



CONCORD ANNOTATED AGENDA

REGULAR MEETING OF THE CONCORD CITY COUNCIL

Tuesday, December 9, 2014
7:00 p.m. – Regular Meeting
City Council Chamber
1950 Parkside Drive, Concord, CA

CLOSED SESSION

City Council Conference Room
5:30 p.m.

I. ROLL CALL – All present

II. PUBLIC ANNOUNCEMENT (Open Session)

III. PUBLIC COMMENT (Open Session)

IV. CLOSED SESSION:

- a. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8.

Property: Approximately 58 acres of United States Coast Guard-owned property along Olivera Road, known as Quinault Village and Victory Village.

Negotiating Parties: Michael Wright – City of Concord
Captain James Ingasbe – USCG
Beverly Frietas – USCG

Under Negotiation: Price, Terms of Payment

- b. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8.

Property: Clayton Road, Concord, California

Negotiating Parties: Willard Lund, Swift Realty Partners
Victoria Walker – City of Concord
John Montagh – City of Concord

Under Negotiation: Potential Development Agreement

- V. **ADJOURNMENT** – at 6:45 p.m. to reconvene in regular session in the Council Chamber.

ACTION: Closed session held.

**CITY COUNCIL
REGULAR MEETING
7:00 p.m. – City Council Chamber**

ROLL CALL – All present

PLEDGE TO THE FLAG – Councilmember Birsan

PUBLIC COMMENT PERIOD

Ray Barbour, Concord, requested that the City of Concord not discount fees, and commented that due to the passage of Measure Q services should be improved not maintained.

George Fulmore, Concord, announced an event to be held at the Concord Library on Saturday, December 12, 10 a.m. – 1 p.m., where people can find out options available through Covered California.

Joseph Partansky, Concord, spoke of the Concord Police Department and suggested that the top priorities of the Police Department should be prevention and improved communication.

1. **PRESENTATIONS**

- a. **Presentation** – by Senator Mark DeSaulnier, providing a 2014 legislative update.
Introduction by Mayor Grayson.

ACTION: Presentation made.

- b. **Presentation** – by Mayor Grayson recognizing Walter Eichinger, Brenden Theatre Corporation, for his support of the 40th Anniversary Sister City visit with citizens from Kitakami, Japan.

ACTION: Mayor Grayson presented a proclamation to Walter Eichinger.

- c. **Presentation** – of the Mayor’s Community Service Award. **Report from Mayor Grayson.**

ACTION: Mayor Grayson introduced Guy Bjerke and presented him with the Mayor’s Community Service award for his gallant work in the community.

- d. **Presentation** – Community Court Fund Presentation to the Monument Crisis Center Juvenile Intervention Program. **Presentation by Mayor Grayson.**

ACTION: Mayor Grayson presented a \$1,000 check from the Community Court Fund to the Monument Crisis Center for its Juvenile Diversion Program.

2. **ANNOUNCEMENTS** – none.
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CITY COUNCIL MATTERS

3. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meeting of November 18, 2014. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: Minutes of November 18, 2014 approved.

- b. **Awarding** – a desktop managed services contract to Axiom Technologies, RFP #2285, Desktop Managed Services, in the annual amount of \$419,112 for a one-year term with the option to renew for up to four additional one-year terms. (General Fund) Recommended by the Director of Information Technology.

ACTION: This item was pulled from consideration to a future date by Councilmember Helix.

- c. **Approving** – a Professional Services Agreement with Thor, Inc. for technical support to the Information Technology Department in the not-to-exceed amount of \$120,000 for the term December 10, 2014 – June 30, 2015 with the option to extend for up to two additional one-year terms in the not-to-exceed yearly amount of \$200,000; and authorizing the City Manager to execute the Agreement. (General Fund) Recommended by the Director of Information Technology.

ACTION: Professional Services Agreement with Thor, Inc. approved; City Manager authorized to execute the agreement.

- d. **Approving** – a two-year Lease Agreement with the Concord Police Association (POA) in the amount of \$78,000 for use of the property at 5060 Avila Road; and authorizing the City Manager to execute the Agreement. (General Fund) Recommended by the Chief of Police.

