

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, JUNE 28, 2016

The Concord City Council met in a regular meeting in the Council Chamber at 1950 Parkside Drive at 5:30 p.m. on Tuesday, June 28, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. Mayor Hoffmeister opened a public comment period.

Frank Abejo, City of Concord OPEIU Local 29 Shop Steward, spoke of the group's frustration with the City of Concord's last best and final offer presented on June 21, 2016, not being equitable with the Teamsters Local 856 offer and submitted and read into record a petition signed by all 17 members of OPEIU Local 29.

Kelly Gschwend, OPEIU Local 29, spoke of lack of equality of the offer presented to OPEIU Local 29 employees versus the offer presented to the Teamsters Local 856 employees.

Nic Kis, City of Concord Employee, stated that he does not feel appreciated as an employee, and spoke of his disappointment with the City in offering a different offer to OPEIU Local 29 than the Teamsters Local 856.

Mayor Hoffmeister closed the public comment period.

The meeting was recessed and immediately reconvened in a closed session in the City Council Conference Room, 1950 Parkside Drive, Wing A, to confer with labor negotiators pursuant to Government Code Section 54957.6. City Negotiators: Valerie Barone, City Manager and Jovan Grogan, Deputy City Manager. 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 7:10 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 7:10 p.m. on Tuesday, June 28, 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
MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL:	Will Taylor, National Alliance on Mental Illness; Harmesh Kumar, Concord; George Fulmore, Concord; Dave Contada, Concord

PUBLIC COMMENT PERIOD

Will Taylor, Executive Director, National Alliance on Mental Illness (NAMI,) spoke of two upcoming community events to be held in Concord, NAMI in Motion, a mental health awareness event scheduled for Saturday, September 10, and the Crash Course, an orientation to the mental health system, offered every Wednesday night from 7 p.m. – 8:30 p.m. at the Family Justice Center.

Harmesh Kumar, Concord, spoke of lack of homeless services during the evening and night hours, and requested that the City of Concord do something about it.

George Fulmore, Concord, thanked the Council for moving rent issue forward and made suggestions on rules for rental units in Concord.

David Contada, Concord, spoke of the importance of play structures at Meadow Homes Park.

PRESENTATIONS

CONCORD LIBRARY REFRESH

Mayor Hoffmeister introduced Kimberli Buckley, Concord Library Senior Community Library Manager, who gave a presentation on the Concord Library Refresh.

ALCOHOL AWARENESS MONTH – Monument Corridor Anti-Drug & Alcohol Coalition

Mayor Hoffmeister presented a proclamation to Ricardo Simental declaring June as Alcohol Awareness Month in the City of Concord.

PARKS & RECREATION MONTH

Mayor Hoffmeister presented a proclamation declaring July as Parks and Recreation Month in the City of Concord to Mark Sinclair, Chair of the Parks, Recreation and Open Space Committee. Kathryn Monroy and Caryl Tynan, Parks and Recreation, gave a presentation on the City of Concord Parks and Recreation Department and its activities.

ANNOUNCEMENTS

Mayor Hoffmeister announced a recruitment to fill a vacancy and seeking applications for one position on the John Muir/Mt. Diablo Community Health Fund Board for a term ending December 31, 2016, and setting Tuesday, July 12, 2016, at 5 p.m. as the deadline for applications to be received by the City Clerk.

APPROVAL OF MINUTES

Motion was made by Grayson and seconded by Leone to approve the minutes from the Meetings of March 22 and 28 and April 5 and 12, 2016. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-52 – Calling for and Ordering a General Municipal Election

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-52 entitled, "A RESOLUTION CALLING FOR AND ORDERING A GENERAL MUNICIPAL ELECTION AND SPECIFICATIONS OF THE ELECTION ORDER FOR THE PURPOSE OF ELECTING TWO MEMBERS OF THE CITY COUNCIL, EACH FOR FULL TERMS OF FOUR YEARS, AND REQUESTING AND CONSENTING TO THE CONSOLIDATION OF SAID GENERAL MUNICIPAL ELECTION WITH THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016." Motion passed by unanimous vote of the Council.

CITY OF CONCORD FY2016-17 INVESTMENT POLICY

Motion was made by Grayson and seconded by Leone to approve the City of Concord FY2016-17 Investment Policy. Motion passed by unanimous vote of the Council.

UPDATED AND STANDARDIZED AGREEMENT TO PROVIDE VEHICLE AND EQUIPMENT MAINTENANCE TO OUTSIDE AGENCIES

Motion was made by Grayson and seconded by Leone to standardize the Vehicle and Equipment Service Agreement and delegate the City Manager to execute the individual service agreements. Motion passed by unanimous vote of the Council.

APPROVAL OF VARIOUS ANNUAL LICENCE AND MAINTENANCE AGREEMENTS FOR IT HARDWARE AND SOFTWARE FOR FISCAL YEAR 2016-17

Motion was made by Grayson and seconded by Leone to authorize the expenditure of Fiscal Year 2016-17 funds for the following annual license and maintenance contract renewals required to support the systems and applications used by the City and authorize the Director of Information Technology to execute any support documents.

<b>SYSTEM</b>	<b>MANUFACTURER/SUPPLIER</b>	<b>TERM</b>	<b>AMOUNT*</b>
Accela Automation	Accela Government Software	12/21/16-12/20/17	61,214.37
HR/Finance System	Infor (name change from Lawson)	07/01/16-06/30/17	115,550.98
SmartNet Maintenance	Cisco/Quest	07/1/16 - 06/30/17	69,993.13
East Bay Regional Communications System	EBRCSA - JPA	07/01/16-06/30/17	185,280.00
ACCJIN (Criminal Justice System)	Contra Costa County	FY 2015/2016	8,941.45
ARIES (Sheriff's Office Info Exchange)	Contra Costa County	FY 2015/2016	33,400.00
CLETS (maintenance)	Contra Costa County	FY 2014/2015	1,800.00
CLETS (level II software access)	Contra Costa County	FY 2014/2015	9,021.62
Computer Aided Dispatch (CAD)	TriTech	08/01/16 - 08/01/17	119,390.71
			\$604,592.26

Motion passed by unanimous vote of the Council.

