

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 Camorongon 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. Camorongon noted that the project also includes associated traffic signal loops replacement, signage, as well as buffered bike lanes on Arnold Industrial Way.

Mr. Camorongon 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.

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LAURA M. HOFFMEISTER  
MAYOR

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JOELLE FOCKLER, MMC  
CITY CLERK

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL/CITY  
COUNCIL SITTING AS THE LOCAL  
REUSE AUTHORITY  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, MAY 3, 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, May 3, 2016, with Mayor Hoffmeister presiding. Councilmember Helix was absent.

PUBLIC COMMENT

Evelyn Frietas, Concord, spoke about the unrest and distrust in the City, was concerned there would be more anger if Lennar was chosen as the Master Developer of the Base Reuse Project, felt three councilmembers should not be making the decision, and the Master Developer selection process should be started over.

The meeting 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; Jonathan Holtzman, 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 recessed at 6:30 p.m., and due to a lack of quorum, the meeting was adjourned pursuant to Government Code section 54955, to May 11, 2016, at 6:30 p.m.

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LAURA M. HOFFMEISTER  
MAYOR

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MARSHA MOORE, CMC  
DEPUTY CITY CLERK

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, MAY 10, 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, May 10, 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; Johnathan Holtzman, 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, and Confidential employees.

The meeting recessed at 6:10 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 6:15 p.m. on Tuesday, May 10, 2016, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Vice Mayor Leone. 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; Laura Simpson, Planning Manager; Andrew Mogensen, Principal Planner; Robert Ovadia, City Engineer; John Montagh, Economic Development and Housing Manager; Leslye Asera, Community Relations Manager; Brian Nunnally, Business Development Manager; Mario Camorongon, Senior Civil Engineer; David Boatwright, Administrative Analyst; Pedro Garcia, Economic Development Specialist

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Alan Smith, Contra Costa Library Commission; Paul Poston, Concord; Florence Weiss, Downtown Program Manager; Smitty, Concord;

PUBLIC COMMENT PERIOD

Alan Smith, Contra Costa Library Commission, presented a flyer highlighting the Concord Library 2016 Annual Report.

Paul Poston, Concord, congratulated the City Attorney and thanked the City and the Code Enforcement Division for partnering with Garaventa Enterprises and coordinating the neighborhood clean-up of the Sun Terrace Neighborhood.

Florence Weiss, Downtown Program Manager, announced the upcoming Music and Market Series and thanked the sponsors for participating.

Smitty, Concord, announced Bike to Work Day to be held Thursday, May 12, 2016.

#### STUDY SESSION – Bicycle, Pedestrian and Safe Routes to Transit Plan

Principal Planner Andrew Mogensen presented a report commenting that the study session was intended to provide the City Council with an overview of the City's recently released Draft Bicycle, Pedestrian, and Safe Routes to Transit Plan and noted that the Plan is available on the City's website. He introduced Jennifer Donlon-Wyant, Principal, Alta Planning and Design, who presented an overview on the current status of the Draft Bicycle, Pedestrian and Safe Routes to Transit Plan.

Following questions and comments from the Council, Mayor Hoffmeister opened a public comment period.

Kenji Yamata, Bike Concord, read into the record a letter he submitted as benched correspondence for the study session.

Laura Nakamura, Bike Concord, spoke of bike safety and having Class IV separated bikeways on Concord Boulevard, Clayton Road, Monument Boulevard, and Willow Pass Road.

Yelena Myakisheva, Concord, stated that the Monument is a neighborhood and should be treated like a neighborhood, and spoke of local artists painting the bike lanes in different designs for visibility.

Amy Ma, Concord, spoke of safe bike routes and asked if the truck route could be eliminated from Solano Avenue to make the road safer.

Mayor Hoffmeister closed the public comment period and reminded the public that additional opportunities for review and comments are available at the Parks, Recreation and Open Space Committee meeting scheduled for May 11, 2016, the Planning Commission Study Session scheduled for May 18, 2016, and the Bicycle, Pedestrian and Safe Routes to Transit Plan Advisory Committee scheduled for May 23, 2016.

#### OPEN SESSION

#### PUBLIC COMMENT

Jay Bedecarre, Clayton, announced the 28<sup>th</sup> annual Bay Area KidFest scheduled for 10 a.m. – 6 p.m., May 27-29, at Mt. Diablo High School, 2450 Grant Street.

Joe Partansky, Concord, requested modifications regarding ADA compliance to the Concord Connect app.

Harmesh Kumar, Concord, requested that enforcement for political signs be conducted equally for all candidates.

Rev. Richard Mangini, Concord, requested that topic of rent control be sent to the Housing & Economic Development City Council Committee.

Set Olaf Candanosa, Concord, requested assistance with rent control in Concord.

Gloria Ayala, Concord, requested assistance with rent control in Concord.

