

REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL AND
REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
APRIL 13, 2010

The Concord City Council and Redevelopment Agency convened in a regular joint meeting at 6:37 p.m. in the Council Chamber located at 1950 Parkside Drive on Tuesday, April 13, 2010, with Mayor/Agencymember Bjerke presiding. Vice Mayor Allen was absent. The pledge to the flag was led by Councilmember Shinn. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Laura Hoffmeister, Mark Peterson, William Shinn, Guy Bjerke

COUNCILMEMBERS ABSENT: Helen Allen

STAFF PRESENT: Daniel E. Keen, City Manager; Craig Labadie, City Attorney; Valerie Barone, Assistant City Manager; Mary Rae Lehman, City Clerk; David Livingston, Chief of Police; Joan Carrico, Director of Community and Recreation Services; Kathy Ito, Director of Human Resources; Alex Pascual, Director of Public Works and Engineering; Ron Puccinelli, Director of Information Technology; Margaret Romiti, VIPS and Emergency Operations Coordinator

MEMBERS OF THE AUDIENCE
WHO ADDRESSED COUNCIL:

Curtis Lindskog, Concord; Brad Macy, Concord; Edi Birsan, Concord; Laura Wehrlie, Concord; Marian Bogni, Concord; Darlene Wehrlie, Concord; Allie Gramm, Concord; Teresa Duddy, Concord; Geri Henry, Concord; Michael Sarabia, Concord

Mayor Bjerke announced that Vice Mayor Allen's absence was due to the unexpected death of her husband, Bill Allen, and stated that the meeting would be adjourned in his memory.

PUBLIC COMMENT PERIOD:

Curtis Lindskog, representing the Greater Concord Chamber of Commerce, expressed appreciation to the individuals who were responsible for coordinating the successful Senior Resource Expo recently held at the Crowne Plaza Hotel.

Brad Macy, representing the Commission on Aging, shared his appreciation of the City's support and assistance in the Senior Resource Expo and gave a brief overview of the event.

Edi Birsan, Concord, announced that the restoration Advisory Board would be holding a meeting at 6:00 p.m. on April 14.

Laura Wehrle, Marian Bogni and Darlene Wehrle, all residents of Mayfair Avenue, expressed their concern over activities they had witnessed at a neighboring residence and asked the City for assistance.

Allie Gramm, Teresa Duddy and Geri Henry, all residents of Concord, stated their support for keeping the Community Pool operating and presented a petition signed by several other supporters.

Michael Sarabia, Concord, shared his opinions about the current budget situation.

ANNOUNCEMENTS - None

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Shinn to approve the minutes for the meeting held March 23, 2010. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

SETTING FOR PUBLIC HEARING – Community Grant Funding

Motion was made by Hoffmeister and seconded by Shinn to set a public hearing for Tuesday, May 11, 2010, at 6:30 p.m. in the Council Chamber to consider the following: a draft five-year Consolidated Plan for 2010-15 as mandated by the Federal Department of Housing and Urban Development (HUD); an Analysis of Impediments to Fair Housing Choice; and the City of Concord’s draft 2010-11 Action Plan, a subsidiary document of the five-year plan, containing the Community Service Commission’s recommendation for Community Grant Funding in all project categories from Federal Community Development Block Grant Funds, City of Concord General Fund, and Child Care Developer fees. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

ADOPTION OF ORDINANCE NO. 10-1 – Floodplain Management

Motion was made by Hoffmeister and seconded by Shinn to adopt Ordinance No. 10-1, entitled “AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 34 (FLOOD MANAGERMENTS), REPEALING ARTICLE II (FLOOD INSURANCE PROGRAM), AND ADDING ARTICLE II ENTITLED FLOODPLAIN MANAGEMENT” a City-initiated amendment to the Concord Municipal Code to repeal Chapter 34 in its entirety and adopt a new Chapter 34, updating standards for consistency with the California Model Floodplain Management Ordinance for Noncoastal Communities. Ordinance No. 10-1 was introduced by reading of the title and waiving further reading on March 23, 2010. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

AGREEMENT WITH CHEVRON ENERGY SOLUTIONS – Energy Audit

Motion was made by Hoffmeister and seconded by Shinn to approve a Mutual Non-Disclosure Agreement and an Energy Audit Agreement with Chevron Energy Solutions as an Energy Service Company (ESCO) to perform an audit of the energy usage in the City's facilities with the intent of having Chevron implement selected Energy Conservation Measures through a separate Energy Services Agreement (ESA). Payment of the energy audit cost of \$140,000 to Chevron will be incorporated into the ESA and will come from the City's energy savings, which Chevron will guarantee as part of the ESA. This item was carried forward from prior meetings. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

AGREEMENT WITH RENNE, SLOAN, HOLTZMAN, SAKAI LLP – Labor Negotiations

Motion was made by Hoffmeister and seconded by Shinn to approve a Professional Services Agreement with Renne, Sloan, Holtzman, Sakai LLP to provide legal services in support of labor negotiations with employee bargaining units in amounts not to exceed \$60,000 in Fiscal Year 2009-10 and if necessary \$60,000 in Fiscal Year 2010-11; and to authorize the City Manager to execute the agreement. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

ACCEPT IMPROVEMENTS – Project 2124, Citywide Sidewalk Repair

Motion was made by Hoffmeister and seconded by Shinn to accept the improvements for Project No. 2124, Citywide Sidewalk Repair, constructed by Spencon Construction, Inc. of Danville; and to direct the City Clerk to file a "Notice of Completion." Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

AGREEMENT WITH LEE AND RO, INC. – Design Services for Project No. 2148, Pump Replacement at Community Pool

