

# 3.a

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL/  
CITY COUNCIL SITTING AS THE  
LOCAL REUSE AUTHORITY/CITY  
COUNCIL SITTING AS THE  
CONCORD/PLEASANT HILL  
HEALTH CARE DISTRICT  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, MAY 26, 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, May 26, 2015, with Mayor Grayson presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to confer with Real Property Negotiator pursuant to Government Code Section 54956.8 and confer with Labor Negotiators pursuant to Government Code Section 54957.6.

Conference with Real Property Negotiator pursuant to Government Code Section 54956.8. Property: Area within Concord Community Reuse Plan. Negotiating Parties: Michael Wright, City of Concord; Alan Lee, Department of Navy, BRAC Project Office. Under Negotiation: Price, Terms of Payment.

Conference with Labor Negotiators pursuant to Government Code Section 54957.6. City Negotiators: Valerie Barone, City Manager; Laura Brunson, Director of Human Resources; 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 6:50 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, May 26, 2015, with Mayor Grayson presiding. The pledge of allegiance was led by Vice Mayor Hoffmeister. 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;  
Thomas Wentling, City Treasurer; Joelle Fockler, City Clerk; Michael Wright, Executive Director Local Reuse Project; Justin Ezell, Director of Public Works; Jeff Lewis, Director of Information Technology; Guy Swanger, Chief of Police; Joan Carrico, Director of Community and Recreation Services; Robert Ovadia, City Engineer; Karan Reid, Director of Finance; Jovan Grogan, Deputy City Manager; Tim Stuart, Information Technology Program Manager; Steve Voorhies, Parks Manager; David Boatwright, Senior Administrative Analyst; Lesyle Asera, Community Relations Manager

MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL: George Fulmore, Concord; Hope Johnson, Concord; Bruce Borgesson, Concord; Thomas Wentling, Concord; Paul Poston, Concord

PUBLIC COMMENT PERIOD

George Fulmore, Concord, spoke of his support of a traffic signal at Sunshine and Detroit and to install play structures at Meadow Homes Park.

Hope Johnson, Concord, spoke of the Concord Naval Weapons Station Development and the Special Meeting scheduled for June 5 in Austin, Texas, and requested that the field trip be filmed for the public’s review. She also spoke of the Contra Costa Water District’s Drought Plan and communication between the Council, the Reuse Director, and Contra Costa Water District with regard to the Drought Plan and the Naval Weapons Station Development.

Bruce Borgesson, Concord, spoke of a land lease agreement between Concord and PG&E and his opposition of the access road to the land.

Thomas Wentling, Concord, announced his resignation as City Treasurer effective July 1, 2015, and thanked the City for allowing him to serve.

PRESENTATIONS –

JOHN MUIR/MT. DIABLO COMMUNITY HEALTH FUND – Building Bridges to Better Health

Mayor Grayson introduced Lillian Roselin, Executive Director of the John Muir/Mt. Diablo Health Care District, who gave a presentation on the John Muir/Mt. Diablo Community Health Fund.

CONCORD HISTORICAL SOCIETY – Concord Museum and Event Center

Mayor Grayson introduced Carol Longshore, Concord Historical Society, who along with Chuck Gabrisiak, gave a presentation on the Concord Museum and Event Center.

TOBACCO PREVENTION COALITION

Mayor Grayson introduced Dave Pittman, Tobacco Prevention Coalition, who presented the City Council with an award recognizing Concord’s e-cigarette policy.

ANNOUNCEMENTS – none.

The Council took a five minute recess at 8:30 p.m. and resumed at 8:35 p.m.

