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REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, OCTOBER 13, 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, October 13, 2015, with Mayor Grayson presiding. All Councilmembers were present.

PUBLIC COMMENT

Terry Murphy, Concord, stated that he felt the Sun Terrace neighborhood was not represented with regard to the Reuse Project and that he does not want high density housing in the Project.

The meeting was recessed at 5:50 p.m. 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; Kay Winer, Labor Negotiator; 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. Item number IV(b) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 was not heard.

The meeting adjourned at 6:40 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, October 13, 2015, with Mayor Grayson presiding. The pledge of allegiance was led by Councilmember Helix. 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; Charles Sakai, Counsel;
Joelle Fockler, City Clerk; Tim McGallian, City Treasurer,
Karan Reid, Director of Finance; Justin Ezell, Director of
Public Works; Jovan Grogan, Deputy City Manager;
Robert Ovadia, City Engineer; Robert Woods, Chief
Building Official; Laura Simpson, Planning Manager; Ray
Kuzbari, Transportation Manager; Leslye Asera,
Community Relations Manager; Kevin Marstall, Senior
Civil Engineer

MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL: Hope Johnson, Concord; George Fulmore, Concord; Ralph Oliver, Concord; Suzanne Delbou, Concord; Roylen Stack, Concord; Mark Harris, Concord; Fro Butler, Concord; Mike Van Hofwegen, Concord; Casilda Gonzales, Concord; Paul Poston, Concord

ANNOUNCEMENT

City Manager Valerie Barone introduced Charles Sakai, Managing Partner of Renne Sloan Holtzman Sakai, who acted as City Attorney for the meeting.

PUBLIC COMMENT PERIOD

Hope Johnson, Concord, asked the City Council to take responsibility and call for an independent investigation to address the demand for investigation submitted by Reuse Project master developer finalist Catellus and hold a public hearing to inform the public the next steps that will be taken in regard to the investigation and the Reuse Project.

George Fulmore, Concord, spoke of the spray park and play structures at Meadow Homes Park and reformatting Ellis Lake Park.

Ralph Oliver, Concord, spoke of concerns for the Reuse Project, including traffic, housing, and representation for the Sun Terrace neighborhood.

Suzanne Delbou, Concord, spoke of concerns for the Reuse project and requested that an independent investigation be conducted regarding the demand for investigation submitted by Reuse Project master developer finalist Catellus.

Roylen Stack, Concord, spoke of the lack of safety at Ellis Lake Park.

Mark Harris, Concord, spoke of the lack of follow-up by the Concord Police Department regarding the recent break in and robbery of tools from Mr. Harris' van.

Fro Butler, Concord, spoke as a representative of the North Todos Santos Neighborhood Watch and requested a traffic study conducted at Grant Street and Almond Avenue and a stop sign installed.

Mike Van Hofwegen, Executive Director, Monument Impact, expressed appreciation for the collaboration with Monument Impact in serving the Monument community, and invited the Council, staff, and the public to attend the Second Annual Monument Awards scheduled for 7 a.m. on Tuesday, October 27, at the Pleasant Hill Senior Center.

Casilda Gonzales, Concord, spoke of a code enforcement issue at an apartment complex on Frisbee Court.

PRESENTATIONS

EMERGENCY PREPAREDNESS

Mayor Grayson introduced Margaret Romiti, Emergency and Volunteer Services Manager, and Doug Elloway, Information Technology Manager, who gave a presentation on Emergency Preparedness.

ANNOUNCEMENTS – none.

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Leone and seconded by Birsan to approve the minutes of the meetings of July 24, September 1, September 8, September 16, September 22, and September 29, 2015. Motion passed by unanimous vote of the Council.

APPOINTMENT TO THE JOHN MUIR/MT. DIABLO COMMUNITY HEALTH FUND BOARD OF DIRECTORS – Laura Hoffmeister

Motion was made by Leone and seconded by Birsan to appoint Vice Mayor Hoffmeister to serve on the John Muir/Mt. Diablo Community Health Fund Board of Directors for a final three-year term ending December 31, 2018. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-3521.1 – All-Way Stop Control

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-3521.1 entitled, “A RESOLUTION AMENDING THE TRAFFIC RESOLUTION, SECTION C, STOP INTERSECTIONS” adding all-way stop signs at Almond Avenue and Mt. Diablo Street. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-61 – Final Map For Subdivision 9383, La Vista Villas (Assessor’s Parcel Nos. 132-030-041, 042, 043, 044, and 045

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-61 entitled, “A RESOLUTION APPROVING THE FINAL MAP FOR TRACT 9383, LA VISTA VILLAS SUBDIVISION, ASSESSOR’S PARCEL NOS. 132-030-041, 042, 043, 044, AND 045; APPROVING THE STREET NAME; AND APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT AND THE STORMWATER MAINTENANCE AGREEMENT.” Motion passed by unanimous vote of the Council.

IMPROVEMENTS FOR CONCORD BOULEVARD PG&E UTILITY RELOCATION AND PAVING REHABILITATION – PROJECT NO. 2296

Motion was made by Leone and seconded by Birsan to approve a contract change order and related budget transfer in the amount of \$31,000, accept the improvements for Concord Boulevard PG&E Utility Relocation and Paving Rehabilitation, Project No. 2296, and direct the City Clerk to file a Notice of Completion. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-60 – California Office of Traffic Safety for Select Traffic Enforcement Program

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-60 entitled, “A RESOLUTION TO ACCEPT GRANT FUNDING FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR SELECT TRAFFIC ENFORCEMENT PROGRAM AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2015-16.” Motion passed by unanimous vote of the Council.