MATTER TO BE SET FOR PUBLIC HEARING

This item was pulled from consideration by staff to return at a later date.

RESOLUTION NO. 16-53 – AB109 Funds

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-53 entitled, "A RESOLUTION AUTHORIZING AND APPROPRIATING THE ACCEPTANCE OF STATE AB 109 FUNDS IN THE AMOUNT OF \$130,500 TO PARTIALLY OFFSET THE COST OF ONE POLICE OFFICER TO PROVIDE COORDINATED SUPPORT OF AB 109 LAW ENFORCEMENT ACTIVITIES, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE RELATED CONTRACT BETWEEN THE CITY OF CONCORD AND CONTRA COSTA COUNTY." Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Carpet Replacement at the Concord Library

Motion was made by Grayson and seconded by Leone to award a contract in the amount of \$56,100 to Flooring Solutions, Inc. for carpet replacement at the Concord Library and authorize the City Manager to execute the contract in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-45 – Community Choice Aggregation Technical Study

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-45 entitled, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO AUTHORIZE THE COUNTY TO COLLECT ELECTRICAL USAGE DATA ON BEHALF OF THE CITY AND TO ALLOCATE UP TO \$35,000 OF CITY FUNDING FOR A COMMUNITY CHOICE AGGREGATION TECHNICAL STUDY." Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Full Trash Capture Devices

Motion was made by Grayson and seconded by Leone to award a contract in the amount of \$65,000 to Revel Environmental Manufacturing, Inc. for the supply and installation of 135 full trash capture devices for the Full Trash Capture Devices Project, Request for Quote No. 2353, authorize staff to utilize available project contingency for contract change orders up to 10 percent of the contract amount, and authorize the City Manager to execute the contract in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

WILLOW PASS PARK RESTROOM AND CONCESSION FACILITY REPLACEMENT – FIELD #1 – Project No. 2334

Motion was made by Grayson and seconded by Leone to approve a Professional Services Agreement in the amount of \$310,485 with Public Restroom Company for Willow Pass Park Restroom and Concession Facility Replacement – Field #1, Project No. 2334 and authorize the City Manager to execute the agreement in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.3 – Memorandum of Understanding between the City of Concord and the International Brotherhood of Teamsters Local Union No. 856

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-4735.3 entitled, "A RESOLUTION APPROVING THE MAY 24, 2016 TENTATIVE AGREEMENT AUTHORIZING THE CITY MANAGER TO PREPARE AND EXECUTE A SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CONCORD AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL UNION NO. 856 REPRESENTING THE EMPLOYEES IN ADMINISTRATIVE, CLEARICAL & TECHNICAL AND FIELD & OPERATIONS UNITS FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2019, AND AUTHORIZING CORRESPONDING BUDGET APPROPRIATIONS, EXPENDITURES, AND FUNDING TO BE INCORPORATED INTO THE NEXT TWO-YEAR BIENNIAL BUDGET." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.4 – Confidential Employees

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-4735.4 entitled, "A RESOLUTION APPROVING ADJUSTMENTS TO SALARY AND BENEFITS FOR CONFIDENTIAL EMPLOYEES." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.5 – Management Employees

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-4735.5 entitled, "A RESOLUTION APPROVING ADJUSTMENTS TO SALARY AND BENEFITS FOR MANAGEMENT EMPLOYEES." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.6 – Executive Management Compensation

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-4735.6 entitled, "A RESOLUTION APPROVING ADJUSTMENTS TO SALARY AND BENEFITS FOR EXECUTIVE MANAGEMENT COMPENSATION." Motion passed by unanimous vote of the Council.

AMENDMENTS TO POLICY AND PROCEDURE NO. 37.9 – Executive and Management Compensation

Motion was made by Grayson and seconded by Leone to amend Policy and Procedure No. 37.9, Executive and Management Compensation, to reflect two current City practices: (1) incorporation of a severance package into contracts with "at will" executive management and attorneys in their employment contracts as a means to mitigate employment litigation risk, and (2) incorporation of up to a 5% pay incentive, consistent with the Police Professionalism Incentive Program, in recognition of attainment of a Master's Degree, if needed to address salary compaction between the Chief of Police and Police Captain positions. Motion passed by unanimous vote of the Council.

BUDGET APPROPRIATIONS AND EXPENDITURES – Resolution Nos. 16-4735.4, 16.4735.5, and 16-4735.6

Motion was made by Grayson and seconded by Leone to authorize corresponding budget appropriations and expenditures to implement Resolution Nos. 16-4735.4, 16.4735.5, and 16-4735.6. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-49 – Administrative, Technical & Clerical Representation Unit

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-49 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 (ADMINISTRATIVE, TECHNICAL & CLERICAL REPRESENTATION UNIT.)" Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-50 – Field and Operations Representation Unit

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-50 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. 16-51 – Unrepresented Employees and Elected Officials, to include Council-appointed Employees, Executive Management, Mid-Management and Confidential Employees Unit)

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-51 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.

REJECTION OF BID – Citywide On-Call Sidewalk Replacement Pilot Program, Project No. 2341

This item was pulled from the Consent Calendar by Concord resident George Fulmore who asked if this item was regarding providing an opportunity for residents to utilize the City's contractor to repair sidewalks in front of their homes.

Motion was made by Leone and seconded by Birsan to reject bid submitted by Wayne E. Swisher Cement Contractor Inc. for On-Call Sidewalk Replacement Pilot Program, Project No. 2341, and authorize staff to re-bid the project as proposed. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-57 – Retiree Health Care Benefits for Teamster and Unrepresented Current Retirees

This item was pulled from the Consent Calendar by Councilmember Helix who did not believe that the proposed reform to retiree health care benefits was fair to current retirees and requested that the City Council return the item back to staff to schedule additional review which includes percentages increases for the future.

Mayor Hoffmeister opened a public comment period.

George Fulmore, Concord, spoke of retirees who have Medicare, and stated that employees that are 65 and over should be in the Medicare system.