CITY COUNCIL  
MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Birsan to approve the minutes for the meetings of March 31, April 28, May 5, and May 12, 2015. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION NO. 15-31 – Pleasant Hill Landscaping and Lighting Assessment District No. 20

Motion was made by Hoffmeister and seconded by Birsan to adopt Resolution No. 15-31 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 ASSESSMENT DISTRICT #20, COMMERCIAL AREA LANDSCAPING AND LIGHTING." Motion passed by the following vote of the Council:

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

SOLE-SOURCE PURCHASE – Sage Ordnance Systems Group

Motion was made by Hoffmeister and seconded by Birsan to approve and appropriate funds from the Police Department's Operating Budget in the amount of \$44,452 for the sole-source purchase of 21 launchers, 750 rounds of ammunition, and sight rail kits from Sage Ordnance Systems Group. Motion passed by the following vote of the Council:

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

CITY OF CONCORD INVESTMENT POLICY FY 2015-16

Motion was made by Hoffmeister and seconded by Birsan to approve the City of Concord FY 2015-16 Investment Policy. Motion passed by the following vote of the Council:

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

APPROVAL OF AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – Thor, Inc.

Motion was made by Hoffmeister and seconded by Birsan to approve an Amendment to the Professional Services Agreement with Thor, Inc. in the amount of \$57,000 for a total not-to-exceed amount of \$177,000 in the initial term, and authorize the City Manager to execute the Amendment. Motion passed by the following vote of the Council:

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

**Councilmember Leone joined the meeting.**

CITY OF CONCORD 2015 DROUGHT STRATEGY

Justin Ezell, Director of Public Works, presented a report, referring to his memorandum dated May 26, 2015, and noting that Contra Costa Water District's 2015 Drought Program calls on customers to reduce water use by 25 percent from 2013 use, and irrigation customers to reduce watering by 45 percent over 2013 use and limit irrigation to just twice per week.

Mr. Ezell reported that outdoor water use in Concord's public spaces is 37 percent less than the amount that Contra Costa Water District set as the historical baseline in previous droughts. However, the City is being required to further reduce irrigation consumption by an additional 45 percent on top of the 37 percent reduction already realized in 2013.

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

Council provided direction to staff to keep up its conservation efforts.

ADOPTION OF RESOLUTION NOS. 15-33, 15-34, 15-35, and 15-36 – Confirming the Assessment Diagrams and Levying Assessments for the Landscaping and Lighting Districts

The four Resolutions of Intention noticing the Public Hearing were published in the Contra Costa Times on Tuesday, May 13, 2015 for the City's four Landscaping and Lighting Maintenance Districts and posted in the Civic Center posting cabinet.

Senior Administrative Analyst David Boatwright presented a report, referring to his memorandum dated May 26, 2015, advising that on March 24, 2015 the City Council had ordered the preparation of Engineer's Reports for the levy of annual assessments for (1) Downtown Landscape Maintenance District, (2) Pine Hollow Estates Landscape Maintenance District, (3) Landscaping and Lighting Maintenance District No. 3, and (4) Citywide Street Lighting Assessment District; and that on April 28, 2015, the Resolutions of Intention were adopted and published in accordance with the provisions of the Landscaping and Lighting Act of 1972. He advised that the districts are not subject to Proposition 218 balloting requirements to increase the assessment for FY 2015-16.

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

Following comments from the Council, a motion was made by Hoffmeister and seconded by Helix to adopt the following resolutions in one motion confirming the diagrams and levying the assessments:

Resolution No. 15-33 entitled, "A RESOLUTION CONFIRMING THE ASSESSMENT DIAGRAM AND LEVY OF ASSESSMENTS FOR MAINTENANCE WITHIN THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT FOR FISCAL YEAR 2015/16;" and

Resolution No. 15-34 entitled, "A RESOLUTION CONFIRMING THE ASSESSMENT DIAGRAM AND LEVY OF ASSESSMENTS FOR MAINTENANCE WITHIN THE PINE HOLLOW ESTATES LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT FOR FISCAL YEAR 2015/16;" and

Resolution No. 15-35 entitled, "A RESOLUTION CONFIRMING THE ASSESSMENT DIAGRAM AND LEVY OF ASSESSMENTS FOR MAINTENANCE WITHIN THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 3 FOR FISCAL YEAR 2015/16;" and

Resolution No. 15-36 entitled, "A RESOLUTION CONFIRMING THE ASSESSMENT DIAGRAM AND LEVY OF ASSESSMENTS FOR MAINTENANCE WITHIN THE CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT FOR FISCAL YEAR 2015/16." Motion passed by unanimous vote of the Council.

