REGULAR MEETING OF THE
CONCORD CITY COUNCIL/
CITY COUNCIL SITTING AS THE
CONCORD/PLEASANT HILL HEALTH
CARE DISTRICT
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, JUNE 9, 2015

The Concord City Council met in a regular meeting in the City Council Conference Room located in Wing A at 1950 Parkside Drive at 5:30 p.m. on Tuesday, June 9, 2015, with Mayor Grayson presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to confer with Labor Negotiators pursuant to Government Code Section 54957.6, confer with Legal Counsel pursuant to Government Code Section 54956.9 (d)(2), and confer with Real Property Negotiator pursuant to Government Code Section 54956.8.

a. 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

b. Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9 (d)(2))

c. 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

d. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a) – pending litigation proceeding entitled: *Ana Ramos v. City of Concord, et al.*, Contra Costa County Superior Court Case No. MSC13-01663

The meeting adjourned at 6:25 p.m. to reconvene in regular session in the Council Chamber.

The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 6:30 p.m. on Tuesday, June 9, 2015, with Mayor Grayson presiding. The pledge of allegiance was led by Councilmember Leone. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Edi Birsan, Dan Helix, Laura Hoffmeister, Ron Leone, Tim Grayson

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney; Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Justin Ezell, Director of Public Works; Victoria Walker, Director of Community and Economic Development; Karan Reid, Director of Finance; Jeff Lewis, Director of Information Technology; Robert Ovadia, City Engineer; Karan Reid, Director of Finance; Jovan Grogan, Deputy City Manager; David Boatwright, Senior Administrative Analyst; Mario Camorongan, Senior Civil Engineer; Bob Hardie, Facilities Manager; Mark Migliore, Associate Civil Engineer; Jeff Roubal, Fleet Management Program Manager; Steve Voorhies, Parks Manager; Doug Elloway, IT Program Manager; Lesyle Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Bruce Borjesson, Concord; Tm McGallian, Todos Santos Business Association; Jonathan Kevles, Oakland; Neil Zarchin, Concord; Nicole Howell, Oakland; Devlyn Sewell, Concord; George Fulmore, Concord; Mike Van Hofwegen, Concord; Dr. Dooley, Concord; Maya Rodriguez, Concord; Marisol Chavez, Concord; Alex Chavez, Concord; Carlyn Obringer, Concord; Marianne Balin, Kaiser; Gareth Ashley, First 5 Commission; Rhea Laughlin, First 5 and Monument Impact; Ana Villallobos, First 5 and Monument Impact

PUBLIC COMMENT PERIOD

Bruce Borjesson, Concord, spoke of his opposition to PG&E's Contra Costa-Moraga 230k V Reconductoring Project.

Tim McGallian, Todos Santos Business Association, spoke of the events scheduled for the 4th of July holiday.

Jonathan Kevles, Renewable Funding, requested that the City opt-in to CaliforniaFIRST PACE financing program.

PRESENTATIONS – None

ANNOUNCEMENTS – None

CITY COUNCIL MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Leone to approve the minutes for the meeting of May 26, 2015. Motion passed by unanimous vote of the Council.

MATTER TO BE SET FOR PUBLIC HEARING

Motion was made by Hoffmeister and seconded by Leone to set Tuesday, July 7, 2015, at 6:30 p.m. in the Council Chamber to consider an Ordinance amending District WMX of the Development Code deleting certain industrial uses and amending Table 18.45.020 for consistency. An addendum to the 2012 EIR to the Development Code has been prepared and approved by the Planning Commission with the recommendation it be forwarded to the City Council for adoption. Motion passed by unanimous vote of the Council.

MATTER TO BE SET FOR PUBLIC HEARING

Motion was made by Hoffmeister and seconded by Leone to set Tuesday, July 7, 2015, at 6:30 p.m. in the City Council Chamber to consider an Ordinance amending District IMX of the Development Code allowing certain outdoor activities with a Use Permit and amending Table 18.45.020 for consistency. An addendum to the 2012 EIR to the Development Code has been prepared and approved by the Planning Commission with the recommendation it be forwarded to the City Council for adoption. Motion passed by unanimous vote of the Council.

MATTER TO SET FOR PUBLIC HEARING

Motion was made by Hoffmeister and seconded by Leone to set Tuesday, July 7, 2015, at 6:30 p.m. in the City Council Chamber to consider an amendment to the Concord Municipal Code Title 15 (Buildings and Building Regulations), in order to add a new Chapter 15.115 (Solar Energy Systems) to create an expedited, streamlined permitting process for small residential rooftop solar systems as required by Assembly Bill 2188 (Chapter 521, Statues 2014). The project is exempt from environmental review per CEQA Guidelines under the General Rule (Section 15061(b)(3)). The proposed Municipal Code amendment will have no significant negative effect on the environment. Motion passed by unanimous vote of the Council.