Dr. Harmesh Kumar, Concord, stated that he agreed with Councilmember Helix.

Dee Ziegelman, Concord, President of City of Concord Retirees' Association, stated that long time City of Concord employees who have retired thought that they retired with a benefit of lifetime medical.

It was the consensus of the Council to return this item to Closed Session discussion and return to the Council for consideration at a later date.

FISCAL YEAR 2015-16 AND 2016-17 MID-CYCLE BIENNIAL BUDGET UPDATE AMENDING THE FISCAL YEAR 2015-16 AND FY 2016-17 MUNICIPAL BUDGET AND 10-YEAR FORECAST - RESOLUTION NOS. 16-46, 16-47, 16-48 AND 16-6042.3 (Continued from June 14, 2016)

A notice of Public Hearing announcing the hearing dates of June 14 and 28, 2016 was published in the Contra Costa Times on Tuesday, May 31 and June 14, 2016, mailed to interested parties of record, and posted in the City's public posting cabinet. Public testimony was received at a public hearing on June 14, 2016 and continued to this meeting.

Director of Finance Karan Reid presented a brief report on the mid-cycle operating budget update noting that the budget with the proposed updates is balanced and continues all programs services at their current or enhanced levels and provides additional investment in roads, buildings, and parks.

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

Following comments by the City Council, a motion was made by Helix and seconded by Grayson to adopt Resolution No. 16-46 entitled, "A RESOLUTION ESTABLISHING THE APPROPRIATION LIMIT FOR THE CITY OF CONCORD FOR FISCAL YEAR 2016-17 PURSUANT TO CALIFORNIA CONSTITUTION ARTICLE XIII B," Resolution No. 16-47 entitled, "A RESOLUTION ESTABLISHING THE MINIMUM THRESHOLD OVER WHICH CITY COUNCIL APPROVAL IS REQUIRED IN ACCORDANCE WITH CONCORD MUNICIPAL CODE TITLE III, SEC. 3.10.040(a), FOR FISCAL YEAR 2016-17," Resolution No. 16-48 entitled, "A RESOLUTION ADOPTING 2015-16 AND 2016-17 MUNICIPAL BUDGET ADJUSTMENTS, INCLUDING A 10-YEAR GENERAL FUND FINANCIAL FORECAST," and Resolution No. 16-6042.3 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.

#### RESOLUTION NO. 16-44 – Fiscal Year 2016-17 and 2017-18 Biennial Capital Budget and Related Items

A notice of Public Hearing announcing the hearing dates of June 14 and 28, 2016 was published in the Contra Costa Times on Tuesday, May 31 and June 14, 2016, mailed to interested parties of record, and posted in the City's public posting cabinet. Public testimony was received at a public hearing on June 14, 2016 and continued to this meeting.

City Engineer Robert Ovadia presented a brief report stating that the Council held a budget workshop on May 24, 2016 to consider the proposed Biennial Capital Budget for Fiscal Years 2016-17 and 2017-18. He noted that at that meeting the Council and public heard a presentation on the proposed Biennial Capital Budget, and the public was provided an opportunity to provide comments. The Council held a public hearing on June 14, 2016 where staff provided responses to questions from the May 24<sup>th</sup> meeting, and Council held a public comment period where no public comment was received. He requested that Council receive public comment and approve the Biennial Capital Budget for FYs 2016-17 and 2017-18.

Mayor Hoffmeister opened a public comment period.

George Fulmore, Concord, stated that the public has a right to know how the money is being spent, how much is spent on overhead, and why it takes so long to have projects completed.

Mayor Hoffmeister closed the public comment period.

Following comments by the Council, a motion was made by Birsan and seconded by Leone to adopt Resolution No. 16-44 entitled, "A RESOLUTION ADOPTING BIENNIAL CAPITAL BUDGET FOR FISCAL YEARS 2016-17 AND 2017-18." Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Letter dated June 27, 2016, from the Office and Professional Employees International Union, Local 29
- b. Flyers submitted by Will Taylor, NAMI
- c. Contra Costa County Library STEAM brochure
- d. Concord Library Refresh Project 2016 PowerPoint Presentation
- e. Concord Parks & Recreation Makes Life Better PowerPoint Presentation
- f. FY 2015-17 Biennial Operating Budget Mid-Cycle Update and FY 2016-18 Biennial Capital Budget Hearing 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.

Council directed staff to take the topic of curb cutaways/RV parking to a Council Committee best determined by the City Manager.

By order of the Mayor, the meeting was adjourned at 9:07 p.m

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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 CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, JULY 5, 2016

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, July 5, 2016, with Mayor Hoffmeister presiding. The pledge of allegiance was led by: Councilmember Birsan. 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; Justin Ezell, Director of Public Works; Victoria Walker, Director of Community and Economic Development; Steve Voorhies, Director of Parks and Recreation; John Montag, Economic Development and Housing Manager; Mario Camorongan, Senior Civil Engineer; Bernard Enrile, Associate Engineer; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: George Fulmore, Concord; Mark Weinmann, Concord; Floyd Roseberry, Concord

PUBLIC COMMENT PERIOD

George Fulmore, Concord, requested longer hours for the Spray Park and spoke of play structures at Meadow Homes Park.

Mark Weinmann, Concord, spoke of traffic issues and traffic safety in the Cowell Homeowners' Association neighborhood due to traffic on Ygnacio Valley Road.

Floyd Roseberry, Concord, thanked the City of Concord Police Department for its support of the 4<sup>th</sup> of July events.

PRESENTATIONS

PROCEEDS FROM THE MAYOR'S CUP GOLF TOURNAMENT

Mayor Hoffmeister presented Carol Longshore, Concord, Historical Society; Ana Villalobos, Concord Junior Giants; and Joe Fernandez, First Tee Contra Costa Youth Golf Program each with a \$6,554.91 proceeds check from the Mayor's Golf Tournament held May 6, 2016.

ANNOUNCEMENTS – None

SET PUBLIC HEARING – Pleasant Paper Recycling, Inc.

