

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/CITY
COUNCIL SITTING AS THE
CONCORD/PLEASANT HILL HEALTH
CARE DISTRICT BOARD/CITY
COUNCIL SITTING AS THE LOCAL
REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, DECEMBER 6, 2016

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, December 6, 2016, with Mayor Hoffmeister presiding. Councilmembers Birsan and Helix, Vice Mayor Leone, and Mayor Hoffmeister were present. The meeting was recessed and immediately reconvened in a closed session to confer with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) Name of case: Dutcher v. Lawson, et al., United States District Court Case No. C12-01981 CRB and confer with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) Name of Case: Valentine v. City of Concord et al., United States District Court Case No. C16-00279MEJ.

The meeting recessed at 5:47 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, December 6, 2016, with Mayor Hoffmeister presiding. The pledge of allegiance was led by Councilmember Helix. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Edi Birsan, Dan Helix, Ron Leone, Laura Hoffmeister (Councilmember Grayson resigned from the City Council effective December 2, 2016)

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Tim McGallian, City Treasurer; Joelle Fockler, City Clerk; Guy Swanger, Chief of Police; Karan Reid, Director of Finance; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Steve Voorhies, Director of Parks and Recreation; Jeff Lewis, Director of Information Technology; Elia Bamberger, Director of Human Resources; Guy Bjerke, Director of Community Reuse Planning; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Rosanne Nieto, Concord; Ajit Kaushal, Concord; Jesse Skeets, Concord; Lauren Alarcon, Concord; Zuleika Godinez, Raise the Roof; Brandy Blaze, Together We Will Contra Costa; Bill Stephenson, Concord; Dan Torres, Sprinkler Fitters Local 483; Joe Partansky, Concord; Senator Steve Glazer, Former

Assemblymember Susan Bonilla; Supervisor Karen Mitchoff; Dr. Harmesh Kumar, Concord; Jeff Koertzen, Concord; Bob Lane, Pleasanton; Kenji Yamada, Concord

PUBLIC COMMENT PERIOD

Rosanne Nieto, Concord, thanked the Council for appointing her to the Community Advisory Committee.

Ajit Kaushal, Concord, thanked the Council for appointing him to the Community Advisory Committee and thanked outgoing Councilmembers Helix and Grayson for their service.

Jesse Skeets, Concord, spoke of enforcement of storage of commercial vehicles for personal use.

Lauren Alarcon, Concord, spoke of putting rent control back on the City Council agenda calendar.

Zuleika Godinez, Raise the Roof, expressed her disappointment with Council not passing a moratorium on rent control.

Brandy Batze, Together We Will Contra Costa County, requested that Concord become a sanctuary city to ensure that all citizens can feel safe and asked that the City Council put rent control on its agenda calendar.

Bill Stephenson, Concord, spoke of Project No. 2144 at the intersection of Treat Blvd and Clayton Road, and the delays associated with the project.

Dan Torres, Sprinkler Fitters Local 483, informed the Council that Sprinkler Fitters Local 1483 is accepting applications for its apprenticeship program, spoke to the use of non-union labor by CenterCal and spoke of the importance of enforcing the building codes in light of the recent fire in Oakland.

PRESENTATIONS

DANIEL C. HELIX AWARD OF EXCELLENCE – Michele Fravel

Mayor Hoffmeister introduced Director of Public Works Justin Ezell who presented Michele Fravel, Public Works Administrative Clerk III, the Public Works Department, changed to the Daniel C. Helix, Award of Excellence.

ANNOUNCEMENTS – none.

APPROVAL OF MINUTES

Motion was made by Leone and seconded by Birsan to adopt the minutes of the July 19 and 26 and August 2, 2016 meetings. Motion passed by unanimous vote of the Council.

AWARD OF 2017 TYMCO MODEL 600 STREET SWEEPER – Tymco Inc.

Motion was made by Leone and seconded by Birsan to award the purchase of a 2017 Tymco Model 600 Street Sweeper to Tymco Inc. in the amount of \$267,943.88. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-87 and CONCORD/PLEASANT HILL HEALTH CARE DISTRICT
RESOLUTION NO. 16-012 – Compensation Agreement with Concord/Pleasant Hill Health Care
District

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 16-87 entitled, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMPENSATION AGREEMENT WITH THE CITY OF CONCORD REGARDING DISTRIBUTION OF NET PROCEEDS FROM DISPOSITION OF REAL PROPERTIES HELD BY THE CITY OF CONCORD FOR FUTURE DEVELOPMENT PURSUANT TO THE APPROVED LONG RANGE PROPERTY MANAGEMENT PLAN," and adopt Concord/Pleasant Hill Health Care District Resolution No. 16-012 entitled, "A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A COMPENSATION AGREEMENT WITH THE CITY OF CONCORD REGARDING DISTRIBUTION OF NET PROCEEDS FROM DISPOSITION OF REAL PROPERTIES HELD BY THE CITY OF CONCORD FOR FUTURE DEVELOPMENT PURSUANT TO THE APPROVED LONG RANGE PROPERTY MANAGEMENT PLAN." Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS – Traffic Sign Replacement Project

Motion was made by Leone and seconded by Birsan to accept improvements for the Traffic Sign Replacement Project and direct the City Clerk to file a Notice of Completion. Motion passed by unanimous vote of the Council.

AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF CONCORD AND
CITY MANAGER VALERIE BARONE

This item was pulled by Concord resident Joe Partansky who expressed his concern that the amount of the agreement was not on the agenda.

