

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/CITY
COUNCIL SITTING AS THE JOHN
MUIR/MT. DIABLO COMMUNITY
HEALTH CARE DISTRICT BOARD
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, APRIL 12, 2016

The Concord City Council met in a regular meeting in the City Council Conference Room located in Wing A at 1950 Parkside Drive at 6:30 p.m. on Tuesday, April 26, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. 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, Tim Grayson, Dan Helix, Ron Leone, Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Joelle Fockler, City Clerk; Marsha Moore, Deputy City Clerk; Jovan Grogan, Deputy City Manager; Guy Swanger, Chief of Police; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Kenji Yamada, Concord; Daniel Robles, Concord; Babs Gomez, Concord; Olga Chan, Concord; Ignacio Rodriguez, Concord; Nati Flores, Monument Impact; Betty Gobaldon, Concord; George Fulmore, Concord; Casilda Gonzalez, Concord; Mary Nicely, Office of Assemblymember Thurmond; Kurt Snider, Concord; Eric Haynes, Concord; Bob Lilley, IBEW 302; Ruben Ramirez, Concord; John Perez, Concord; Dan Torres, Sprinkler Fitters Local 483; Kevin VanBuskirk, Contra Costa Building Trades Council; Meg Vasey, IBEW 302; Argentina Davila-Luevano, California Leadership Institute; Angel Luevano, Todos Unidos; Barb Johnson, Walnut Creek; Patrick Nowakowski, Office of Assemblymember Frazier; Jason Lindsey, Concord; Debora Allen, Pittsburg; John Loudon, California Construction Alliance Group; Cherie Cabral, Building Trades Labor Management Construction Trust; Matt Heavey, Concord; Ed Strelo, Concord

PUBLIC COMMENT PERIOD

Kenji Yamada, Bike Concord, spoke of the City of Concord's commitment to have a bicycle friendly community.

Daniel Robles, Concord, requested the City of Concord Police Department bring back gang mediator Jim Hernandez to help with violence in the City.

Babs Gomez, Concord, spoke about a program she watched on KQED Newsroom (Episode #327H), regarding rent control and lack of affordable housing and encouraged the Council to watch it.

Olga Chan, Concord, spoke about rent increases and the eviction of her neighbors without cause.

Ignacio Rodriquez, Concord, spoke about rent increases and poor living conditions in apartments.

Nati Flores, Monument Impact, thanked Ignacio Rodriquez for his comments and spoke to the issue of rent increases in the community.

Betty Gobaldon, Concord, spoke to increases in rent, non-working heaters, leaking ceilings and mold in her apartment.

George Fulmore, Concord, spoke in support of the other speakers regarding rent increases.

Casilda Gonzales, Concord, spoke regarding an event at Meadow Homes Park, Convoy of Hope, to be held April 23rd at 10 a.m. for the community in need to meet with medical professionals and receive groceries and other items.

PRESENTATIONS

Mayor Hoffmeister presented a proclamation to Chris Llata, Parks Maintenance Team Leader, proclaiming April 5, 2016, as Arbor Day in the City of Concord.

ANNOUNCEMENTS – None

**CITY COUNCIL/CITY COUNCIL SITTING AS THE
JOHN MUIR/MT. DIABLO COMMUNITY HEALTH CARE DISTRICT BOARD MATTERS**

ADOPT ORDINANCE NO. 16-2 – Secondary Living Units

Motion made by Helix and seconded by Grayson to adopt Ordinance No. 16-2 entitled "AN ORDINANCE AMENDING THE CONCORD MUNICIPAL CODE AS FOLLOWS: A TEXT AMENDMENT TO THE DEVELOPMENT CODE (PL16024-DC), SECTION 18.200.180, SECONDARY LIVING UNITS, TO ESTABLISH A TWO-YEAR PILOT PROGRAM TO REMOVE BARRIERS TO THE CONSTRUCTION OF SMALL SECONDARY LIVING UNITS." Motion passed by unanimous vote of the Council.

ADOPT RESOLUTION NO 16-20 – Recycling and Recovery Used Oil Payment

Motion made by Helix and seconded by Grayson to adopt Resolution No. 16-20, 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 PROGRAM." Motion passed by unanimous vote of the Council.

ADOPT RESOLUTION NO 16-21 – ICMA 401 Governmental Profit Sharing

Motion by Helix and seconded by Grayson to adopt Resolution No. 16-21, entitled, "A RESOLUTION APPROVING THE CONTINUANCE OF THE ICMA RETIREMENT CORPORATION GOVERNMENTAL PROFIT SHARING PLAN & TRUST FOR EMPLOYEES OF THE CITY OF CONCORD"; and authorizing the City Manager to execute the associated Adoption

Agreement, ensuring compliance and qualified status with the IRS. Motion passed by unanimous vote of the Council.

SET PUBLIC HEARING

Motion was made by Helix and seconded by Grayson to set a public hearing on Tuesday, April 26, 2016, at 6:30 p.m. in the Council Chamber to consider proposed amendments to Exhibit A to Resolution No. 78-6042 establishing fees and charges for various municipal services in the City of Concord and adoption of City of Concord Policy & Procedure No. 170, User Fees and Charges Cost Recovery Policy, establishing policy guidelines for setting and updating User Fees and Charges and establishing cost recovery goals. Motion passed by unanimous vote of the Council.

