

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/
CITY COUNCIL SITTING AS THE
SUCCESSOR AGENCY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, SEPTEMBER 8, 2015

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 8, 2015, 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: Valerie Barone, City Manager; Kay Winer, Labor Negotiator; Charles Sakai, Esq. and Don Turko 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; Peace Officer Representation Unit of Concord Police Officers Association and Police Managerial Representation Unit of Police Management Association. Unrepresented Units: Executive, Management & Confidential Employees.

The meeting adjourned at 6:15 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, September 8, 2015, with Mayor Grayson presiding. The pledge of allegiance was led by Councilmember Helix. 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;
Joelle Fockler, City Clerk; Tim McGallian, City Treasurer,
Karan Reid, Director of Finance; Victoria Walker,
Director of Community and Economic Development;
Andrew Mogensen, Principal Planner; John Montagh,
Economic Development and Housing Manager; Leslye
Asera, Community Relations Manager; Florence Weiss,
Downtown Program Manager; Pedro Garcia, Economic
Development Specialist

MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL:

Alejandra Plascencia, Concord; George Fulmore, Concord; Babs Gomez, Concord; Hope Johnson, Concord; Tifton Gantt, Concord; John Zuniga, Concord; Art Himsl, Concord; Al Wagner, Concord; Diane Davilla Daubenspeck, Concord; Michael Rudovsky, Concord; Kristine Blair, Concord; David Kail, Concord; Perry Carlston, Concord; Gary Eberhart, Concord; Marcy Busse, Concord; Phil Sanders, Concord; Contra Costa County Supervisor Karen Mitchoff, District IV; Christina Gonzalez, Concord; Steve Press, Concord; Sean Kelly, Concord; Michell Artis, Concord; Steve Kelly, Concord; Rich Wallace, Concord

PUBLIC COMMENT PERIOD

Alejandra Plascencia, Concord, announced that First Five Contra Costa is working with the Concord Parks and Recreation Department to provide low cost yoga, Zumba, and Taekwondo classes for children 2-5 years old to be held at Ellis Lake Park.

George Fulmore, Concord, spoke of staffing at Meadow Homes Spray Park, funding for Meadow Homes Park play structures, and paving of Walters Way.

Babs Gomez, Concord, stated that she is a proud citizen of Concord and acknowledged Labor Day and her appreciation of Concord employees.

Hope Johnson, Concord, spoke of the Concord Reuse Project and Mayor Grayson retaining an attorney for his Assembly campaign and requested that Mayor Grayson recuse himself from voting on the Master Developer for the Concord Reuse Project.

PRESENTATIONS

BOY SCOUTS OF AMERICA'S NORTH STAR AWARD – Tyce Dekker

Mayor Grayson introduced John Fenoglio, Scout Executive of the Mt. Diablo Silverado Council of the Boy Scouts of America, who presented City employee Tyce Dekker with the Boy Scouts of America's North Star Award.

MEALS ON WHEELS FALLS PREVENTION PROGRAM

Mayor Grayson presented Jim Carlson, Meals on Wheels Falls Prevention Program, a proclamation declaring the week of September 21-27, 2015 as Fall Prevention Awareness Week in the City of Concord.

CONCORD BLUE DEVILS

Mayor Grayson presented the Concord Blue Devils a proclamation declaring September 8, 2015 as Blue Devils Day in the City of Concord.

BUSINESS RECOGNITION AWARDS

Economic Development Specialist Pedro Garcia presented an overview of the Business Recognition Awards Program, Marilyn Fowler introduced D'Ann Harvey, owner of D'Ann's Academy of Dance and Music, Jeff Hadley, Branch Manager of Slakey Brothers, and Tom Young, General Manager of Concord Chevrolet, and Mayor Grayson presented the recipients with Business Recognition Awards.

4TH OF JULY 2015 PARADE AND 2015 MUSIC AND MARKET SERIES RECOGNITION

Mayor Grayson introduced Downtown Program Manager Florence Weiss who presented a Certificate of Recognition to the Concord Police Officers' Association for the City of Concord July 4 Run and July 4 Parade.

Downtown Program Manager Weiss thanked Ann Notarangelo and Dan Ashley for emceeding the parade and presented them with Certificates of Recognition; presented a Certificate of Recognition to the July 4th Parade Committee; and presented the following Certificates of Recognition:

July 4 Fireworks Celebration and July 4 Parade – TSBA Arts Foundation

Best Themed Entry – Pearl Harbor Survivors

Most Creative Entry – Los Costenos de Brentwood

Best Performance Entry – Concord Blue Devils

Most Patriotic Entry – Rosies the Riveters

Ms. Weiss presented 2015 Music and Market Series Sponsorship Certificates of Recognition to Concord Disposal, Tesoro Golden Eagle Refinery, Pacific Coast Farmers' Market, Ashby Lumber, Dolan's Lumber, Concord Police Association, Brenden Mann Foundation, The Hop Grenade, Pacific Service Credit Union.

ANNOUNCEMENTS – None

CITY COUNCIL
MATTERS

CHANGE ORDER AND RELATED BUDGET TRANSFER – DIABLO CREEK GOLF COURSE – Intermountain Slurry Seal, Inc.

Motion was made by Helix and second by Hoffmeister to approve a contract change order and related budget transfer in the amount of \$147,500 for work at the Diablo Creek Golf Course to be added to the construction contract awarded to Intermountain Slurry Seal, Inc. of Reno, Nevada for Pavement Maintenance Project (PJ2329). Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-59, ESTABLISHMENT OF NON-BINDING STRATEGY TO ANNEX THE UNINCORPORATED AYERS RANCH PORTION OF THE CITY'S SPHERE OF INFLUENCE BY THE YEAR 2030

Andrew Mogensen, Principal Planner, gave a report noting that Ayers Ranch is a unincorporated island located within the incorporated Concord City limits and that most of the properties were originally constructed with septic systems. He stated that in order to provide future sewer services to the Ayers Ranch area, the City Council is requested to consider a strategy for future annexation. He stressed that the proposed resolution adopting such a strategy is non-binding and does not obligate the annexation of the Ayers Ranch area, which can only be done by LAFCO with majority support from residents and property owners through established procedures.

