

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL/CITY  
COUNCIL SITTING AS THE  
SUCCESSOR AGENCY  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, SEPTEMBER 9, 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, September 9, 2014, with Mayor Grayson presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to (a) confer with Legal Counsel pursuant to Government Code Section 54956.9(d) (potential initiation of litigation), regarding November 22, 2013 claim filed against the City of Concord by the Kerr Family Trust, Paula Kerr, Julia Meneghetti and Deborah Kerr; and (b) confer with Labor Negotiators pursuant to Government Code Section 54957.6. City Negotiators, Scott P. Johnson, Assistant City Manager; Laura Brunson, Director of Human Resources; Charles Sakai, Esq. 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. Unrepresented Units: Executive, Management & Confidential Employees.

The meeting adjourned at 6:25 p.m. to reconvene in regular session in the Council Chamber.

The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 6:43 p.m. on Tuesday, September 9, 2014, with Mayor Grayson presiding. 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

COUNCILMEMBERS ABSENT:       None

STAFF PRESENT:                   Scott P. Johnson, Assistant City Manager; Mark Coon, City Attorney; Joelle Fockler, Deputy City Clerk; Justin Ezell, Director of Public Works; Guy Swanger, Chief of Police; Joan Carrico, Director of Community and Recreation Services; Jeff Lewis, Director of Information Technology; Laura Brunson, Director of Human Resources; Victoria Walker, Director of Community and Economic Development; Stacy Shell, Senior Human Resources Analyst; Steve Voorhies, Parks Program Manager; Joe Tagliaboschi, Infrastructure Maintenance Manager; Doug Elloway, Information Technology Manager; Tim Stuart, Information Technology Manager; Avis Connolly, Program Manager

## MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL: Baltazar Cerda, Concord; Daniel Borsuk, Pittsburg; Michael Bryant, Concord; Matthew Rinn, Contra Costa Community College District; Charles Lindquist, Concord; Joe Partansky, Concord; Rudy Gonzalez, Teamsters 856; Floyd Roseberry, Concord; Graciela T. Quenun, Concord; Devorah Levine, Contra Costa Zero Tolerance for Domestic Violence Initiative; Gloria Sandoval, STAND! for Families Free of Violence; Sunsun Kim, West Contra Costa Family Justice Center; Dr. Harmesh Kumar, Concord; Harry Driskill, Concord Senior Citizens' Club

PUBLIC COMMENT PERIOD

Baltazar Cerda, Concord, spoke of a noise and nuisance issue he is having with a neighbor and requested assistance from the City to help resolve the issue.

Daniel Borsuk, Pittsburg, announced his candidacy to the Contra Costa Water District Board of Directors, Division 1, and pledged to cooperate with Concord on water issues.

Michael Bryant, Concord, spoke of the need for a crossing guard at the intersection of Landana Drive and Larkspur Drive; and submitted a petition requesting to reinstate the crossing guard from the members of the Monte Gardens Elementary School Community.

Matthew Rinn, Contra Costa Community College Trustee, relayed information about upcoming community forum meetings on the State of the Contra Costa Community College District to be held from 7:30 a.m. – 9 a.m. on September 22, 23, 24, and 30 and October 1, 2014.

Charles Lindquist, Concord, submitted written correspondence regarding a recent drug raid at his next door neighbor's and noted that along with approximately \$1.8 million street value of crystal methamphetamine seized, two German Shepard guard dogs were also seized, relieving the neighborhood of the constant barking.

Joe Partansky, Concord, spoke of his vision of a candidate's community forum in local newspapers in which candidates take turns writing a column in local newspapers each Friday until the upcoming November election.

Rudy Gonzalez, Teamsters 856, reminded the Council that Teamster members are currently working without a contract, and although they are engaged in extension discussions, the members are ready for negotiations if necessary. He noted the cuts and sacrifices the members have made, commended the members for their commitment to the City, and urged the Council to do their best so that the outcome can be a fair and equitable solution.

Floyd Roseberry, Concord, commended the Public Works department for recent emergency sidewalk repairs.

