



# CONCORD ANNOTATED AGENDA

REGULAR MEETING OF THE  
CONCORD CITY COUNCIL/  
CITY COUNCIL SITTING AS THE  
LOCAL REUSE AUTHORITY  
Tuesday, December 8, 2015  
7:30 p.m.  
City Council Chamber  
1950 Parkside Drive, Concord, CA

**NOTE THE LATER STARTING TIME**

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**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 LABOR NEGOTIATORS pursuant to Government Code Section 54957.6.

City Negotiators: Valerie Barone, City Manager  
Kay Winer, Interim Director of Human Resources -  
Negotiations  
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

**ACTION: Closed session held.**

**V. ADJOURNMENT – at 7:10 p.m. to reconvene in regular session in the Council Chamber.**

**CITY COUNCIL  
REGULAR MEETING  
7:30 p.m. – City Council Chamber**

**ROLL CALL – All present**

**PLEDGE TO THE FLAG – Vice Mayor Leone**

**PUBLIC COMMENT PERIOD**

Paul Poston, Concord, spoke of drivers cutting the corner at Farm Bureau Road and Chestnut Avenue, and asked if anything could be done to discourage the hazardous behavior.

George Fulmore, Concord, spoke of his involvement with the Monument Corridor area, commented that the graffiti removal and pot hole repair reporting system is working well, and requested play structures at Meadow Homes Park.

**1. PRESENTATIONS**

- a. **Presentation** – by Susun Kim, Family Justice Center, providing an update on the Family Justice Center. **Introduction by Mayor Hoffmeister.**

**ACTION: Presentation made.**

- b. **Presentation** – by Jack Hlavac, Chair of the Concord Tourism Improvement District. **Introduction by Mayor Hoffmeister.**

**ACTION: Presentation made.**

**2. ANNOUNCEMENTS – None**

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**CITY COUNCIL  
MATTERS**

**3. CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meetings of November 10 and 17, 2015. (No Fiscal Impact) Recommended by the City Clerk.

**ACTION: Minutes approved.**

- b. **Authorizing** – the City Manager to enter into an agreement with AMF Media Group to provide marketing and public relations services in support of the City’s Economic Development Program in the amount of \$90,000; and authorizing the expenditure of future media purchase in the amount of \$80,000 for an eight month period. (General Funds) Recommended by the Director of Community and Economic Development.

**This item was pulled by Concord resident Hope Johnson who requested that the public receive frequent updates on media purchases.**

**ACTION: Agreement with AMF Media Group to provide marketing and public relations services in support of the City’s Economic Development Program authorized; future media purchase in the amount of \$80,000 for an eight month period authorized.**

- c. **Approving** – the reappointment of Perry Carlston to serve as the City of Concord’s Trustee to the Contra Costa Mosquito and Vector Control District Board of Directors for a four-year term ending December 31, 2019. Recommended by the Mayor.

**This item was pulled by Concord resident Joe Partansky who requested updates by the District at Council meetings and on the City of Concord website.**

**ACTION: Perry Carlston appointed to serve as the City of Concord’s Trustee to the Contra Costa Mosquito and Vector Control District Board of Directors for a four-year term ending December 31, 2019.**

- d. **Authorizing** – the City to apply for a Bay Area Air Quality Management District EV Charging Demonstration Program grant to fund the purchase and installation of an electric vehicle charging station in the Downtown Parking Garage. Resolution No. 15-73 for adoption. Recommended by the Director of Public Works.

**ACTION: Resolution No. 15-73 adopted.**

- e. **Extending** – the current agreement between the City of Concord and NEKO Industries, Inc. to complete work on the City’s Electronic Document Management System (EDMS). (General Funds) Recommended by the Director of Information Technology.

**ACTION: Agreement between the City of Concord and NEKO Industries, Inc. extended to complete work on the City’s Electronic Document Management System (EDMS).**

- f. **Approving** – an amendment for business license software with HdL Software LLC for an amount not to exceed \$23,500; and authorizing the City Manager to execute the amendment. (General Funds) Recommended by the Director of Finance.

**ACTION: Amendment for business license software with HdL Software LLC for an amount not to exceed \$23,500 approved; City Manager authorized to execute the amendment.**

- g. **Approving** – Contract Change Order No. 5 and a related budget transfer in the amount of \$37,926.75 for the Farm Bureau Road Safe Routes to School Improvements, Project No. 2251. (Safe Routes to School Grant, Measure J, OSIP, IT Operations, and Gas Tax Funds) Recommended by the Director of Community and Economic Development.

