

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/
CITY COUNCIL SITTING AS THE
CONCORD/PLEASANT HILL
HEALTH CARE DISTRICT
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, MAY 27, 2014

The Concord City Council met in a regular meeting in the City Council Conference Room located in Wing A at 1950 Parkside Drive at 5:30 p.m. on Tuesday, May 27, 2014, with Mayor Grayson presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to a) confer with Labor Negotiators pursuant to Government Code Section 54957.6. City Negotiators included Valerie Barone, City Manager; Laura Brunson, Director of Human Resources; and Charles Sakai, Esq. of Renne, Sloan, Holtzman & Sakai regarding Employee Organizations including Administrative, Technical & Clerical Representation Unit and Field & Operations Representation Unit of International Brotherhood of Teamsters Local 856; Professional Representation Unit of OPEIU Local 29; and Executive, Management & Confidential Employees; and b) to confer with Real Property Negotiator pursuant to Government Code Section 54956.8 regarding the area within the Concord Community Reuse Plan. Negotiating Parties were Michael Wright, City of Concord; Alan Lee, Department of Navy, BRAC Project Office to discuss Price, and Terms of Payment. The meeting adjourned at 6:45 p.m. to reconvene in regular session in the Council Chamber.

The Concord City Council reconvened in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 7:00 p.m. on Tuesday, May 27, 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, Laura Hoffmeister, Ron Leone, Tim Grayson

COUNCILMEMBERS ABSENT: Dan Helix

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney;
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; Guy Swanger, Chief of Police;
Joan Carrico, Director of Parks & Recreation; Marla
Parada, Program Manager; Leslye Asera, Community
Relations Manager; Robert Woods, Chief Building
Official; Margaret Romiti, Emergency & VIPS Service
Manager; David Boatwright, Senior Administrative
Analyst

MEMBERS OF THE PUBLIC
WHO ADDRESSED THE COUNCIL: Marla Parada, Concord; Rudy Rodriguez, Walnut Creek;
Linda Best, Alamo

PUBLIC COMMENT PERIOD

Marla Parada, Program Manager, Parks and Recreation Department, invited the community to participate in the Community Needs Survey administered by the Contra Costa Consortium, which will help the City of Concord determine how to spend Community Block Grant Program Funding (CDBG) for the period 2015-2020.

Rudy Rodrigues, Walnut Creek, inquired about the status of the Human Relations Commission and spoke of a recent incident at a Concord restaurant where he experienced discrimination.

PRESENTATIONS

EAST BAY BROADBAND CONSORTIUM

Mayor Grayson introduced Linda Best who gave an overview on the East Bay Broad Band Consortium’s “Let’s Get Fast” Pledge, which pledges to:

- Help inform our community about how broadband is a critical 21st century infrastructure that increases economic competitiveness, improves public health and safety and helps build sustainable communities.
- Proactively open dialogues and share information via newsletters, social media and our website and to host meetings about the East Bay’s current broadband infrastructure and what needs to be done to address the future broadband needs of residents and businesses.
- Maintain the East Bay’s global competitiveness by conducting periodic reviews and learning from other regions, states and countries to ensure that we are best addressing the broadband needs of our community.
- Work with the East Bay Broadband Consortium and continue collaborating to identify and promote best practices that make broadband accessible and effective across the East Bay.
- Support strong broadband infrastructure solutions which move the needle from the current broadband minimum level (5 Megabytes per second) to an optimal level (100 Megabytes per second).

Motion was made by Grayson and seconded by Leone to officially endorse East Bay Broadband Consortium’s *Let’s Get Fast* Pledge. Motion passed by the following vote of the Council:

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

VOLUNTEER IN POLICE SERVICES (VIPS) VOLUNTEER OF THE YEAR BEN HORNSTEIN

Mayor Grayson presented a proclamation to Ben Hornstein commending him for his support of the VIPS and naming May 27, 2014 as Ben Hornstein Day in the City of Concord.

ANNOUNCEMENTS - None

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Leone to approve the minutes from the meeting of May 6, 2014. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION NO. 14-43 – Acceptance of Edward Byrne Memorial Justice Assistance (JAG) Grant Funding

Motion was made by Hoffmeister and seconded by Leone to approve Resolution No. 14-43, entitled “A RESOLUTION TO ACCEPT GRANT FUNDING FROM THE FEDERAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AND AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2013-14” accepting an Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$37,787 from the Federal Justice Assistance Grant (JAG) Program; and appropriating the funds to be used to partially fund two limited service officer trainee positions and their attendance at the basic POST academy. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION NO. 14-31 – Calling for a General Election

This item was pulled by Vice Mayor Leone who recognized that the font of the Contra Costa County Voter Pamphlet has been changed along with the number of words recommended for the Candidate Statement, which was reduced to 250 from 300.

Following questions and comments by Council, Mayor Grayson opened a public comment period, and closed public comment without receiving any comments.