Motion was made by Grayson and seconded by Leone to set a public hearing on Tuesday, August 2, 2016, at 6:30 p.m. in the Council Chamber to consider an appeal of the Planning Commission's denial of Pleasant Paper Recycling, Inc.'s (dba "Concord Recycling Center") appeal of a Planning Division interpretation of Concord Development Code Section 18.40.010(D) regarding outdoor storage in the Service Commercial (SC) Zoning District. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Franquette Avenue Pedestrian & Bike Trail Connector, Project No. 2307

Motion was made by Grayson and seconded by Leone to award a construction contract in a form acceptable to the City Attorney for the Franquette Avenue Pedestrian & Bike Trail Connector, Project No. 2307, in the amount of \$321,263 to W. R. Forde Associates; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

APPROVE A THREE-YEAR MAINTENANCE SERVICES AGREEMENT – West Coast Arborists, Inc.

Motion was made by Grayson and seconded by Leone to approve a three-year Maintenance Services Agreement in the amount of \$510,900 (\$170,300 annually) with West Coast Arborists, Inc. in a form acceptable to the City Attorney to provide tree maintenance services; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

APPROVE ONE-YEAR CUSTODIAL SERVICES CONTRACT EXTENSION – Universal Building Services

Motion was made by Grayson and seconded by Leone to approve a one-year custodial services contract extension in the amount of \$376,000 with Universal Building Services in a form acceptable to the City Attorney; and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – AMF Media Group

This item was pulled from the Consent Calendar by Concord resident George Fulmore.

Motion was made by Grayson and seconded by Leone to approve a Professional Services Agreement with AMF Media Group in the amount of \$193,000 in a form acceptable to the City Attorney, and authorize the City Manager to execute the agreement.

Mayor Hoffmeister recessed the meeting at 7:10 p.m. to reconvene in the Garden Conference Room, Wing A, Civic Center.

INTERVIEWS – with applicants for the Concord Planning Commission

Interviews were held with applicants Mark Weinmann, Ronald Glas, Devlyn Sewell, Kimberly McCarl, Colleen Geraghty, Pablo Benavente, Jesus Gomez, Elizabeth Copley, Partha Parthasarathy, Jordan Damerel, Ernie Gonzalez, Dominic Aliano, and Ajit Kaushal.

By order of the Mayor, the meeting was adjourned at 9:30 p.m.

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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, JULY 12, 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, July 12, 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 and Jovan Grogan, Deputy City Manager. 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 6:45 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, July 12, 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; Justin Ezell, Director of Public Works; Guy Bjerke, Director of Community Reuse Planning; Karan Reid, Director of Finance, Josh Clendenin, Deputy City Attorney; Joan Ryan, Senior Planner; Jeff Rogers, Infrastructure Manager; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Joe Partansky, Concord; Howard Herrold, Concord; George Fulmore, Concord; Dr. Harmesh Kumar, Concord; Jeff Koertzen, Concord; Hope Johnson, Concord; Rosanne Nieto, Concord; Juan Pablo Galvan, Save Mt. Diablo; Matt Leber, East Bay Housing Coalition; Paul Poston, Concord; Andre Nguyen, Concord; Carlyn Obringer, Concord

PUBLIC COMMENT PERIOD

Joe Partansky, Concord, spoke of the Americans with Disabilities Act.

Howard Herrold, Concord, spoke of his frustration with the Neighborhood Services Division and PG&E and his desire to raise the tree height to 14 feet.

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

Dr. Harmesh Kumar, Concord, spoke of the recent tragedy in Dallas and his support of the Concord Police Department.

PRESENTATIONS – None

ANNOUNCEMENTS

Vice Mayor Leone read a statement into the record regarding the Community Reuse Project at the former Concord Naval Weapons Station stating that now that a Master Developer has been selected and the Term Sheet for the project has been approved, he is able to resume his place on the City Council in decisions related to the project. He noted that if decisions must be made by the Council regarding the green belt, he will again recuse himself from the discussion and the vote.

APPROVAL OF MINUTES

Motion was made by Helix and seconded by Birsan to approve the minutes of April 13, 2016. Motion passed by unanimous vote of the Council.

ADOPTION OF ORDINANCE NO. 16-4

Motion was made by Helix and seconded by Birsan to adopt Ordinance No. 16-4 entitled, "AN ORDINANCE APPROVING AND ADOPTING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF CONCORD AND SWIFT REALTY PARTNERS, LLC, REGARDING THE DEVELOPMENT OF PROPERTY LOCATED IN DOWNTOWN CONCORD DESCRIBED AS ASSESSOR'S PARCEL NUMBERS: 126-103-001, 126-103-015, 126-103-016, AND 126-123-017." Ordinance No. 16-4 was introduced on June 6, 2017 by reading of the title only and waiving further reading. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 16-48

This item was removed from consideration by staff to return at a later date.

MATTER TO BE SET FOR PUBLIC HEARING

Motion was made by Helix and seconded by Birsan to set a public hearing on Tuesday, August 2, 2016, at 6:30 p.m. (or as soon as the item can be heard) in the Council Chamber to consider an amendment to Concord Development Code Chapters 18.20 (General Terms) and 18.180 (Signs) to allow for freeway-oriented signs including digital pylon signs, Use Permit, Tree Removal and Design Review to construct a shopping center with up to 375,000 square feet of floor area on a 30-acre site located at 2001-2003 Diamond Boulevard. Anticipated shopping center uses include a grocery store, theater, restaurants (including drive-through restaurant), general retail, general office/medical office, health club, and financial services. An Environmental Impact Report (EIR) was prepared for the project pursuant to the California Environmental Quality Act and the EIR and the related Statement of Overriding Considerations will be considered concurrently. The General Plan designation is West Concord Mixed Use; Zoning classification is WMX (West Concord Mixed Use); APN 126-440-001. Motion passed by unanimous vote of the Council.

