

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, DECEMBER 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, December 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 Real Property Negotiator pursuant to Government Code Section 54956.8. Property: Approximately 58 acres of United States Coast Guard-owned property along Olivera Road, known as Quinault Village and Victory Village. Negotiating parties: Michael Wright, City of Concord; Captain James Ingasbe, USCG; Beverly Frietas, USCG. Under negotiation: Price, terms of payment; and (b) confer with Real Property Negotiator pursuant to Government Code Section 54956.8. Property: Clayton Road, Concord, California. Negotiating parties: Willard Lund, Swift Realty Partners; Victoria Walker, City of Concord; John Montagh, City of Concord. Under negotiation: Potential Development Agreement.

The meeting adjourned at 6:45 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 7:00 p.m. on Tuesday, December 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, Ron Leone, Laura Hoffmeister,
Tim Grayson

COUNCILMEMBERS ABSENT: None

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney;
Scott P. Johnson, Assistant City Manager; Joelle
Fockler, City Clerk; Victoria Walker, Director of
Community and Economic Development; Justin Ezell,
Director of Public Works; Jeff Lewis, Director of
Information Technology; Karan Reid, Director of
Finance; Laura Brunson, Director of Human Resources;
Jovan Grogan, Budget Officer; Tim Stuart, Information
Technology Manager; Laura Simpson, Planning
Manager; Robert Ovadia, City Engineer; Andrew
Mogensen, Principal Planner; Mario Camorongon,
Senior Civil Engineer; Leslye Asera, Community
Relations Manager

MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL: Ray Barbour, Concord; George Fulmore, Concord; Joe Partansky, Concord; Alex Chavez, Concord; Dahla Kwirarte, Concord; Adam Foster, Concord; Susan Guest, Concord; Kenji Yamada, Concord; Roseanne Nieto, Concord; Micah Pierce, Concord; Ana Villalba, Concord; Paul Poston, Concord

PUBLIC COMMENT PERIOD

Ray Barbour, Concord, requested that the City of Concord not discount fees, and commented that due to the passage of Measure Q services should be improved not maintained.

George Fulmore, Concord, announced an event to be held at the Concord Library on Saturday, December 12, 10 a.m. – 1 p.m., where people can find out options available through Covered California.

Joseph Partansky, Concord, spoke of the Concord Police Department and suggested that the top priorities of the Police Department should be prevention and improved communication.

PRESENTATIONS

2014 STATE OF CALIFORNIA LEGISLATIVE UPDATE

Mayor Grayson introduced Senator Mark DeSaulnier who provided a legislative update.

WALTER EICHINGER, BRENDEN THEATRE CORPORATION

Mayor Grayson presented Walter Eichinger, Brenden Theatre Corporation, with a proclamation in recognition for support of the 40th Anniversary Sister City visit with citizens from Kitakami, Japan.

MAYOR'S COMMUNITY SERVICE AWARD

Mayor Grayson introduced Guy Bjerke and presented him with the Mayor's Community Service award for his gallant work in the community.

MONUMENT CRISIS CENTER JUVENILE INTERVENTION PROGRAM

Mayor Grayson presented a \$1,000 check from the Community Court Fund to the Monument Crisis Center for its Juvenile Diversion Program.

ANNOUNCEMENTS – None

CITY COUNCIL
MATTERSAPPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Leone to approve the minutes from the meeting of November 18, 2014. Motion passed by unanimous vote of the Council.

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT, RFP #2285, DESKTOP
MANAGED SERVICES – Axiom Technologies

This item was pulled from consideration to a future date by Councilmember Helix.

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – Thor, Inc.