ACTION: Lease Agreement with the Concord Police Association (POA) approved; City Manager authorized to execute the agreement.

- e. **Matter to set for public hearing** – on Tuesday, January 6, 2015 at 6:30 p.m. in the Council Chamber – Consideration of a General Plan Amendment adopting the Housing Element Update 2014-2022 to the Housing Element as Volume V of the Concord 2030 General Plan. Recommended by the City Manager.

ACTION: Public Hearing set for Tuesday, January 6, 2015 at 6:30 p.m. in the Council Chamber.

- f. **Extending** – the current agreement between the City of Concord and the City of Clayton to provide for dispatch, computer aided dispatch system services, and temporary holding and detention services for six months to June 30, 2015. (General Fund) Recommended by the City Manager.

ACTION: Six (6) month extension to the agreement with the City of Clayton approved; City Manager authorized to execute the agreement.

- g. **Amending** – the Professional Services Agreement with NBS Government Finance Group for an update to the City's Cost Allocation Plan and Master Fee Schedule for an amount not-to-exceed \$10,336; and authorizing the City Manager to execute the Agreement. (General Fund) Recommended by the Director of Finance.

ACTION: Amendment to the Professional Services Agreement with NBS Government Finance Group approved; City Manager authorized to execute the agreement.

- h. **Awarding** – an electronic content management system software implementation and support contract to Neko Industries, RFP #2301, Electronic Content Management System, for an initial purchase amount of \$255,170 and an annual maintenance cost of \$25,208. (Capital Improvement Plan) Recommended by the Director of Information Technology.

ACTION: Professional Services Agreement with Neko Industries approved; City Manager authorized to execute the agreement.

- i. **Appropriating** – \$126,775 from the General Fund and authorizing the City Manager to award an equipment and installation contract in the amount of \$126,775 to GameTime for replacement of the playground equipment at John F. Baldwin Park. Recommended by the Director of Community and Recreation Services.

ACTION: \$126,775 appropriated from the General Fund; Equipment and Installation Contract awarded to Gametime.

- j. **Approving** – the Final Map for Tract 9162, Copperleaf Subdivision (Assessor’s Parcel No. 113-133-008), and approving the Subdivision Improvement Agreement and Stormwater Maintenance Agreement. Resolution No. 14-49 for adoption. Recommended by the Director of Community and Economic Development.

ACTION: Final Map for Tract 9162, Copperleaf Subdivision, approved; City Manager authorized to execute the Subdivision Improvement Agreement and Stormwater Maintenance Agreement for the Copperleaf Subdivision; Resolution No. 14-49 adopted.

- k. **Awarding** – a construction contract in the amount of \$823,464 to Graniterock of San Jose, approving a Professional Services Agreement Amendment with RFB Consulting of Walnut Creek in the amount of \$29,524 for design services, approving a Professional Services Agreement with Swinerton Management & Consulting of San Francisco in the amount of \$84,745 for construction management services, approving a related budget transfer in the amount of \$100,000 for Project No. 2251, Farm Bureau Road Safe Routes to School Improvements - Willow Pass Road to Wren Avenue; and authorizing the Mayor and City Manager to execute the agreements. (Safe Routes to School Grant, Measure J, OSIP, and Gas Tax Funds) Recommended by the Director of Community and Economic Development.

ACTION: Construction contract awarded to Graniterock of San Jose; Amendment #1 to the Professional Services Agreement with RFB Consulting of Walnut Creek; Professional Services Agreement with Swinerton Consulting approved; Budget Transfer in the amount of \$100,000 from Project No. 2252 into Project No. 2251 approved; Mayor and City Manager authorized to execute the Agreements.

- l. **Approval** – for exception to the 180-Day PERS wait period for the rehire of a retired public safety officer, Corporal David Sweany, for the limited service public safety assistant position of “K9 Operations Trainer.” (General Fund) Resolution No. 14-87 for adoption. Recommended by the Chief of Police.

ACTION: Resolution No. 14-87 adopted.

- m. **Establishing** – the composition of the Measure Q Oversight Committee, setting the terms of office of the committee members, and defining the scope of the committee’s responsibilities. Resolution No. 14-86 for adoption. Recommended by the Budget Officer.

ACTION: Resolution No. 14-86 adopted.