**ACTION: Contract Change Order No. 5 and a related budget transfer in the amount of \$37,926.75 for the Farm Bureau Road Safe Routes to School Improvements, Project No. 2251, approved.**

- h. **Approving** – the final map for Subdivision 9163, Chestnut Grove (Assessor's Parcel No. 114-290-005); approving the street name; and approving the Subdivision Improvement Agreement and the Stormwater Maintenance Agreement. Recommended by the Director of Community and Economic Development.

**ACTION: Final map for Subdivision 9163, Chestnut Grove approved; street name approved; and the Subdivision Improvement Agreement and the Stormwater Maintenance Agreement approved.**

- i. **Amending** – the current administrative agreement between the City of Concord and Bartel Associates, LLC, and appropriating funds in the amount of \$45,000 to provide for additional financial studies relating to the City's other post-employment benefit. (Post-Retirement Health Care Benefit Fund) Recommended by the Director of Finance.

**ACTION: Agreement between the City of Concord and Bartel Associates, LLC, amended, and funds in the amount of \$45,000 to provide for additional financial studies relating to the City's other post-employment benefit appropriated.**

- j. **Approving** – an agreement with Valley Crest Golf Course Maintenance, Inc. (RFP No. 2329, Golf Course Maintenance – Diablo Creek Golf Course) in the amount of \$965,000 to provide maintenance services at Diablo Creek Golf Course. (Golf Enterprise Fund) Recommended by the Director of Parks and Recreation.

**ACTION: Agreement with Valley Crest Golf Course Maintenance, Inc. in the amount of \$965,000 to provide maintenance services at Diablo Creek Golf Course approved.**

- k. **Approving** – the work proposal from Kimley-Horn and Associates and authorizing staff to direct traffic consultant Kimley-Horn and Associates to proceed with design services for operational improvements on parallel arterials adjacent to Interstate 680 and State Route 242 in the City of Concord (Capital Improvement Program Project No. TIP-1612) and finding the project categorically exempt under CEQA. (No General Funds) Recommended by the Director of Community and Economic Development.

**This item was pulled from the Consent Calendar from Concord resident Paul Poston who requested clarification on the scope of work for the project.**

**ACTION: Work proposal from Kimley-Horn and Associates approved; staff authorized to direct traffic consultant Kimley-Horn and Associates to proceed with design services for operational improvements on parallel arterials adjacent to Interstate 680 and State Route 242 in the City of Concord (Capital Improvement Project No. TIP-1612); project found to be categorically exempt under CEQA.**

- l. **Considering** – a request by Eden Housing to refinance existing affordable housing loans of \$3,431,159, obtaining a new loan in the amount not to exceed \$1.3 million to repair and renovate two apartment complexes at 1121 Virginia Lane and 1140 Virginia Lane to preserve 91 existing affordable housing units, appropriating up to \$1.3 million from the Affordable Housing Fund as stipulated in the new loan agreement, and acknowledging that the County of Contra Costa will assist in the financing through issuing tax exempt revenue bonds for the project. Resolution No. 15-72 for adoption. (Affordable Housing Funds) Recommended by the Director of Community and Economic Development.

**ACTION: Resolution No. 15-72 adopted.**

- m. **Authorizing** – the City Manager to execute contract change orders in amounts not to exceed \$84,000 for the Clayton Road/Treat Boulevard Intersection Capacity Improvements Project (Project No. 2144). (Measure J) Recommended by the Director of Community and Economic Development.

**ACTION: City Manager authorized to execute contract changes orders in amounts not to exceed \$84,000 for the Clayton Road/Treat Boulevard Intersection Capacity Improvements Project.**

**4. CITY COUNCIL CONSIDERATION ITEM:**

- a. **Consideration** – of the appointment of one applicant to the City of Concord Planning Commission for a term ending February 28, 2017. **Report by Mayor Hoffmeister.**

**ACTION: Report heard, opportunity for public testimony given, and vote by ballot. Following balloting, Ray Barbour was appointed to the Planning Commission for a term ending February 28, 2017.**

- b. **Adopting** – Ordinance No. 15-8 entitled, “AN ORDINANCE AMENDING THE CONCORD MUNICIPAL CODE, TITLE 18, DEVELOPMENT CODE, CHAPTERS 18.20.020 (USE CLASSIFICATIONS), 18.40.020 (SMALL RESIDENTIAL CARE FACILITIES), 18.200.130 (MECHANICAL AND ELECTRONIC GAMES), 18.415.100 (DECISIONS AND FINDINGS), 18.505.020 (TIME LIMITS AND EXTENSIONS), AND 18.540.090 (LIMITATION OF ACTIONS).” Ordinance No. 15-8 was introduced on November 3, 2015, by reading of the title only and waiving further reading. Recommended by the City Clerk.

