

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, FEBRUARY 11, 2014

The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 6:35 p.m. on Tuesday, February 11, 2014, with Mayor Grayson presiding. All Councilmembers were present and the pledge of allegiance was led by Councilmember Birsan. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Edi Birsan, Dan Helix, Laura Hoffmeister, Ron Leone, Tim Grayson

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney; Scott P. Johnson, Assistant City Manager; Mary Rae Lehman, City Clerk; Chief Guy Swanger; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Karan Reid, Director of Finance; Robert Ovadia, City Engineer; Jovan Grogan, Budget Official; Karan Reid, Director of Finance; Joan Carrico, Director of Parks and Recreation

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Joe Partansky, Clayton; Shannon Sterling, Bay Point; Marc Ventura, Clayton; Mike Van Hofwegan, Concord; Carlyn Obringer, Concord; Nati Flores, Concord

PUBLIC COMMENT PERIOD

Joe Partansky, Clayton, shared a copy of a brochure produced by the City of Pleasant Hill and suggested that the two cities should cross promote their activities and classes.

Shannon Sterling, Bay Point, announced that the Pixie Play School, a parent Co-op pre-school, would be celebrating their 60<sup>th</sup> Anniversary in May, and invited the Council to share in the festivities and to drop by to read a book to the students.

Marc Ventura, Clayton, spoke on behalf of the Word Weavers Toastmasters and invited the Council and staff to join their "Speechcraft" course which is held on Monday nights at 4756 Clayton Road at 7:00 p.m.

Mike Van Hofwegan, Executive Director of Monument Impact, the new name for the merged Michael Chavez Center and Monument Partnership, thanked the City, City Council and community for the support given to their organization to secure matching funds for a grant late last year. He announced that while \$35,000 was needed; \$44,000 was realized.

Carlyn Obringer, Concord, joined Mike Van Hofwegan, in thanking the Council and staff for their assistance in making the necessary contacts to meet their goals.

Nati Flores, of Monument Impacts, advised that the Concord Police Department and Dolan Lumber also provided support and advised that free tax preparation was now available at Monument Impacts for those who earn less than \$52,000.

PRESENTATIONS

Mayor Grayson and Chief of Police Guy Swanger presented Mr. John Heinrich, the Great Grand Nephew of Seattle Police Officer Henry Harris, a Medal of Honor, recognizing Officer Harris who was killed while on foot patrol in the Washington Street District (known as Pioneer Square today) on Tuesday, July 4, 1911.

ANNOUNCEMENTS

City Manager Valerie Barone introduce Rebecca Ryan, a visitor from South Wales Australia under the City Manager Exchange Program.

CITY COUNCIL  
MATTERS

APPROVAL OF MINUTES

Motion was made by Helix and seconded by Hoffmeister to approve the minutes from the meeting of January 28, 2014. Motion passed by unanimous vote of the Council.

ADOPTION OF ORDINANCE No. 14-1 – amending the Fire Code in the Concord Municipal Code

Motion was made by Helix and seconded by Hoffmeister to adopt Ordinance No. 14-1, entitled “AN ORDINANCE AMENDING THE CONCORD MUNICIPAL CODE CHAPTER 14 (BUILDINGS AND BUILDING REGULATIONS) ARTICLE VI (FIRE CODE) ADOPTING THE 2013 CALIFORNIA FIRE CODE AND RATIFYING THE AMENDMENTS CONTAINED IN COUNTY ORDINANCE 2013-22” amending Section 14-151 (Fire Code adopted), Section 14-152 (Contra Costa County Fire Protection District Ordinance adopted), and Section 14-153 (Delegation of enforcement to Fire Chief) to adopt the 2013 California Fire Code and the Contra Costa County amendments to the 2013 California Fire Code. Ordinance No. 14-1 was introduced on January 28, 2014 by reading of the title and waiving further reading. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS – Project No. 2185 Downtown Sanitary Sewer Upgrade Phase 1

Motion was made by Helix and seconded by Hoffmeister to accept the improvements for Project No. 2185 (Downtown Sanitary Sewer Upgrade – Phase 1) constructed by Ranger Pipelines, Inc.; and to direct the City Clerk to file a Notice of Completion. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Future Ford of Concord

Motion was made by Helix and seconded by Hoffmeister to award a contract for the purchase of five 2014 Ford F-150 Pickup trucks (RFB #2275) to Future Ford of Concord in the amount of \$82,189. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Tesco Controls Inc.

