

REGULAR MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, JUNE 28, 2016

The Concord City Council met in a regular meeting in the Council Chamber at 1950 Parkside Drive at 5:30 p.m. on Tuesday, June 28, 2016, with Mayor Hoffmeister presiding. All Councilmembers were present. Mayor Hoffmeister opened a public comment period.

Frank Abejo, City of Concord OPEIU Local 29 Shop Steward, spoke of the group's frustration with the City of Concord's last best and final offer presented on June 21, 2016, not being equitable with the Teamsters Local 856 offer and submitted and read into record a petition signed by all 17 members of OPEIU Local 29.

Kelly Gschwensend, OPEIU Local 29, spoke of lack of equality of the offer presented to OPEIU Local 29 employees versus the offer presented to the Teamsters Local 856 employees.

Nic Kis, City of Concord Employee, stated that he does not feel appreciated as an employee, and spoke of his disappointment with the City in offering a different offer to OPEIU Local 29 than the Teamsters Local 856.

Mayor Hoffmeister closed the public comment period.

The meeting was recessed and immediately reconvened in a closed session in the City Council Conference Room, 1950 Parkside Drive, Wing A, to confer with labor negotiators pursuant to Government Code Section 54957.6. City Negotiators: Valerie Barone, City Manager and Jovan Grogan, Deputy City Manager. 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.

The meeting recessed at 7:10 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 7:10 p.m. on Tuesday, June 28, 2016, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Vice Mayor Leone. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

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

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Tim McGallian, City Treasurer; Joelle Fockler, City Clerk; Jovan Grogan, Deputy City Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Will Taylor, National Alliance on Mental Illness; Harmesh Kumar, Concord; George Fulmore, Concord; Dave Contada, Concord

PUBLIC COMMENT PERIOD

Will Taylor, Executive Director, National Alliance on Mental Illness (NAMI,) spoke of two upcoming community events to be held in Concord, NAMI in Motion, a mental health awareness event scheduled for Saturday, September 10, and the Crash Course, an orientation to the mental health system, offered every Wednesday night from 7 p.m. – 8:30 p.m. at the Family Justice Center.

Harmesh Kumar, Concord, spoke of lack of homeless services during the evening and night hours, and requested that the City of Concord do something about it.

George Fulmore, Concord, thanked the Council for moving rent issue forward and made suggestions on rules for rental units in Concord.

David Contada, Concord, spoke of the importance of play structures at Meadow Homes Park.

PRESENTATIONS

CONCORD LIBRARY REFRESH

Mayor Hoffmeister introduced Kimberli Buckley, Concord Library Senior Community Library Manager, who gave a presentation on the Concord Library Refresh.

ALCOHOL AWARENESS MONTH – Monument Corridor Anti-Drug & Alcohol Coalition

Mayor Hoffmeister presented a proclamation to Ricardo Simental declaring June as Alcohol Awareness Month in the City of Concord.

PARKS & RECREATION MONTH

Mayor Hoffmeister presented a proclamation declaring July as Parks and Recreation Month in the City of Concord to Mark Sinclair, Chair of the Parks, Recreation and Open Space Committee. Kathryn Monroy and Caryl Tynan, Parks and Recreation, gave a presentation on the City of Concord Parks and Recreation Department and its activities.

ANNOUNCEMENTS

Mayor Hoffmeister announced a recruitment to fill a vacancy and seeking applications for one position on the John Muir/Mt. Diablo Community Health Fund Board for a term ending December 31, 2016; and setting Tuesday, July 12, 2016, at 5 p.m. as the deadline for applications to be received by the City Clerk.

APPROVAL OF MINUTES

Motion was made by Grayson and seconded by Leone to approve the minutes from the Meetings of March 22 and 28 and April 5 and 12, 2016. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-52 – Calling for and Ordering a General Municipal Election

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-52 entitled, "A RESOLUTION CALLING FOR AND ORDERING A GENERAL MUNICIPAL ELECTION AND SPECIFICATIONS OF THE ELECTION ORDER FOR THE PURPOSE OF ELECTING TWO MEMBERS OF THE CITY COUNCIL, EACH FOR FULL TERMS OF FOUR YEARS, AND REQUESTING AND CONSENTING TO THE CONSOLIDATION OF SAID GENERAL MUNICIPAL ELECTION WITH THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016." Motion passed by unanimous vote of the Council.

CITY OF CONCORD FY2016-17 INVESTMENT POLICY

Motion was made by Grayson and seconded by Leone to approve the City of Concord FY2016-17 Investment Policy. Motion passed by unanimous vote of the Council.

