

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, APRIL 7, 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, April 7, 2015, with Mayor Grayson presiding. Vice Mayor Hoffmeister was absent. The meeting was recessed and immediately reconvened in a closed session regarding Public Employee Appointment: Local Reuse Authority Executive Director (Government Code Section 54957(b)(1) and to confer with Legal Counsel regarding anticipated litigation (Government Code Section 54956.9(d)(2).

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 6:30 p.m. on Tuesday, April 7, 2015, with Mayor Grayson presiding. The pledge of allegiance was led by Councilmember Leone. 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, Tim Grayson

COUNCILMEMBERS ABSENT: Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney; Joelle Fockler, City Clerk; Karan Reid, Director of Finance; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Jovan Grogan, Deputy City Manager; Robert Ovadia, City Engineer; David Boatwright, Senior Administrative Analyst; Mark Migliore, Senior Civil Engineer; Steve Voorhies, Parks Manager; Brenda Kain, Community Services Program Manager; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC  
WHO ADDRESSED THE COUNCIL: Paul Poston, Concord; Juan Carlos Mendoza, Concord

PUBLIC COMMENT PERIOD

Paul Poston, Concord, spoke of an informative and productive meeting he had with Stephen Proud of Lennar.

Juan Carlos Mendoza, Concord, spoke of a cockroach, rat, and bedbug infestation at his apartment complex on Diane Court, and along with members of Tenants Together, requested help from the City.

STUDY SESSION

Public Works Director Justin Ezell and City Engineer Robert Ovadia presented an overview of the City of Concord Sanitary Sewer System.

PRESENTATIONS

ARBOR DAY

Mayor Grayson presented Chris Llata, Parks Service Maintenance Team Leader, a proclamation declaring April 7, 2015 as Arbor Day in the City of Concord.

ALCOHOL AWARENESS MONTH

Mayor Grayson presented Ricardo Simental, Monument Corridor Anti-Drug & Alcohol Coalition, a proclamation declaring April 2015 Alcohol Awareness Month.

ANNOUNCEMENTS – none.

APPROVAL OF MINUTES

Motion was made by Helix and seconded by Birsan to approve the minutes for the meetings of February 24, March 10, and March 14, 2015. Motion passed by the following vote of the Council:

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

AWARD OF CONSTRUCTION CONTRACT, PJ 2144 – Clayton Rd/Treat Blvd. Intersection Capacity Improvements

Motion was made by Helix and seconded by Birsan to award a construction contract in the amount of \$1,209,534 to Granite Rock Company of San Jose; reject a bid protest submitted by Ghilotti Construction Company; approve a Professional Services Agreement with Vali Cooper of Emeryville in the amount of \$194,040 for construction management services, and authorize the Mayor and City Manager to execute the agreements for PJ 2144, Clayton Rd/Treat Blvd. Intersection Capacity Improvements. Motion passed by the following vote of the Council:

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

ACCEPT IMPROVEMENTS FOR PROJECT NO. 2267 – FY 2013-14 Slurry and Cape Seal Pavement Maintenance Project – Various Locations

Motion was made by Helix and seconded by Birsan to accept the improvements for Project No. 2267, FY 2013-14 Slurry and Cape Seal Pavement Maintenance Project – Various Locations, constructed by Intermountain Slurry Seal, Inc. of Reno, Nevada; and direct the City Clerk to file a Notice of Completion. Motion passed by the following vote of the Council:

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

APPROPRIATE POLICE DEPARTMENT OPERATING BUDGET FUNDS – Protective, Ballistic Vests

Motion was made by Helix and seconded by Birsan to appropriate funds from the Police Department’s Operating Budget in the amount of \$105,713.65 for the purchase of protective, ballistic vests for sworn members of the Police Department. Motion passed by the following vote of the Council:

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

AWARD CONTRACT – 2015 Weed Abatement and V-Ditch Cleaning Maintenance Service

Motion was made by Helix and seconded by Birsan to award a contract to Apex Grading, Inc. in the amount of \$79,900 for 2015 Weed Abatement and V-Ditch Cleaning Maintenance Service. Motion passed by the following vote of the Council:

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

APPROVAL OF AMENDMENT TO AGREEMENT WITH HELLO HOUSING – Housing Rehabilitation Loan and Grant Program

Motion was made by Helix and seconded by Birsan to approve an amendment to the agreement with Hello Housing by increasing the payment limit of the contract for administration of the Housing Rehabilitation Loan and Grant Program from \$49,000 to \$54,000 for the period July 1, 2014 – June 30, 2015, and authorize the City Manager to execute the amendment. Motion passed by the following vote of the Council:

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

MATTER TO SET FOR PUBLIC HEARING – FY 2015-16 Community Development Block Grant Annual Action Plan and 2015-20 Contra Costa Consortium Consolidated Plan Priorities and Goals

Motion was made by Helix and seconded by Birsan to set a public hearing for Tuesday, April 28, 2015, at 6:30 p.m. in the Council Chamber to consider the FY 2015-16 Community Development Block Grant Annual Action Plan and 2015-20 Contra Costa Consortium Consolidated Plan Priorities and Goals. Motion passed by the following vote of the Council:

