



Concord ANNOTATED AGENDA

**REGULAR MEETING OF THE
CONCORD CITY COUNCIL/CITY COUNCIL
SITTING AS THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY/
JOINT POWERS FINANCING AUTHORITY**

**Tuesday, June 24, 2014
6:30 p.m. – Regular Meeting
City Council Chamber
1950 Parkside Drive, Concord, CA**

**CLOSED SESSION
CITY COUNCIL CONFERENCE ROOM
5:30 p.m.**

- I. ROLL CALL – All present**
- II. PUBLIC ANNOUNCEMENT (Open Session)**
- III. PUBLIC COMMENT (Open Session) – None**
- IV. CLOSED SESSION:**
 - a. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8.
 - Property: Approximately 58 acres of United States Coast Guard-owned property along Olivera Road, known as Quinault Village and Victory Village.
 - Negotiating Parties: Michael Wright – City of Concord
Captain Games Ingasbe – USCG
Beverly Frietas – USCG
 - Under Negotiation: Price, Terms of Payment

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- b. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8.

Property: Area within Concord Community Reuse Plan

Negotiating Parties: Michael Wright – City of Concord
Alan Lee – Department of Navy, BRAC Project Office

Under Negotiation: Price, Terms of Payment

- c. Conference with Legal Counsel pursuant to Government Code Section 54956.9(c) (potential initiation of litigation). Identity of parties/subject matter of potential litigation not disclosed, so as to avoid possible jeopardy to conclusion of existing settlement negotiations.

ACTION: Closed session held.

V. ADJOURNMENT – at 6:30 p.m.

**CITY COUNCIL
REGULAR MEETING
6:30 p.m. – City Council Chamber**

ROLL CALL – all present

PLEDGE TO THE FLAG – Vice Mayor Leone

PUBLIC COMMENT PERIOD

Downtown Program Manager Florence Weiss, announced the Tuesday, July 1, Music and Market Car Show. She shared details of the various upcoming 4th of July events at Todos Santos Plaza Downtown Concord and provided flyers showing times and sponsors of the various events. Ms. Weiss also expressed gratitude to Tesoro, Tammy Grayson and the various groups hosting the 4th of July events thanking them for their support.

PRESENTATIONS

- a. **Presentation** – by Chief of Police Guy Swanger recognizing Doug Schuster for his 17 years of Leadership with the Neighborhood Patrol program. **Introduction by Mayor Grayson.**

ACTION: Presentation not made. Presentation will be made at the July 8, 2014 City Council Meeting.

2. **ANNOUNCEMENTS** – Vice Mayor Leone referenced a letter from the Contra Costa County Clerk dated June 18, 2014, regarding the font size for candidate statements in the Voter Information Pamphlet. He requested that staff follow up with the County Clerk’s office to see about increasing the font size from 10 pt. to 12 pt. and to ensure that the font type is easily readable.

CITY COUNCIL MATTERS

3. CITY COUNCIL CONSENT ITEMS:

- a. Approving – the minutes from the meeting of June 3, 2014. (No Fiscal Impact) Recommended by City Clerk.

ACTION: Minutes approved.

- b. **Approving** – a Professional Services Agreement with Hello Housing in the not-to-exceed amount of \$35,000 to administer portions of the City’s Affordable Housing Program including its First-time Home Buyer and Inclusionary Housing Programs; and authorizing the City Manager to execute the agreement. (Affordable Housing Funds) Recommended by the Director of Community and Economic Development.

ACTION: Professional Services Agreement with Hello Housing approved; City Manager authorized to execute the agreement.

- c. **Approving** – a month-to-month extension to the agreement with R-Computer in the amount of \$40,613.42 per month for a maximum of six months to December 31, 2014, to continue help desk and desktop support to the City of Concord; and authorize the City Manager to execute the agreement. (General Fund) Recommended by Director of Information Technology.

ACTION: Month-to-month extension to the agreement with R-Computer in the amount of \$40,613.42 per month to December 31, 2014 approved; City Manager authorized to execute the agreement.