WILLOW PASS RECREATION CENTER REROOF PROJECT

Motion was made by Leone and seconded by Birsan to award a contract in the amount of \$106,840 to Waterproofing Associates, Inc. for the Willow Pass Recreation Center Reroof Project. Motion passed by unanimous vote of the Council.

CONCORD POLICE DEPARTMENT WALK-IN EVIDENCE FREEZER EQUIPMENT UPGRADE

Motion was made by Leone and seconded by Birsan to award a contract in the amount of \$125,625 to Martinez Sheet Metal, Inc. for the walk-in evidence freezer equipment upgrade for the Concord Police Department. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-62 – PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT – Unrepresented Employees and Elected Officials

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-62 entitled, “A RESOLUTION FIXING THE EMPLOYER’S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (UNREPRESENTED EMPLOYEES AND ELECTED OFFICIALS, TO INCLUDE COUNCIL-APPOINTED EMPLOYEES, EXECUTIVE MANAGEMENT, MID-MANAGEMENT AND CONFIDENTIAL EMPLOYEES UNIT.)” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-63 – PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT – Administrative, Technical & Clerical Representation Unit

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-63 entitled, “A EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (ADMINISTRATIVE, TECHNICAL & CLERICAL REPRESENTATION UNIT.)” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-64 – PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT – Field & Operations Representation Unit

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-64 entitled, “A RESOLUTION FIXING THE EMPLOYER’S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (FIELD & OPERATIONS REPRESENTATION UNIT.)” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-65 – PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION – Professional Representation Unit

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-65 entitled, “A RESOLUTION FIXING THE EMPLOYER’S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (PROFESSIONAL REPRESENTATION UNIT.)” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-66 – PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION - Peace Officer Representation Unit

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-66 entitled, “A RESOLUTION FIXING THE EMPLOYER’S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (PEACE OFFICER REPRESENTATION UNIT.)” Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-67 – PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION – Police Managerial Representation Unit

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 15-67 entitled, “A RESOLUTION FIXING THE EMPLOYER’S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (POLICE MANAGERIAL REPRESENTATION UNIT.)” Motion passed by unanimous vote of the Council.

ANNUAL CLIMATE ACTION PLAN IMPLEMENTATION REVIEW

Motion was made by Leone and seconded by Birsan to receive the Annual Climate Action Plan Implementation Review.

POOL COVERS, COVER REELS, AND COVERS FOR EQUIPMENT – Concord Community Pool

Motion was made by Leone and seconded by Birsan to approve the purchase of new pool covers, cover reels, and covers for the equipment at Concord Community Pool in the amount of \$61,890 from Lincoln Aquatics.

MEASURE Q EXPENDITURE PLAN AND RELATED CIP PROJECTS

City Engineer Robert Ovadia presented a report, referring to his staff report dated October 13, 2015, and reviewing the debt financing background, pavement maintenance strategies, and expenditure plan process and recommendations.

City Engineer Ovadia introduced Ryan Schafer, Nichols Engineering, who presented an overview of the Expenditure Plan and the three prong approach; 1 – potholes, 2 – rehabilitation, and 3 - residential.

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

Paul Poston, Concord, requested to be kept apprised of the reconstruction project on Hillsborough Drive.

Mayor Grayson closed the public comment period.

Following comments by the Council, a motion was made by Hoffmeister and seconded by Birsan to approve the proposed Measure Q Expenditure Plan; approve Measure Q Pavement Repair Project 1, Project No. 2359, Pavement Rehabilitation of Hillsborough Drive from Labrador Street to St. George Drive and E. Olivera Road from Port Chicago Highway to Wexford Drive, and implement pot-hole/base repairs along E. Olivera Road from Wexford Drive to Willow Pass Road,

and appropriate \$2.85 million from Project No. 2157, Pavement Management Annual Program – Measure Q, to fully fund the project; approve Measure Q Pavement Repair Project 2, Project No. 2361, Pavement Rehabilitation of Solano Way from Broadmoor Avenue to the City limit, Wren Avenue – from Farm Bureau Road to Clayton Way, and Sixth Street from Clayton Road to Willow Pass Road, and appropriate \$3.1 million from Project No. 2157, Pavement Management Annual Program – Measure Q to fully fund the project; approve Measure Q Pavement Repair Project 3, Project No. 2362, Pavement Rehabilitation of Walters Way from Detroit Avenue to Monument Boulevard, and the intersection of Monument Boulevard/Detroit Avenue, and appropriate \$850,000 from Project No. 2157, Pavement Management Annual Program – Measure Q, to fully fund the project; approve Measure Q Pavement Repair Project 4, Project No. 2364, Pavement Pothole/Base Repairs at Various Locations Citywide, and appropriate \$1.8 million from Project No. 2157, Pavement Management Annual Program – Measure Q, to fully fund the project; and approve fund transfers of agreement proceeds from the Pavement Maintenance Program Holding Account, Project No. 2157, to Centre Concord Moveable Walls and Wall Coverings, PJ 2182, in the amount of \$250,000 and to Traffic Sign Replacement Project, RFB No. 2328, in the amount of \$250,000 and corresponding transfers of \$250,000 of assorted funds from each of the projects back to the Pavement Maintenance Program Holding Account, Project No. 2157. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Concord Police Report submitted by Mark Harris (not released to the public pursuant to California Penal Code regulation)
- b. PowerPoint Presentation – Item 1.a
- c. PowerPoint Presentation – Item 4.a

PUBLIC COMMENTS ON PRESENTATION ITEMS - None

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 9:05 p.m. in memory of City Attorney Mark Coon.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
CITY CLERK