

# 3.a

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, JUNE 2, 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, June 2, 2015, with Mayor Grayson presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to confer with Legal Counsel pursuant to Government Code Section 54956.9(a) and confer with Labor Negotiators pursuant to Government Code Section 54957.6.

Conference with Legal Counsel pursuant to Government Code Section 54956.9(a) – pending litigation proceeding entitled: *Alany Jean Helmantoler, et al. v. City of Concord, et al.*, United States District Court, Northern District of California, Case No. 14-cv-02855-HSG.

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 6:25 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, June 2, 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, Laura Hoffmeister, Ron Leone, Tim Grayson

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney; Joelle Fockler, City Clerk; Justin Ezell, Director of Public Works; Guy Swanger, Chief of Police; Victoria Walker, Director of Community and Economic Development; Karan Reid, Director of Finance; Robert Ovadia, City Engineer; Jovan Grogan, Deputy City Manager; David Boatwright, Senior Administrative Analyst; Lesyle Asera, Community Relations Manager

## MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL:

Carlyn Obringer, Concord; Rhea Elina Laughlin, First 5 Contra Costa; Tonya Love, Healthy and Active Before 5; Nati Flores, Monument Impact; Ray Barbour, Concord; Matt Welker, Concord; Ana Calderon, Concord; Guyse Golightly, Concord

PUBLIC COMMENT PERIOD

Carlyn Obringer, Concord, announced the June 8 celebration of 35th anniversary of the Toastmasters International Club, to be held from 7 p.m. – 8:15 p.m. at the Montecito Oakmont Senior Living Facility on Clayton Road.

Rhea Elina Laughlin, First 5 Contra Costa, spoke of the Collaborative Concord Parks Assessment Project and the funding of the priority funding recommendations.

Tonya Love, Healthy and Active Before 5, spoke of outdoor movement and play and how it is essential in young children. She requested funding for priority parks as identified in the Concord Parks Assessment, specifically bathrooms at Ellis Lake Park.

Nati Flores, Monument Impact, requested that bathrooms at Ellis Lake Park be funded in this year’s Capital Improvement Budget.

Florence Weiss, Downtown Program Manager, invited the Council and public to Music in the Park on Thursday night, June 4, where the Warriors game will be presented in between listening to the Oakland Interfaith Gospel Choir, the performers scheduled for Thursday’s Music and Market program.

PRESENTATIONS – none.

ANNOUNCEMENTS

Mayor Grayson announced the appointment Councilmember Helix and Councilmember Leone to an Ad Hoc Committee to evaluate the City of Concord’s use of outside consultants.

CITY COUNCIL  
MATTERS

APPROVAL OF MINUTES

Motion was made by Helix and seconded by Hoffmeister to approve the minutes for the meeting of May 19, 2015. Motion passed by unanimous vote of the Council.

ACCEPTING IMPROVEMENTS – PROJECT NO. 2133, ARNOLD INDUSTRIAL WAY AT HIGHWAY 4 ON/OFF RAMPS TRAFFIC SIGNAL INSTALLATION

Motion was made by Helix and seconded by Hoffmeister to accept the improvements for Project No. 2133, Arnold Industrial Way at Highway 4 On/Off Ramps Traffic Signal Installation, constructed by Bradley Electric, Inc. of Novato; and direct the City Clerk to file a Notice of Completion. Motion passed by unanimous vote of the Council.

APPROVAL OF AGREEMENT – Contra Costa Water District

Motion was made by Helix and seconded by Hoffmeister to approve an agreement in the amount of \$67,179 between the City of Concord and the Contra Costa Water District for Irrigation Meter, Service, and Appurtenances as required for Project No. 2251, Farm Bureau Road SR2S Project – Willow Pass Road to Wren Avenue; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – Harrison Engineering, Inc.

Motion was made by Helix and seconded by Hoffmeister to approve a Professional Services Agreement with Harrison Engineering, Inc. of Pleasant Hill in the amount of \$56,000 for Design Engineering Services for Project No. 2307, Franquette Avenue Pedestrian & Bike Trail Connection, and authorize the City Manager to execute the Agreement. Motion passed by unanimous vote of the Council.