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

Tifton Gantt, Concord, spoke in opposition of the proposed resolution.

John Zuniga, Concord, stated that he neither supported nor opposed the resolution because he felt that more education on the item was needed.

Art Himsl, Concord, spoke in opposition of the proposed resolution.

Al Wagner, Concord, questioned the motive for the resolution and spoke in opposition of the proposed resolution.

Diane Davilla Daubenspeck, Concord, spoke in opposition of the resolution.

Michael Rudovsky, Concord, spoke in opposition of the resolution.

Kristine Blair, Concord, spoke in support of the resolution.

David Kail, Concord, spoke in opposition of the resolution.

Perry Carlston, Concord, spoke in opposition of the resolution.

Gary Eberhardt, Concord, expressed concern over the annexation process, requested a period for educating the residents about the annexation process, and requested that a formal poll be taken after the residents have learned about the annexation process.

Marcy Busse, Concord, spoke in opposition of the resolution.

Phil Sanders, Concord, spoke in support of the resolution.

Contra Costa County Supervisor Karen Mitchoff, District IV, spoke in support of the resolution, and stated she was moving forward with the project to curtail the possibility of a public health hazard.

Christina Gonzalez, Concord, spoke in support of the resolution.

Steve Press, Concord, spoke in opposition of the resolution.

Sean Kelly, Concord, spoke of the varying size of lots in the annexation area and the possibility of annexing groupings of the area.

Michelle Artis, Concord, stated that it is not true that someone can hook up to the sewer if his/her system fails, and that she is happy with her septic tank.

Steve Kelly, Concord, spoke of a lack of communication and the expense of hooking up to the sewer line.

Rich Wallace, Concord, spoke of the varying size of lots in the annexation area and the divide in support or opposition of the resolution due to the size of lots - people with smaller lots supporting the resolution and people with larger lots opposed to the resolution. He requested annexation of groupings of the area.

Mayor Grayson closed the public comment period.

Following comments by the Council, Councilmember Helix made a motion to return the item to staff for further consideration. The motion did not receive a second and failed.

Motion by Leone and second by Birsan to adopt Resolution No. 15-59 entitled, "A RESOLUTION ESTABLISHING A NON-BINDING STRATEGY TO ANNEX THE AYERS RANCH SPHERE OF INFLUENCE BY THE YEAR 2030 IN A SINGLE PHASE APPROACH." The motion passed by the following vote of the Council:

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

Mayor Grayson called a recess at 9:40 p.m.

Mayor Grayson reconvened the meeting at 9:50 p.m.

INTRODUCTION OF ORDINANCE NO. 15-8 – Development Code Update Amendments

Andrew Mogensen, Principal Planner, presented a report noting that the proposed Ordinance focuses on proposed annual code updates. He stated that the Development Code is an evolving document that requires routing updates to remain an effective instrument reflecting the land use goals and policies of the City, and in addition, periodic Development Code updates are necessary to address changing conditions, community needs and interests, and to comply with State legislative mandates.

Following questions by the City Council, Councilmember Hoffmeister made a motion and second by Helix to continue the item to the October 6, 2015 City Council Meeting. Motion carried by unanimous vote of the Council.

The City Council then convened as the Successor Agency to the Redevelopment Agency for the City of Concord.

LONG RANGE PROPERTY MANAGEMENT PLAN

Economic Development and Housing Manager John Montagh presented a report, referring to the staff report dated September 8, 2015, and stating that the Successor Agency staff prepared a revised Long Range Property Management Plan (LRPMP) that governs the disposition and use of former Redevelopment Agency properties and that the revised LRPMP addresses the Department of Finance's (DOF) comments and includes properties that were not listed in the Successor Agency's 2014 LRPMP. He noted that no formal Successor Agency Board action was required on the revised LRPMP, and staff was requesting input and direction.

Economic Development and Housing Manager Montagh recommended that the Successor Agency Board review the revised LRPMP, provide input, direct staff to proceed to the Oversight Board for approval of the revised LRPMP, and authorize the City Manager to make any

reasonable modifications to the revised LRPMP deemed necessary to address Oversight Board or DOF comments.

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

Motion by Helix and second by Leone to authorize the City Manager to make any reasonable modifications to the revised Long Range Property Management Plan deemed necessary to address the Oversight Board's or Department of Finance's comments. Motion carried by unanimous vote of the Council.

The Successor Agency to the Redevelopment Agency for the City of Concord reconvened as the City Council.

CORRESPONDENCE

- a. Flyer from First 5 Contra Costa
- b. Treasurer's Report: April 1 - June 30, 2015
- c. Benched Memorandum - Item No. 3.a
- d. Benched Correspondence - Item No. 4.a
- e. PowerPoint Presentation - Item No. 4.b
- f. PowerPoint Presentation - Item No. 5.a

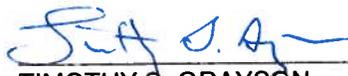
PUBLIC COMMENTS ON PRESENTATION ITEMS - None

CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

Councilmembers shared information on events and activities in which they had participated since the last meeting and commented on items of interest.

By order of the Mayor, the meeting was adjourned at 10:27 p.m. in memory of William "Bill" Abend and Jon Rowan.



TIMOTHY S. GRAYSON
MAYOR



JOELLE FOCKLER, CMC
CITY CLERK