MATTER TO BE SET FOR PUBLIC HEARING

Motion was made by Helix and seconded by Birsan to set a public hearing on Tuesday, August 2, 2016, at 6:30 p.m. (or as soon as the item can be heard) in the Council Chamber to consider a amendment to the General Plan, Development Code Section 18.45(c), and a change of zoning from Downtown Mixed Use (DTMU/DMX) to West Concord Mixed Use (WCMU/WMX) for six parcels located on the north side of Concord Avenue between State Highway 242 and Bonifacio Street. Pursuant to the California Environmental Quality Act (CEQA) of 1970, as amended, an Addendum to the 2012 Supplemental Environmental Impact Report for the 2030 Concord General Plan (SEIR) dated May 2016 has been prepared for consideration with the proposed actions. As there are no new significant changes identified with this amendment, the City Council will consider adopting the Addendum and reaffirming the Statement of Overriding Considerations. Motion passed by unanimous vote of the Council.

MATTER TO BE SET FOR PUBLIC HEARING

Motion was made by Helix and seconded by Birsan to set a public hearing on Tuesday, August 2, 2016, at 6:30 p.m. (or as soon as the item can be heard) in the Council Chamber to consider a review of proposed amendment to the Solid Waste Franchise Agreement with Concord Disposal Services to incorporate a rate increase and modifications to the franchise fee and proposed amendments to Exhibit A to Resolution No. 78-6042 establishing Fees and Charges for Various Municipal Services in the City of Concord to increase residential solid waste fees. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.7 – Office and Professional Employees International Union (OPEIU) Local 29

Motion was made by Helix and seconded by Birsan to adopt Resolution No. 16-4735.7 entitled, "A RESOLUTION APPROVING THE JUNE 30, 2016, TENTATIVE AGREEMENT AUTHORIZING THE CITY MANAGER TO PREPARE A SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CONCORD AND THE OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION (OPEIU) LOCAL 29 FOR THE PERIOD MAY 1, 2015 THROUGH JUNE 30, 2019; AND AUTHORIZING CORRESPONDING BUDGET APPROPRIATIONS, EXPENDITURES, AND FUNDING TO BE INCORPORATED INTO THE NEXT TWO-YEAR BIENNIAL BUDGET." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-56 – PEMCHA for OPEIU Local 29

Motion was made by Helix and seconded by Birsan to adopt Resolution No. 16-56 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 (OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION (OPEIU LOCAL 29))." Motion passed by unanimous vote of the Council.

AGREEMENT FOR PROFESSIONAL SERVICES – Environmental Science Associates (ESA)

Motion was made by Helix and seconded by Birsan to approve an Agreement for Professional Services with Environmental Services Associates (ESA) associated with preparation of conceptual flood management plans and creek restoration plans in support of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station in an amount not to exceed \$40,000. Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

AGREEMENT FOR PROFESSIONAL SERVICES – H.T. Harvey & Associates (HTH)

Motion was made by Helix and seconded by Birsan to approve an Agreement for Professional Services with H.T. Harvey & Associates (HTH) associated with preparation of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station in an amount not to exceed \$225,000. Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

AGREEMENT FOR LEGAL PROFESSIONAL SERVICES – Burke, Williams & Sorensen, LLP

Motion was made by Helix and seconded by Birsan to approve an Agreement for Legal Professional Services with Burke, Williams & Sorensen, LLP, in the amount of \$270,000 in connection with transactional legal support for the Community Reuse Project at the former Concord Naval Weapons Station (CNWS.) Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

AGREEMENT FOR LEGAL PROFESSIONAL SERVICES – Garrity and Knisely

Motion was made by Helix and seconded by Birsan to approve an Agreement for Legal Professional Services with Garrity and Knisely regarding property transfer and remediation for the Community Reuse Project at the former Concord Naval Weapons Station (CNWS) in an amount not to exceed \$130,000. Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

AGREEMENT FOR PROFESSIONAL SERVICES – Johnson Marigot Consulting, LLC

Motion was made by Helix and seconded by Birsan to approve an Agreement for Professional Services with Johnson Marigot Consulting, LLC for preparation of materials to support an application for a 404 Permit under the Clean Water Act and regulatory Support Services for the Community Reuse Project at the former Concord Naval Weapons Station (CNWS) in the amount not to exceed \$18,000. Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

AGREEMENT FOR PROFESSIONAL SERVICES – Environmental Risk Services Corporation (ERS)

Motion was made by Helix and seconded by Birsan to approve an Agreement for Professional Services with Environmental Risk Services Corporation (ERS) for the Community Reuse Project at the former Concord Naval Weapons Station (CNWS) in an amount not to exceed \$170,000. Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

AGREEMENT FOR LEGAL PROFESSIONAL SERVICES – Ebbin Moser +Skaggs, LLP

Motion was made by Helix and seconded by Birsan to approve an Agreement for Legal Professional Services with Ebbin Moser +Skaggs, LLP in the amount of \$175,000 for work with the Community Reuse Project. Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

AGREEMENT FOR PROFESSIONAL SERVICES – ARUP North America Ltd.

Motion was made by Helix and seconded by Birsan to approve an Agreement for Professionals Services with ARUP North America Ltd. Associated with land transfer/development planning for the Community Reuse Project at the former Concord Naval Weapons Station in an

amount not to exceed \$365,000. Motion passed by unanimous vote of the Council sitting as the Local Reuse Authority.

AGREEMENT FOR PROFESSIONAL SERVICES – HR&A Advisors, Inc.

This item was removed from the Consent Calendar by Vice Mayor Leone.

Motion was made by Helix and seconded by Birsan to approve an Agreement for Professional Services with HR&A Advisors, Inc. for the Community Reuse Project at the Concord Naval Weapons Station (CNWS) in an amount not to exceed \$85,000. Motion passed by the following vote of the Council sitting as the Local Reuse Authority:

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

AGREEMENT FOR PROFESSIONAL SERVICES – The Wright Group

This item was removed from the Consent Calendar by Vice Mayor Leone.