Eduardo Torres, Tenants Together, introduced himself to the Council, and spoke of the work he is doing with Concord citizens to organize tenants for basic human rights.

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

Isabel Lara, Concord, requested assistance with rent control in Concord.

Casilda Gonzales, Concord, requested that the main City phone number on the website be changed from 671-CITY to 671-3000.

PRESENTATIONS

PUBLIC WORKS DEPARTMENT AWARD OF EXCELLENCE – Juan Silva

Director of Public Works Justin Ezell introduced award recipient Juan Silva who was presented with the Public Works Department Award of Excellence by Mayor Hoffmeister.

PROCLAMATION – SMALL BUSINESS APPRECIATION DAY

Mayor Hoffmeister presented Marilyn Fowler, President/CEO of the Concord Chamber of Commerce a proclamation declaring May 10, 2016, “Small Business Appreciation Day” in the City of Concord.

BUSINESS RECOGNITION AWARDS – Tower Grille and Epidemic Ales

Economic Development Specialist Pedro Garcia presented an overview of the Business Recognition Awards program and introduced Marilyn Fowler, President/CEO of the Concord Chamber of Commerce who presented Business Recognition Awards to Gordon Clarke of Tower Grille and Erin Schally of Epidemic Ales.

ANNOUNCEMENTS - none.

TREASURER’S REPORT – January 1 – March 31, 2016

City Treasurer Tim McGallian presented the Quarterly Treasurer’s Report for the period January 1 – March 31, 2016.

Motion was made by Grayson and seconded by Leone to accept the Quarterly Treasurer’s Report for the period January 1 – March 31, 2016. Motion carried by unanimous vote of the Council.

APPROVAL OF MINUTES – February 23, March 1, and March 18, 2016

Motion was made by Helix and seconded by Grayson to approve the minutes from the meetings of February 23, March 1, and March 18, 2016. Motion carried by unanimous vote of the Council.

SET PUBLIC HEARING

Motion was made by Helix and seconded by Grayson to set a public hearing for Tuesday, June 7, 2016, at 6:30 p.m. in the Council Chamber to consider a proposal for a Development

Agreement between the City of Concord and Swift Realty Partners, LLC. Motion carried by unanimous vote of the Council.

#### SET PUBLIC HEARING

Motion was made by Helix and seconded by Grayson to set a public hearing for Tuesday, June 7, 2016, at 6:30 p.m. in the Council Chamber to consider the Concord/Pleasant Hill Health Care District Grant Committee FY 2016/17 funding recommendations for community health programs. Motion carried by unanimous vote of the Council.

#### APPROVAL OF PROFESSIONAL SERVICES AGREEMENT AMENDMENT – Citywide Bridge Preventative Maintenance Program (BPMP) 5135 (039), Project No. 2060

Motion was made by Helix and seconded by Grayson to approve Professional Services Agreement Amendment No. 5 with AECOM of Sacramento in the amount of \$281,939.76 for civil engineering design and environmental services for the Citywide Bridge Preventative Maintenance Program (BPMP) 5135 (039), Project No. 2060, extend the Agreement to June 30, 2017, and authorize the City Manager to execute the Amendment. Motion carried by unanimous vote of the Council.

#### CONTRA COSTA COUNTY AVIATION ADVISORY COMMITTEE APPOINTMENT – Keith McMahon

Motion was made by Helix and seconded by Grayson to confirm the recommendation for appointment of Keith McMahon to continue to serve as the City of Concord's representative on the Contra Costa County Aviation Advisory Committee for a three-year term ending March 1, 2019. Motion carried by unanimous vote of the Council.

#### APPROVAL OF BUDGET TRANSFER – Detroit Avenue Bicycle and Pedestrian Improvements Project, Project No. 2276

This item was pulled from the Consent Calendar by Mayor Hoffmeister.

Motion was made by Helix and seconded by Birsan to approve a budget transfer in the amount of \$65,000 for the Detroit Avenue Bicycle and Pedestrian Improvements Project, Project No. 2276. Motion carried by unanimous vote of the Council.

#### APPOINTMENT TO MEASURE Q OVERSIGHT COMMITTEE

Motion was made by Hoffmeister and seconded by Leone to appoint Darrin Walters to fill an unscheduled vacancy for the business representative on the Measure Q Oversight Committee for a term ending December 31, 2019. Motion carried by unanimous vote of the Council.

#### AWARD OF CONTRACT – Concord Various Streets Preservation Project, Project No. 2292

This item was continued from the April 26, 2016, City Council meeting. City Engineer Robert Ovadia reported that the Concord Various Streets Project includes roadway improvements for Concord Boulevard between Sixth Street and Port Chicago Highway and Arnold Industrial Way between Port Chicago Highway and Pike Lane.

Mr. Ovadia stated that the item was considered by the City Council on April 26, 2016, was continued to the May 10 meeting, and that the staff report includes responses to questions raised during the April 26, 2016, meeting.