UPDATED AND STANDARDIZED AGREEMENT TO PROVIDE VEHICLE AND EQUIPMENT MAINTENANCE TO OUTSIDE AGENCIES

Motion was made by Grayson and seconded by Leone to standardize the Vehicle and Equipment Service Agreement and delegate the City Manager to execute the individual service agreements. Motion passed by unanimous vote of the Council.

APPROVAL OF VARIOUS ANNUAL LICENCE AND MAINTENANCE AGREEMENTS FOR IT HARDWARE AND SOFTWARE FOR FISCAL YEAR 2016-17

Motion was made by Grayson and seconded by Leone to authorize the expenditure of Fiscal Year 2016-17 funds for the following annual license and maintenance contract renewals required to support the systems and applications used by the City and authorize the Director of Information Technology to execute any support documents.

SYSTEM	MANUFACTURER/SUPPLIER	TERM	AMOUNT*
Accela Automation	Accela Government Software	12/21/16-12/20/17	61,214.37
HR/Finance System	Infor (name change from Lawson)	07/01/16-06/30/17	115,550.98
SmartNet Maintenance	Cisco/Quest	07/1/16 - 06/30/17	69,993.13
East Bay Regional Communications System	EBRCSA - JPA	07/01/16-06/30/17	185,280.00
ACCJIN (Criminal Justice System)	Contra Costa County	FY 2015/2016	8,941.45
ARIES (Sheriff's Office Info Exchange)	Contra Costa County	FY 2015/2016	33,400.00
CLETS (maintenance)	Contra Costa County	FY 2014/2015	1,800.00
CLETS (level II software access)	Contra Costa County	FY 2014/2015	9,021.62
Computer Aided Dispatch (CAD)	TriTech	08/01/16 - 08/01/17	119,390.71
			\$604,592.26

Motion passed by unanimous vote of the Council.

MATTER TO BE SET FOR PUBLIC HEARING

This item was pulled from consideration by staff to return at a later date.

RESOLUTION NO. 16-53 – AB109 Funds

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-53 entitled, "A RESOLUTION AUTHORIZING AND APPROPRIATING THE ACCEPTANCE OF STATE AB 109 FUNDS IN THE AMOUNT OF \$130,500 TO PARTIALLY OFFSET THE COST OF ONE POLICE OFFICER TO PROVIDE COORDINATED SUPPORT OF AB 109 LAW ENFORCEMENT ACTIVITIES; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE RELATED CONTRACT BETWEEN THE CITY OF CONCORD AND CONTRA COSTA COUNTY." Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Carpet Replacement at the Concord Library

Motion was made by Grayson and seconded by Leone to award a contract in the amount of \$56,100 to Flooring Solutions, Inc. for carpet replacement at the Concord Library; and authorize the City Manager to execute the contract in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-45 – Community Choice Aggregation Technical Study

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-45 entitled, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO AUTHORIZE THE COUNTY TO COLLECT ELECTRICAL USAGE DATA ON BEHALF OF THE CITY AND TO ALLOCATE UP TO \$35,000 OF CITY FUNDING FOR A COMMUNITY CHOICE AGGREGATION TECHNICAL STUDY." Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Full Trash Capture Devices

Motion was made by Grayson and seconded by Leone to award a contract in the amount of \$65,000 to Revel Environmental Manufacturing, Inc. for the supply and installation of 135 full trash capture devices for the Full Trash Capture Devices Project, Request for Quote No. 2353, authorize staff to utilize available project contingency for contract change orders up to 10 percent of the contract amount; and authorize the City Manager to execute the contract in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

WILLOW PASS PARK RESTROOM AND CONCESSION FACILITY REPLACEMENT – FIELD #1 – Project No. 2334

Motion was made by Grayson and seconded by Leone to approve a Professional Services Agreement in the amount of \$310,485 with Public Restroom Company for Willow Pass Park Restroom and Concession Facility Replacement – Field #1, Project No. 2334; and authorize the City Manager to execute the agreement in a form acceptable to the City Attorney. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.3 – Memorandum of Understanding between the City of Concord and the International Brotherhood of Teamsters Local Union No. 856

