

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, APRIL 26, 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 5:30 p.m. on Tuesday, April 26, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to confer with Labor Negotiators pursuant to Government Code Section 54957.6. City Negotiators: Valerie Barone, City Manager; Jovan Grogan, Deputy City Manager; Charles Sakai, Esq. and Don Turko of Renne, Sloan, Holtzman & Sakai. Employee Organizations: Field and Operations Representation Unit of International Brotherhood of Teamsters Local 856 and Professional Representation Unit of OPEIU Local 29. Unrepresented Units: Management.

The meeting recessed 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 6:30 p.m. on Tuesday, April 26, 2016, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Councilmember Grayson. 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; Tim McGallian, City Treasurer, Joelle Fockler, City Clerk; Jovan Grogan, Deputy City Manager; Guy Swanger, Chief of Police; Karan Reid, Director of Finance; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Steve Voorhies, Director of Parks and Recreation; Brenda Kain, Program Manager; Lt. John Nunes, Concord Police Department; Mario Camorongon, Senior Civil Engineer; Damaris Sambajon, IT Systems and Programming Manager; Tim Stuart, Information Technology Manager; Leslye Asera, Community Relations Manager; David Boatwright, Senior Administrative Analyst; Mark Migliore, Associate Engineer

MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL:

George Fulmore, Concord; Hope Johnson, Concord;
Emily Matthews, Contra Costa County Climate Leaders;
Joe Partansky, Concord; Christine Smith, Concord;
Michele Beith, Concord; Caren Siemsen, Concord

PUBLIC COMMENT PERIOD

George Fulmore, Concord, spoke of rent increases in Concord.

Hope Johnson, Concord, presented a copy of a notice of intent to recall Councilmember Birsan to Councilmember Birsan and a copy of a notice of intent to recall Mayor Hoffmeister to Mayor Hoffmeister.

Emily Matthews, Contra Costa County Climate Leaders, congratulated the Council on participating in the PACE programs, encouraged the Council to adopt a plastic bag ban; and invited the Council and citizens to a workshop on extreme weather conditions on May 11 in San Pablo

PRESENTATIONS

Mayor Hoffmeister introduced Damaris Sambajon, IT Systems and Programming Manager and Tim Stuart, Information Technology Manager, who gave a presentation on the Concord Connect mobile app, a new way to report non-emergency issues like potholes, illegal dumping, abandoned vehicles, graffiti, or broken streetlights.

Joe Partanksy, Concord, requested that sidewalks be included on the app.

ANNOUNCEMENTS

Mayor Hoffmeister announced that there is a current list of available applicants to fill an unscheduled vacancy on the Measure Q Oversight Committee; therefore, a recruitment was not announced.

RESOLUTION NO. 16-30 – Concord Commercial Properties Included in the Pleasant Hill Landscaping and Lighting Assessment District #20

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-30 entitled, "A RESOLUTION APPROVING THE REQUEST OF THE CITY OF PLEASANT HILL TO ALLOW SUNVALLEY MALL AND CERTAIN OTHER CITY OF CONCORD COMMERCIAL PROPERTIES TO BE INCLUDED IN PLEASANT HILL LANDSCAPING AND LIGHTING DISTRICT #20, COMMERCIAL AREA LANDSCAPING AND LIGHTING." Motion passed by unanimous vote of the Council.

APPOINTMENT OF ROSANNE NIETO – Contra Costa Transportation Authority Citizens' Advisory Committee

Motion was made by Leone and seconded by Grayson to confirm the recommendation for appointment of Rosanne Nieto to serve on the Contra Costa Transportation Authority Citizens' Advisory Committee. Motion passed by unanimous vote of the Council.

CERTIFY THE FINAL MEASURE J CALENDAR YEARS 2014 AND 2015 GROWTH MANAGEMENT PROGRAM COMPLIANCE CHECKLIST

Motion was made by Leone and seconded by Grayson to certify the Final Measure J Calendar Years 2014 and 2015 Growth Management Program Compliance Checklist for receipt of Fiscal Years 2015-16 and 2016-17 Local Street Maintenance and Improvement Funds; and authorize the Mayor to sign the Checklist. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 16-22 - Accepting Engineer's Report, Downtown Landscape Maintenance District

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-22, entitled "A RESOLUTION ACCEPTING THE ENGINEER'S REPORT FOR THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT." Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 16-23 - Accepting Engineer's Report, Pine Hollow Estates Landscape and Lighting Maintenance District

