

# AMENDED AGENDA ITEM 9.h ADDED

## COUNCILMEMBERS

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

Civic Center  
1950 Parkside Drive  
Concord, CA 94519  
[www.cityofconcord.org](http://www.cityofconcord.org)



## ANNOTATED AGENDA Regular Meeting of the Concord City Council

Tuesday,  
October 9, 2018

6:00 p.m. - Closed Session  
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.

### CLOSED SESSION

#### 1. OPENING

Roll Call – all present

#### 2. PUBLIC COMMENT - none

#### 3. CLOSED SESSION

- a. 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

**ACTION: Closed session held.**

**4. RECESS TO OPEN SESSION**

**5. OPENING**

**Roll Call – all present**

**Pledge to the Flag – Vice Mayor Obringer**

**6. PUBLIC COMMENT PERIOD**

This is a 15-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.

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.

Serrinvas 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.

## 7. PRESENTATIONS

- a. **Presentation** – to Sara Zoccoli, Mt. Diablo Council PTA, proclaiming October 10, 2018, as "Walk to School Day" in the City of Concord. **Introduction by Mayor Birsan.**

**ACTION: Presentation made.**

- b. **Presentation** – to Donna Feingold, Executive Director, Adaptive Learning Center, proclaiming October 12, 2018, as "Adaptive Learning Center Day" in the City of Concord. **Introduction by Mayor Birsan.**

**ACTION: Presentation made.**

- c. **Presentation** – by Carlyn Obringer, Chair of the Concord 4th of July Parade, to the winning entries of the 2016 4th of July Parade and special recognitions to supporters of the 4th of July activities, and presentation by Florence Weiss, Downtown Program Manager, to the sponsors of Concord's 2018 Music and Market Series. **Introduction by Mayor Birsan.**

**ACTION: Presentation made.**

- d. **Presentation** – of Business Recognition Awards to Mary Totah, Parma Deli; Mary Anne Rhoe, General Manager, and Kerri Harris-Gay, Director of Sales, Clarion Hotel Concord. Overview of program by Brian Nunnally, Business Development Manager; introduction of recipients by Marilyn Fowler, President/CEO, Concord Greater Chamber of Commerce. **Presentations by Mayor Birsan.**

**ACTION: Presentation made.**

- e. **Presentation** – by Mike Thomas, Executive Vice President and Chief Transformation Officer, John Muir Health, on the John Muir Concord campus and services. **Introduction by Mayor Birsan.**

**ACTION: Presentation made.**

- f. **Presentation** – by Guy Bjerke, Director, Community Reuse Planning, on the status of the Community Reuse Project. **Introduction by Mayor Birsan.**

**ACTION: Presentation made.**

**8. ANNOUNCEMENTS – none.**

**9. 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** – approval of the minutes from the meetings of August 7 and 11, 2018. Recommended by the City Clerk.

**ACTION: Minutes from the meetings of August 7 and 11, 2018, approved.**

- b. **Considering** – adoption of Resolution No. 18-65 accepting a grant funding from the California Office of Traffic Safety in the amount of \$175,000 for implementation of the Select Traffic Enforcement Program and appropriation of funds for use in the City's Selective Traffic Enforcement Program. Recommended by the Chief of Police.

**ACTION: Resolution No. 18-65 adopted.**

- c. **Considering** – amendment of an 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 contract amount of \$90,000 per year; and authorizing the City Manager to execute the agreement, subject to approval of the City Attorney. (Fleet Replacement Fund) Recommended by the Director of Public Works.

**ACTION: Amendment with Flyers Energy increasing the not to exceed amount by \$55,478.50 per year, for a total contract amount of \$90,000 per year approved; City Manager authorized to execute the agreement, subject to approval of the City Attorney.**

- d. **Considering** – acceptance of 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); directing the City Clerk to file a Notice of Completion; approving Contract Change Order #5 for the project in the amount of \$71,103.40; approving Amendment #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; authorizing the City Manager to execute the Amendment in a form acceptable to the City Attorney; and approving a budget transfer in the amount of \$105,000. (\$83,000 from Measure Q Lease Revenue Fund and \$22,000 from Sanitary Sewer Fund) Recommended by the Director of Community and Economic Development.

**ACTION: Measure Q Pavement Repair Projects #5 and #6 accepted; City Clerk directed to file a Notice of Completion; Contract Change Order #5 approved; Amendment No. 2 to the Agreement for Professional services with Swinerton Management and Consulting approved; City Manager authorized to execute the amendment in a form acceptable to the City Attorney; budget transfer from Measure Q Lease Revenue Fund and Sanitary Sewer Fund approved.**

- e. **Considering** – approval of 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; approval of award to QPCS, LLC at a cost not to exceed \$60,000 for the purchase of Cradlepoint and antenna devices; and approval of 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 Amendment in a form acceptable to the City Attorney. (IT Replacement Fund) Recommended by the Chief of Police.

**ACTION: Professional Services Agreement with PSA Mobile approved; purchase of Cradlepoint and antenna devices awarded to QPCS, LLC; amendment to the agreement with Pursuit North-LEHR approved; City Manager authorized to execute the agreement and amendment in a form acceptable to the City Attorney.**

- f. **Considering** – adoption of Resolution No. 18-61 accepting \$31,950 in funding under the California Beverage Container Recycling and Litter Abatement City/County Payment Program and allocate this funding to litter abatement activities. Recommended by the Director of Public Works.

CEQA: Not a project/exempt per Guidelines Sections 15060(c)(2), 15061(b)(3), and 15300.2.

**ACTION: Resolution No. 18-61 adopted.**

- g. **Considering** – approval to enter into a three-year agreement with Hartford Financial Services in the amount of \$182,178 as the Third Party Administrator of the City of Concord’s Group Life & Disability Insurance Plans; and authorizing the City Manager to execute the application and subsequent agreement in a form acceptable to the City Attorney. Recommended by the Director of Human Resources.

**ACTION: Three-year agreement with Hartford Financial Services approved; City Manager authorized to execute the application and agreement in a form acceptable to the City Attorney.**

- h. **Considering** – rejection of all bids submitted for the Concord Community Pool Plaster Replacement Project (Project No. 2435); and directing staff to re-advertise the project bids. Recommended by the Director of Community and Economic Development.

**ACTION: All bids submitted for the Concord Community Pool Plaster Replacement Project, Project No. 2435, rejected; staff directed to re-advertise the project bids.**

**10. CORRESPONDENCE**

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

- 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

**11. REPORTS AND ANNOUNCEMENTS**

- a. Closed Session Announcements - **none**
- b. City Manager or Staff Reports - **none**
- c. 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.**

**12. ADJOURNMENT – at 9:22 p.m.**

Next Meeting: Regular Meeting

Date: 10/23/2018 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.**

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