Motion was made by Hoffmeister and seconded by Shinn to approve a Professional Services Agreement with Lee and Ro, Inc., of Walnut Creek in the not-to-exceed amount of \$24,990 to provide design services for Project No. 2148, Pump Replacement at Concord Community Pool; and to authorize the City Manager to execute the agreement. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

AGREEMENT WITH VALI COOPER & ASSOCIATION – Construction Management for Project No. 2064, Monument Corridor Pedestrian Infrastructure Improvements

Motion was made by Hoffmeister and seconded by Shinn to approve a Professional Services agreement with Vali Cooper & Associates, Inc., of San Rafael, in the not-to-exceed amount of \$220,520 to provide construction management and inspection services for Project No. 2064, Monument Corridor Pedestrian Infrastructure Improvements; and to authorize the City Manager to execute the Agreement. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

AWARD OF CONTRACT – Project No. 2153, Ygnacio Valley Park Playground Equipment

Motion was made by Hoffmeister and seconded by Shinn to award equipment and installation contract based on the California Multiple Award Schedule (CMAS) offered through the State, to Miracle Play Systems, Inc. in the amount of \$133,584.72 for Project No. 2153, Ygnacio Valley Park Playground Equipment. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

AWARD OF CONTRACT – RFB #2199, 2010 Disc/Flail Mowing Program

The following bids were opened on Thursday, March 18, 2010 at 2:00 p.m.:

Apex Grading	Concord, CA	\$ 97.00/Hour
Dave C. Dunn Company, Inc.	Concord, CA	\$ 110.00/Hour

Motion was made by Hoffmeister and seconded by Shinn to award a contract in the amount of \$32,000 to Apex Grading of Concord as the lowest responsible bidder for RFB #2199, 2010 Disc/Flail Mowing Program. Motion passed by the following vote of the Council:

AYES: Hoffmeister, Peterson, Shinn, Bjerke NOES: None Absent: Allen

PRESENTATION

Mayor Bjerke introduced Margaret Romiti, VIPS and Emergency Operations Center Coordinator, who made a presentation highlighting Emergency Operation Center prevention planning, training, accomplishments and initiatives; including Community Emergency Response Teams (CERT).

Mayor Bjerke called a recess at 7:28 p.m. and reconvened the meeting at 7:39 p.m.

QUARTERLY BUDGET UPDATE

City Manager Dan Keen advised that the budget deficit had increase to \$12.4 million and that Assessed Property values have continued to decrease. He reviewed the steps already taken to reduce the deficit which has already resulted in an \$ 8.2M reduction and reminded the Council that the City had reduced its employee per 1,000 resident's ratio from 4.46 to 3.34. He noted the current budget concerns and concluded by advising of an upcoming budget workshop and two public hearings.

Mayor Bjerke opened and closed a public comment period without receiving any comments and stated that the revenues reductions were unprecedented. City Manager Keen stated that a budget proposal would be presented in June following a review including but not limited to potential program cuts, reduction in services, employee concessions and/or cuts.

COMMUNITY OUTREACH EFFORTS

Assistant City Manager Valerie Barone introduced Brian Godbe of Godbe Research, the research firm hired by the City to conduct a telephone survey of 600 Concord residents. Mr. Godbe explained that the survey asked questions regarding present and future quality of life in the City, questions concerning issues facing the community, and satisfaction of City services and its financial condition. He explained the process for collection of the data and the statistical outcomes.

Assistant City Manager Barone explained that staff had conducted seven “Living Within Our Means” community workshops with more than 1,350 people taking part in a workshop. She reported on the top priorities in each of five categories which included: Creating a Safe Community; Caring for the Backbone of the City – The Infrastructure; Creating Community Through Quality Experiences; Support for the Business Community; and Managing How the Community Looks. She explained that participants were engaged in facilitated discussions and reported on the suggestions which resulted which included: Increasing the use of volunteers; and consideration of revenue enhancements such as parking meters, sponsorships and grants, limited-time sales tax increase, increase in fees for City programs, and renegotiated union contracts and benefits.

Mayor Bjerke opened a public comment period.

Edi Birsan, Concord, questioned the use of the term “likely voters” stating that in his opinion it is a political term rather than a city profile.

Mayor Bjerke closed the public comment period.

Following comments from the Councilmembers, Mayor Bjerke encouraged the public to attend the May Workshop and the June Budget Hearings.

CORRESPONDENCE

- a. Treasurer’s Report for the month of February 2010.
- b. Margaret Romiti, CPD Volunteer & Emergency Service Coordinator, Presentation notes.
- c. Copy of City Manager’s presentation – Item #4.a.
- d. Copy of Bryan Godbe’s presentation – Item #4.b.
- e. Copy of Assistant City Manager’s presentation – Item #4.b.
- f. Copy of public comment remarks made by Brad Macy, Concord Commission on Aging.
- g. Copy of public comment remarks made by Michael Sarabia, Concord.
- h. Copy of public comment remarks made by Laura Wehrlie, Concord.
- i. Copy of public comment remarks made by Marian Bogni, Concord.
- j. Copy of public comment remarks made by Darlene Wehrlie, Concord.

- k. Petition to Help Save Adult Lap Swimming and Aquatic Programs at Cowell Community Park Pool submitted by Teresa Duddy, Concord during public comment.

By order of the Chair, the meeting was adjourned at 9:50 p.m. in memory of Bill Allen, husband of Vice Mayor Helen Allen, who recently passed away.

GUY S. BJERKE
MAYOR/AGENCYMEMBER

MARK A. PETERSON
COUNCILMEMBER/AGENCY CHAIR

MARY RAE LEHMAN, CMC
CITY CLERK/AGENCY SECRETARY