**The City Council then convened as the Local Reuse Authority.**

CITY COUNCIL SITTING  
AS THE LOCAL REUSE AUTHORITY

APPROVAL OF AMENDMENT TO MASTER AGREEMENT FOR PROFESSIONAL SERVICES –  
H.T. HARVEY & ASSOCIATES (HTH)

Motion was made by Hoffmeister and seconded by Birsan to approve an amendment not to exceed \$15,000 to the Mater Agreement for Professional Services associated with preparation of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station with H. T. Harvey & Associates (HTH). Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

CONSIDERATION AND APPROVAL OF AGREEMENTS TO NEGOTIATE – Catellus  
Development Corporation and Lennar Concord, LLC

Due to a potential conflict of interest, Councilmember Leone recused himself and left the dais.

Michael Wright, Executive Director, Local Reuse Authority, presented a report, referring to his memorandum dated May 26, 2015, noting that this is a first step in commencement of the LRA’s negotiations related to selecting a Master Developer for Phase One of development for the Concord Naval Weapons Station.

Mr. Wright outlined the process for selecting a Master Developer, negotiating with the U.S. Navy and completing negotiations of a Disposition and Development Agreement with the selected Master Developer.

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

Paul Poston, Concord, spoke of the timing of selecting a Master Developer, and noted that he will make the time to be present, whenever the item comes before Council.

Following comments from the Council, a motion was made by Hoffmeister and seconded by Helix to approve the Final Agreement to Negotiate between Catellus Development Corporation and the Local Reuse Authority and Lennar Concord, LLC, and the Local Reuse Authority, and authorize the City Manager to execute the Agreements. Motion passed by the following vote of the Council sitting as the Local Reuse Authority:

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

**The Local Reuse Authority then convened as the Concord/Pleasant Hill Health Care District.**

CITY COUNCIL SITTING AS THE  
CONCORD/PLEASANT HILL HEALTH CARE DISTRICT

APPOINTMENT TO THE JOHN MUIR/MT. DIABLO COMMUNITY HEALTH FUND BOARD

Joelle Fockler, City Clerk, gave a report, referring to her memorandum dated May 26, 2015, and reporting that The Concord/Pleasant Hill Health Care District Board is responsible for making three appointments to the John Muir/Mt. Diablo Community Health Fund Board.

Ms. Fockler noted that the current representatives from Concord are Vice Mayor Hoffmeister, Ernesto Avila, and Bill Graham-Reefer, and that Mr. Graham-Reefer submitted his resignation on April 15, 2015.

Ms. Fockler conveyed that the Council, serving as the Concord/Pleasant Hill Health Care District may elect at any public meeting to appoint up to two of its members to serve on the Community Health Fund Board prior to opening a recruitment for the remaining members and noted that Councilmember Helix expressed a desire to serve the remainder of the term.

City Clerk Fockler asked for direction on how to proceed with filling the vacancy on the John Muir/Mt. Diablo Community Health Fund for a term ending December 31, 2016, and conveyed that the Council could select to appoint a Councilmember to the position or request staff open a recruitment.

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

A motion was made by Hoffmeister and seconded by Leone to appoint Councilmember Dan Helix to the John Muir/Mt. Diablo Community Health Fund for a term ending December 31, 2016. Motion passed by the following vote of the Council sitting as the Concord/Pleasant Hill Health Care District:

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

**The Concord/Pleasant Hill Health Care District reconvened as the Concord City Council.**

CORRESPONDENCE

- a. PowerPoint Presentation – Building Bridges to Better Health
- b. PowerPoint Presentation – Concord Museum and Event Center
- c. PowerPoint Presentation – Drought Strategy

PUBLIC COMMENTS ON PRESENTATION ITEMS - None

CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

Councilmembers shared information on recent and upcoming activities and events.

By order of the Mayor, the meeting was adjourned at 9:45 p.m.

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TIMOTHY S. GRAYSON  
MAYOR

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JOELLE FOCKLER, CMC  
CITY CLERK