Motion was made by Helix and seconded by Birsan to approve an agreement for Professional Services with the Wright Group for services associated with the former Concord Naval Weapons Station (CNWS) in an amount not to exceed \$36,000. Motion passed by the following vote of the Council sitting as the Local Reuse Authority:

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

POLICY AND PROCEDURE NO. 171 – Sidewalk Inspection and Repair

Director of Public Works Justin Ezell presented a report stating that staff is working to implement the On-Call Sidewalk Replacement Pilot Program that was approved by the City Council in September 2015, and that the Program is intended to streamline the repair of sidewalk areas which are the responsibility of property owners by allowing them to use the City's authorized sidewalk repair contractors and waive the requirement to obtain individual encroachment permits for the repairs.

Director Ezell reported that staff is proposing a formal policy and procedure on the permanent and temporary repairs of sidewalks to complement the pilot program, and noted that developing a formal sidewalk policy will aid staff in the decision-making and notification process when sidewalk defects are found. He recommended adoption of a formal City policy on sidewalk repairs and noted that the pilot program is scheduled to begin in the upcoming 2016-17 fiscal year.

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

Joe Partansky, Concord, suggested that the title of the Policy and Procedure be "Sidewalk, Parking Strip, and Curb Inspection Repair."

George Fulmore, Concord, stated that the problem is with trees, and you cannot do sidewalk repair without removing the trees.

Dr. Harmesh Kumar, Concord, spoke of frustration with the cost of encroachment permits.

Jeff Koertzen, Concord, stated that he felt that historical trees should be the responsibility of the City.

Mayor Hoffmeister closed the public comment period.

Motion was made by Councilmember Helix and seconded by Leone to adopt Policy and Procedure No. 171, "Sidewalk Inspection and Repair." Motion passed by unanimous vote of the Council.

#### APPOINTMENT TO THE CITY OF CONCORD PLANNING COMMISSION

Following Councilmembers ballot vote, a motion was made by Leone and seconded by Grayson to appoint Dominic Aliano to the City of Concord Planning Commission for a term ending February 28, 2017. Motion passed by unanimous vote of the Council.

#### RESOLUTION NO. 16-14 – Community Advisory Committee

Director of Community Reuse Planning Guy Bjerke reported that after a two year evaluation and negotiation process the City Council, sitting as the Local Reuse Authority, accepted a Term Sheet and chose Lennar Concord LLC as the Master Developer for the Development Phase One Property for the Community Reuse Project. He noted that before development can occur on the property Lennar and the LRA must prepare a Specific Plan for Development Phase One with an associated Infrastructure Master Plan consistent with the Reuse Area Plan and appropriately evaluated under the California Environmental Quality Act.

Director Bjerke stated that proposed Resolution No. 16-14 addresses the LRA's expressed desire for robust community outreach and engagement in the Specific Plan process by establishing a Community Advisory Committee for that purpose. He recommended adoption of Resolution No. 16-14 establishing a Community Advisory Committee to encourage and provide public input into the Specific Plan process for the Development Phase One Property of the Community Reuse Project at the former Concord Naval Weapons Station.

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

Joe Partanksy, Concord, spoke of not being able to find the Local Reuse Authority on the City of Concord website and stated that the Community Advisory Committee meetings should be televised.

Hope Johnson, Concord, stated that three to four seats on the Committee be designated to specific long established neighborhoods to ensure that the entire City is represented and that the meetings should be either audio or video recorded.

Rosanne Nieto, Concord, spoke of the importance of community involvement in a project of this magnitude.

Juan Pablo Galvan, Save Mt. Diablo, stated that the Committee should be diverse and have professional members that can speak to environmental concerns.

Matt Leber, East Bay Housing Coalition, spoke of Monument Corridor representation on the Committee.

George Fulmore, Concord, spoke of holding a workshop on forming a Community Advisory Committee before the Committee is formed.

Paul Poston, Concord, stated that this is a Concord project and that Concord residents should make up the Committee. He spoke of concerns of the timeline of the Committee.

Andre Nguyen, Concord, stated that members of the CAC should live near the Project.

Mayor Hoffmeister closed the public comment period.

Director Bjerke answered questions about staffing of the CAC and how the meetings will be conducted, the purpose of the CAC, the impact of the Project on the surrounding neighborhoods, and stated that the meetings would be held in the Council Chamber so they can be recorded.

Motion was made by Grayson and seconded by Helix to adopt LRA Resolution No. 16-14 establishing a Community Advisory Committee of 11 members and 3 alternates to encourage and provide public input into the Specific Plan process for the Development Phase One Property of the Community Reuse Project at the former Concord Naval Weapons Station.

Motion was amended by Birsan and seconded by Leone to state that the three alternates be voting members so they can vote in the absence of a member. The motion failed by the following vote:

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

The original motion made by Grayson and seconded by Helix to adopt Resolution No. 16-14 establishing a Community Advisory Committee of 11 members and 3 alternates to encourage and provide public input into the Specific Plan process for the Development Phase One Property of the Community Reuse Project at the former Concord Naval Weapons Station. Motion passed by unanimous vote of the Council.

Mayor Hoffmeister called a recess at 9:05 p.m. The meeting reconvened at 9:15 p.m.

#### AMENDED AND RESTATED AGREEMENT TO NEGOTIATE – Lennar Concord LLC

Director of Community Reuse Planning Guy Bjerke reported that the proposed Restated Agreement clarifies certain terms and eliminates irrelevant provisions of the Existing Agreement to Negotiate that covered both the Preliminary Stage and Disposition and Development Agreement Stage of the negotiations.

He confirmed that the proposed Restated Agreement provides a 24 month negotiation period for the DDA Stage negotiations and allows for the granting of administrative extensions based on the achievement of specified performance milestones, and reported that the Restated Agreement clarifies the financial obligations of the parties and the communication restrictions, including the prohibition of campaign contributions, applicable to this stage of the negotiations.

Mr. Bjerke requested approval of the Amended and Restated Agreement to Negotiate between the LRA and Lennar Concord, LLC and the authorization for the City Manager to execute the agreement.

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

Hope Johnson, Concord, spoke of her disappointment with the LRA entering an agreement without having more than one potential Master Developer and spoke of lack of affordable housing at the Mare Island and Bay View Hunters Point projects. She requested to have the no campaign contributions clause extended to November 2016 Council candidates as well as City Council members.