Motion was made by Hoffmeister and seconded by Leone to approve a Professional Services Agreement with Thor, Inc. for technical support in the not-to-exceed amount of \$120,000 for the term December 10, 2014 – June 30, 2014 with the option to extend for up to two additional one-year terms in the not-to-exceed yearly amount of \$200,000; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

EXTENSION OF AGREEMENT – City of Clayton

Motion was made by Hoffmeister and seconded by Leone to approve a six (6) month extension to the agreement with the City of Clayton to provide the City of Clayton with Dispatch, Computer Aided Dispatch System Services and Detention Services; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – NBS Government Finance
Group

Motion was made by Hoffmeister and seconded by Leone to approve an amendment to the Professional Services Agreement with NBS Government Finance Group for work related to the cost allocation plan and master fee review in the amount of \$10,336; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

AWARDING AN ELECTRONIC CONTENT MANAGEMENT SOFTWARE IMPLEMENTATION
AND SUPPORT AGREEMENT, RFP #2301 – ELECTRONIC CONTENT MANAGEMENT
SYSTEM – Neko Industries

Motion was made by Hoffmeister and seconded by Leone to approve a Professional Services Agreement with Neko Industries to provide Electronic Content Management System purchase, implementation and support services in the amount of \$255,170 for Fiscal Year 2014-15 and an annual maintenance cost of \$25,208; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

REPLACEMENT PLAYGROUND EQUIPMENT AT JOHN F. BALDWIN PARK – GameTime

Motion was made by Hoffmeister and seconded by Leone to appropriate \$126,775 from the General Fund; and authorize the City Manager to award an equipment and installation

contract in the amount of \$126,775 to GameTime for replacement of the playground equipment at John F. Baldwin Park. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 14-49 – Final Map for Tract 9162, the Copperleaf Subdivision (Assessor's Parcel No. 113-133-008)

Motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 14-49 entitled, "A RESOLUTION APPROVING THE FINAL MAP FOR TRACT 9162, COPPERLEAF SUBDIVISION, ASSESSOR'S PARCEL NO. 113-133-008; AND APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT AND THE STORMWATER MAINTENANCE AGREEMENT" ; and authorizing the Manager to execute the Subdivision Improvement and Stormwater Maintenance Agreement for the Copperleaf Subdivision, subject to the City Attorney's approval of the CC&Rs and Performance Securities submitted by the subdivider. Motion passed by unanimous vote of the Council.

PROJECT NO. 2251 – Farm Bureau Road Safe Routes to School Improvements – Willow Pass Road to Wren Avenue

Motion was made by Hoffmeister and seconded by Leone to award a Construction Contract in the amount of \$823,464 to Graniterock of San Jose; approve Amendment #1 in the amount of \$29,524 to the Professional Services Agreement with RFB Consulting of Walnut Creek to provide additional Design Services; approve a Professional Services Agreement in the amount of \$84,745 with Swinerton Consulting of San Francisco to provide Construction Management services; approve a budget transfer in the amount of \$100,000 from Project No. 2252 (Farm Bureau Road Pavement Reconstruction – Wren Avenue to Clayton Road) (Fund 420) into the project budget for Project No. 2251 (Farm Bureau Road Safe Routes to School Improvements – Willow Pass Road to Wren Avenue); and authorize the Mayor and City Manager to execute the agreements. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 14-87 – Exception to the 180-Day PERS Wait Period – Corporal David Sweany

Motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 14-87 entitled, "RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD GC SECTIONS 7522.56 & 21224." Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 14-86 – Establishing the Composition of the Measure Q Oversight Committee

Motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 14-86 entitled, "A RESOLUTION RECINDING RESOLUTION NO. 11-8 AND DEFINING THE COMPOSITION OF THE MEASURE Q OVERSIGHT COMMITTEE, TERMS OF OFFICE FOR COMMITTEE MEMBERS, THE SCOPE OF THE COMMITTEE'S RESPONSIBILITIES AND OTHER RELATED MATTERS." Motion passed by unanimous vote of the Council.

INTRODUCE ORDINANCE NO. 14-10 – Neighborhood Parking Permits

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 November 21, 2014.

Ray Kuzbari, Transportation Manager, gave a report, referring to his memorandum dated December 9, 2014. Mr. Kuzbari noted that the Concord Municipal Code currently mandates that parking permits in neighborhoods designated as permit parking areas be placed on the left rear bumper of the vehicle for which the permit has been issued, and the proposed Ordinance amends

the City of Concord Municipal Code to allow parking permits in neighborhoods designated as permit parking areas to be placed either on the left rear bumper on the bottom left rear window of the vehicle for which the permit has been issued.