APPROVAL OF PURCHASE OF DELL COMPUTER EQUIPMENT

Motion was made by Hoffmeister and seconded by Leone authorizing the purchase of Dell computer equipment in the amount of $96,592.24 to replace obsolete desktop computers and monitors. Motion passed by unanimous vote of the Council.

APPROVAL OF THREE-YEAR ENTERPRISE LICENSE AGREEMENT – Microsoft

Motion was made by Hoffmeister and seconded by Leone approving a three-year Enterprise Lease Agreement with Microsoft in the amount of $97,498.57 for the first year and $102,620.51 for years two and three for software licenses used by all City Staff; and authorizing the City Manager to execute the Agreement. Motion passed by unanimous vote of the Council.

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – Harrison Engineering, Inc.

Motion was made by Hoffmeister and seconded by Leone approving a Professional Services Agreement with Harrison Engineering, Inc. of Pleasant Hill in the not-to-exceed amount of $100,000 to provide civil engineering design, environmental review, right-of-way certification and design services during construction; approving an associated budget transfer in the amount of $15,000 for Concord Various Streets Preservation, Project No. 2292; and authorizing the City Manager to execute the Agreement. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-42 – Property Maintenance Violations

Motion was made by Hoffmeister and seconded by Leone approving Resolution No. 15-42 entitled, "A RESOLUTION CONFIRMING THE CODE ENFORCEMENT AND BUILDING DIVISION COST ACCOUNTING REPORT OF UNPAID ADMINISTRATIVE CITATION FINES, INSPECTION FEES, RE-INSPECTION FEES AND ABATEMENT COSTS." Motion passed by unanimous vote of the Council.

PURCHASE OF BATTERY BACKUP SYSTEMS AND BATTERY PACKS – Tesco Controls, Inc.

Motion was made by Hoffmeister and seconded by Leone approving the purchase of batter backup systems and 24VDC backup battery packs from Tesco Controls, Inc. in the amount of $68,926.15. Motion passed by unanimous vote of the Council.

The City Council then convened as the Concord/Pleasant Hill Health Care District.

CITY COUNCIL SITTING AS THE
CONCORD/PLEASANT HILL HEALTH CARE DISTRICT

RESOLUTION NO. 15-010 – Grant Committee Second Year Funding Recommendations for FY 2015-16

Brenda Kain, Community Services Program Manager, gave a report, referring to her memorandum dated June 9, 2015, and reporting that her report forwards to the Board the recommendations of the Concord/Pleasant Hill Health Care District Grant Committee for funding to local agencies that provide community health programs to at-risk populations. She noted that this is the second of a two-year funding cycle, and no new applications were entertained. Ms. Kain stated that the expected revenue for the Concord/Pleasant Hill Health Care District for FY 2015-16 is $293,779.

Following questions by the Council, Mayor Grayson opened a public comment period.

Neil Zarchin, Food Bank of Contra Costa/Solano, thanked the District in advance for its approval of the recommended funding.

Nicole Howell, Ombudsman Services of Contra Costa County, thanked the City Council for taking seniors seriously and providing services to them a priority.

Devlyn Sewell, Concord, noted that the Concord/Pleasant Hill Health Care District Grant Committee recommended $30,000 funding for the Family Justice Center, and that recommendation was not included in the Exhibit before the Council.

Mayor Grayson closed the public comment period.

Following comments by the Council, a motion was made by Hoffmeister and seconded by Birsan to adopt Resolution No. 15-010 entitled, "A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO DISBURSE FUNDS AND EXECUTE ALL AGREEMENTS FOR FY 2015-16 FUNDING ON BEHALF OF THE CONCORD/PLEASANT HILL HEALTH CARE DISTRICT." Motion passed by unanimous vote of the Council sitting as the Concord/Pleasant Hill Health Care District.

The Concord/Pleasant Hill Health Care District then convened as the City Council.

BIENNAL BUDGET AND TEN-YEAR FINANCIAL FORECASTS FOR FISCAL YEARS 2015-16 AND 2016-17 FOR THE CITY OF CONCORD AND RELATED ITEMS

A notice of Public Hearing announcing the hearing dates of June 9 and 23 was published in the Contra Costa Times on Tuesday, May 26 and June 9, 2015, mailed to interested parties of record, and posted in the City's public posting cabinet.

