

**Please note 7 p.m.
Open Session start time**

COUNCIL MEMBERS
Laura M. Hoffmeister, Mayor
Ronald E. Leone, Vice Mayor
Edi E. Birsan
Timothy S. Grayson
Daniel C. Helix

Civic Center
1950 Parkside Drive
Concord, CA 94519
www.cityofconcord.org



Tuesday, May 10, 2016	5:30 p.m. – Closed Session	Closed Session: City Council Conference Room (Wing A) 1950 Parkside Drive
	6:00 PM – Study Session	Study Session and Open Session: Council Chamber 1950 Parkside Drive
	7:00 p.m. – Open Session	

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.

CLOSED SESSION

1. OPENING

Roll Call – all present

2. PUBLIC COMMENT – none

3. CLOSED SESSION

- a. Conference with Labor Negotiators pursuant to Government Code Section 54957.6.

City Negotiators: Valerie Barone, City Manager; Jovan Grogan, Deputy City Manager; Jonathan Holtzman, Esq. and Don Turko of Renne, Sloan, Holtzman & Sakai.

Employee Organizations: Administrative, Technical & Clerical Representation Unit and Field & Operations Representation Unit of International Brotherhood of Teamsters Local 856; Professional Representation Unit of OPEIU Local 29; Peace Officer Representation Unit of Concord Police Officers Association and Police Managerial Representation Unit of Police Management Association

Unrepresented Units: Executive, Management & Confidential Employees

ACTION: Closed session held.

4. RECESS TO OPEN SESSION

5. OPENING

Roll Call – all present

Pledge to the Flag – Vice Mayor Leone

6. 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.

Alan Smith, Contra Costa Library Commission, presented a flyer highlighting the Concord Library 2016 Annual Report.

Paul Poston, Concord, congratulated the City Attorney on her appointment and thanked the City and the Code Enforcement Division for partnering with Garaventa Enterprises and coordinating the neighborhood clean-up of the Sun Terrace Neighborhood.

Florence Weiss, Downtown Program Manager, announced the upcoming Music and Market Series and thanked the sponsors for participating.

Smitty, Concord, announced Bike to Work Day to be held Thursday, May 12, 2016.

STUDY SESSION

- a. Study Session Presenting the City's draft Bicycle, Pedestrian and Safe Routes to Transit Plan.

ACTION: Study session held.

RECESS TO OPEN SESSION

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.

Jay Bedecarre, Clayton, announced the 27th Annual KidFest to be held Memorial Day Weekend, May 28, 29, and 30, 2016.

Joe Partansky, Concord, requested modifications to the Concord Connect mobile app.

Harmesh Kumar, Concord, requested that sign enforcement for political signs be conducted equally for all candidates.

Rev. Richard Mangini, Concord, requested that the topic of rent control be sent to the Housing & Economic Development City Council Committee.

Set Olaf Candanosa, Concord, requested assistance with rent control in Concord.

Gloria Ayala, Concord, requested assistance with rent control in Concord.

Eduardo Torres, Tenants Together, introduced himself to the Council, and spoke of the work he is doing with Concord citizens to organize tenants for basic human rights.

George Fulmore, Concord, spoke of rent control in Concord.

Isabel Lara, Concord, requested assistance with rent control in Concord.

Casilda Gonzales, Concord, requested that the main City phone number on the website be changed from 671-CITY to 671-3000.

7. PRESENTATIONS

- a. **Presentation** - of the Public Works Department Award of Excellence by Director of Public Works Justin Ezell. Introduction by Mayor Hoffmeister.

ACTION: Director of Public Works Justin Ezell introduced recipient Juan Silva who was presented with the Public Works Department Award of Excellence by Mayor Hoffmeister.

- b. **Presentation** - to Marilyn Fowler, Executive Director Greater Concord Chamber of Commerce, proclaiming May 10, 2016, "Small Business Appreciation Day" in the City of Concord. Introduction by Mayor Hoffmeister.

ACTION: Mayor Hoffmeister presented Marilyn Fowler, President/CEO of the Concord Chamber of Commerce, a proclamation declaring May 10, 2016, as "Small Business Appreciation Day" in the City of Concord.

- c. **Presentation** – of Business Recognition Awards to a) Gordon Clarke of Tower Grille; b) Erin Schally of Epidemic Ales; and c) Don Rollins of Don's Cabinet Shop. Overview of program by Pedro Garcia, Economic Development Specialist; introduction of recipients by Marilyn Fowler, Chief Operations Officer of the Concord Greater Chamber of Commerce. Presentations by Mayor Hoffmeister.

ACTION: Pedro Garcia, Economic Development Specialist, highlighted the Business Recognition Program and introduced Marilyn Fowler, President/CEO of the Concord Chamber of Commerce, who presented Business Recognition Awards to Tower Grille and Epidemic Ales.

8. ANNOUNCEMENTS – none

9. TREASURER'S REPORT

- a. **Receiving** – the Quarterly Treasurer's Report for the period January 1 - March 31, 2016. (No Fiscal Impact) Recommended by the City Treasurer.

ACTION: Quarterly Treasurer's Report for the period January 1 – March 31, 2016 accepted.

10. 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. **Approving** - the minutes from the meetings of February 23, March 1, and March 18, 2016. (No fiscal impact) Recommended by the City Clerk.

ACTION: Minutes from the meetings of February 23, March 1, and March 18, 2016, approved.

- b. **Matter to Set for Public Hearing** - on Tuesday, June 7, 2016, at 6:30 p.m. in the Council Chamber - proposal for a Development Agreement between the City of Concord and Swift Realty Partners, LLC.

ACTION: Public Hearing set for Tuesday, June 7, 2016, at 6:30 p.m.