AUTHORIZING EMPLOYMENT AGREEMENT – City Attorney

Motion made by Helix and seconded by Grayson to authorize the Mayor to execute an Employment Agreement with Susanne Meyer Brown to serve as City Attorney. Motion passed by unanimous vote of the Council.

AUTHORIZE AD HOC COMMITTEE TO WORK WITH OUTSIDE COUNSEL – Citywide Project Stabilization Agreement

City Manager Valerie Barone presented a report stating that the Ad Hoc Committee formed to discuss project agreements wanted authority to work with outside counsel and staff to negotiate with the building trades unions to reach a tentative project stabilization agreement that would come back to council for consideration and discussion.

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

Mary Nicely, District Director, Office of Assemblymember Thurmond, spoke in support of a citywide project labor agreement and brought a letter from Assemblymember Thurmond.

Kurt Snider, Concord, spoke in support of the Helmet to Hardhat program for veterans

Eric Haynes, Concord, spoke in favor of the building trades apprentice programs and noted that jobs in Concord will allow workers to spend money in Concord.

Bob Lilley, IBEW 302, spoke in favor of a project stabilization agreement and a local hiring policy.

Ruben Ramirez, Concord, spoke in support of the agreement and felt that as a member of Plumbers 159, he was able to support his family.

John Perez, Concord, spoke in support of a project labor agreement and felt it would allow him to worker closer to home.

Dan Torres, Sprinklerfitters Local 483, spoke in support of a citywide project agreement and said the trades jobs had been good for his family.

Kevin VanBuskirk, President, Contra Costa Building Trades Council, spoke in support of project labor agreements, that they ensure workers receive correct pay, provide benefits to veterans and ensure labor harmony.

Meg Vasey, IBEW 302, spoke in support of project labor agreements and felt union training programs enhanced opportunities for women.

Argentina Davila-Luevano, California Leadership Institute, spoke in support of a citywide project labor agreement.

Angel Luevano, Todos Unidos, spoke in support of the Ad Hoc Committee's recommendation for the project labor agreements.

Barb Johnson, on behalf of former Congressman George Miller, read a message from former Congressman Miller in support of project labor agreements.

Patrick Nowakowski, Office of Assemblymember Frazier, read a letter from Assemblymember Frazier in support of a citywide project labor agreement.

Jason Lindsey, Concord, spoke in support of being able to work locally and having good paying jobs in Concord.

Debora Allen, Pittsburg, spoke in opposition to project labor agreements and felt they would increase costs of construction and did not ensure local hire.

John Loudon, California Construction Alliance Group, spoke in opposition to negotiating a project labor agreement and felt it discriminated against non-union workers and local employees working in federally recognized non-union programs.

Cherie Cabral, Building Trades Labor Management Construction Trust, spoke in support of a project labor agreement and noted they are increasing in the State.

Matt Heavey, Concord, spoke in opposition to the project labor agreement and felt it would be a detriment to his company and employees and that the agreements discriminated against those that do not want to join a union.

Ed Strelo, Concord, spoke in support of project labor agreements.

Mayor Hoffmeister closed the public comment period.

Motion made by Grayson and seconded by Leone authorizing the Council Ad Hoc Committee to work with outside Counsel Michael Vlaming to negotiate and develop a project stabilization agreement for consideration of adoption by the City Council. Motion passed by unanimous vote of the Council.

Mayor Hoffmeister called for a break at 8:25 p.m.

Mayor Hoffmeister reconvened the meeting at 8:30 p.m.

JOHN MUIR/MT. DIABLO HEALTH CARE DISTRICT – Filling two vacancies

City Clerk Joelle Fockler presented a report stating that the Council appoints three members to the John Muir/Mt. Diablo Community Health Board. Mayor Hoffmeister currently served on the Board and the other two positions were vacant. Ms. Fockler added that two councilmembers were allowed to serve and inquired as to if any councilmembers were interested. Councilmember Birsan volunteered to serve.

Mayor Hoffmeister opened a public comment period, and upon receiving no comment, closed the public comment period.

Motion made by Leone and seconded by Hoffmeister to appoint Birsan to one vacancy, and announce a recruitment for up to two vacancies. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Attributes of a Bicycle Friendly Community Flyer
- b. Building Trades Council PRA to State Division of Apprenticeship Standards
- c. "The TRUTH about the ABC" DVD
- d. Letter from Assemblymember Tony Thurmond
- e. Benched Item No. 6.a – Project Stabilization Agreement Correspondence
- f. Benched Item No. 9 – Councilmember Birsan's League of Cities Administrative Committee report

CLOSED SESSION REPORTS – None

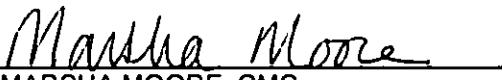
COUNCIL AND STAFF REPORTS

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 8:49 p.m.



LAURA M. HOFFMEISTER
MAYOR



MARSHA MOORE, CMC
DEPUTY CITY CLERK