

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, MAY 6, 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, May 6, 2014, with Mayor Grayson presiding. The pledge of allegiance was led by Vice Mayor Leone. 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

COUNCILMEMBERS ABSENT: None

STAFF PRESENT: Valerie Barone, City Manager; Margaret Kotzebue, Legal Counsel; Scott P. Johnson, Assistant City Manager; Joelle Fockler, Deputy City Clerk; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Karan Reid, Director of Finance; Laura Brunson, Director of Human Resources; Guy Swanger, Chief of Police; Leslye Asera, Community Relations Manager; Jovan Grogan, Budget Officer

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Dr. Harmesh Kumar, Concord; Paul Poston, Concord; Ayore Rianuda, Oakley; Jerry Grace, San Pablo; Karla Garcia, Concord; Charles Lindquist, Concord; Luan Carlos Mendoza, Concord; Arlene Williamson, Hayward; Michelle Angles, Concord; Hilda Hilario, Concord; Guillermo Elenes, Tenants Together; Theresa Karr, California Apartment Association; Joseph Partansky, Clayton

PUBLIC COMMENT PERIOD

Dr. Harmesh Kumar, Concord, thanked the Council and City for support of the recent 11th Annual Diversity Festival held at Todos Santos Park on Saturday, May 3.

Paul Poston, Concord, thanked City staff and Garaventa Enterprises for providing dumpsters for the Sun Terrace Neighborhood Clean-up Days held April 26 and May 3; and thanked Lt. Menchaca and Sgt. Norris for the clean-up of a homeless encampment at the community park on Baywood Circle.

Ayore Rianuda, Oakley, asked the City of Concord to consider adopting a resolution or motion asking the County to allow every property taxpayer to find out exactly how many of their 1% property tax dollars go to each government agency and encourage all other Contra Costa City and Town Councils to do the same.

Jerry Grace, San Pablo, requested to have the broken sidewalks throughout the City fixed.

Karla Garcia, Concord, requested the Council consider a no-smoking ordinance for multi-family housing.

Charles Lindquist, Concord, conveyed that one voice can make the difference – after lodging complaints with Chevron and the City, the sidewalk along Galindo between Willow Pass Road and Salvio Street is fixed.

PRESENTATIONS

EAST BAY HOUSING ORGANIZATION (EBHO)

Mayor Grayson presented a proclamation to Anthony Federico, Operations, Membership and Communications Coordinator for East Bay Housing Organization (EBHO) proclaiming May 9-18, 2014 as Affordable Housing Week in the City of Concord.

NATIONAL PUBLIC WORKS WEEK

Mayor Grayson presented a proclamation to Public Works Director Justin Ezell in honor of National Public Works Week, May 18-24, 2014. Mr. Ezell introduced Fleet Management Program Manager Jeff Roubal and Automotive Parts Worker Anthony Fierros and shared an overview of the Fleet Maintenance Division and its accomplishments. He invited the public to a National Public Works Week Open House on May 21, 10 a.m. - 2 p.m., at the City's Corporation Yard, 1455 Gasoline Alley.

PILOT PROGRAM TO CONTROL BED BUG INFESTATIONS

Mayor Grayson introduced Sergeant Russ Norris who gave an overview on a six-month pilot program to monitor bed bug infestations.

Following the presentation, Mayor Grayson announced that several public speakers were unable to speak on the bed bug issue at the March 24 Housing and Economic Development Committee meeting and opened a ten-minute Public Comment period.

Luan Carlos Mendoza, Concord, shared that in the three years he has lived in Concord, he has had to deal with rats, roaches and bed bugs, but with Tenants Together's assistance he was able to file a complaint, and his apartment has been treated.

Arlene Williamson, Hayward, relayed that her daughter and son-in-law live in the Monument Corridor and she has been concerned about bed bugs and stated she would like to see Concord be an example and expand the pilot program to a permanent program.

Michelle Angles, Concord, shared that she was silent because she thought she was the only one with this problem, but after finding out how many others this issue is affecting, she came to speak at tonight's meeting to put a face to the victims of bed bugs.

Hilda Hilario, Concord, noted that she is an eight year resident of Concord, thanked the City for the bed bug program and requested it be made a permanent program.