Motion was made by Hoffmeister and seconded by Leone to have the City Clerk’s office prepare a letter to the Contra Costa County Clerk requesting Mr. Canciamilla reconsider the font size used in the Contra Costa County Voter Pamphlet for the November 4, 2014 election. Motion passed by the following vote of the Council:

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

Following additional discussion by Council, motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 14-31, entitled “A RESOLUTION CALLING FOR AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, FOR THE ELECTION OF CERTAIN MUNICIPAL OFFICERS” including three members of the City Council and on City Treasurer changing the wording to reflect the candidate statement to be 300 words and the cost to be \$1,525 payable at the time of filing. Motion passed by the following vote of the Council:

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

CERTIFICATION OF MEASURE J CALENDAR YEARS 2012 AND 2013 GROWTH MANAGEMENT PROGRAM COMPLIANCE CHECKLIST

Motion was made by Hoffmeister and seconded Leone by to certify the final Measure J Calendar Years 2012 and 2013 Growth Management Program Compliance Checklist for receipt of Fiscal Years 2013-14 and 2014-15 Local Street Maintenance and Improvement funds. Motion passed by the following vote of the Council:

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

AGREEMENT WITH FRANCISCO & ASSOCIATES – Assessments

Motion was made by Hoffmeister and seconded by Leone to approve an agreement with Francisco & Associates in the amount of \$79,000 for professional services related to assessment engineering; and authorized the City Manager to execute the agreement. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION NO. 14-45 – Purchase of Spanish Emergency Training Materials, Equipment and Outreach for the Monument Corridor

Motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 14-45, entitled “A RESOLUTION AUTHORIZING THE PURCHASE OF SPANISH EMERGENCY PREPAREDNESS TRAINING MATERIALS, EQUIPMENT AND OUTREACH FOR THE MONUMENT CORRIDOR UTILIZING FUNDS FROM THE STATE HOMELAND SECURITY GRANT PROGRAM FOR THE 2014/15 FISCAL YEAR” and accepting a grant in the amount of \$20,000. Motion passed by the following vote of the Council:

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

AWARD OF CONTRACT TO CALIFORNIA TRENCHLESS, INC. – RFB #2245, Willow Pass Trunk Sewer Upgrade

The following bids were opened in the City Clerk’s office on Thursday, April 24, 2014 at 2:00 p.m.:

California Trenchless, Inc.	Dublin, CA	\$326,130
Bay Pacific Pipeline Inc.	Novato, CA	\$378,740

Motion was made by Hoffmeister and seconded by Leone to award a contract to California Trenchless, Inc. of Dublin, CA as the lowest responsive bidder in the amount of \$326,130 for the Willow Pass Trunk Sewer Upgrade Project, RFB #2245; and authorized the Mayor to execute the contract. Motion passed by the following vote of the Council:

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

ADOPT RESOLUTION NO. 14-37 – Lien on Properties for Failure to Pay Abatement Costs

This item was pulled by Councilmember Birsan who requested clarification on Exhibit A of Resolution No. 14-37.

Motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 14-37, entitled "A RESOLUTION CONFIRMING THE CODE ENFORCEMENT AND BUILDING DIVISION COST ACCOUNTING REPORT OF UNPAID ADMINISTRATIVE CITATION FINES, INSPECTION FEES, RE-INSPECTION FEES AND ABATEMENT COSTS," authorizing the placement of lien on various properties for failure to pay; and to direct the Contra Costa County Auditor/Controller to assess the property owners' tax bills. Motion passed by the following vote of the Council:

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

ADOPT RESOLUTION NO. 14-42 – Accepting and Appropriating Nonrecurring Revenues

Motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 14-42, entitled "A RESOLUTION ACCEPTING \$588,103 IN NONRECURRING REVENUES AND APPROPRIATING \$75,000 FOR FINANCE DEPARTMENT EXPENDITURES, \$76,340 FOR INFORMATION TECHNOLOGY EXPENDITURES AND \$436,763 FOR GENERAL FUND PROJECT NO. 2304; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT FOR FINANCIAL AND ACCOUNTING SERVICES CONTRACT WITH A. MAZE, INC. IN THE AMOUNT OF \$75,000 AND A NEW PROFESSIONAL SERVICE AGREEMENT CONTRACT FOR INFORMATION TECHNOLOGIES CONSULTING SERVICES WITH TRUEPOINT SOLUTIONS, INC. IN THE AMOUNT OF \$76,340, BOTH IN CONNECTION WITH THE DEVELOPMENT AND IMPLEMENTATION OF FINANCIAL AND BUSINESS PROCESSES IN THE ACCELA PERMITTING SYSTEM." Motion passed by the following vote of the Council:

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

INTRODUCTION OF ORDINANCE NO. 14-4 – Amendment of Concord Municipal Code Title 3 (Revenue and Finance) Adding Chapter 3.20 (Fiscal Sustainability), Article I (Use of One-Time and Budget Surplus Funds)

A notice of the public hearing was posted in the posting cabinet at the Civic Center, published in the Contra Costa Times, and mailed to interested parties on May 13, 2014.