Mayor Grayson opened the public hearing, and receiving no comments, closed the public hearing.

A motion was made by Helix and seconded by Leone to introduce Ordinance No. 14-10 entitled, "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TITLE 10 (TRAFFIC AND VEHICLES), CHAPTER 10.30 (STOPPING, STANDING, AND PARKING), ARTICLE VI (PERMIT PARKING AREAS), SECTION 10.30.420 (ISSUANCE OF RESIDENT PARKING PERMITS) AND SECTION 10.30.440 (GUEST PARKING PERMITS)," by reading of the title only and waiving further readings. The motion passed by unanimous vote of the Council.

CITYWIDE BICYCLE, PEDESTRIAN, AND SAFE ROUTES TO TRANSIT MASTER PLAN

City Manager Valerie Barone introduced Planning Manager Laura Simpson who recently joined the City of Concord.

Andrew Mogensen, Principal Planner, gave a report, referring to his memorandum dated December 9, 2014, stating that the upcoming Bicycle, Pedestrian, and Safe Routes to Transit Master Plan project will develop policies and programs that promote safe alternative modes of transportation and help position the City to receive future funding for bicycle and pedestrian projects. He explained that staff was requesting approval of an agreement with Alta Planning + Design, Inc. to prepare the Bicycle, Pedestrian and Safe Routes to Transit Master Plan and environmental documentation.

Principal Planner Mogensen noted that staff was also requesting approval of the recommendations of the Infrastructure & Franchise Committee regarding the composition and tenure of the Plan Advisory Committee, with the Committee recommending the PAC be comprised of one Council member, one Planning Commission member, one Parks, Recreation, and Open Space Committee (PROSC) member, and two at-large members, with two alternates.

Following questions from the City Council, Mayor Grayson opened a public comment period.

Joe Partansky, Concord, requested that the Plan Advisory Committee meetings be noticed the same way City Council meetings are noticed, an opportunity for public comment be given at the Advisory Committee meetings, the meetings be held in the City Council Chamber, the supporting agenda information be translated into different languages, and all information regarding the project be posted to the City's website. In addition Mr. Partansky requested that the at-large members be increased from two to five.

Alex Chavez, Co-Chair of the Central County Regional Group, explained that his group is very interested in the Bicycle, Pedestrian and Safe Routes to Transit Master Plan and requested to increase the number of at-large members to three seats.

Dahla Quirarte, Co-Chair Central County Regional Group, requested to increase the number of at-large members to three seats and to have one of the at-large members be from the Monument Boulevard area, a densely populated area that will be directly impacted by the Plan.

Adam Foster, Concord, requested that the Plan Advisory Committee be formed of one Parks, Recreation and Open Space Commissioner, one Planning Commissioner and community members with no City Council representation.

Susan Guest, Concord, spoke of the dangerous riding conditions in Concord, requested that the Plan Advisory Committee become a permanent committee and to increase the number of committee members to seven.

Kenji Yamada, Concord, spoke of complete street practices, thanked the Council for its work toward making streets safe and requested that the Advisory Committee not include a representative from the City Council.

Roseanne Nieto, Concord, spoke of her desire to improve the Iron Horse Train between Willow Pass Road to Concord Avenue and an extension of the Iron Horse Trail to the North Concord Bart Station.

Micah Pierce, Concord, spoke of his excitement for the Plan and presented the City Council with Bike Concord pins.

Ana Villalba, Concord, spoke of the difficulty in promoting bicycle activity because of the dangerous riding conditions in the community and requested that a member of the Committee be a representative of the Monument community.

Mayor Grayson closed the public comment period.

Following comments from the City Council, a motion was made by Helix and seconded by Hoffmeister to approve a Professional Services Agreement with Alta Planning + Design, Inc. in an amount not to exceed \$212,000 to support the preparation of the Bicycle, Pedestrian, and Safe Routes to Transit Plan, and authorize the City Manager and City Attorney to make final revisions as needed and execute the agreement. Motion passed by unanimous vote of the Council.