**ACTION: Report heard; opportunity for public testimony given; Ordinance No. 15-8 adopted by reading of the title only and waiving further reading.**

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**CITY COUNCIL SITTING  
AS THE LOCAL REUSE AUTHORITY**

**5. LOCAL REUSE AUTHORITY CONSENT ITEMS:**

- a. **Approving** – an amendment to the professional service agreement for special legal services with Ebbin Moser + Skaggs, L.L.P. in the amount of \$50,000 in connection with development of a natural resource conservation strategy and site wide resource permits for the Concord Reuse Project Area Plan. Funding will be provided by a prior loan to the Local Reuse Authority (LRA) from the General Fund. Total funding since 2012 is \$360,000. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the professional service agreement for special legal services with Ebbin Moser + Skaggs, L.L.P. in the amount of \$50,000 approved; City Manager authorized to executive the amendment.**

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. November 12, 2015 letter from Mayor Grayson to BART regarding schedule changes.
  - b. Certificate from Contra Costa County Board of Supervisors adjourning the October 13, 2015, Board of Supervisors meeting in the memory of Concord City Attorney Mark Coon.
  - c. Certificate from Contra Costa County Board of Supervisors adjourning the October 20, 2015, Board of Supervisors Meeting in the memory of former Concord Mayor Bill Shinn.
  - d. Handout on Family Justice Center presented by Susun Kim.
  - e. Handout on Concord Tourism Improvement District presented by Jack Hlavac
  - f. Memorandum to Mayor Laura Hoffmeister from George Fulmore dated December 4, 2015.
  - g. Photo of a play structure submitted by George Fulmore.

7. **PUBLIC COMMENTS ON PRESENTATION ITEMS – none.**

8. **CLOSED SESSION REPORTS –none.**

9. **COUNCIL AND STAFF REPORTS**

- a. **Mayor’s appointments of Councilmembers** to serve for terms ending December 2016:
  - 1. Council Standing Committees – Chair and Member  
**Report by Mayor Hoffmeister.**

**ACTION: Council Standing Committee appointments made:**

Committee	Chair	Member
<b>Policy Development &amp; Internal Operations</b>	<b>Hoffmeister</b>	<b>Leone</b>
<b>Infrastructure and Franchise</b>	<b>Helix</b>	<b>Birsan</b>
<b>Housing and Economic Development</b>	<b>Leone</b>	<b>Helix</b>
<b>Recreation, Cultural Affairs &amp; Community Services</b>	<b>Grayson</b>	<b>Hoffmeister</b>
<b>Youth and Education</b>	<b>Birsan</b>	<b>Grayson</b>

2. Ad Hoc Committees and City Representatives to External Agencies – Primary and Alternate. **Report by Mayor Hoffmeister.**

**ACTION: External Appointments acknowledged:**

<b>Organization</b>	<b>Member</b>	<b>Alternate</b>
<b>Association of Bay Area Governments (ABAG) General Assembly</b>	<b>Grayson</b>	<b>Helix</b>
<b>Central Contra Costa Transit Authority (The County Connection)</b>	<b>Hoffmeister</b>	<b>Leone</b>
<b>East Bay Division of League of CA Cities Board of Directors</b>	<b>Leone</b>	<b>Grayson</b>
<b>Transportation Partnership and Cooperation Regional Committee (TRANSPAC)</b>	<b>Leone</b>	<b>Grayson</b>
<b>Citizen Corps Community Emergency Response Team (CERT)</b>	<b>Grayson</b>	<b>Helix</b>
<b>Central County Literacy Coalition</b>	<b>Birsan</b>	<b>Hoffmeister</b>

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

10. **ADJOURNMENT – at 9:04 p.m. in memory of all soldiers who lost their lives on December 7, 1941, all soldiers who have lost their lives since, and all soldiers who are still with us who served during that time.**

**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, December 22, 2015.**

**MEETING RECORDS**

City Council meetings are available for viewing on the City’s website, [www.cityofconcord.org](http://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>