

COUNCILMEMBERS

Laura M. Hoffmeister, Mayor
Edi E. Birsan, Vice Mayor
Ronald E. Leone
Timothy A. McGallian
Carlyn S. Obringer

Civic Center
1950 Parkside Drive
Concord, CA 94519
www.cityofconcord.org



**ANNOTATED AGENDA
Regular Meeting of the
Concord City Council/City
Council sitting as the
Local Reuse Authority/City
Council sitting as the
Concord/Pleasant Hill
Health Care District Board**

Tuesday,
June 6, 2017

6:30 p.m. - Open Session

Council Chamber
1950 Parkside Drive

Information for the public on participation at Council meetings can be found on the back of the Speaker Identification Card located near the Council Chamber entrance. Should you have any questions after consulting the Speaker Identification Card, please contact the City Clerk prior to the Council meeting.

AGENDIZED ITEMS – The public is entitled to address the City Council on items appearing on the agenda before or during the City Council’s consideration of that item. Each speaker will be limited to approximately three minutes.

1. OPENING

Roll Call – all present

Pledge to the Flag and Presentation on the Status of Scouting in Concord – Mt. Diablo Silverado Council, Boy Scouts of America

2. PUBLIC COMMENT PERIOD

This is a fifteen minute Public Comment Period for items within the City Council's subject matter jurisdiction that are not on this agenda. Each speaker will be limited to approximately three minutes. State law prohibits the City Council from acting at this meeting on any matter raised during the Public Comment Period.

Gerard Benton, Concord, inquired when marijuana sales would be allowed in Concord and spoke of installing speed bumps on Detroit Avenue, filthy bus stops, and riff raff at Starbucks by Fry's, lack of street cleaning, loitering at Safeway and CVS pharmacy, and maintenance and security at the BART station.

Harmesh Kumar, Concord, spoke of people and agencies supporting and nurturing each other.

Natalie, spoke of an urban farm at Markham Nature Arboretum.

Paul Poston, Concord, spoke of speeding and traffic in the Sun Terrace neighborhood.

3. PRESENTATIONS

- a. **Presentation** – to Nicole Howell, Ombudsman Services of Contra Costa County, proclaiming June, 2017, as "Elder Abuse Awareness" month in the City of Concord. **Introduction by Mayor Hoffmeister.**

ACTION: Mayor Hoffmeister presented Laura Cepoi, Area Agency on Aging, a proclamation declaring June 2017 as “Elder Abuse Awareness” month in the City of Concord.

- b. **Presentation** – to Paul Poston, Sun Terrace Partnership, for his service to the Sun Terrace Partnership. **Introduction by Mayor Hoffmeister.**

ACTION: Mayor Hoffmeister presented Paul Poston a certificate in recognition of his service to the Sun Terrace Partnership.

4. ANNOUNCEMENTS – none.

5. **CITY COUNCIL CONSENT CALENDAR**

The public is entitled to address the City Council on items appearing on the Consent Calendar before or during the City Council’s consideration of the Consent Calendar. Adoption of the Consent Calendar may be made by one motion of the City Council, provided that any Councilmember, individual or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the Mayor may defer action on the particular item and place the same on the regular agenda for consideration in any order s/he deems appropriate.

- a. **Considering** – award of purchase of backup generator in the amount of \$92,526.50 to Power Gen, Inc. (Building Maintenance Fund) Recommended by the Director of Public Works.

This project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Sections 15301 – Existing Facilities, 15302 – Replacement or Reconstruction, and 15304 – Minor Alterations to Land because it involves the replacement of an existing generator and related installation work.

ACTION: Award of purchase of backup generator in the amount of \$92,526.50 to Power Gen, Inc. approved.

- b. **Considering** – adoption of Resolution No. 17-19 reducing the interest rate for the Housing Rehabilitation Loan Program from three percent to one percent, and increasing the asset limit from \$20,000 for a single-person household and \$30,000 for a household of two or more to \$75,000 for seniors/disabled head of household and to \$50,000 for all other households, and authorizing the City Manager to disburse funds and execute all attendant documents and agreements subject to City Attorney approval. Recommended by the Director of Community and Economic Development.

ACTION: Resolution No. 17-19 adopted.