Motion was made by Leone and seconded by Birsan to approve an amendment to the Employment Agreement between the City of Concord and City Manager Valerie Barone providing for an annual salary increase of 4 percent effective November 1, 2016, resulting in an annual salary of \$255,083, and a future increase of 4.5 percent (non-compounding) effective July 1, 2017, resulting in an annual salary of \$266,120. Motion passed by unanimous vote of the Council.

REORGANIZATION PROCEEDINGS

WELCOME AND INTRODUCTIONS

Mayor Hoffmeister extended a welcome to other elected officials and visiting dignitaries.

RECOGNITION AND COMMENTS BY OUTGOING COUNCILMEMBER TIMOTHY S.
GRAYSON

Mayor Hoffmeister, the City Council, Senator Steve Glazer, former Assemblymember Susan Bonilla, Supervisor Karen Mitchoff and Dr. Harmesh Kumar recognized outgoing Councilmember Grayson and Councilmember Grayson made comments.

RECOGNITION AND COMMENTS BY OUTGOING COUNCILMEMBER DANIEL C. HELIX

Mayor Hoffmeister, the City Council, Senator Steve Glazer, former Assemblymember Susan Bonilla, Supervisor Karen Mitchoff and Dr. Harmesh Kumar recognized outgoing Councilmember Helix and Councilmember Helix made comments. Councilmember Helix stepped down from the dais.

RESOLUTION NO. 16-89 – Results of the November 8, 2016 Consolidated Municipal Election

City Clerk Joelle Fockler presented a report declaring the results of the November 8, 2016 Consolidated Municipal Election for two Councilmembers for the City of Concord. Ms. Fockler reported that the total number of registered voters was 64,726 and 46,630 ballots were cast, for a total voter turnout of 72 percent, and announced that Carlyn Obringer received 27.99 percent and Ed Birsan received 21.42 percent of the vote, making them the two top candidates for City Council. Therefore, the newly-elected Councilmembers are Carlyn Obringer and Ed Birsan.

Mayor Hoffmeister opened a public comment period.

Jeff Koertzen, Concord, stated that although there was a voter turnout of 72 percent, only 65 percent of the voters voted for Concord City Council. He noted that voting is the way to have your voice heard, and voting is important for not only national races but also for local races.

Mayor Hoffmeister closed the public comment period.

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 16-89 entitled, "A RESOLUTION DECLARING AND ACCEPTING THE RESULTS OF THE NOVEMBER 8, 2016 CONSOLIDATED MUNICIPAL ELECTION FOR THE CITY OF CONCORD." Motion passed by unanimous vote of the Council.

COMMENTS ON HER FIRST YEAR AS MAYOR – Mayor Hoffmeister

Mayor Hoffmeister made comments on her first year as Mayor.

OATH OF OFFICE – City Councilmembers

City Clerk Fockler administered the Oath of Office to elected City Councilmembers Carlyn Obringer and Ed Birsan and presented them with a Certificate of Election.

COMMENTS BY COUNCILMEMBERS OBRINGER AND BIRSAN

Councilmembers Obringer and Birsan each made comments thanking the voters for their support and expressing their pleasure in having the opportunity to serve the citizens.

RESOLUTION NO. 16-90 – Confirming Laura M Hoffmeister as Mayor

Mayor Hoffmeister opened a public comment period.

Bob Lane, Pleasanton, Raise the Roof Coalition, spoke of a rent crisis in Concord.

Kenji Yamada, Concord, stated that the Mayoral and Vice Mayoral rotation should be carried out by an impersonal algorithm.

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 16-90 entitled, "A RESOLUTION CONFIRMING LAURA M. HOFFMEISTER AS MAYOR OF THE CITY OF CONCORD." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 16-91 – Designation of Vice Mayor

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

Motion was made by Leone and seconded by Obringer to adopt Resolution No. 16-91 entitled, "A RESOLUTION DESIGNATING EDI BIRSAN AS VICE MAYOR FOR THE CITY OF CONCORD." Motion passed by unanimous vote of the Council.

CONFIRMATION OF LOCAL REUSE AUTHORITY REORGANIZATION

Motion was made by Leone and seconded by Birsan to confirm designation of Mayor Hoffmeister and Vice Mayor Birsan to serve as the new Local Reuse Authority Chair and Vice Chair respectively as authorized by Local Reuse Authority Resolution No. 06-1 adopted January 10, 2006. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. PowerPoint announcing the Daniel C. Helix Award of Excellence
- b. Concord Municipal Code Section 18.160.160 Parking and Storage of Recreational Vehicles
- c. Flyer for Applications to Sprinkler Fitters Local 483 Apprenticeship Program
- d. Benched Resolution No. 16-89
- e. Benched Correspondence on Vice Mayor rotation

CLOSED SESSION REPORTS – none.

COUNCIL AND STAFF REPORTS

Mayor Hoffmeister invited the public to the Beacon Lighting and 75th Anniversary of Pearl Harbor Program to be held at Cal State East Bay on December 7, 2016, at 3:45 p.m.

Mayor Hoffmeister invited the public to a reception to welcome the new Councilmembers and say goodbye to the outgoing Councilmembers at the Concord Senior Center immediately following the Council meeting.

By order of the Mayor, the meeting was adjourned at 8:45 p.m. in memory of the 75th Anniversary of Pearl Harbor, all soldiers who lost their lives on December 7, 1941, all soldiers who have lost their lives since, and all soldiers who are still with us who served during that time.


LAURA M. HOFFMEISTER
MAYOR


JOELLE FOCKLER, MMC
CITY CLERK

