The Concord City Council met in a regular meeting in the City Council Conference Room located at 1950 Parkside Drive at 6:00 p.m. on Tuesday, October 9, 2018, with Mayor Birsan presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session under Conference with Legal Counsel – Existing Litigation, Government Code Section 54956.9(d)(1) Name of case: Flores v. City of Concord, et al., United States District Court Case No. 4:15-cv-05244-PJH.

The meeting recessed at 6:24 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, October 9, 2018, with Mayor Birsan presiding. The pledge of allegiance was led by Vice Mayor Obringer. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Laura Hoffmeister, Ron Leone, Tim McGallian, Carlyn Obringer, Edi Birsan

STAFF PRESENT: Valerie Barone, City Manager; Margaret Kotzubue, Senior Assistant City Attorney; Kathleen Trepa, Assistant City Manager; Joelle Fockler, City Clerk; Guy Bjerke, Director of Local Reuse Planning; Jasmin Loi, Director of Human Resources; Justin Ezell, Director of Public Works; Steve Voorhies, Director of Parks and Recreation; Lt. James Nakayama; Kevin Marstall, City Engineer; Bernard Enrile, CIP Manager; Aldrich Bautista, Associate Civil Engineer; Robert Beckler, IT Systems and Programming Manager; Scott Conn, IT Network and Operations Manager; Florence Weiss, Downtown Program Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Graciela Barragan, Concord; Santiago Morales, Concord; Cristina Lopez Gutierrez, Concord; Silvia Barajas, Concord; Ana Villalobos, Concord; Michael Schneider, Concord; Natalie; Suki Sanhea; Jorge De Sousa, Danville; Bill Cotton, Cotton Properties; Joe Lawton, Castle Management; John De Sousa, Danville; David Mills, Martinez; Blaine Carter, Concord; Serrina Ramireddy, Broadmoor Properties; Owen Lewis; JJ Malloin, Danville; George Fulmore, Concord

PUBLIC COMMENT PERIOD

Graciela Barragan, Concord, spoke in opposition to Cardenas Market coming to the Monument area.
Santiago Morales, Concord, spoke in opposition to Cardenas Market coming to the Monument area.

Cristina Lopez Gutierrez, Concord, spoke in opposition to Cardenas Market coming to the Monument area.

Silvia Barajas, Concord, spoke in opposition to Cardenas Market coming to the Monument area.

Ana Villalobos, Concord, spoke in opposition to Cardenas Market coming to the Monument area.

Michael Schneider, Concord, spoke of the lack of crossing guards in the City of Concord.

Natalie, spoke of Concord following the UN resolution regarding the right to housing.

Suki Saneha, stated that there are good landlords in Concord.

Jorge De Sousa, Danville, spoke in opposition to rent control in Concord.

Bill Cotton, Cotton Properties, spoke of the hardships of being a landlord, and stated that he is a good landlord that cares about his community.

Joe Lawton, Castle Management, spoke in support of landlords.

John De Sousa, Danville, spoke of the effort and costs involved with property management.

David Mills, Martinez, stated that all of his units are under market value and spoke of his concern over rent control.

Blaine Carter, Concord, spoke in opposition to rent control.

Serrivas Ramireddy, Broadmoor Properties, stated that he is a good landlord that provides good habitable housing.

Owen Lewis, stated that the majority of landlords in Concord are good landlords that provide quality, safe housing.

JJ Mallein, Danville, spoke in support of landlords and multifamily property owners.

PRESENTATIONS

WALK TO SCHOOL DAY

Mayor Birsan presented Sara Zoccoli, Mt. Diablo Council PTA, a proclamation declaring October 10, 2018, as “Walk to School Day” in the City of Concord.

ADAPTIVE LEARNING CENTER DAY

Mayor Birsan presented Donna Feingold, Executive Director, Adaptive Learning Center, a proclamation declaring October 12, 2018, as “Adaptive Learning Center Day” in the City of Concord.
4TH OF JULY 2018 PARADE AND 2018 MUSIC AND MARKET SERIES RECOGNITION

Mayor Birsan introduced Carlyn Obringer, Chair of the Concord 4th of July Parade, who presented the winning entries of the 2018 4th of July Parade and special recognitions to supporters of the 4th of July activities, and Florence Weiss, Downtown Program Manager, who presented special recognitions to the sponsors of Concord’s 2018 Music and Market series.

BUSINESS RECOGNITION AWARDS – Parma Deli and Clarion Hotel Concord

Brian Nunnally, Business Development Manager, highlighted the Business Recognition Program and introduced Marilyn Fowler, President/CEO, Concord Greater Chamber of Commerce, who presented Business Recognition Awards to Mary Totah, Parma Deli; and Mary Anne Rho, General Manager, and Kerri Harris-Gay, Director of Sales, Clarion Hotel Concord.

JOHN MUIR CONCORD CAMPUS AND SERVICES

Mayor Birsan introduced Mike Thomas, Executive Vice President and Chief Transformation Officer, John Muir Health, who gave a presentation on the John Muir Concord campus and services.

Mayor Birsan opened a public comment period.

George Fulmore, Concord, asked why children who have been involved in traumatic accidents are transferred to other hospitals.

Mayor Birsan closed the public comment period.