- c. **Considering** – approval of a service agreement in the amount of \$69,671 between the City of Concord and the Contra Costa Water District for irrigation meter, service, and appurtenances as required for Farm Bureau Complete Streets - Phase 2 (Project No. 2354); and authorizing the City Manager to execute the agreement. (Gas Tax, Measure J Bond, & Measure Q Lease Revenue funds) Recommended by the Director of Community and Economic Development.

This project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Sections 15301 – Existing Facilities, 15302 – Replacement or Reconstruction, 15303 – New Construction or Conversion of Small Structures and 15304 – Minor Land Alterations to Land because it involves the replacement and installation of irrigation lines, meters, and service for bio-retention areas incident to an approved street widening and reconstruction project.

ACTION: Service agreement in the amount of \$69,671 between the City of Concord and the Contra Costa Water District for irrigation meter, services, and appurtenances as required for Farm Bureau Complete Streets – Phase 2, Project 2354 approved; City Manager authorized to execute the agreement.

- d. **Considering** – award of contract for the purchase and installation of Civic Center playground to Landscape Structures, Inc. in the amount of \$290,000; and authorizing the City Manager to execute the contract in a form acceptable to the City Attorney. (Measure Q) Recommended by the Director of Public Works.

The project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Sections 15301 - Existing Facilities, 15302 - Replacement or Reconstruction, and 15304, Minor Alterations to Land because it involves the replacement of an existing playground and related installation work.

ACTION: Contract for the purchase and installation of Civic Center playground to Landscape Structures, Inc. in the amount of \$290,000 awarded; City Manager authorized to execute the contract in a form acceptable to the City Attorney.

- e. **Considering** – award of a Construction Contract for Ellis Lake Park Pathway Repairs, Project No. 2349A, in the amount of \$129,745 to McNabb Construction of Lafayette; and authorizing staff to utilize the available project contingency for contract change orders up to 10% of the contract amount. (General Fund, Measure Q, Park Land Dedication, and Measure WW Grant Funds) Recommended by the Director of Community and Economic Development.

This project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 – Existing Facilities, 15302 – Replacement or Reconstruction, 15303 – New Construction or Conversion of Small Structures, and 15304 – Minor Alterations to Land.

ACTION: Construction Contract for Ellis Lake Park Pathway Repairs, Project No. 2349A, in the amount of \$129,745 to McNabb Construction awarded; staff authorized to utilize the available project contingency for contract change orders up to 10 percent of the contract amount; City Manager authorized to execute the contract.

- f. **Considering** – approval of a Parks and Landscape Services Agreement in the not to exceed amount of \$880,364 per year (one year contract with one year option to extend) with Workers.com to provide temporary laborers for parks and landscape maintenance; and authorizing the City Manager to execute the contract in a form acceptable to the City Attorney. (General Fund) Recommended by the Director of Public Works.

ACTION: Parks and Landscape Services Agreement in the not to exceed amount of \$880,364 per year with Workers.com approved; City Manager authorized to execute the agreement in a form acceptable to the City Attorney.

- g. **Considering** – approval of an agreement in the amount of \$495,000 for FY 2017-18 and \$495,000 for FY 2018-19 with the Contra Costa County Sheriff's Crime Lab for Forensic Services. (General Fund) Recommended by the Chief of Police.

ACTION: Two-year agreement in the amount of \$495,000 each year with the Contra Costa County Sheriff's Crime Lab for Forensic Services approved; City Manager authorized to execute the agreement.

- h. **Considering** – award of contract for security guard services at the former Concord Naval Weapons Station to Guardian Security Agency in the amount of \$160,872 for the initial term with the option to extend the contract two (2) additional one (1) year periods for \$160,872 each; and authorizing the City Manager to execute the contract in a form acceptable to the City Attorney. (Funding will be provided by the Master Developer, GoMentum Station or through a loan to the Local Reuse Authority (LRA) from the General Fund) Recommended by the Director of Reuse Planning.

This item was pulled from the Consent Calendar by Councilmember McGallian.

ACTION: Report heard; public testimony given; agreement with Guardian Security Agency in the amount of \$160,872 for the initial term with the option to extend the agreement two additional one year periods for \$160,872 each approved; City Manager authorized to execute the agreement.

6. CITY COUNCIL CONSIDERATION ITEMS

The public is entitled to address the City Council on items appearing on the agenda before or during the City Council's consideration of that item. Each speaker will be limited to approximately three minutes.