Graciela T. Quenun, Concord, spoke of her concern of a neighbor's dog that recently attacked her and requested assistance from the City to help resolve the issue.

## PRESENTATIONS

CONCORD TOURISM IMPROVEMENT DISTRICT

Mayor Grayson introduced Jack Hlavac, Chair of the Concord Tourism Improvement District, who gave a presentation on the status of the District.

GREEK FESTIVAL DAYS IN CONCORD

Mayor Grayson presented a proclamation to Father Marin of St. Demetrios Greek Orthodox Church proclaiming September 12-14, 2014 as Greek Festival Days in Concord.

FALL PREVENTION AWARENESS WEEK

Mayor Grayson presented a proclamation to Virginia Brunk, Meals on Wheels Falls Prevention Program, proclaiming September 21-27, 2014 as Fall Prevention Awareness Week.

COMMENDATION TO VERONICA TUCKER AND GRACE MCADOO

Mayor Grayson presented Certificates of Commendation to Veronica Firoella Tucker and Grace McAdoo for saving Veronica's father from drowning in Lake Tahoe on July 24, 2014.

CONCORD BLUE DEVIL DAY

Mayor Grayson presented a proclamation to the Concord Blue Devils proclaiming September 9, 2014 as Concord Blue Devils' Day in the City of Concord.

ANNOUNCEMENTS - None

CITY COUNCIL  
MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Helix to approve the minutes from the August 26, 2014 meeting. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 14-68 – Accepting and Appropriating Funding from the Mt. Diablo Unified School District

Motion was made by Hoffmeister and seconded by Helix to adopt Resolution No. 14-68, entitled "A RESOLUTION TO ACCEPT FUNDING FROM THE MT. DIABLO UNIFIED SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER PROGRAM AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2014-2015." Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS – Project No. 2179 ADA Barriers at Baldwin Park and other Concord Locations

Motion was made by Hoffmeister and seconded by Helix to accept the improvements for Project No. 2179 (ADA Barriers at Baldwin Park and other Concord Locations) constructed by McNabb Construction; and direct the City Clerk to file a Notice of Completion. Motion passed by unanimous vote of the Council.

APPROVAL OF AGREEMENT WITH PG&E – Project No. 2144, Clayton Rd./Treat Blvd. Intersection Capacity Improvements

Motion was made by Hoffmeister and seconded by Helix to approve an agreement with PG&E in the amount of \$262,912.32 to perform the necessary utility undergrounding required to complete Project No. 2144 (Clayton Rd./Treat Blvd. Intersection Capacity Improvements); and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

CAPITAL LEASE AGREEMENT WITH QUEST TECHNOLOGY MANAGEMENT – Technology Security Equipment

Motion was made by Hoffmeister and seconded by Helix to approve a five-year capital lease agreement with Quest Technology Management in the amount of \$27,204 annually for City network security Firewall equipment; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

APPROVAL OF THE SEWER SYSTEM MANAGEMENT PLAN

Motion was made by Hoffmeister and seconded by Helix to approve the Sewer System Management Plan to comply with the State's Order No. 2006-00003 and Executive Order WQ-2014-0058.EXE, which calls for statewide General Waste Discharge Requirements for sanitary sewer systems. Motion passed by unanimous vote of the Council.

APPROVAL OF AGREEMENT WITH WEST COAST ARBORISTS, INC. – Tree Maintenance Services

This item was removed from consideration.

APPROVAL OF DEDUCTIVE CHANGE ORDER FOR PROJECT NO. 2198, POLICE DEPARTMENT BUILDING MANAGEMENT SYSTEM, AND AMENDMENT #2 TO THE AGREEMENT WITH CHEVRON ENERGY SOLUTIONS AND ACCEPTANCE OF IMPROVEMENTS FOR VARIOUS ESCO PROJECTS

This item was pulled by Councilmember Hoffmeister for clarification of the warranty for replacement light bulbs for Project No. 2141, Energy Efficiency Lighting Improvements.

