



CONCORD ANNOTATED AGENDA

**REGULAR MEETING OF THE
CONCORD CITY COUNCIL
Tuesday, June 2, 2015
6:30 p.m.
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) – none.

III. PUBLIC COMMENT (Open Session) – none.

IV. CLOSED SESSION:

- a. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a) – pending litigation proceeding entitled: *Alany Jean Helmantoler, et al. v. City of Concord, et al.*, United States District Court, Northern District of California, Case No. 14-cv-02855-HSG.
- b. Conference with Labor Negotiators pursuant to Government Code Section 54957.6.

City Negotiators: Valerie Barone, City Manager
Laura Brunson, Director of Human Resources
Charles Sakai, Esq. and Don Turko of Renne, Sloan,
Holtzman & Sakai

Employee Organizations: Administrative, Technical & Clerical Representation Unit and Field & Operations Representation Unit of International Brotherhood of Teamsters Local 856; Professional Representation Unit of OPEIU Local 29; Peace Officer Representation Unit of Concord Police Officers Association and Police Managerial Representation Unit of Police Management Association.

Unrepresented Units: Executive, Management & Confidential Employees

V. ADJOURNMENT

ACTION: Closed session held.

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

ROLL CALL – all present.

PLEDGE TO THE FLAG – Councilmember Leone

PUBLIC COMMENT PERIOD

Carlyn Obringer, Concord, announced the June 8 celebration of 35th anniversary of the Toastmasters International Club, to be held from 7 p.m. – 8:15 p.m. at the Montecito Oakmont Senior Living Facility on Clayton Road.

Rhea Elina Laughlin, First 5 Contra Costa, spoke of the Collaborative Concord Parks Assessment Project and the funding of the priority funding recommendations.

Tonya Love, Healthy and Active Before 5, spoke of outdoor movement and play and how it is essential in young children. She requested funding for priority parks as identified in the Concord Parks Assessment, specifically bathrooms at Ellis Lake Park.

Nati Flores, Monument Impact, requested that bathrooms at Ellis Lake Park be funded in this year's Capital Improvement Budget.

Florence Weiss, Downtown Program Manager, invited the Council and public to Music in the Park on Thursday night, June 4, where the Warriors game will be presented in between listening to the Oakland Interfaith Gospel Choir, the performers scheduled for Thursday's Music and Market program.

1. **PRESENTATIONS – none.**

2. **ANNOUNCEMENTS**

- a. **Announcing** – appointment of Ad Hoc Committee to evaluate the City of Concord's use of outside consultants (No Fiscal Impact) Recommended by the Mayor.

ACTION: Mayor Grayson announced the appointment of Councilmember Helix and Councilmember Leone to an Ad Hoc committee to evaluate the City of Concord's use of outside consultants.

**CITY COUNCIL
MATTERS****3. CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meeting of May 19, 2015. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: Minutes approved.

- b. **Accepting** – the improvements for Project No. 2133 (Arnold Industrial Way at Highway 4 On/Off Ramps Traffic Signal Installation) constructed by Bradley Electric, Inc. of Novato; and directing the City Clerk to file a Notice of Completion. (OSIP and Developer Funds) Recommended by the Director of Community and Economic Development.

ACTION: Improvements for Project No. 2133 constructed by Bradley Electric, Inc. accepted; City Clerk directed to file a Notice of Completion.

- c. **Approving** – an agreement in the amount of \$67,179 between the City of Concord and the Contra Costa Water District for Irrigation Meter, Service, and Appurtenances as required for Project No. 2251 (Farm Bureau Road SR2S Project – Willow Pass Road to Wren Avenue); and authorizing the City Manager to execute the Agreement. (SR2S, Gas Tax, Measure J Bond, and OSIP Funds) Recommended by the Director of Community and Economic Development.

ACTION: Agreement in the amount of \$67,179 between the City of Concord and the Contra Costa Water District approved; City Manager authorized to execute the Agreement.

- d. **Approving** – a Professional Services Agreement with Harrison Engineering, Inc. of Pleasant Hill in the amount of \$56,000 for Design Engineering Services for Project No. 2307 (Franquette Avenue Pedestrian & Bike Trail Connection.); and authorizing the City Manager to execute the Agreement. (CC-PBTF Grant and Measure J Funds) Recommended by the Director of Community and Economic Development.

ACTION: Agreement with Harrison Engineering in the amount of \$56,000 approved; City Manager authorized to execute the Agreement.

4. CITY COUNCIL CONSIDERATION ITEM:

- a. **Consideration** – of a process to fill an upcoming vacancy of the City Treasurer.
Report by the City Clerk.

ACTION: Report heard, opportunity for public comment given, Resolution No. 15-40 adopted declaring a vacant seat for the Concord City Treasurer, directing the City Clerk to post a Notice of Intention to fill a vacancy for the Concord City Treasurer and to advertise for applications to fill the vacancy.

5. CITY COUNCIL PUBLIC HEARING:

- a. **Consideration** – of an amendment to the Concord Municipal Code Chapter 13.05 (Sewer System), Section 13.05.020(c) (Rates and Charges Established), by increasing the minimum annual sewer service charge and increasing other corresponding charges as stated in Section 13.05.020(c). Ordinance No. 15-4 for introduction. **Report by Robert Ovidia, City Engineer.**

ACTION: Report heard, public testimony given, and Ordinance No. 15-4 introduced by reading of the title only and waiving further readings.

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

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 671-3390.

- a. City Treasurer PowerPoint Presentation – Item 4.a
b. City Treasurer Application Packet – Item 4.a
c. Downtown Shuttle PowerPoint Presentation submitted by Councilmember Leone

7. PUBLIC COMMENTS ON PRESENTATION ITEMS – none.**8. CLOSED SESSION REPORTS – none.****9. COUNCIL AND STAFF REPORTS**

Councilmembers shared information on recent and upcoming activities and events.

Mayor Grayson reported that members of the Council were going to Austin, TX, to look at a project completed by one of the Master Developer finalists, Catellus, on June 5, 2015, and that Council will also be touring other developments of both finalists, Catellus and Lennar, in the future as part of the process of choosing a Master Developer for the Concord Naval Weapons Station Reuse Project.

Councilmember Leone shared his vision of a free Downtown Shuttle. Mayor Grayson appointed Councilmember Leone and Vice Mayor Leone to an Ad Hoc Committee to study a Downtown Shuttle.

10. ADJOURNMENT – 8:00 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) 671-3390.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, June 9, 2015.

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 a.m., 2 p.m. and 7 p.m. Replays are also broadcast on Thursday, Friday and Saturday. Please check the City website, <http://www.cityofconcord.org/pdf/about/citynews/tvlistings.pdf>