Carlyn Obringer, Concord, requested a line item expenditure list of the \$250,000 funds deposited by Lennar so the public can see how the funds have been spent and are going to be spent going forward.

Mayor Hoffmeister closed the public comment period.

Motion was made by Hoffmeister and seconded by Helix to approve the Amended and Restated Agreement to Negotiate to include the language “10 business days” in Section 7, Progress Reports and Information and “any candidate running for elected City office” in Section 11.2, Campaign Contribution Restrictions. The motion passed by the following vote of the Council:

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

CORRESPONDENCE

- a. PowerPoint Presentation for Item No. 10.a – Policy and Procedure No. 171
- b. Benched Item No. 10.a – Policy and Procedure No. 171

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 9:43 p.m.

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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 CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, NOVEMBER 1, 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, November 1, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session for Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1).) Name of case: Diaz v. City of Concord, et. al., Contra Costa County Superior Court Case No. C14-02179.

The meeting recessed at 6 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, November 1, 2016, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Councilmember Birsan. 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; Guy Swanger, Chief of Police; Karan Reid, Director of Finance; Victoria Walker, Director of Community and Economic Development; Jeff Lewis, Director of Information Technology; Steve Voorhies, Director of Parks and Recreation; Robert Ovidia, City Engineer; Robert Beckler, Systems and Programming Manager; Damaris Sambajon, Systems and Programming Manager; Tim Stuart, Information Technology Manager; Brenda Kain, Program Manager; Mark Migliore, Associate Civil Engineer; Pedro Garcia, Economic Development Specialist; Deborah Yamamoto, Senior Financial Analyst; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC  
WHO ADDRESSED THE COUNCIL:

Olivia Rivera, Concord; Gabi Rivas, Concord; Hope Johnson, Concord; Mary Harms, Martinez; Teri House, Pittsburg; Greg Colley, Concord; Mary Dahlquist, Concord; George Fulmore, Concord; Bob Lane, Pleasanton; Carlyn Obringer, Concord; Harmesh Kumar, Concord; Eduardo Torres, Tenants Together

PUBLIC COMMENT PERIOD

Olivia Rivera and Gaby Rivas, Central County Regional Group/First 5 Contra Costa, spoke in support of a rent moratorium in Concord.

Hope Johnson, Concord, wanted to ensure that it was on record that the Council is on notice because Lennar and Five Point are having to redo their financials for the Bay View Hunter's Point project; and requested that Lennar and Five Point's financials be constantly reviewed.

Mary Harms, Contra Costa Labor Council, spoke in support of a rent moratorium in Concord and requested that the item be put on the November 29 City Council meeting agenda.

Terri House, Contra Costa Council on Homelessness, spoke on National Hunger and Homeless Awareness week, which is scheduled for November 12-20, 2016.

Greg Colley, Concord, spoke in support of a temporary rent moratorium in Concord, dialog with all concerned stake holders, and fair and balanced policies for all Concord residents.

Mary Dahlquist, Concord, spoke of how gardens can help wildlife, her concern over the decline of birds and supporting wildlife through plant life.

George Fulmore, Concord, spoke in support of a rent moratorium and of the status of Capital Improvement Projects.

Bob Lane, Faith Alliance for a Moral Economy, spoke in support of affordable housing in Concord.

Carlyn Obringer, Concord, spoke of transportation options for Concord seniors.

Harmesh Kumar, Concord, spoke of both the expense of staying at an assisted living facility and the expense of running an assisted living facility.

Eduardo Torres, Tenants Together, spoke in support of a rent moratorium in Concord.

## PRESENTATIONS

### CONTRA COSTA COUNTY CONCORD LIBRARY – Culture, Community and Connections Program

Mayor Hoffmeister introduced Lynne Noone, Contra Costa County Library, who gave a presentation on the Culture, Community and Connections Program.

### MUNICIPAL INFORMATION SYSTEMS ASSOCIATION OF CALIFORNIA (MISAC) AWARD

Mayor Hoffmeister introduced Gaurav Garg, MISAC Board Member, who presented the Municipal Information Systems Association Systems Association of California Award to the City of Concord.

## ANNOUNCEMENTS

Mayor Hoffmeister announced an open recruitment for the Board of Appeals, Personnel Board, Planning Commission, Design Review Board, Concord Pavilion Outreach Committee, Concord/Pleasant Hill Health Care District Grant Committee and Commission on Aging with a deadline for applications to the City Clerk by Friday, January 6, 2017.

TREASURER'S REPORT

City Treasurer Tim McGallian presented the Quarterly Treasurer's Report for the period July 1 – September 30, 2016.

Motion was made by Helix and seconded by Birsan to accept the Quarterly Treasurer's Report for the period July 1 – September 30, 2016. Motion passed by unanimous vote of the Council.

APPROVAL OF MINUTES

Motion was made by Grayson and seconded by Leone to approve the minutes from the meetings of June 7 and 14 and October 11 and 25, 2016. Motion passed by unanimous vote of the Council.

AWARD OF SITE CONSTRUCTION CONTRACT – Meadow Homes Park Playground Installation, Project No. 2352

Motion was made by Grayson and seconded by Leone to award a site construction contract in the amount of \$160,580 to McNabb Construction of Lafayette for the Meadow Homes Park Playground Installation (sitework), Project No. 2352, approve a related budget transfer, and authorize staff to utilize the available project contingency for contract change orders up to 10% of the amount of the construction contract. Motion passed by unanimous vote of the Council.

AWARD OF SITE CONSTRUCTION CONTRACT – Willow Pass Park Restroom Replacement, Project No. 2334

Motion was made by Grayson and seconded by Leone to award a site construction contract in the amount of \$167,716 to Sposeto Engineering of Livermore for the Willow Pass Park Restroom Replacement, Project No. 2334; and authorize staff to utilize the available project contingency for contract change orders up to 10% of the amount of the construction contract. Motion passed by unanimous vote of the Council.