Jovan Grogan, Deputy City Manager, presented a report, referring to his memorandum dated June 9, 2015, and reporting that this is the first of two public hearings scheduled on the proposed budgets. He noted that information provided by staff in response to Council's questions at the May 12 Study Session and a presentation on the Capital Improvement Program/Transportation Improvement Program/Information Technology Projects were scheduled for this meeting. He reported that at the second public hearing on June 23, 2015, the City Council will hear a presentation on the Sewer Fund, the Stormwater Fund, and the Golf Fund.

Deputy City Manager Grogan reported that no action would be made at this meeting, rather, Council was asked to take public comment, provide direction to staff and continue the item until June 23, 2015.

Robert Ovadia, City Engineer, presented a report on the City's Capital Improvement Program. He gave an overview of the projects which were completed in Fiscal Year 2014-15. He spoke of several projects that were pending start of construction or were under construction and of those projects which were currently in design.

Jeff Lewis, Director of Information Technology provided information on FY 2015-16 Active Information Technology and New Information Technology projects.

Following questions by the Council, Mayor Grayson opened a public comment period.

George Fulmore, Concord, spoke in support of funding play structures at Meadow Homes Park.

Mike Van Hofweken, Executive Director, Monument Impact, requested that Council fund bathrooms, play structures, increase lighting, install a natural lake border, install picnic tables and benches and and install water fountains at Ellis Lake Park this fiscal year.

Dr. Diane Dooley Healthy and Active Before 5, spoke of the lack of safe places for kids to play in the Monument area.

Maya Rodrigues, Concord, spoke in support of play structures, bathrooms, lighting, and focus on safety at Ellis Lake Park.

Marisol Chavez, Concord, spoke in favor of major improvements at Ellis Lake Park, specifically play structures, bathrooms, and lighting.

Alex Chavez, Concord, spoke of safety concerns and supported major improvements at Ellis Lake Park.

Carlyn Obringer, Monument Impact, spoke in support of the collaborative effort of Monument Impact and its partners over the last 20 months.

Marianne Balin, Kaiser Permanente, thanked the Council for supporting improvements at Ellis Lake Park.

Gareth Ashley, First Five, spoke of collaboration and support for bathrooms, play structures, and lighting at Ellis Lake Park.

Rhea Laughlin, First Five and Monument Impact, requested that Council assign funds at Ellis Lake Park to fund bathrooms, play structures, and lighting.

Ana Villallobos, First Five and Monument Impact, thanked the Council for its support of the work done.

Tim McGallian, TSBA, thanked the Council for its support, and spoke in support of bathrooms, play structures and lighting at Ellis Lake Park.

Mayor Grayson closed the public comment period.

Following comments by Council, staff was directed to return at the July 23 meeting with funding options for bathrooms, play structures, and other improvements at Ellis Lake Park, and for design of play structures at Meadow Homes Park.

Mayor Grayson announced that the public hearing would remain open and would be continue on Tuesday, June 23, 2015 at 6:30 p.m. at which time the Council would take action on the following:

a) 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. 15-6042.1 proposed.

b) Annual Appropriation Limits and Adjustment Factors - approving annual appropriation limits and adjustment factors for Fiscal Year 2015-16, 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. 15-43 proposed.

c) Establishment of the Minimum Purchase Threshold for Fiscal Year 2015-16 over which City Council approval is required in accordance with Concord Municipal Code Article VIII Sec. 2-644(a). Resolution No. 15-44 proposed.

d) 2015-16 and 2016-17 City of Concord Budget, Ten-Year Financial Forecast and Capital Improvement Program - consideration of Fiscal Year 2015-16 and 2016-17 City of Concord Budget and Ten-Year Financial Forecast, and adoption of the 2015-16 Capital Improvement Program. Resolution No. 15-45 proposed.

CORRESPONDENCE

a. Letter from Public Utilities Commission to Mr. David T. Kraska and photos submitted by Bruce Borjesson.

b. Renew Financial Statement Made by Jonathan Kevles

c. Benched Item No. 3H Attachment 1, Exhibit A

d. Budget Hearing FY 2015-16 PowerPoint Presentation

PUBLIC COMMENTS ON PRESENTATION ITEMS - None

CLOSED SESSION REPORTS

City Attorney Mark Coon reported that at tonight's meeting a settlement was reached in the case entitled: *Ana Ramos v. City of Concord, et. al,* in the amount of $375,000.

COUNCIL AND STAFF REPORTS

Councilmembers commented on the recent meeting held on June 5, 2015, in Austin, Texas, to meet with Catellus and stakeholders of the project developed by Catellus for a very informative meeting in choosing the best fit for a developer for the Concord Reuse Project.

Councilmembers shared information on recent and upcoming activities and events.

By order of the Mayor, the meeting was adjourned at 9:35 p.m. to reconvene in Closed Session.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
CITY CLERK

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