- d. **Authorizing** – the expenditure of Fiscal Year 2014-15 funds, pending budget

approval, for the following annual license and maintenance contract renewals required to support the systems and applications used by the City; and authorizing the Director of Information Technology to execute any supporting documents. (General Fund) Recommended by Director of Information Technology.

SYSTEM	MANUFACTURER/SUPPLIER	TERM	AMOUNT*
Computer Aided Dispatch (CAD)	TriTech Software Systems	7/31/14 -8/1/15	\$116,230.52
Accela Automation	Accela Government Software	12/21/14-12/20/15	46,882.00
HR/Finance System	Infor (name change from Lawson)	7/1/14-6/30/15	104,462.07
Class Registration/Point of Sale/Hosting	The Active Network	7/1/14-6/30/15	24,920.91
ACCJIN (Criminal Justice System)	Contra Costa County	FY 2013/2014	16,069.73
ARIES (Sheriff's Office Info Exchange)	Contra Costa County	FY 2014/2015	33,400.00
East Bay Regional Communications System	EBRCSA - JPA	7/1/14-6/30/15	188,000.00
SmartNet Maintenance	Cisco/Quest	7/1/14-6/30/15	69,557.00
			<u>\$599,522.23</u>

* Estimated cost based on either contract amount or prior year's invoice amount.

ACTION: The expenditure of Fiscal Year 2014-15 funds, pending budget approval, for annual license and maintenance contract renewals were approved; the Director of Information Technology was authorized to execute supporting documents.

- e. **Approving** – a three-year Professional Services Agreement with York Risk Services, Inc. in the amount of \$126,432 for Fiscal Year 2014/15, \$132,753 for Fiscal Year 2015/16 and \$139,390 for Fiscal Year 2016/17, subject to future annual budget approvals; and authorizing the City Manager to execute the agreement. (General Fund) Recommended by Director of Human Resources.

ACTION: A three-year Professional Services Agreement with York Risk Services, Inc. was approved; the City Manager was authorized to execute the agreement.

- f. **Approving** – a Transportation Partnership and Cooperation (TRANSPAC) Joint Exercise of Powers Agreement (JPA); and authorize the Mayor to sign the

agreement. (Measure J) Recommended by Director of Community and Economic Development.

ACTION: Transportation Partnership and Cooperation (TRANSPAC) Joint Exercise of Powers Agreement (JPA) was approved; the Mayor was authorized to execute the agreement.

- g. Awarding – a contract to Future Ford of Concord for the purchase of three 2015 Ford Utility Police Interceptors (RFB #2286) in the amount of \$80,849.40. (Replacement Funds) Recommended by Director of Public Works.

ACTION: Contract awarded to Future Ford of Concord in the amount of \$80,849.40 for the purchase of three 2015 Ford Utility Police Interceptors.

- h. Awarding – a contract to Pape Material Handling, Inc. for the purchase of a 2015 5,000 lb. forklift (RFB#2288) in the amount of \$24,995. (Replacement Funds) Recommended by Director of Public Works.

ACTION: Contract awarded to Pape Material Handling, Inc. in the amount of \$24,995 for the purchase of a 2015 5,000 lb. forklift.

- i. Awarding – a contract to Future Ford of Concord for one unmarked 2015 Ford Utility Police Interceptor (RFB #2290) in the amount of \$26,530. (Replacement Funds) Recommended by Director of Public Works.

ACTION: Contract awarded to Future Ford of Concord in the amount of \$26,530 for one unmarked 2015 Ford Utility Police Interceptor.

- j. Awarding – a contract to Towne Ford Sales for one 2015 Ford F-250 Extended Cab Pickup (RFB#2287) in the amount of \$22,058.00. (Replacement Funds) Recommended by Director of Public Works.

ACTION: Contract awarded to Towne Ford Sales in the amount of \$22,058 for one 2015 Ford F-250 Extended Cab Pickup.