Scott Johnson, Assistant City Manager, presented a report, referring to the memorandum dated May 27, 2014, explaining that implementation of the Ordinance will strengthen the City's long-term fiscal strength and financial sustainability as one-time and budget surplus funds become available to pay down (reduce) the City's long-term liabilities, to fund infrastructure and other one-time or special needs.

Mayor Grayson opened a public hearing, and closed the hearing without receiving any comments.

After discussion by Council, motion was made by Hoffmeister and seconded by Grayson to introduce Ordinance No. 14-4, entitled "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TITLE 3 (REVENUE AND FINANCE) ADDING CHAPTER 3.20 (FISCAL SUSTAINABILITY), ARTICLE I (USE OF ONE-TIME AND BUDGET SURPLUS FUNDS)" by reading of the title and waiving further readings. City Attorney Mark Coon read the title of the ordinance. Motion passed by the following vote of the Council:

AYES: Birsan, Hoffmeister, Leone, Grayson NOES: None Absent: Helix

ADOPTION OF RESOLUTION NOS. 14-38, 14-39, 14-40, AND 14-41 – Confirming the Assessment Diagrams and Levying Assessments for the Landscaping and Lighting Districts

The four Resolutions of Intention noticing the Public Hearing were published in the Contra Costa Times on Tuesday, May 13, 2014 for the City's four Landscaping and Lighting

Maintenance Districts and posted in the Civic Center posting cabinet. All affected parties were notified and no protesting correspondence was received.

Senior Administrative Analyst David Boatwright presented a report, referring to his memorandum dated May 27, 2014, advising that on April 22, 2014 the City Council had ordered the preparation of Engineer’s Reports for the levy of annual assessments for (1) Downtown Landscape Maintenance District, (2) Pine Hollow Estates Landscape Maintenance District, (3) Landscaping and Lighting Maintenance District No. 3, and (4) Citywide Street Lighting Assessment District; and that on April 22, 2014, the Resolutions of Intention were adopted and published in accordance with the provisions of the Landscaping and Lighting Act of 1972. He advised that the districts are not subject to Proposition 218 balloting requirements to increase the assessment for FY 2014-15.

Mayor Grayson opened a public hearing, and closed the hearing without receiving any comments.

Motion was made by Leone and seconded by Hoffmeister to adopt the following resolutions in one motion confirming the diagrams and levying the assessments:

Resolution No. 14-38 entitled “A RESOLUTION CONFIRMING THE ASSESSMENT DIAGRAM AND LEVY OF ASSESSMENTS FOR MAINTENANCE WITHIN THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT FOR FISCAL YEAR 2014/15”; and

Resolution No. 14-39 entitled “A RESOLUTION CONFIRMING THE ASSESSMENT DIAGRAM AND LEVY OF ASSESSMENTS FOR MAINTENANCE WITHIN THE PINE HOLLOW ESTATES LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT FOR FISCAL YEAR 2014/15”; and

Resolution No. 14-40 entitled “A RESOLUTION CONFIRMING THE ASSESSMENT DIAGRAM AND LEVY OF ASSESSMENTS FOR MAINTENANCE WITHIN THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 3 FOR FISCAL YEAR 2014/15”; and

Resolution No. 14-41 entitled “A RESOLUTION CONFIRMING THE ASSESSMENT DIAGRAM AND LEVY OF ASSESSMENTS FOR MAINTENANCE WITHIN THE CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT FOR FISCAL YEAR 2014/15.”

Motion passed by the following vote of the Council:

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

**CONCORD/PLEASANT HILL HEALTH CARE DISTRICT
MATTERS**

ADOPTION OF RESOLUTION NO. 14-008 – 2014-15 GRANTS

Community Services Program Manager Marla Parada presented a report, referring to the memorandum dated May 27, 2014.

Following questions and comments by Council, Mayor Grayson opened a public comment period, and closed public comment without receiving any comments.

Motion was made by Hoffmeister and seconded by Birsan to approve Resolution No. 14-008, entitled “A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO DISBURSE FUNDS AND EXECUTE ALL ATTENDANT DOCUMENTS AND AGREEMENTS FOR FY 2014-15 AND FUNDING ON BEHALF OF THE CONCORD/PLEASANT HILL HEALTH CARE DISTRICT.”

Motion passed by the following vote of the Council:

AYES: Grayson, Birsan, Hoffmeister, Leone NOES: None ABSENT: Helix

CORRESPONDENCE

- a. Letter from Mayor Grayson to California State Senator De Lone in support of SB 1455 – California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2016.
- b. Letter from Mayor Grayson to California State Assemblymember Muratsuchi in opposition of AB 2188 – Solar Permits (as amended May 5, 2014).
- c. Treasurer’s Report for the period January 1 – March 31, 2014.
- d. Revised Exhibit A to Resolution No. 14-37.
- e. FY 2014-15 Concord/Pleasant Hill Health Care District Evaluation Criteria.
- f. List of events and activities in which Vice Mayor Leone participated during the period May 14 – May 27, 2014.

PUBLIC COMMENT ON PRESENTATIONS MADE - None

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 8:45 p.m.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
DEPUTY CITY CLERK