Motion was made by Helix and seconded by Hoffmeister to award a contract to Tesco Controls Inc. in the amount of \$169,653.05 for the purchase of 31 Battery Backup Systems and 110 24VDC Backup Battery Packs for Signal Controllers. Motion passed by unanimous vote of the Council.

APPROVING PROJECT NO 2298 – Fiscal Year 2014/15 Pavement Condition Assessment

Motion was made by Helix and seconded by Hoffmeister to approve Project No. 2298, Fiscal Year 2014/15 Pavement Condition Assessment; and to appropriate \$30,000 from Project No. 2157, Pavement Management Annual Program, to fully fund the local match contribution to receive P-TAP Grant funding.

AWARD OF CONTRACT TO WORKERS.COM – Seasonal Labor

This item was pulled from the calendar by Councilmember Birsan who clarified that the contract was for part time seasonal employees who would receive over \$10 per hour.

Motion was made by Birsan and seconded by Leone to award a contract to Workers.com to provide temporary, seasonal laborers for Parks and Landscape maintenance (RFB #2263, Temp Agency Provides Part Time Landscape Laborers) in the amount not to exceed \$772,364 per year for a two-year term with the option to extend for one additional year. Motion passed by unanimous vote of the Council.

MID-YEAR BUDGET REVIEW

Budget Officer Jovan Grogan presented a report, referring to the memorandum dated February 11, 2014, providing an update on the current status of the City's General Fund and other non-General Fund accounts at the mid-point of the current fiscal year, December 31, 2013.

He explained that staff anticipates a \$1.960 million increase in revenues over the approved Fiscal Year 13/14 budget, and an increase in total expenditures of approximately \$3.634 million. He explained that an additional \$1.811 million in funds had rolled over to the fund balance in the prior fiscal year which would assist in offsetting the expenditures. Mr. Grogan shared details supporting the additional revenue and expenditures, and explained that the recommendations would result in a net additional contribution to the City's reserves of \$37,313.

Following questions by Councilmembers and clarifications by staff, Mayor Grayson opened a public comment period. Upon receiving no comments, Mayor Grayson closed the public comment period.

Motion was made by Leone and seconded by Helix to adopt Resolution No. 14-12, entitled "A RESOLUTION AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2013-14" approving the recommendations of the City Manager with regard to the amendment of the Municipal Budget for Fiscal Year 2013-14. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Letter dated January 28, 2014 from Mayor Grayson to Assemblymember J. Gomez in support of AB 1147, Massage Therapy.
- b. Copy of "the Spotlight" published by the Pleasant Hill Recreation and Park District submitted by Joe Partansky during Public Comment period.
- c. Copy of a brochure regarding the "Speechcraft" course offered by Toastmasters International submitted by Marc Ventura during Public Comment period.
- d. Vice Mayor Ron Leone submitted a list of the events and activities in which he had participated between the period February 5, 2014 and February 11, 2014.

CLOSED SESSION REPORTS

City Attorney Mark Coon announced that a settlement agreement in the amount of \$160,000 had been reached in the matter of Anthony Sanchez vs. City of Concord.

COUNCIL AND STAFF REPORTS

Councilmember Birsan asked for consensus to have the Youth and Education Subcommittee review a Monument Impacts program for touring school children to local business, suggesting it might be implemented City wide. Consensus received to schedule the matter with the Youth and Education Subcommittee.

Councilmember Birsan asked for consensus to have the Recreation, Cultural Affairs and Community Services Commission Subcommittee consider identifying 10 significant locations within Concord and place historic markers. Consensus was not obtained.

By order of the Mayor, the meeting was adjourned at 7:50 p.m.

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TIMOTHY S. GRAYSON  
MAYOR

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MARY RAE LEHMAN, CMC  
CITY CLERK