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-4735.3 entitled, "A RESOLUTION APPROVING THE MAY 24, 2016 TENTATIVE AGREEMENT AUTHORIZING THE CITY MANAGER TO PREPARE AND EXECUTE A SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CONCORD AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL UNION NO. 856 REPRESENTING THE EMPLOYEES IN ADMINISTRATIVE, CLEARICAL & TECHNICAL AND FIELD & OPERATIONS UNITS FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2019, AND AUTHORIZING CORRESPONDING BUDGET APPROPRIATIONS, EXPENDITURES, AND FUNDING TO BE INCORPORATED INTO THE NEXT TWO-YEAR BIENNIAL BUDGET." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.4 – Confidential Employees

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-4735.4 entitled, "A RESOLUTION APPROVING ADJUSTMENTS TO SALARY AND BENEFITS FOR CONFIDENTIAL EMPLOYEES." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.5 – Management Employees

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-4735.5 entitled, "A RESOLUTION APPROVING ADJUSTMENTS TO SALARY AND BENEFITS FOR MANAGEMENT EMPLOYEES." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-4735.6 – Executive Management Compensation

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-4735.6 entitled, "A RESOLUTION APPROVING ADJUSTMENTS TO SALARY AND BENEFITS FOR EXECUTIVE MANAGEMENT COMPENSATION." Motion passed by unanimous vote of the Council.

AMENDMENTS TO POLICY AND PROCEDURE NO. 37.9 – Executive and Management Compensation

Motion was made by Grayson and seconded by Leone to amend Policy and Procedure No. 37.9, Executive and Management Compensation, to reflect two current City practices: (1) incorporation of a severance package into contracts with "at will" executive management and attorneys in their employment contracts as a means to mitigate employment litigation risk, and (2) incorporation of up to a 5% pay incentive, consistent with the Police Professionalism Incentive Program, in recognition of attainment of a Master's Degree, if needed to address salary compaction between the Chief of Police and Police Captain positions. Motion passed by unanimous vote of the Council.

BUDGET APPROPRIATIONS AND EXPENDITURES – Resolution Nos. 16-4735.4, 16.4735.5, and 16-4735.6

Motion was made by Grayson and seconded by Leone to authorize corresponding budget appropriations and expenditures to implement Resolution Nos. 16-4735.4, 16.4735.5, and 16-4735.6. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-49 – Administrative, Technical & Clerical Representation Unit

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-49 entitled, "A RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (ADMINISTRATIVE, TECHNICAL & CLERICAL REPRESENTATION UNIT.)" Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-50 – Field and Operations Representation Unit

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-50 entitled, "A RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (FIELD & OPERATIONS REPRESENTATION UNIT.)" Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-51 – Unrepresented Employees and Elected Officials, to include Council-Appointed Employees, Executive Management, Mid-Management and Confidential Employees Unit)

Motion was made by Grayson and seconded by Leone to adopt Resolution No. 16-51 entitled, "A RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION (UNREPRESENTED EMPLOYEES AND ELECTED OFFICIALS, TO INCLUDE COUNCIL-APPOINTED EMPLOYEES, EXECUTIVE MANAGEMENT, MID-MANAGEMENT AND CONFIDENTIAL EMPLOYEES UNIT.)" Motion passed by unanimous vote of the Council.

REJECTION OF BID – Citywide On-Call Sidewalk Replacement Pilot Program, Project No. 2341

This item was pulled from the Consent Calendar by Concord resident George Fulmore who asked if this item was regarding providing an opportunity for residents to utilize the City's contractor to repair sidewalks in front of their homes.

Motion was made by Leone and seconded by Birsan to reject bid submitted by Wayne E. Swisher Cement Contractor Inc. for On-Call Sidewalk Replacement Pilot Program, Project No. 2341 and authorize staff to re-bid the project as proposed. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-57 – Retiree Health Care Benefits for Teamster and Unrepresented Current Retirees

This item was pulled from the Consent Calendar by Councilmember Helix who did not believe that the proposed reform to retiree health care benefits was fair to current retirees and requested that the City Council return the item back to staff to schedule additional review which includes percentages increases for the future.

Mayor Hoffmeister opened a public comment period.

George Fulmore, Concord, spoke of retirees who have Medicare, and stated that employees that are 65 and over should be in the Medicare system.

Dr. Harmesh Kumar, Concord, stated that he agreed with Councilmember Helix.

Dee Ziegelman, Concord, President of City of Concord Retirees' Association, stated that long time City of Concord employees who have retired thought that they retired with a benefit of lifetime medical.

It was the consensus of the Council to return this item to Closed Session discussion and return to the Council for consideration at a later date.

