



CONCORD ANNOTATED AGENDA

REGULAR MEETING OF THE CONCORD CITY COUNCIL

Tuesday, January 6, 2015
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: A portion of property on the southern boundary of the leasehold interest currently held by CNL Income Waterworld/Parc Waterworld (“Waterworld”), and a portion of property owned by the Contra Costa Flood Control and Water Conservation District associated with Pine Creek.

Negotiating Parties: Valerie Barone, City of Concord
Victoria Walker, City of Concord
Robert Ovadia, City of Concord
Mark S. Coon, City of Concord
Paul Kimura, Waterworld
Mike Carlson, Contra Costa Flood Control and Water Conservation District

Under Negotiation: Price, Terms of Payment

V. ADJOURNMENT – at 6:15 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 Helix

PUBLIC COMMENT PERIOD

Roseanne Nieto, Concord, spoke of development of the Naval Weapons Station and the possible traffic problems that will occur and stressed the importance of the master developer of the Naval Weapons Station addressing the traffic issues sooner rather than later.

1. **PRESENTATIONS** – none.

2. **ANNOUNCEMENTS**

City Clerk Fockler announced the closing of the recruitment for the Board of Appeals; Bike, Pedestrian and Safe Routes Committee; Design Review Board; Personnel Board; and Planning Commission on Friday, January 9, 2015, at 5 p.m. and encouraged members of the public to submit applications.

**CITY COUNCIL
MATTERS**

3. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meeting of November 5, 25 and December 2, 2014. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: Minutes of November 5, 25 and December 2, 2014 approved.

- b. **Adoption of Ordinance No. 14-10** – an Ordinance amending Concord Municipal Code Title 10 (Traffic and Vehicles), Chapter 10.30 (Stopping, Standing, and Parking), Article VI (Permit Parking Areas), Section 10.30.420 (Issuance of Resident Parking Permits) and Section 10.30.440 (Guest Parking Permits). Ordinance No. 14-10 was introduced on December 9, 2014. Recommended by the City Clerk.

ACTION: Ordinance No. 14-10 adopted.

- c. **Approving** – the creation of the Deputy City Manager classification assigned to the Unrepresented group at pay grade M-11, thereby allowing the City Manager to under fill the existing Assistant City Manager position with a Deputy City Manager. Resolution No. 15-3493.1 for adoption. Recommended by the Director of Human Resources.

ACTION: Resolution No. 15-3493.1 adopted.

- d. **Authorizing** – the Contra Costa County Flood Control & Water Conservation District to establish an annual parcel assessment for fiscal year 2015/16 for drainage maintenance and the National Pollutant Discharge Elimination System Program (NPDES). Resolution No. 15-1 for adoption. Recommended by the Director of Public Works.

ACTION: Resolution No. 15-1 adopted.

- e. **Accepting** – the improvements for Project No. 2295, Downtown Sanitary Sewer Upgrade – Phase II, constructed by Bay Pacific Pipelines, Inc. of Novato; and directing the City Clerk to file a Notice of Completion. (Sewer Enterprise Funds) Recommended by the Director of Community and Economic Development.

ACTION: Improvements for Project No. 2295, Downtown Sanitary Sewer Upgrade – Phase II accepted; City Clerk directed to file a Notice of Completion.

- f. **Approving** – a contract and lease agreement for a term of five years with one five year option to renew the agreement in the initial annual amount of \$13,920 which will increase 3% every other year, with a final annual amount of \$14,768 in 2018-19 with MJL Enterprises to provide batting cage services at Willow Pass Park; and authorizing the City Manager to execute the agreement. Recommended by the Director of Community and Recreation Services.

ACTION: Agreement with MJL Enterprises approved; City Manager authorized to execute the agreement.

- g. **Approving** – amendments to Employment Agreements between the City of Concord and City Manager Valerie Barone and the City of Concord and City Attorney Mark Coon, each providing for a salary increase of 2.6 percent. (General Fund) Recommended by Vice Mayor Hoffmeister and Councilmember Helix.

ACTION: Amendments to Employment Agreements providing for a salary increase of 2.6 percent approved.

4. CITY COUNCIL CONSIDERATION ITEM:

- a. **Awarding** – a Desktop Managed Services Contract Professional Agreement to Axiom Technologies, RFP No. 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; and authorizing the City Manager to execute the Agreement. (General Fund) **Report by Jeff Lewis, Director of Information Technology.**

ACTION: Report heard, public testimony taken, Desktop Managed Services Contract Professional Agreement to Axiom Technologies 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 awarded; City Manager authorized to execute the agreement.

5. CITY COUNCIL PUBLIC HEARING:

- a. **Consideration** – of adoption of Negative Declaration for the Housing Element Update 2014-2022 General Plan Amendment to the Housing Element as Volume V of the *Concord 2030 General Plan*, and consideration of adoption of the Housing Element Update 2014-2022 General Plan Amendment (PL14-229-GP) to the Housing Element as Volume V of the *Concord 2030 General Plan*. Resolution Nos. 15-2 and 15-4823.1 for adoption. **Report by Joan Ryan, Senior Planner.**

ACTION: Report heard, public testimony taken, Resolution No. 15-2 adopting a Negative Declaration for the Housing Element Update 2014-2022 General Plan Amendment to the Housing Element as Volume V of the *Concord 2030 General Plan* adopted, and Resolution No. 15-4823.1 adopting the Housing Element Update 2014-2022 General Plan Amendment (PL14-229-GP) to the Housing Element as Volume V of the *Concord 2030 General Plan* adopted.

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. Concord Housing Element Update 2014-2022 PowerPoint Presentation.

7. **PUBLIC COMMENTS ON PRESENTATION ITEMS** – none.

8. CLOSED SESSION REPORTS

City Attorney Mark Coon reported that at its November 25, 2014 closed session, the City Council, by a vote of five – zero, authorized payment of \$220,000 to settle that certain United States District Court Action entitled "Walther Weiland V. City of Concord, USDC No. C13 – 05570 – JSC. Following court-ordered mediation supervised by the Hon. Judge Kandis Westmore, the case was settled as to all parties for the sum of \$220,000. The settlement provides a global release for all parties and claims.

9. COUNCIL AND STAFF REPORTS

a) **Mayor’s appointments of Councilmembers** to serve for terms ending December 2015:

1. Council Standing Committees – Chair and Member
Report by Mayor Grayson.

ACTION: Council Standing Committee appointments made:

Committee	Chair	Member
Policy Development & Internal Operations	Grayson	Hoffmeister
Infrastructure and Franchise	Hoffmeister	Helix
Housing and Economic Development	Helix	Leone
Recreation, Cultural Affairs & Community Services	Birsan	Grayson
Youth and Education	Leone	Birsan

2. City Representatives to External Agencies – Primary and Alternate. **Report by Mayor Grayson.**

ACTION: External Appointments acknowledged:

Organization	Member	Alternate
Association of Bay Area Governments (ABAG) General Assembly	Grayson	Helix
Central Contra Costa Transit Authority (The County Connection)	Hoffmeister	Leone
East Bay Division of League of CA Cities Board of Directors	Leone	Grayson
Transportation Partnership and Cooperation Regional Committee (TRANSPAC)	Leone	Birsan
Citizen Corps Community Emergency Response Team (CERT)	Grayson	Helix
Central County Literacy Coalition	Birsan	Hoffmeister

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

10. **ADJOURNMENT – at 8:16 p.m.**

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, January 13, 2015.

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>