CITY OF CONCORD POLICY AND PROCEDURE NO. 170 AND RESOLUTION NO. 16-6042.6 – Special Events Fees

Motion was made by Grayson and seconded by Leone to adopt changes to City of Concord Policy and Procedure No. 170, User Fees and Charges Cost Recovery Policy, adjusting Special Events Fees by 3% per annum, and adopt Resolution No. 16-6042.6 entitled, "A RESOLUTION AMENDING EXHIBIT A TO RESOLUTION NO. 78-6042 (ESTABLISHING FEES AND CHARGES FOR VARIOUS MUNICIPAL SERVICES IN THE CITY OF CONCORD) ADJUSTING CITY EMPLOYEE SERVICES FEES FOR SPECIAL EVENTS." Motion passed by unanimous vote of the Council.

ORDINANCE NO. 16-7 – Buildings and Building Regulations

Motion was made by Grayson and seconded by Leone to adopt Ordinance No. 16-7 entitled, "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TITLE 2 (ADMINISTRATION), TITLE 8 (HEALTH AND SAFETY), AND TITLE 15 (BUILDING AND BUILDING REGULATIONS)." Motion passed by unanimous vote of the Council.

ITEM TO SET FOR PUBLIC HEARING – Multiple-Family Rental Inspection Program Fees and Charges

Motion was made by Grayson and seconded by Leone to set a public hearing on Tuesday, November 29, 2016, at 6:30 p.m. (or as soon as the item can be heard) to consider

amending Concord Municipal Code Title 15 (Buildings and Building Regulations), Chapter 15.50 (Multiple-Family Rental Dwelling Units) and to consider proposed amendment to Table 3b of Resolution No. 78-6042 of the Master Fees and Charges Resolution to set for the Multiple-Family Rental Inspection Program fees and charges. Motion passed by unanimous vote of the Council.

ITEM TO SET FOR PUBLIC HEARING – Inclusionary Housing Fees

Motion was made by Grayson and seconded by Leone to set a public hearing on Tuesday, November 29, 2016, at 6:30 p.m. (or as soon as the item can be heard) to consider Ordinance No. 16-3 amending the Concord Municipal Code by adopting a text amendment to the Development Code (PL160109-DC) to Sections 18.185.020 and 18.185.040 of the Affordable Housing Ordinance to reduce the applicable project size from 5 units to 2 units and to consider Resolution No. 16-6042.4 amending the City's Fees and Charges Resolution to increase inclusionary housing fees. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-81 – California Statewide Communities Development Authority Revenue Bonds

Notice of the public hearing was published in the East Bay Times, posted in the City's posting cabinet and mailed to any interested parties on record on October 14, 2016.

Economic Development Specialist Pedro Garcia presented a report stating that the City of Concord received a request from Community Housing Works, a California nonprofit housing organization, to conduct a Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing that is a requirement for \$49 million in tax exempt bonds to be issued through the California Statewide Communities Development Authority (CSCDA.) He clarified that the purpose of the bond financing request is to fund the acquisition, construction, improvements, renovation, rehabilitation, remodeling and affordable housing extension of the 198-unit Sun Ridge Apartment Complex located at 1265 Monument Boulevard. Mr. Garcia emphasized that bond repayment is the sole responsibility of Community Housing Works, and the City of Concord will have no responsibility for bond repayments.

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

George Fulmore, Concord, spoke of concern of relocation requirements for the project.

Mayor Hoffmeister closed the public comment period.

Motion was made by Helix and seconded by Leone to adopt Resolution No. 16-81 entitled, "A RESOLUTION APPROVING THE ISSUANCE OF ONE OR MORE SERIES OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS (COMMUNITY HOUSING WORKS) SERIES 2016 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$39,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION IMPROVEMENT, RENOVATION, REHABILITATION AND REMODELING AT SUN RIDGE APARTEMENTS LOCATED AT 1265 MONUMENT BOULEVARD, CONCORD." Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Culture, Community and Connections 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 8:04 p.m.

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LAURA M. HOFFMEISTER  
MAYOR

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JOELLE FOCKLER, MMC  
CITY CLERK

SPECIAL MEETING OF THE  
CONCORD CITY COUNCIL/  
CITY COUNCIL SITTING AS  
THE LOCAL REUSE AUTHORITY  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
SATURDAY, NOVEMBER 19, 2016

The Concord City Council met in a special meeting in the Council Chamber located at 1950 Parkside Drive at 8:30 a.m. on Saturday, November 19, 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: Susanne Brown, City Attorney; Guy Bjerke, Director,  
Community Reuse Planning; Joelle Fockler, City Clerk;  
Marsha Moore, Deputy City Clerk; Pamela Laperchia,  
Executive Assistant to the Reuse Project

PUBLIC COMMENT PERIOD – none.

PRESENTATIONS – none.

ANNOUNCEMENTS – none.

INTERVIEW APPLICANTS FOR THE CONCORD NAVAL WEAPONS STATION REUSE  
PROJECT COMMUNITY ADVISORY COMMITTEE FOR TERMS ENDING DECEMBER 31,  
2018.

Interviews were held with applicants Jeanette Green, Niko Anagnostopoulos, Darrin Walters, Jill Newquist, Mark Harris, Stuart Posselt, Susan Angle, Ajit Kaushal, Philip Arnold, Steve Older, Russel Case, Susan Guest, Jerome Hudson, Charles (Jim) Hoffman, Jeffery Allen, Randall Horton, and Claudia Hein.

CORRESPONDENCE

- a. Benched Item 5.a Attachment 2
- b. Letter from United Association Local Union 159 in support of Jeff Allen
- c. Letter from Save Mount Diablo in support of Rosanne Nieto
- d. Letter from CNWS Neighborhood Alliance in support of Rosanne Nieto
- e. Information submitted by Stuart Posselt
- f. Information and Resume submitted by Jeffery Allen

By order of the Mayor, the meeting was adjourned at 11:58 a.m.

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LAURA M. HOFFMEISTER  
MAYOR

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JOELLE FOCKLER, MMC  
CITY CLERK