- k. Awarding – a contract to Sonsrey Machinery for one 2015 Backhoe (RFB #2291) in the amount of \$89,988.00. (Replacement Funds) Recommended by Director of Public Works.

ACTION: Contract awarded to Sonsrey Machinery in the amount of \$89,988 for one 2015 Backhoe.

- l. **Approving** – a sole-source lease agreement with Enterprise, Inc. in the not-to-exceed amount of \$65,000 to provide supplemental fleet vehicles; and authorize the City Manager to execute the agreement. (General Fund) Recommended by Chief

of Police.

ACTION: Sole-source lease agreement with Enterprise, Inc. approved; the City Manager authorized to execute the agreement.

- m. **Approving** – an amendment to the current agreement with the City of Clayton to provide for dispatch, computer aided dispatch system services, and temporary holding and detention services extending the services for six months to December 31, 2014; and authorizing the City Manager to execute the agreement. (No Fiscal Impact) Recommended by Director of Information Technology.

ACTION: Amendment to the current agreement with City of Clayton approved; City Manager authorized to execute the agreement. (4-0-1: Councilmember Hoffmeister recused herself because of her employment with the City of Clayton.)

- n. **Awarding** – a contract to Future Ford for two 2015 Ford Escape Vehicles (RFB #2292) in the amount of \$37,267.12. (Replacement Funds) Recommended by Director of Public Works.

ACTION: Contract awarded to Future Ford in the amount of \$37,267.12 for two 2015 Ford Escape Vehicles.

- o. **Approving** – the annual review and update of the City’s Investment Policy to ensure compliance with the provisions of the California Government Code governing investment of public funds. Staff is proposing two modifications to the Investment policy as recommended by the City’s investment advisor, Public Financial Management (PFM), and supported by the City’s Treasurer and the City’s Director of Finance. (No Fiscal Impact) Recommended by Director of Finance.

ACTION: Annual review and update of the City’s Investment Policy approved.

- p. **Approving** – clarification of Resolution No. 14-22 by approving corrected legal descriptions and plat maps and replacing the legal description and plat maps for the acquisition of a permanent Right-of-Way and Utility Easement and a Temporary Construction easement for the Clayton Road/Treat Boulevard/Denkinger Road Intersection Capacity Improvement Project, 4300 Clayton Road and 4420 – 4498 Treat Boulevard. Resolution No. 14-51 for adoption. (Measure J funds) Recommended by City Attorney.

ACTION: Resolution 14-51 adopted.

- q. **Accepting** – the improvements for Project No. 2297 (Shade Structure Installation at Meadow Homes Spray Park) constructed by Gametime, Inc./MRC Recreation; direct the City Clerk to file a Notice of Completion. (County Grant Funds)

Recommended by Director of Community and Economic Development.

ACTION: Improvements accepted for Project No. 2297, Shade Structure Installation at Meadow Homes Spray Park; City Clerk directed to file a Notice of Completion.

- r. Matter to set for public hearing – on Tuesday, July 8, 2014, at 6:30 p.m. in the City Council Chamber – to consider an amendment of the Concord Municipal Code Sections 10.25.010 (Truck routes), 10.25.020 (Commercial vehicles prohibited from using certain streets) and 10.25.030 (Restrictions on use of Pine Hollow Road) to update the City’s weight limit for commercial vehicles that are required to use truck routes from three tons to five tons, in accordance with State policy for registering commercial motor vehicles. Ordinance No. 14-5 for consideration. Recommended by Director of Community and Economic Development.

ACTION: Matter set for public hearing on Tuesday, July 8, 2014, at 6:30 p.m. in the Council Chamber.

4. **CITY COUNCIL PUBLIC HEARING:**

- a. **Approving** – the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project and adopting the Downtown Concord Specific Plan General Plan Amendment as Volume IV to the 2030 Concord General Plan. Resolution No. 14-4823.1 for adoption. **Report by Joan Ryan, Senior Planner.**

ACTION: Report heard; public testimony taken; and Resolution No. 14-4823.1 adopted.