4. CITY COUNCIL CONSIDERATION ITEMS:

- a. **Approving** – a Professional Services Agreement with Alta Planning + Design, Inc. in an amount not to exceed \$212,000 to prepare the Citywide Bicycle, Pedestrian, and Safe Routes to Transit Master Plan, and authorizing the City Manager to execute the agreement; and accepting the recommendation of the Infrastructure and Franchise Committee regarding the composition of the plan’s advisory committee. (RM-2 Grant, TDA Grant, and Measure J Funds) **Report by Principal Planner Andrew Mogensen.**

ACTION: Report heard; public testimony taken; Professional Services Agreement with Alta Planning and Design, Inc. approved; City Manager authorized to execute the Agreement; recommendation regarding the composition of the Citywide Bicycle, Pedestrian, and Safe Routes to Transit Master Plan Advisory Committee accepted.

- b. **Receiving** – a report on the Central County Family Justice Center to be located in Concord, appropriating and allocating \$35,000 in additional funding for the first six months of operation, establishing Project No. 2326; and authorizing the City Manager to enter into a three-year lease agreement for a total amount of \$470,000 with Salvio Pacheco Square on behalf of the Central County Family Justice Center. (Multiple Sources) **Report by Chief of Police Guy Swanger.**

ACTION: Report received; public testimony taken; \$35,000 in additional funding for the first six months of operation appropriated and allocated; Project No. 2326 established; and City Manager authorized to enter into a three-year lease agreement on behalf of the Central County Family Justice Center.

5. CITY COUNCIL PUBLIC HEARING:

MAYOR: Madam Clerk, have all the publications been completed and appropriate parties notified?

- a. **Consideration** – of an amendment to Concord Municipal Code to allow Parking Permits in neighborhoods designated as permit parking areas to be placed either on the left rear bumper or the bottom left rear window of the vehicle for which the permit has been issued. Ordinance No. 14-10 for introduction. **Report by Ray Kuzbari, Transportation Manager.**

ACTION: Report heard, opportunity for public testimony given; Ordinance No. 14-10 introduced by reading of the title only and waiving further readings.

6. **CORRESPONDENCE** – City Council correspondence not selectively included in the following list is available for inspection during normal business hours by contacting the City Clerk at 671-3390.
- a. Edi Birsan’s “To be Discussed” List, November 2014
 - b. Benched Agenda Item No. 3B – Memorandum from City Clerk Joelle Fockler
 - c. Benched Agenda Item No. 3B – Memorandum from Director of Information Technology Jeff Lewis
 - d. Emails received on Agenda Item No. 4A
 - e. Benched Agenda Item No. 4B – Lease Agreement
 - f. The Strip, New York Times, December 7, 2014
 - g. Legislative Update, December 2014, Senator Mark DeSaulner
 - h. November 11, 2014 Letter to Mayor Grayson from Bike East Bay
7. **PUBLIC COMMENTS ON PRESENTATION ITEMS** – none.
8. **CLOSED SESSION REPORTS** – none.
9. **COUNCIL AND STAFF REPORTS**
- The Councilmembers shared highlights of some of the events and activities in which they had participated in over the past couple of weeks.
10. **ADJOURNMENT – at 9:40 p.m.**
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NOTICE

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting (Policy and Procedure No. 2, Section 4.24). For information on the next regular or special City Council meeting, please call (925) 671-3390.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, December 23, 2014

Tonight’s meeting is replayed on the Wednesday following the meeting at 8:00 a.m. and 2:00 p.m.

MEETING RECORDS

City Council meetings are available for viewing on the City's website, www.cityofconcord.org and at the Concord Public Library. Copies of DVDs of the Council Meeting are available for purchase. Contact the City Clerk's Office at (925) 671-3390 for further information.

TELEVISED MEETINGS

All meetings are broadcast live on Comcast channel 28, Astound Broadband channel 29, and AT&T U-Verse channel 99. The meeting is replayed on the Wednesday following the meeting at 8:00 a.m., 2:00 p.m. and 7:00 p.m. Replays are also broadcast on Thursday, Friday and Saturday. Please check the City website, <http://www.cityofconcord.org/pdf/about/citynews/tvlistings.pdf>