A motion was made by Helix and seconded by Hoffmeister that the Bicycle, Pedestrian, and Safe Routes to Transit Plan Advisory Committee be comprised of one Council member, one Planning Commission member, one Parks, Recreation and Open Space Committee (PROSC) member, two at-large members, and two alternates, that the Committee be an Ad-Hoc Committee, the Planning Commission member be chosen by the Planning Commission, the PROSC member be chosen by the PROSC committee, and that Vice Mayor Hoffmeister represent the City Council as the Chair of the Committee.

An amended motion was made by Birsan and seconded by Leone to make the Committee membership a total of seven members plus two alternates. The motion failed by the following vote of the Council:

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

An amended motion was made by Birsan to make the Committee membership a total of seven voting members comprised of four at-large members, one Planning Commission member, one PROSC member, and one City Council member. There was no second to the amended motion.

An amended motion was made by Leone to the original motion to allow the Committee to determine its Chair. There was no second to the amended motion.

A roll-call vote was called for the original motion made by Councilmember Helix with the motion passing by the following vote of the Council:

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

CENTRAL COUNTY FAMILY JUSTICE CENTER

Captain Siri gave a report, referring to the memorandum dated December 9, 2014, updating the City Council on the opening of the Central County Family Justice Center in Concord and presenting a likely funding approach for the Family Justice Center stating that the Family Justice Center is proposed to initially locate in the Salvio Pacheco Square office building with the City entering into an initial three-year lease for 8,000 sq. ft. of space in Salvio Pacheco Square with the expectation that the lease be transferred during the lease period to a third-party non-profit that will run the Family Justice Center, and that the funding for the lease will come from the Family Justice Center Budget, which involves multiple funding sources. Captain Siri stated that staff was also requesting Council appropriate and allocate \$35,000 this Fiscal Year (FY) 2014/15 to support the start-up of the Central County Family Justice Center and create Project No. 2326.

Susun Kim, Executive Director of the West Contra Costa Family Justice Center, spoke of the progress of the Central County Family Justice Center, and noted that, with Council's approval, the Center could open as early as January 2015.

Following questions from the City Council, Mayor Grayson opened a public comment period.

Paul Poston, Concord, spoke of his support of the project.

Ray Barbour, Concord, spoke of his support of the project.

Mayor Grayson closed the public comment period.

Following comments from the City Council, a motion was made by Grayson and seconded by Helix to authorize the City Manager to sign a lease with Salvio-Pacheco Square, appropriate and allocate \$35,000 as new General Fund support to Project No. 2326, and transfer existing budgeted funds within the Police Department's FY 2014/15 Budget to Project No. 2326 in support of the Central County Family Justice Center this fiscal year. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Edi Birsan's "To be Discussed" List, November 2014.
- b. Benched Agenda Item No. 3B – Memorandum from City Clerk Joelle Fockler.
- c. Benched Agenda Item No. 3B – Memorandum from Director of Information Technology Jeff Lewis.
- d. Emails received on Agenda Item No. 4A.
- e. Benched Agenda Item No. 4B – Lease Agreement.
- f. The Strip, *New York Times*, December 7, 2014.
- g. Legislative Update, December 2014, Senator Mark DeSaulner.
- h. November 11, 2014 Letter to Mayor Grayson from Bike East Bay.

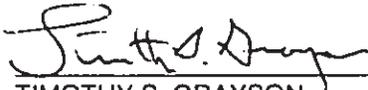
PUBLIC COMMENT ON PRESENTATIONS MADE - None

CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

Councilmembers shared information on recent events they had attended in the community, announced upcoming events, and expressed appreciation for the opportunities offered to the public.

By order of the Mayor, the meeting was adjourned at 9:40 p.m.



TIMOTHY S. GRAYSON
MAYOR



JOELLE FOCKLER, CMC
CITY CLERK