- b. **Consideration** – of an ordinance amending the Concord Municipal Code by adopting a Development Code Update Text Amendment to the Development Code to revise various articles and sections by adding Micro-Breweries/Micro-Distilleries and Tasting Room and by Amending Title 12 (Streets, Sidewalks, and Other Public Places); and Title 6 Animals. Resolution No. 14-44 for adoption. Ordinance No. 14-6 for introduction. (No Fiscal Impact) **Report by Jason Hade, Associate Planner.**

ACTION: Report heard; public testimony taken; Resolution No. 14-44 adopted; and Ordinance No. 14-6 introduced by reading of the title only and waiving further reading.

- c. **Approval of Fiscal Year 2014-15 Budget for the City of Concord, Ten-Year Financial Plans and Related Items** – continue the Public Hearing opened on Tuesday, June 3, 2014 and consider Fiscal Year 2014-15 Budgets for the City of

Concord, Ten-Year Financial Forecast and Related Items, which include:

- 1) **Proposed Amendment to Exhibit A to Resolution No. 78-6042 (Establishing Fees and Charges for Various Municipal Services in the City of Concord)** - consideration of amending Exhibit A to the Master Fees and Charges Resolution for fees relating to various municipal services, including but not limited to Administrative Fees; Business, Professional and Trades Fees; Parks and Recreation Fees; Permit Center Fees; Police Fees; Off-Site Street Improvement Program (OSIP) Fees; and Parkland In-Lieu Fees. Data is available, as required by Government Code Title 7, Division 1, Chapter 8 Section 66016. Resolution No. 14-6042.1 for adoption.
- 2) **Annual Appropriation Limits and Adjustment Factors** - approving annual appropriation limits and adjustment factors for Fiscal Year 2014-15, pursuant to Article XIII B of the California Constitution and reaffirming Policy & Procedure No. 129, "Budget and Fiscal Policies" in order to ensure the City's continued financial health. Resolution No. 14-46 for adoption.
- 3) **Establishment of the Minimum Purchase Threshold** for Fiscal Year 2014-15 over which City Council approval is required in accordance with Concord Municipal Code Article VIII Sec. 2-644(a). Resolution No. 14-47 for adoption.
- 4) **2014-15 City of Concord Budget, Ten-Year Financial Forecast and Capital Improvement Program** - consideration of Fiscal Year 2014-15 City of Concord Budget and Ten-Year Financial Forecast, and adoption of the 2014-15 Capital Improvement Program. Resolution No. 14-48 for adoption.

ACTION: Report heard; public testimony taken; Resolution Nos. 14-6042.1, as amended, 14-46, 14-47, and 14-48 adopted; and revised Policy and Procedure No. 129 approved.

**CITY COUNCIL/CITY COUNCIL SITTING AS THE
SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY/
JOINT POWERS FINANCING AUTHORITY**

5. **CITY COUNCIL/CITY COUNCIL SITTING AS THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY/ JOINT POWERS FINANCING AUTHORITY CONSIDERATION ITEMS:**

- a. **Consideration** – of the refunding of the City of Concord Joint Powers Financing Authority Lease Revenue Bonds (Concord Avenue Parking Structure), Series 2001 (the “2001 Bonds”) secured, pursuant to a reimbursement agreement, by tax increment revenues from the Redevelopment Project, and the City of Concord (Central Concord Redevelopment Project) Tax Allocation Refunding Bonds, Series 2004 (the “2004 Bonds”) as noted below. **Report by Karan Reid, Director of Finance.**
- 1) **Authorizing** – the issuance and sale of tax allocation bonds by the Successor Agency to refinance redevelopment activities within and for the benefit of the Central Concord Redevelopment Project Area of the Former Agency, authorizing execution and delivery of an escrow agreement and approving related documents and actions. City Council Resolution No. 14-50 for adoption.
 - 2) **Authorizing** – the issuance and sale of tax allocation bonds to refinance redevelopment activities within and for the benefit of the Central Concord Redevelopment Project Area of the Former Agency and approving related documents and actions including i) Indenture of Trust; ii) Escrow Deposit and Trust Agreements with Joint Powers Financing Authority, the City and Successor Agency; iii) Bond Purchase Agreement and all official actions. Successor Agency of the Redevelopment Agency Resolution No. 14-775S for adoption.
 - 3) **Authorizing** – the execution and delivery of an escrow agreement in connection with the issuance and sale of tax allocation bonds by the Successor Agency to refinance redevelopment activities within and for the benefit of the Central Redevelopment Project Area of the Former Redevelopment Agency of the City of Concord (“Former Agency”) and approve related actions. Joint Powers Financing Authority Resolution No. 14-1 for adoption.