- c. **Matter to Set for Public Hearing** – on Tuesday, June 7, 2016, at 6:30 p.m. in the Council Chamber - consideration of the Concord/Pleasant Hill Health Care District Grant Committee FY 2016/17 funding recommendations for community health programs.

ACTION: Public Hearing set for Tuesday, June 7, 2016, at 6:30 p.m.

- d. **Approving** - Professional Services Agreement Amendment No. 5 with AECOM of Sacramento in the amount of \$281,939.76 for civil engineering design and environmental services for the Citywide Bridge Preventative Maintenance Program (BPMP) 5135 (039), Project No. 2060; extend the Agreement to June 30, 2017; and authorize the City Manager to execute the Amendment (Funded by Cal Trans Grant and Measure J Local). Recommended by the Director of Community and Economic Development.

ACTION: Amendment in the amount of \$281,939.76 with AECOM for the Citywide Bridge Preventative Maintenance Program, Project No. 2060 approved; City Manager authorized to execute the Amendment.

- e. **Confirming** - the recommendation for appointment of Keith McMahon to continue to serve as the City of Concord's representative on the Contra Costa County Aviation Advisory Committee for a three-year term ending March 1, 2019. Recommended by the Mayor.

ACTION: Keith McMahon recommended to continue to serve as the City of Concord's representative on the Contra Costa County Aviation Advisory Committee for a three-year term ending March 1, 2019.

- f. **Approving** – a budget transfer in the amount of \$65,000 for the Detroit Avenue Bicycle and Pedestrian Improvements Project (Project No. 2276) (Funded by Fund 261 - Gas Tax). Recommended by the Director of Community and Economic Development.

ACTION: Budget transfer in the amount of \$65,000 for the Detroit Avenue Bicycle and Pedestrian Improvements Project, Project No. 2276, approved.

11. CITY COUNCIL CONSIDERATION 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.

- a. **Appointing** - one applicant to fill an unscheduled vacancy for the business representative on the Measure Q Oversight Committee for a term ending December 31, 2019. Report by Joelle Fockler, City Clerk.

ACTION: Report heard, opportunity for public testimony given, Darrin Walters appointed to fill an unscheduled vacancy for the business representative on the Measure Q Oversight Committee for a term ending December 31, 2019.

- b. **Considering** – a construction contract in the amount of \$852,612.95 to Granite Construction of Santa Clara; approving a Professional Services Agreement with Swinerton Management and Consulting of Concord in the amount of \$121,880 for construction management services; and authorizing the City Manager to execute the Agreement for Concord Various Streets Preservation, Project No. 2292. (Funded by OBAG Grant, Measure J and CalRecycle Grant) Report by Robert Ovadia, City Engineer. This item was continued from April 26, 2016.

Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the project is classified as Categorically Exempt pursuant to Section 15301 Class 1 "Existing Facilities;" therefore, no further environmental review is required.

ACTION: Report heard; opportunity for public testimony given; Construction Contract in the amount of \$1,105,789, for the Base Bid and Bid Alternate B and C, to Granite Construction awarded and staff directed to modify the contract as necessary, staff authorized to utilize the available project contingency for contract change orders up to 10 percent of the contract amount, CalRecycle grant funding accepted and appropriated into the project budget, and City Manager authorized to execute the Contract; Professional Services Agreement with Swinerton Management and Consulting in the total not-to-exceed amount of \$140,550 for construction management, construction inspection, and material testing services approved, staff directed to modify the agreement as necessary, and City Manager authorized to execute the agreement; and \$310,000 transfer of unallocated Measure Q – Lease Revenue Finance Agreement Funds from the Pavement Maintenance Annual Program – Holding Account, Project No. 2157, to the Concord Various Streets Preservation Project, Project No. 2292, approved.

12. 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** - adoption of Resolution 16-31 pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Internal Revenue Code of 1986 for the California Statewide Communities Development Authority to Issue Up to \$546,000,000 in Tax-Exempt Obligations on Behalf of John Muir Health. Report by Brian Nunnally, Business Development Manager.

ACTION: Report heard, opportunity for public testimony given, Resolution No. 16-31 adopted.

- b. **Considering** - amendments to Exhibit A to Resolution No. 78-6042 Establishing Fees and Charges for various municipal services in the City of Concord. Resolution No. 16-6042.1 for adoption. Report by Karan Reid, Director of Finance. This item was continued from April 26, 2016.

ACTION: Report heard, opportunity for public testimony given, Resolution No. 16-6042.1 adopted.

13. CORRESPONDENCE

- a. Flyer highlighting the Concord Library 2016 Annual Report
- b. Benched correspondence received for the Study Session
- c. PowerPoint Presentation for the Bicycle, Pedestrian and Safe Routes to Transit Plan
- d. KidFest 2016 Flyer
- d. PowerPoint Presentation on the Amendments to the Master Fee Schedule

14. 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.**

15. ADJOURNMENT – at 9 p.m. in memory of James “Jim” Swanson.

Next Meeting: Regular Meeting
Date: 5/11/2016 - 6:30 PM

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with Easy Listener Sound Amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the Easy Listener Phonic Ear Personal Sound Amplifier from the City Clerk for personal use during Council meetings.

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) 671-3021, 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/Leone	2 nd Thursday at 5:30 p.m.
Housing & Economic Development	Leone/Helix	4 th Monday at 5:30 p.m.
Infrastructure & Franchise	Helix/Birsan	2 nd Monday at 5:30 p.m.
Recreation, Cultural Affairs & Comm. Svc.	Grayson/Hoffmeister	3 rd Wednesday at 5:30 p.m.
Youth & Education	Birsan/Grayson	3 rd Monday at 5:30 p.m.