, Concord, requested that if this item comes to the Council Committee on Housing and Economic Development that it be recorded like the City Council meetings.

ADJOURNMENT

By order of the Mayor, the meeting was adjourned at 8:20 p.m.



EDI E. BIRSAN
MAYOR



JDELLE FOCKLER, MMC
CITY CLERK