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-23, entitled "A RESOLUTION ACCEPTING THE ENGINEER'S REPORT FOR THE PINE HOLLOW LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT." Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 16-24 - Accepting Engineer's Report, Landscaping and Lighting Assessment District No. 3

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-24, entitled "A RESOLUTION ACCEPTING THE ENGINEER'S REPORT FOR THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 3." Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 16-25 - Accepting Engineer's Report, Citywide Street Lighting Assessment District

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-25, entitled "A RESOLUTION ACCEPTING THE ENGINEER'S REPORT FOR THE CONCORD CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT." Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION OF INTENTION NO. 16-26 - Downtown Landscape Maintenance District

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-26, entitled "A RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS AND TO SET PUBLIC HEARINGS FOR THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT. EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTIONS 15301 (EXISTING FACILITIES), 15302 (REPLACEMENT OR RECONSTRUCTION), AND 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES)," ordering improvements and setting a public hearing for June 7, 2016, at 6:30 p.m. in the Council Chamber. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION OF INTENTION NO. 16-27 - Pine Hollow Landscape and Lighting Maintenance District

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-27, entitled "A RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS AND TO SET PUBLIC HEARINGS FOR THE PINE HOLLOW LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT. EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTIONS 15301 (EXISTING FACILITIES), 15302 (REPLACEMENT OR RECONSTRUCTION), AND 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES)," ordering improvements and setting a public hearing for June 7, 2016, at 6:30 p.m. in the Council Chamber. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION OF INTENTION NO. 16-28 - Landscaping and Lighting Assessment District No. 3

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-28, entitled "A RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS AND TO SET PUBLIC HEARINGS FOR THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 3. EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTIONS 15301 (EXISTING FACILITIES), 15302 (REPLACEMENT OR RECONSTRUCTION), AND 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES)", ordering improvements and setting a public hearing for June 7, 2016, at 6:30 p.m. in the Council Chamber. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION OF INTENTION NO. 16-29 - Citywide Street Lighting Assessment District

Motion was made by Leone and seconded by Grayson to adopt Resolution No. 16-29, entitled "A RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS AND TO SET PUBLIC HEARINGS FOR THE CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT. EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTIONS 15301 (EXISTING FACILITIES), 15302 (REPLACEMENT OR RECONSTRUCTION), AND 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES)," ordering improvements and setting a public hearing for June 7, 2016, at 6:30 p.m. in the Council Chamber. Motion passed by unanimous vote of the Council.

APPROVAL OF LEASE AND AGREEMENT FOR COPIER EQUIPMENT AND EQUIPMENT SUPPORT AND MAINTENANCE – KBA Docusys

Motion was made by Leone and seconded by Grayson to approve a four-year lease and professional services agreement with an option to extend the support agreement for one additional year with KBA Docusys for copier equipment and equipment support and maintenance, in the amount of \$210,162.44 including copying and overage charges, if any, annually, and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

PUBLIC PRESENTATION OF POLICY FOR DATA USAGE AND STORAGE FROM AUTOMATED LICENSE PLATE READERS (ALPR) – Procedure 96

Lt. John Nunes reported that the City of Concord Police Department adopted Procedure 96, the policy for data usage and storage from Automated License Plate Readers (ALPR) technology within the City of Concord. Lt. Nunes reported that the City currently has five ALPR devices, and Procedure 96 applies to their use and the use of the data collected through the devices. He noted that the requested action for the item was to allow the public an opportunity to comment on Police Department Procedure 96, as required by State law.

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

APPOINTMENT OF APPLICANT TO SERVE ON THE CONCORD PAVILION OUTREACH COMMITTEE

Motion was made by Hoffmeister and seconded by Grayson to appoint Ronald Schwab to the Concord Pavilion Community Outreach Committee for a term ending February 28, 2017. Motion passed by unanimous vote of the Council.

AWARDING A CONTRACT FOR RESURFACING OF TENNIS COURTS AT CONCORD COMMUNITY AND WILLOW PASS PARKS AND INSTALLATION OF PICKLEBALL COURTS AT WILLOW PASS PARK – Vintage Contractors, Inc.

Director of Public Works Justin Ezell reported that during the Fiscal Year 2015-16 mid-year review of the City budget, the City Council made a one-time appropriation of \$600,000 in response to the backlog of deferred maintenance, of which \$350,000 was allocated to resurface tennis courts at Concord Community and Willow Pass Parks. He stated that staff recommended awarding a contract to Vintage Contractors, Inc. in the amount of \$430,000 to perform the tennis court resurfacing project and to convert four tennis courts at Willow Pass Park to fourteen pickleball courts due to the strong community interest and growing demand for the sport. Mr. Ezell explained that the Parks, Recreation and Open Space Commission considered the item at its April 13, 2016, meeting and support staff's recommendation.