- a. **Considering** – adoption of Resolution No. 17-43 approving the execution of a joint agreement in the amount of \$71,630 with the City of Walnut Creek and Contra Costa County to provide homeless outreach services for one year; and authorizing the City Manager to execute the agreement in a form acceptable to the City Attorney. (Concord/Pleasant Hill Health Care District Grant & General Fund) **Report by Guy Swanger, Chief of Police.**

ACTION: Report heard; public testimony given; Resolution No. 17-43 adopted.

- b. **Considering** – appointment to fill four positions on the Concord Pavilion Community Outreach Committee. **Report by Joelle Fockler, City Clerk.**

ACTION: Casey Copeland, Orrin Cross, III, and Ronald Schwab appointed to the Concord Pavilion Outreach Committee for terms ending February 28, 2019; City Clerk directed to open a recruitment for one position on the Concord Pavilion Outreach Committee.

7. CITY COUNCIL PUBLIC HEARINGS

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the public hearing is opened, except on public hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council level for discussion and action. Further comment from the audience will not be received unless requested by the Council. No public hearing shall commence after 10 p.m. unless approved by majority vote of the City Council.

- a. **Considering** – adoption of Resolution Nos. 17-45, 17-46, 17-47 and 17-48, confirming the Assessment Diagrams and levying the annual assessments for the Downtown Landscape Maintenance District, Pine Hollow Estates Landscape & Lighting District, Landscape & Lighting District No. 3, and the Citywide Lighting Assessment District for Fiscal Year 2017/18. **Report by David Boatwright, Senior Administrative Analyst.**

ACTION: Report heard; opportunity for public comment given; Resolution Nos. 17-45, 17-46, 17-47, and 17-48 adopted.

- b. **Considering** – adoption of Concord/Pleasant Hill Health Care District Resolution No. 17-013 approving the Concord/Pleasant Hill Health Care District Grant Committee second year funding recommendations for programs/projects for Fiscal Year 2017/18; and authorizing the Executive Director to execute all required documentation subject to City Attorney approval. **Report by Brenda Kain, Community Services Program Manager.**

ACTION: Report heard; opportunity for public comment given; Resolution No. 17-013 adopted.

8. CORRESPONDENCE

Correspondence received at the City Council meeting will be listed here on the Annotated Agenda.

- a. Benched Memorandum dated June 6, 2017, from the Director of Public Works regarding the Workers.com Agreement
- b. Benched email dated June 6, 2017, from Rudy Gonzales, Teamsters 856, regarding the Workers.com Agreement

9. REPORTS AND ANNOUNCEMENTS

Closed Session Announcements

City Attorney Susanne Brown announced that at its April 25, 2017, Closed Session, the City Council by a unanimous vote 4-0 vote (Hoffmeister was not in attendance), authorized the City Attorney to settle that certain claim against the Willows Center Concord, LLC arising out of a disputed sale of a statue to a private purchaser. The parties agreed to resolve the City's claim for \$10,000 and entered into a settlement agreement on May 4, 2017. On June 2, 2017, the City received and deposited a settlement check dated May 23, 2017. This settlement resolves any and all claims the City of Concord may have arising out of that claim.

City Manager or Staff Reports – **none.**

Council Reports – **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 8:05 p.m. in remembrance of those who lost their life on D-Day, June 6, 1944.**

Next Meeting: Regular Meeting
Date: 6/13/2017 - 6:30 PM

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with a T-Coil Hearing Loop. This system allows “T” coil reception of the audio proceedings. Please switch your hearing aid or cochlear device to the “T”, “T” Coil or telephone position. If you would like better audio reception, a loop receiver that picks up the audio loop is available from the City Clerk.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3031, at least five days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

The following is a list of regular **Council Committee** meeting dates. Most meetings are held in the Garden Conference Room, 1950 Parkside Drive, Concord. **NOTE: Meetings are subject to change or cancellation. For latest information and committee agendas please call 671-3158.**

Committee	Chair/Member	Meeting Time
Policy Development & Internal Operations	Hoffmeister/Birsan	2 nd Wednesday at 6:00 p.m.
Housing & Economic Development	Leone/Obringer	4 th Monday at 5:30 p.m.
Infrastructure & Franchise	Birsan/Hoffmeister	2 nd Monday at 5:30 p.m.
Recreation, Cultural Affairs & Comm. Svc.	Obringer/McGallian	3 rd Wednesday at 5:30 p.m.
Youth & Education	McGallian/Leone	3 rd Monday at 5:30 p.m.