Motion was made by Helix and seconded by Hoffmeister to continue the item to the next Infrastructure and Franchise Committee meeting. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 14-3493.1 – Public Works Supervisor Classification

This item was removed from consideration.

RESOLUTION NO. 14-67 – AB 109 Law Enforcement Requirements

Motion was made by Hoffmeister and seconded by Helix to adopt Resolution No. 14-67 entitled, "A RESOLUTION TO AUTHORIZE AND APPROPRIATE THE ACCEPTANCE OF STATE AB 109 FUNDS IN THE AMOUNT OF \$130,500 TO PARTIALLY OFFSET THE COST OF ONE POLICE OFFICER TO PROVIDE COORDINATED SUPPORT OF AB 109 LAW ENFORCEMENT ACTIVITIES." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 14-73 – Citywide Budget Management Software

Motion was made by Hoffmeister and seconded by Helix to authorize the City Manager to enter into an agreement with Questica Inc. in an amount not to exceed \$218,000 to license and implement a budget management software system and adopt Resolution No. 14-73 entitled, "A RESOLUTION AMENDING THE CAPITAL BUDGET FOR FISCAL YEAR 2014-2015 TO ALLOCATE \$38,000 FROM THE INFORMATION TECHNOLOGY REPLACEMENT FUND TO INFORMATION TECHNOLOGY CAPITAL PROJECT 2306 FOR CITYWIDE BUDGET MANAGEMENT SOFTWARE." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 14-74 – Central County Family Justice Center

Chief of Police Guy Swanger presented a report, referring to his memorandum dated September 9, 2014, regarding the progress and vision for the development of the Central County Family Justice Center in Concord.

Chief Swanger requested Council support the planning activities of the Center and development of the countywide Family Justice Center Network by adopting proposed Resolution No. 14-74 supporting the development of the Central County Family Justice Center in Concord.

Chief Swanger introduced Devorah Levine, Director, Contra Costa County Zero Tolerance for Domestic Violence Initiative; Gloria Sandoval, Executive Director, STAND! for Families Free of Violence; and Sunsun Kim, Executive Director, West Contra Costa Family Justice Center, who all spoke in support of the development of the Central County Family Justice Center.

Following comments by the City Council, Mayor Grayson opened a public comment period.

Dr. Harmesh Kumar, Concord, spoke of the importance of focusing on prevention and addressing cultural nuances and subtleties.

Mayor Grayson closed the public comment period.

Motion was made by Helix and seconded by Leone to support the planning activities of the Center and development of the countywide Family Justice Center Network by adopting Resolution No. 14-74 entitled, "A RESOLUTION SUPPORTING THE DEVELOPMENT OF THE CENTRAL COUNTY FAMILY JUSTICE CENTER IN CONCORD," and to direct staff to research options for ways of funding the Central County Family Justice Center. Motion passed by unanimous vote of the Council.

CONSIDERATION OF SUSPENSION OF FEE TO CONCORD SENIOR CITIZENS' CLUB FOR THURSDAY MORNING USE OF THE CONCORD SENIOR CENTER

Director of Community Services and Recreation Joan Carrico presented a report, referring to her memorandum dated September 9, 2014, and noting the concerns raised by the Concord Senior Citizens' Club to keep the Concord Senior Center open on Thursday mornings.

Mayor Grayson opened a public comment period.

Harry Driskill, President of the Concord Senior Citizens' Club, urged the Council to accept staff's recommendation to suspend the Thursday morning facility use fee through the end of calendar year 2014.

Mayor Grayson closed the public comment period.

Motion was made by Hoffmeister and seconded by Leone to direct staff to continue to suspend the Thursday morning facility use fee to the Concord Senior Citizens' Club through the end of calendar year 2014. Motion passed by unanimous vote of the Council.