Guillermo Elenes, Tenants Together, thanked the Council for the success of the program and relayed that they would like to see it become permanent. He requested to have the documents associated with the program be made available in Spanish.

Teresa Carr, California Apartment Association, relayed support of the program and stated she would like to see it go forward, with significant changes.

ANNOUNCEMENTS - None

Councilmember Hoffmeister left the meeting at 6:55 p.m.

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Helix and seconded by Leone to approve the minutes from the meeting of April 22, 2014. Motion passed by the following vote of the Council:

Ayes: Birsan, Helix, Leone, Grayson Noes: None Absent: Hoffmeister

MATTER TO SET FOR PUBLIC HEARING – Use of One-Time and Budget Surplus Funds

The Item was pulled by Vice Mayor Leone who noted that this is the correct direction to take to answer unfunded liabilities.

Motion was made by Helix and seconded by Leone to set a public hearing for Tuesday, May 27, 2014 at 6:30 p.m. in the Council Chamber to consider Ordinance No. 14-4 amending Concord Municipal Code Title 3 (Revenue and Finance) and adding Chapter 3.20 (Fiscal Sustainability), Article I (Use of One-Time and Budget Surplus Funds). Motion passed by the following vote of the Council:

Ayes: Birsan, Helix, Leone, Grayson Noes: None Absent: Hoffmeister

MATTER TO SET FOR PUBLIC HEARING – Traffic, Vehicles & Truck Routes, Commercial Vehicles Prohibited from Using Certain Streets

This item was continued to a future date uncertain to allow Infrastructure & Franchise Council Committee review.

ADOPTION OF RESOLUTION NO. 14-4735.4 – Amendment to the Concord Police Managers’ Association Memorandum of Understanding

Item pulled by Councilmember Birsan who commended the Police Managers’ Association for taking an admirable leadership role with this contract.

Motion was made by Helix and seconded by Leone to approve Resolution No. 14-4735.4, entitled “A RESOLUTION APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CONCORD AND THE CONCORD POLICE MANAGERS’ ASSOCIATION REPRESENTING THE POLICE MANAGERIAL

REPRESENTATION UNIT FOR THE PERIOD JULY 1, 2014 THROUGH JUNE 30, 2015.”

Motion passed by the following vote of the Council:

Ayes: Birsan, Helix, Leone, Grayson Noes: None Absent: Hoffmeister

ADOPTION OF RESOLUTION NO. 14-4735.1 – Discontinuing Paying and Reporting the Value of Employer Paid Member Contributions for Sworn Employees – Police Managers’ Association

Motion was made by Helix and seconded by Leone to adopt Resolution No. 14-4735.1, entitled “A RESOLUTION DISCONTINUING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR SWORN EMPLOYEES – POLICE MANAGERS’ ASSOCIATION.” Motion passed by the following vote of the Council:

Ayes: Birsan, Helix, Leone, Grayson Noes: None Absent: Hoffmeister

ADOPTION OF RESOLUTION NO. 14-4735.3 – Amendment to the Concord Police Association Memorandum of Understanding

Item pulled by Councilmember Birsan who stated that he believes that the current contract comes at the wrong time and is the wrong structure.

Joseph Partansky, Clayton, spoke on Items D and E and requested that the Council and City Management be cognizant of overtime and the implications of overtime salary enhancement.

Motion was made by Helix and seconded Leone by to adopt Resolution No. 14-4735.3, entitled “A RESOLUTION APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CONCORD AND THE CONCORD POLICE ASSOCIATION RESPRESENTING THE PEACE OFFICER REPRESENTATION UNIT FOR THE PERIOD JULY 1, 2014 THROUGH JUNE 30, 2015.” Motion passed by the following vote of the Council:

Ayes: Birsan, Helix, Leone, Grayson Noes: None Absent: Hoffmeister

ADOPTION OF RESOLUTION NO. 14-4735.2 – Discontinuing Paying and Reporting the Value of Employer Paid Member Contributions for Sworn Employees – Concord Police Association