FISCAL YEAR 2015-16 AND 2016-17 MID-CYCLE BIENNIAL BUDGET UPDATE AMENDING THE FISCAL YEAR 2015-16 AND FY 2016-17 MUNICIPAL BUDGET AND 10-YEAR FORECAST - RESOLUTION NOS. 16-46, 16-47, 16-48 AND 16-6042.3 (Continued from June 14, 2016)

A notice of Public Hearing announcing the hearing dates of June 14 and 28, 2016 was published in the Contra Costa Times on Tuesday, May 31 and June 14, 2016, mailed to interested parties of record, and posted in the City's public posting cabinet. Public testimony was received at a public hearing on June 14, 2016 and continued to this meeting.

Director of Finance Karan Reid presented a brief report on the mid-cycle operating budget update noting that the budget with the proposed updates is balanced and continues all programs services at their current or enhanced levels and provides additional investment in roads, buildings, and parks.

Mayor Hoffmeister opened a public comment period, and upon receiving no public comment, closed the public comment period.

Following comments by the City Council, a motion was made by Helix and seconded by Grayson to adopt Resolution No. 16-46 entitled, "A RESOLUTION ESTABLISHING THE APPROPRIATION LIMIT FOR THE CITY OF CONCORD FOR FISCAL YEAR 2016-17 PURSUANT TO CALIFORNIA CONSTITUTION ARTICLE XIII B," Resolution No. 16-47 entitled, "A RESOLUTION ESTABLISHING THE MINIMUM THRESHOLD OVER WHICH CITY COUNCIL APPROVAL IS REQUIRED IN ACCORDANCE WITH CONCORD MUNICIPAL CODE TITLE III, SEC. 3.10.040(a), FOR FISCAL YEAR 2016-17," Resolution No. 16-48 entitled, "A RESOLUTION ADOPTING 2015-16 AND 2016-17 MUNICIPAL BUDGET ADJUSTMENTS, INCLUDING A 10-YEAR GENERAL FUND FINANCIAL FORECAST," and Resolution No. 16-6042.3 entitled, "A RESOLUTION AMENDING EXHIBIT A TO RESOLUTION NO. 78-6042 (ESTABLISHING FEES AND CHARGES FOR VARIOUS MUNICIPAL SERVICES IN THE CITY OF CONCORD.)" Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-44 – Fiscal Year 2016-17 and 2017-18 Biennial Capital Budget and Related Items

A notice of Public Hearing announcing the hearing dates of June 14 and 28, 2016 was published in the Contra Costa Times on Tuesday, May 31 and June 14, 2016, mailed to interested parties of record, and posted in the City's public posting cabinet. Public testimony was received at a public hearing on June 14, 2016 and continued to this meeting.

City Engineer Robert Ovadia presented a brief report stating that the Council held a budget workshop on May 24, 2016 to consider the proposed Biennial Capital Budget for Fiscal Years 2016-17 and 2017-18. He noted that at that meeting the Council and public heard a presentation on the proposed Biennial Capital Budget, and the public was provided an opportunity to provide comments. The Council held a public hearing on June 14, 2016 where staff provided responses to questions from the May 24th meeting, and Council held a public comment period where no public comment was received. He requested that Council receive public comment and approve the Biennial Capital Budget for FYs 2016-17 and 2017-18.

Mayor Hoffmeister opened a public comment period.

George Fulmore, Concord, stated that the public has a right to know how the money is being spent, how much is spent on overhead, and why it takes so long to have projects completed.

Mayor Hoffmeister closed the public comment period.

Following comments by the Council, a motion was made by Birsan and seconded by Leone to adopt Resolution No. 16-44 entitled, "A RESOLUTION ADOPTING BIENNIAL CAPITAL BUDGET FOR FISCAL YEARS 2016-17 AND 2017-18." Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Letter dated June 27, 2016, from the Office and Professional Employees International Union, Local 29
- b. Flyers submitted by Will Taylor, NAMI
- c. Contra Costa County Library STEAM brochure
- d. Concord Library Refresh Project 2016 PowerPoint Presentation
- e. Concord Parks & Recreation Makes Life Better PowerPoint Presentation
- f. FY 2015-17 Biennial Operating Budget Mid-Cycle Update and FY 2016-18 Biennial Capital Budget Hearing PowerPoint Presentation

CLOSED SESSION REPORTS – None

COUNCIL AND STAFF REPORTS

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

Council directed staff to take the topic of curb cutaways/RV parking to a Council Committee best determined by the City Manager.

By order of the Mayor, the meeting was adjourned at 9:07 p.m.



LAURA M. HOFFMEISTER
MAYOR



JOELLE FOCKLER, MMC
CITY CLERK