**CITY COUNCIL SITTING AS THE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CONCORD**

The Council convened as the City Council and the Successor Agency to the Redevelopment Agency of the City of Concord to take the following actions:

RESOLUTION NO. 14-70 – Excess Bond Proceeds

Motion was made by Hoffmeister and seconded by Leone to adopt City Council Resolution No. 14-70 entitled, "A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT REGARDING EXPENDITURE OF EXCESS BOND PROCEEDS FOR PROJECTS CONSISTENT WITH BOND COVENANTS," and authorize the Mayor to execute the agreement. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 14-776S – Excess Bond Proceeds

Motion was made by Hoffmeister and seconded by Leone to adopt Successor Agency to the Redevelopment Agency Resolution No. 14-776S entitled, "A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT REGARDING EXPENDITURE OF EXCESS BOND PROCEEDS FOR PROJECTS CONSISTENT WITH BOND COVENANTS," and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Agency.

RESOLUTION NO. 14-777S AND RESOLUTION NO. 14-71 – Approving the Form and Authorizing Distribution of a Preliminary Official Statement in Connection with the Issuance and Sale by the Successor Agency of the Redevelopment Agency to the City of Concord

Finance Director Karan Reid presented a report, referring to her memorandum dated September 9, 2014. She noted that the action requested is the last step in the process to refinance the outstanding indebtedness of the Former Redevelopment Agency.

Director Reid introduced bond and disclosure counsel Brian Quint, Quint & Thimmig, LLP, who explained that the Preliminary Official Statement (POS) presents a full and complete picture of the bonds and the underlying security for the bonds and emphasized the importance of Council's review of the Preliminary Official Statement.

Following questions by the City Council, Mayor Grayson opened a public comment period and upon receiving no comments, closed the public comment period.

Motion was made by Hoffmeister and seconded by Birsan to adopt Successor Agency to the Redevelopment Agency to the City of Concord Resolution No. 14-777S entitled, "A RESOLUTION APPROVING THE FORM AND AUTHORIZING DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF TAX ALLOCATION BONDS TO REFINANCE REDEVELOPMENT ACTIVITIES WITHIN AND FOR THE BENEFIT OF THE CENTRAL CONCORD REDEVELOPMENT PROJECT AREA OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF CONCORD, APPROVING RELATED DOCUMENTS AND ACTIONS." Motion passed by unanimous vote of the Agency.

Motion was made by Helix and seconded by Hoffmeister to adopt City Council Resolution No. 14-71 entitled, "A RESOLUTION APPROVING CONTINUING DISCLOSURE PROCEDURES." Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Written comments received from Daniel L. Borsuk, candidate for Contra Costa Walter District Board of Directors, Division 1.
- b. Petition to Reinstate the Crossing Guard at the Intersection of Landana Drive and Larkspur Drive submitted by Michael Bryant.
- c. Flyer regarding Community Forum Meetings on the State of the Community College District submitted by Matthew Rinn.
- d. Written comments received from Charles Lindquist dated September 9, 2014.
- e. Concord Tourism Improvement District 2013-2014 Annual Report.

- f. Written information on Fall Prevention Awareness submitted by Virginia Brunk.
- g. Map of Central Concord Redevelopment Project Area Parcels I-IV (benched Item No. 6.a).
- h. Item 6.a Attachment 2, Exhibit A, Continuing Disclosure Procedures (benched Item No. 6.a).
- i. Preliminary Official Statement dated September 10, 2014 (Item 6.a)
- j. List of events and activities in which Vice Mayor Leone had participated in during the period August 27, 2014 – September 9, 2014.

PUBLIC COMMENT ON PRESENTATIONS MADE

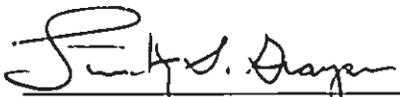
Joe Partansky, Concord, spoke of using Public Comment on Presentations Made be expanded to allow the public to comment on questions and issues that arise during the meeting.

CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

Councilmembers shared information on recent events they had attended in the community and announced upcoming events.

By order of the Mayor, the meeting was adjourned at 9:15 p.m.

  
TIMOTHY S. GRAYSON  
MAYOR

  
JOELLE FOCKLER, CMC  
DEPUTY CITY CLERK