STATUS OF THE COMMUNITY REUSE PROJECT

Mayor Birsan introduced Guy Bjerke, Director of Community Reuse Planning, who gave an update on the status of the Community Reuse Project.

Following questions from the Council, Mayor Birsan opened a public comment period. Upon receiving no public comment, Mayor Birsan closed the public comment period.

ANNOUNCEMENTS – none.

CITY COUNCIL CONSENT CALENDAR

APPROVAL OF MINUTES – August 7 and 11, 2018

A motion was made by Hoffmeister and seconded by McGallian to approve the minutes of the August 7 and August 11, 2018, meetings. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-65 – Accepting Grant Funding from the California Office of Traffic Safety

A motion was made by Hoffmeister and seconded by McGallian to adopt Resolution No. 18-65 entitled, “A Resolution Accepting Grant Funding from the California Office of Traffic Safety in the Amount of $175,000 for Select Traffic Enforcement and Appropriation of the Funds and Approval for Use for the City’s Selective Traffic Enforcement Program.” Motion passed by unanimous vote of the Council.

AMENDMENT TO AGREEMENT – Flyers Energy – Diesel Fuel Services

A motion was made by Hoffmeister and seconded by McGallian to approve an amendment to the agreement for the provision of diesel fuel services with Flyers Energy, increasing the not to exceed amount by $55,478.50 per year, for a total agreement amount of
$90,000 per year; and authorize the City Manager to execute the amendment in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF MEASURE Q PAVEMENT REPAIR PROJECTS #5 and #6 – Project Nos. 2332 and 2333

A motion was made by Hoffmeister and seconded by McGallian to accept Measure Q Pavement Repair Projects #5 and #6, which were bid as one project and provided pavement repair and maintenance and sanitary sewer spot repairs and maintenance and sanitary sewer spot repairs on various City streets (Measure Q Pavement Maintenance Project #5 (Project No. 2332) and Measure Q Pavement Repair Project (Project No. 2333), respectively); direct the City Clerk to file a Notice of Completion; approve Contract Change Order #5 for the project in the amount of $71,103.40; approve Amendment No. 2 to the Agreement for Professional Services with Swinerton Management and Consulting in the amount of $13,123 for construction management, inspection, and materials testing services; authorize the City Manager to execute the amendment in a form acceptable to the City Attorney; and approve a budget transfer in the amount of $105,000 ($83,000 from Measure Q Lease Revenue Fund and $22,000 from Sanitary Sewer Fund). Motion passed by unanimous vote of the Council.

PROFESSIONAL SERVICES AGREEMENT – Mobile Digital Computer (MDC)

A motion was made by Hoffmeister and seconded by McGallian to approve a Professional Services Agreement with PCS Mobile at a total cost not to exceed $465,000 (quote, tax, and 5% IT contingency) for the Mobile Digital Computer (MDC) contract; approve award to QPCS, LLC, at a cost not to exceed $60,000 for the purchase of Cradlepoint and antenna devices; approve an amendment to the agreement with Pursuit North-LEHR to increase the agreement amount by $12,000 (quote, tax, and 5% IT contingency) for a total agreement amount of $255,222; and authorizing the City Manager to execute the agreement and amendment in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 18-61 – Accepting Funding under the California Beverage Container Recycling and Litter Abatement City/County Payment Program

A motion was made by Hoffmeister and seconded by McGallian to adopt Resolution No. 18-61 entitled, “A RESOLUTION ACCEPTING $31,950 IN FUNDING UNDER THE CALIFORNIA BEVERAGE CONTAINER RECYCLING AND LITTER ABATEMENT CITY/COUNTY PAYMENT PROGRAM AND ALLOCATING SUCH FUNDING TO LITTER ABATEMENT ACTIVITIES.” Motion passed by unanimous vote of the Council.

APPROVAL TO ENTER INTO AGREEMENT WITH HARTFORD FINANCIAL SERVICES – Group Life & Disability Insurance Plans

A motion was made by Hoffmeister and seconded by McGallian to approve a three-year agreement with Hartford Financial Services in the amount of $182,178 per year as the Third Party Administrator of the City of Concord’s Group Life & Disability Insurance Plans; and authorize the City Manager to execute the application and subsequent agreement in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

REJECTION OF BIDS – Concord Community Pool Plaster Replacement Project – Project No. 2435

A motion was made by Hoffmeister and seconded by McGallian to reject all bids submitted for the Concord Community Pool Plaster Replacement Project, Project No. 2435; and direct staff to re-advertise the project bids. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

a. Benched Agenda Item No. 9.h – Staff Report
b. Walk to School Day information submitted by Sara Zoccoli

c. John Muir Health At-a-Glance PowerPoint Presentation

d. Concord Reuse Project Implementation Schedule

COUNCIL REPORTS

Vice Mayor Obringer requested and received support to have the issue of crossing guards sent to the Youth and Education Committee at its next meeting.

Mayor Birsan requested and received support to have the issue of Cardenas Market going into the Monument area sent to the Housing and Economic Development Committee.

Councilmembers shared information on events and activities in which they had participated since the last meeting and commented on items of interest.

ADJOURNMENT

By order of the Mayor, the meeting was adjourned at 9:22 p.m.

EDI E. BIRSAN
MAYOR

JOELLE FOCKLER, MMC
CITY CLERK