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

A motion was made by Birsan and seconded by Leone to award a Construction Contract in the amount of \$1,105,789, for the Base Bid and Bid Alternate B and C, to Granite Construction and direct staff to modify the contract as necessary; authorize staff to utilize the available project contingency for contract change orders up to 10 percent of the contract amount; accept and appropriate CalRecycle grant funding into the project budget; authorize the City manager to execute the Contract; approve a Professional Services Agreement with Swinerton Management and Consulting of Concord in the total not-to-exceed amount of \$140,550 (\$103,050 for construction management and \$37,500 for materials testing) for construction management, construction inspection, and material testing services, and direct staff to modify the agreement as necessary; authorize the City Manager to execute the agreement; and approve a \$310,000 transfer of unallocated Measure Q – Lease Revenue Finance Agreement Funds from the Pavement Maintenance Annual Program – Holding Account, Project No. 2157, to the Concord Various Streets Preservation Project, Project No. 2292. Motion carried by unanimous vote of the Council.

RESOLUTION NO. 16-31 – Issuance of \$546,000,000 in Tax-Exempt Obligations on behalf of John Muir Health

Business Development Manager Brian Nunnally reported that the Council was being asked to approve Resolution No. 16-31 pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Internal Revenue Code of 1986 for the California Statewide Communities Development Authority to issue up to \$546,000,000 in tax-exempt obligations on behalf of John Muir Health.

He explained that the California Statewide Communities Development Authority (CSCDA) is a joint exercise powers authority sponsored by the League of California Cities and California State Association of Counties, and Concord is among the more than 500 CSCDA members statewide. Mr. Nunnally stated that John Muir Health desired to seek issuance of up to \$546,000,000 in tax exempt bonds through CSCDA, and that the bond issuance is a complete refinancing of existing debt, with savings from the refinancing expected to generate an additional \$30 million to \$40 million that will be used for capital projects at both the Concord and Walnut Creek JMH campuses. He noted that in order for all or part of the bonds to qualify as tax-exempt bonds, the City or another CSCDA public agency member must conduct a TEFRA public hearing, providing the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing, noting that the CSCDA has asked that the City conduct the TEFRA public hearing as a first step in the bond process, and that at the conclusion of the public hearing the Council adopt Resolution No. 16-31 approving the bond issuance by CSCDA.

Mr. Nunnally confirmed that bond repayment is the sole responsibility of John Muir Health, the City would have no responsibility for bond repayments, and the bond debt would in no way affect property taxes in Concord.

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 Grayson to adopt Resolution No. 16-31 entitled, "A RESOLUTION APPROVING THE ISSUANCE OF ONE OR MORE SERIES OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS (JOHN MUIR HEALTH), SERIES 2016 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$546,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, EQUIPPING, RENOVATION, REHABILITATION AND REMODELING OF AND OTHER CAPITAL PROJECTS AT CERTAIN HEALTH FACILITIES FOR JOHN MUIR HEALTH AND CERTAIN OTHER MATTERS RELATING THERETO." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-6042.1 – Amendments to Exhibit A to Resolution No. 78-6042  
Establishing Fees and Charges for Various Municipal services in the City of Concord

Director of Finance Karan Reid reported that on April 26, 2016 the City Council received a report on the User Fee Study, the Fee Setting Policy, and related fee adjustments. On April 26 the Council approved Policy and Procedure 170 establishing a User Fee Cost Recovery Policy, and continued the consideration of fee changes to the May 10, 2016 meeting.

Ms. Reid noted that the proposed amendments to the Fee Schedule incorporate a few minor changes from the April 26 report and include a Parkland fee for Small Secondary Units, addition of a new title “Abatement and Summary Abatement”, correction of fee amounts for “Exemption for Small Collection Facilities for Non-Profits” and deletion of the Escort Service Permit section. Ms. Reid explained that the recommended fees could reduce the annual General Fund subsidy by approximately \$600,000. She requested that the Council hold the public hearing and adopt Resolution No. 16-6042.1.

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 Resolution No. 16-6042.1 entitled, “A RESOLUTION AMENDING EXHIBIT A TO RESOLUTION NO. 78-6042 (ESTABLISHING FEES AND CHARGES FOR VARIOUS MUNICIPAL SERVICES IN THE CITY OF CONCORD.” Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Flyer highlighting the Concord Library 2016 Annual Report
- b. Benched correspondence received for the Study Session
- c. PowerPoint Presentation for the Bicycle, Pedestrian and Safe Routes to Transit Plan
- d. KidFest 2016 Flyer
- e. PowerPoint Presentation on the Amendments to the Master Fee Schedule

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 p.m. in memory of James “Jim” Swanson.

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LAURA M. HOFFMEISTER  
MAYOR

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JOELLE FOCKLER, MMC  
CITY CLERK