VACANCY OF CITY TREASURER

City Clerk Joelle Fockler presented a report, referring to her memorandum dated June 2, 2015, and reporting that City Treasurer Wentling will be vacating his position effective July 1, 2015. Ms. Fockler conveyed that the City Council has three legally available alternatives for filling the vacancy created by Treasurer Wentling's resignation to complete his term of office ending December 2018.

Ms. Fockler reported that Government Code section 36512 allows the City Council 60 days from the commencement of the vacancy to appoint someone to the position, and alternatively, Government Code section 36512(b) provides that a special election may be called to fill the position. She recommended that Council approve either to appoint an individual to the vacant position, either through a direct appointment or following an application and interview process, or call for a special election.

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

A motion was made by Helix and seconded by Hoffmeister to adopt Resolution No. 15-40 entitled, "A RESOLUTION DELCAING A VACANT SEAT FOR THE CONCORD CITY TREASURER, DIRECTING THE CITY CLERK TO POST A NOTICE OF INTENTION TO FILL A VACANCY FOR THE CONCORD CITY TREASURER AND TO ADVERTISE FOR APPLICATIONS TO FILL THE VACANCY." Motion passed by unanimous vote of the Council.

ORDINANCE NO. 15-4 – Sewer System

City Engineer Robert Ovadia presented a report, referring to his memorandum dated June 2, 2015, and reporting that increases in the projected expenditures in the 10-Year Financial Forecast for the Sewer Enterprise necessitate an increase in the minimum annual sewer service charge, and a corresponding increase in other annual sewer services charge.

Mr. Ovadia noted that staff and the Infrastructure and Franchise Committee, consisting of Councilmember Birsan and Vice Mayor Hoffmeister, recommend that the City Council introduce Ordinance No. 15-4 increasing the minimum annual sewer service charge from \$402 to \$452 for FY 2015-16, \$502 for FY 2016-17, \$547 for FY 2017-18, and \$592 for FY 2018-19 and increasing other corresponding charges as stated in Section 13.05.020(c).

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

Ray Barbour, Concord, spoke in support of the fees.

Matt Welker, Concord, stated that he could neither support or oppose the fees due to the lack of information provided, and requested more detail to educate the taxpayer.

Anna Calderon, Concord, spoke in opposition of the fees, asked if a sales tax was considered, and requested that the charges be allotted equally.

Guysel Golightly, Concord, spoke in opposition of the fee increase.

Mayor Grayson closed the public comment period.

A motion was made by Helix and seconded by Leone to introduce Ordinance No. 15-4 entitled, "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 13.05 SEWER SYSTEM, SECTION 13.05.020 RATES AND CHARGES ESTABLISHED, SUBSECTION (C) ANNUAL SEWER SERVICE CHARGES, EXHIBIT A, BY INCREASING THE MINIMUM ANNUAL SEWER SERVICE CHARGE AND OTHER CORRESPONDING CHARGES," by reading of the title only and waiving further readings. Motion passed by the following vote of the Council:

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

CORRESPONDENCE

- a. City Treasurer PowerPoint Presentation – Item 4.a
- b. City Treasurer Application Packet – Item 4.a
- c. Downtown Shuttle PowerPoint Presentation submitted by Councilmember Leone

PUBLIC COMMENTS ON PRESENTATION ITEMS - None

CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

Councilmembers shared information on recent and upcoming activities and events.

Mayor Grayson reported that members of the Council were going to Austin, TX, to look at a project completed by one of the Master Developer finalists, Catellus, on June 5, 2015, and that Council will also be touring other developments of both finalists, Catellus and Lennar, in the future as part of the process of choosing a Master Developer for the Concord Naval Weapons Station Reuse Project.

Councilmember Leone shared his vision of a free Downtown Shuttle. Mayor Grayson appointed Councilmember Leone and Vice Mayor Leone to an Ad Hoc Committee to study a Downtown Shuttle.

By order of the Mayor, the meeting was adjourned at 8 p.m.

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TIMOTHY S. GRAYSON  
MAYOR

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JOELLE FOCKLER, CMC  
CITY CLERK