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

Christine Smith, Clayton, spoke in favor of allowing pickleball courts.

Michele Beith, Concord, spoke in favor of allowing pickleball courts.

Karen Siemsen, Concord, spoke in favor of allowing pickleball courts.

Mayor Hoffmeister closed the public comment period.

Following comments by Council, a motion was made by Grayson and seconded by Leone to award a contract in the amount of \$430,000 to Vintage Contractors, Inc. for the resurfacing of three tennis courts at Concord Community Park and eight tennis courts at Willow Pass Park, and the installation of fourteen pickleball courts at Willow Pass Park. Motion passed by unanimous vote of the Council.

AWARD A CONSTRUCTION CONTRACT AND APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT – Concord Various Streets Preservation Project, Project No. 2292

Senior Civil Engineer Mario Camorongan reported that the Concord Various Streets Project, Project No. 2292, includes roadway improvements for two major collector streets: Concord Boulevard between Sixth Street and Port Chicago Highway and Arnold Industrial Way between Port Chicago Highway and Pike Lane. Mr. Camorongan noted that the project also includes associated traffic signal loops replacement, signage, as well as buffered bike lanes on Arnold Industrial Way.

Mr. Camorongan reported that staff recommended that the City Council award a construction contract in the amount of \$852,612.95, for the Base Bid and Bid Alternate C only, to Granite Construction of Santa Clara, authorize staff to utilize the available project contingency for contract change orders up to 10 percent of the contract amount, and approve a professional services agreement with Swinerton Management and Consulting of Concord in the amount of \$121,880 for construction management, inspection and material testing services.

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

Following comments by the Council, a motion was made by Leone and seconded by Grayson to continue the item to the May 10, 2016, City Council meeting. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-12 – FY 2016-17 Action Plan

Community Services Program Manager Brenda Kain reported that the Draft FY 2016-17 Action Plan consists of recommendations by the Community Services Commission (CSC) for funding a variety of public service programs, housing, capital improvement, and other projects through Concord's Community Grant process. She noted that an annual Action Plan is required by the Federal Government

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

Joseph Partansky, Concord, spoke of increasing funding for the elderly and disabled members of the community.

Mayor Hoffmeister closed the public comment period.

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 16-12 entitled, "A RESOLUTION ACCEPTING THE ACTION PLAN FOR FY 2016-17 AND AUTHORIZING THE CITY MANAGER TO SUBMIT, ON BEHALF OF THE CITY OF CONCORD, THE ONE YEAR ACTION PLAN, CONSISTENT WITH THE PROGRAM RULES WHICH GOVERN THE RECEIPT AND EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS ALLOCATED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT DURING FISCAL YEAR 2016/17." Motion passed by unanimous vote of the Council.

ADOPTION OF CITY OF CONCORD POLICY AND PROCEDURE NO. 170 – USER FEES AND CHARGES RECOVERY POLICY AND ADOPTION OF RESOLUTION NO. 16-6042.1

Finance Director Karan Reid presented an overview of the User Fees and Charges Cost Recovery Policy and related amendments to the Master Fee Schedule, including background and staff and PDIO recommendations. Ms. Reid recommended that the City Council conduct the Public Hearing, adopt Policy and Procedure 170 User Fee Recovery Policy, and continue the adoption of Resolution No. 16-6042.1 to the May 10, 2016, City Council meeting.

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

Motion was made by Helix and seconded by Leone to adopt City of Concord Policy and 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; and continuing adoption of Resolution No. 16-6042 amending Exhibit A to Resolution No. 78-6042 establishing fees and charges for various municipal services to May 10, 2016. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

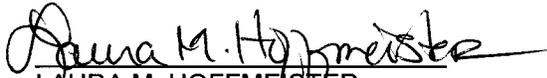
- a. Concord Connect PowerPoint Presentation
- b. Tennis Court Resurfacing PowerPoint Presentation
- c. Concord Various Streets Preservation, Project No. 2292, PowerPoint Presentation
- d. User Fees and Charges Cost Recovery Policy PowerPoint Presentation

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 9:30 p.m. in memory of Peter Harmon.


LAURA M. HOFFMEISTER
MAYOR


JOELLE FOCKLER, MMC
CITY CLERK