Motion was made by Helix and seconded by Leone to adopt Resolution No. 14-4735.2, entitled “A RESOLUTION DISCONTINUING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR SWORN EMPLOYEES – CONCORD POLICE ASSOCIATION.” Motion passed by the following vote of the Council:

Ayes: Helix, Leone, Grayson Noes: Birsan Absent: Hoffmeister

ADOPTION OF RESOLUTION NO. 14-33 – Recycling and Recovery Used Oil Payment Funding

Motion was made by Helix and seconded by Leone to adopt Resolution No. 14-33, entitled “A RESOLUTION ACCEPTING CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY USED OIL PAYMENT FUNDING AND APPROPRIATING FUNDS TO THE CITY OF CONCORD OIL COLLECTION PROGRAMS.” Motion passed by the following vote of the Council:

Ayes: Birsan, Helix, Leone, Grayson Noes: None Absent: Hoffmeister

ADOPTION OF RESOLUTION NO. 14-32 – 2014-15 Community Development Block Grant Funds

Notice of the Public Hearing was published in the Contra Costa Times, mailed to interested persons, and posted in the City's posting cabinet on April 25, 2014.

Program Manager Marla Parada introduced Community Services Commissioners Jeanette Green, Devlyn Sewell, and Ajit Kaushal, and gave a report, referring to the memorandum dated May 6, 2014, forwarding the Action Plan for FY 2014-15, including funding recommendations by the Community Services Commission (CSC) for a variety of human services programs and housing, capital improvement, and other projects through Concord's annual Community Grants process. She explained that grants are available to qualified nonprofit groups, as well as the City, for funding programs and projects that principally benefit low- and moderate-income persons, families and areas in Concord, and that Community grants are funded with Community Development Block Grant (CDBG) funds and Child Care Developer fees.

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 Helix and seconded by Leone to adopt Resolution No. 14-32 entitled, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT, ON BEHALF OF THE CITY OF CONCORD, THE 2014-15 CITY OF CONCORD ACTION PLAN, CONSISTENT WITH THE PROGRAM RULES WHICH GOVERN THE RECEIPT AND EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS ALLOCATED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT DURING FISCAL YEAR 2014-15." Motion passed by the following vote of the Council:

Ayes: Birsan, Helix, Leone, Grayson Noes: None Absent: Hoffmeister

CORRESPONDENCE

- a. Letter dated April 23, 2014 from Mayor Grayson to Assemblymember Achadjian in support of AB 2381 (Bonilla) that clarifies the ability for cities to regulate and enforce parking rules on their properties.
- b. Letter dated April 24, 2014 from Mayor Grayson to Senator M. DeSaulnier in support of SB 1455 (DeSaulnier) for a bond measure to fund library construction and renovation.
- c. Letter dated April 24, 2014 from Mayor Grayson to Assemblyman R. Gordon in support of AB 1970 (Gordon) to provide grant funding to local governments for projects aimed to reduce local carbon footprints.
- d. Letter dated April 29, 2014 from the California Apartment Association regarding the Bedbug Strategy Presentation.
- e. Letter dated March 4, 2014 from Tenants Together regarding the Bedbug Strategy Presentation.
- f. Memorandum continuing Agenda Item 3.c (2) – Matter to be set for Public Hearing regarding consideration of an ordinance amending Concord Municipal Code Title 10 (Traffic and Vehicles), Sections 10.25.010 (Truck Routes) and 10.25.020 (Commercial vehicles prohibited from using certain streets) to revise the maximum gross weight limit tonnage for commercial vehicles.

- g. Proposed FY 14-15 Funding Allocations CDBG and Child Care Development Fees.
- h. Annual Affordable Housing Week poster submitted by East Bay Housing Organization (EBHO).
- i. Copy of comments submitted by Ayore Riaunda during public comment period.
- j. Copy of comments submitted by Charles Lindquist during public comment period.
- k. Copy of PowerPoint presentation made by Sgt. Norris during his presentation on bedbugs.
- l. List of events and activities in which Vice Mayor Leone participated during the period April 23 – May 6, 2014.

CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

Councilmembers shared information on recent and upcoming activities and events.

By order of the Mayor, the meeting was adjourned at 8:04 p.m.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
DEPUTY CITY CLERK