ACTION: Report heard; public testimony taken; City Council Resolution No. 14-50, Successor Agency of the Redevelopment Agency No. 14-775S, and Joint Powers Financing Authority Resolution No. 14-1 adopted.

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6. **CORRESPONDENCE** – City Council correspondence not selectively included in the following list is available for inspection during normal business hours by contacting the City Clerk at 671-3495.

- a. Letter from Deputy City Clerk to Mr. Joseph Canciamilla, Contra Costa County City Clerk.
 - b. Letter from Mayor Grayson to Sen. DeSaulnier opposing Assembly Joint Resolution No. 35 – Relative to wages.
 - c. Letter from Contra Costa County Clerk dated June 18, 2014.
 - d. Downtown Concord Specific Plan PowerPoint Presentation, reference Item 4.a.
 - e. Development Code Clean-Up Amendment PowerPoint Presentation, reference Item 4.b.
 - f. Memorandum to Council – Staff comments regarding Downtown Specific Plan and email from Joel Davalcourt dated June 24, 2014, reference Item 4.a.
 - g. Email dated June 19, 2014 from Doug Tegner, reference Item 4.b.
 - h. Letter and petition dated May 22, 2014, from Marie Egof Ascatigno and Frank Ascatigno, reference Item 4.b.
 - i. Revised Chapter 6.10 – Keeping Noncommercial Animals, reference Item 4.b.
 - j. Memorandum to Council Amending Ordinance No. 14-6, reference Item 4.b.
 - k. Memorandum to Council clarifying Sanitation and Refuse Fee Increase and amending Resolution No. 14-6042.1, reference Item 4.c
 - l. Redevelopment Bond Financing PowerPoint Presentation, reference Item 5.a.
 - m. Downtown Specific Plan Implementation Action Recommendations submitted by Adam Foster.
 - n. List of events and activities in which Vice Mayor Leone participated during the period June 11 - June 24, 2014.
7. **PUBLIC COMMENTS ON PRESENTATION ITEMS** - None
8. **CLOSED SESSION REPORTS** - None
9. **COUNCIL AND STAFF REPORTS**

Mayor Grayson reported that he just returned from Dallas, Texas, where he attended the US Conference of Mayors, and noted that it was an extremely productive conference. Councilmembers shared information on recent and upcoming activities and events.

10. ADJOURNMENT – at 10:17 p.m.

NOTICE

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting (Policy and Procedure No. 2, Section 4.24). For information on the next regular or special City Council meeting, please call (925) 671-3495.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, July 8, 2014

Tonight's meeting is replayed on the Wednesday following the meeting at 8:00 a.m. and 2:00 p.m.

MEETING RECORDS

City Council meetings are available for viewing on the City's website, www.cityofconcord.org and at the Concord Public Library. Copies of DVDs of the Council Meeting are available for purchase. Contact the City Clerk's Office at (925) 671-3390 for further information.

TELEVISED MEETINGS

All meetings are broadcast live on Comcast channel 28, Astound Broadband channel 29, and AT&T U-Verse channel 99. The meeting is replayed on the Wednesday following the meeting at 8:00 a.m., 2:00 p.m. and 7:00 p.m. Replays are also broadcast on Thursday, Friday and Saturday. Please check the City website, <http://www.cityofconcord.org/about/citynews/tvlistings.pdf>