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

APPOINTMENTS TO THE CONCORD PAVILION COMMUNITY OUTREACH COMMITTEE

Motion was made by Birsan and seconded by Leone to appoint LaMar Anderson, Orin C. Cross, III, Elizabeth De La Campa, and Mark Weinmann to serve on the Concord Pavilion Community Outreach Committee for terms ending February 28, 2017. Motion passed by the following vote of the Council:

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

APPOINTMENTS TO THE CITY OF CONCORD MEASURE Q OVERSIGHT COMMITTEE

Motion was made by Helix and seconded by Leone to appoint Brian Beckon and Guy Bjerke to serve on the City of Concord Measure Q Oversight Committee for terms ending December 31, 2017, and Gregory Grassi, Matthew Hohenstreet, and Diane Sprouse to serve on the City of Concord Measure Q Oversight Committee for terms ending December 31, 2019. Motion passed by the following vote of the Council:

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

SEPARATION OF THE COMMUNITY SERVICES COMMISSION (CSC) AND THE CONCORD PLEASANT HILL HEALTH CARE DISTRICT

City Clerk Joelle Fockler presented a report, referring to her memorandum dated April 7, 2015, explaining that after meeting and getting input from each Board and Commission and the Policy, Development and Internal Operations Council Committee (PD&IO), staff and the PD&IO recommended revisions to Policy and Procedure No. 89, Council Appointments to Boards and Commissions, and recommended to separate the Community Services Commission and the Concord Pleasant Hill Health Care District Grant Committee to serve as two separate bodies.

Ms. Fockler noted the changes to Policy and Procedure No. 89 as follows:

Incorporate the following as Section 2.3:

2.3 To ensure applicants understand the responsibilities of the Board/Commission, a statement of responsibility prepared by the liaison will be provided to an applicant at the time of submission of the application and to the Council Committee to read to each candidate before the interview.

Revise Section No. 4.2 to read:

4.2 In the event openings occur prior to the expiration of a member's term, the Chair of the appointing Council Committee may review the applicant list if it is no older than 12 months and make a recommendation to the full Council of an appointment for the vacant seat. If the Committee Chair does not believe there is an adequate pool from which to select, the Chair may recommend to the full Council that the Council call for a recruitment to obtain new applications to fill the unexpired term.

Revise Section 5.2 to read:

5.2 Should any Board or Commission member have three unexcused absences with a fiscal year, staff is to provide pertinent information to the City Clerk who will notify the member of his resignation.

City Clerk Fockler outlined the proposed separation of the Community Services Commission and the Concord Pleasant Hill Health Care District Grant Committee into two bodies, with the CSC consisting of seven (7) members and the CPHHCD consisting of five (5) members appointed by the Concord City Council and two (2) appointed by Pleasant Hill, with the separation of the two bodies occurring during the next scheduled recruitment to coincide with upcoming term ending dates and not disrupt the current CDBG grant cycle.

City Clerk Fockler noted that some of the changes require Municipal Code amendments to Chapter 2.20, Boards, Commissions and Committees, including number of absences allowed per fiscal year and the composition of the Community Services Commission, and that staff was recommending introduction of Ordinance No. 15-3, which incorporates the recommended changes.

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

Motion was made by Helix and seconded by Birsan to separate the Community Services Commission (CSC) and the Concord Pleasant Hill Health Care District (CPHHCD) into two separate bodies, with the CSC consisting of seven (7) members and the CPHHCD consisting of five (5) members appointed by Concord City Council and two (2) appointed by Pleasant Hill. Motion passed by the following vote of the Council:

AYES: Helix, Leone, Birsan, Grayson

NOES: None

ABSENT: Hoffmeister

POLICY AND PROCEDURE NO. 89

Motion was made by Helix and seconded by Birsan to approve revisions to Policy and Procedure No. 89 as proposed. Motion passed by the following vote of the Council:

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

INTRODUCTION OF ORDINANCE NO. 15-3 – Chapter 2.20, Boards, Commissions and Committees

Motion was made by Helix and seconded by Birsan to introduce Ordinance No. 15-3 entitled, “AN ORDINANCE OF THE CITY OF CONCORD AMENDING CONCORD MUNICIPAL CODE TITLE 2, ADMINISTRATION; CHAPTER 2.20 BOARDS, COMMISSIONS AND COMMITTEES” by reading of the title only and waiving further reading. Motion passed by the following vote of the Council:

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

CORRESPONDENCE

- a. PowerPoint presentation on Sanitary Sewer System Overview
- b. Benched Item No. 5.a – Revisions to Policy & Procedure No. 89 Item No. 4.2
- c. PowerPoint presentation on Utility Box Art

PUBLIC COMMENT ON PRESENTATION ITEMS – none.

CLOSED SESSION REPORTS – none.

COUNCIL AND STAFF REPORTS

Councilmember Leone gave a brief presentation on Utility Box Art and requested that the item be sent to the Youth and Education Committee. The item received support and will be scheduled at a Youth and Education Committee meeting.

Mayor Grayson noted that Vice Mayor Hoffmeister was absent because she was in Washington, D.C. with a delegation from Mt. Diablo High School advocating for health education.

By order of the Mayor, the meeting was adjourned at 7:45 p.m.

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TIMOTHY S. GRAYSON  
MAYOR

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JOELLE FOCKLER, CMC  
CITY CLERK