

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/CITY
COUNCIL SITTING AS THE LOCAL
REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, JUNE 13, 2017

The Concord City Council met in a regular meeting in the City Council Conference Room located at 1950 Parkside Drive at 6:00 p.m. on Tuesday, June 13, 2017, with Mayor Hoffmeister presiding. The meeting was recessed and immediately reconvened in a closed session regarding conference with real property negotiators pursuant to Government Code Section 54956.8. Property: Area within Concord Community Reuse Plan. Agency negotiators: Valerie Barone, City Manager; Guy Bjerke, Director of Community Reuse Planning. Negotiating parties: Alan Lee, Department of the Navy. Under negotiation: Price, terms of payment.

The meeting recessed at 6:26 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 13, 2017, with Mayor Hoffmeister 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, Ron Leone, Tim McGallian, Laura Hoffmeister

COUNCILMEMBERS ABSENT: Carlyn Obringer

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, City Attorney; Kathleen Trepka, Assistant City Manager; Joelle Fockler, City Clerk; Victoria Walker, Director of Community and Economic Development; Karan Reid, Director of Finance; Elia Bamberger, Director of Human Resources; Steve Voorhies, Director of Parks and Recreation; Justin Ezell, Director of Public Works; Guy Bjerke, Director of Community Reuse Planning; Jeff Lewis, Director of Information Technology; Robert Ovidia, City Engineer; Zeelaura Page, Administrative Analyst; Mario Camorongan, Senior Civil Engineer; Bernard Enrile, Associate Engineer; Ali Hatefi, Associate Civil Engineer; Mark Migliore, Associate Civil Engineer; Christopher Rhoades, Budget Analyst; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC
WHO ADDRESSED THE COUNCIL: Herbert Lee, Concord; Dr. Harmesh Kumar, Concord; Diane Sprouse, Chair, Measure Q Oversight Committee

PUBLIC COMMENT PERIOD – no public comment.

PRESENTATIONS

Mayor Hoffmeister presented Mary Rae Lehman, Concord Ambassadors, and Aimee Areliano, First Tee Contra Costa Youth Golf Program, each with an \$8,964.75 proceeds check from the Mayor's Golf Tournament held May 5, 2017.

ANNOUNCEMENTS – none.

APPROVAL OF MINUTES – April 25 and May 1, 2017.

A motion was made by McGallian and seconded by Birsan to approve the minutes from the meetings of April 25 and May 1, 2017. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

ADOPTION OF ORDINANCE NO. 17-8 – Marin Clean Energy Joint Powers Agreement

A motion was made by McGallian and seconded by Birsan to adopt Ordinance No. 17-8 entitled, "An Ordinance of the City Council of the City of Concord Approving the Marin Clean Energy Joint Powers Agreement and Authorizing the Implementation of a Community Choice Aggregation Program." Ordinance No. 17-8 was introduced on May 23, 2017, by reading of the title only and waiving further readings. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

APPROVAL OF AGREEMENT WITH YORK RISK SERVICES, INC. – Workers' Compensation Program

A motion was made by McGallian and seconded by Birsan to approve a three-year agreement with York Risk Services, Inc. in the total amount of \$435,122 for professional services as the third party administrator of the City of Concord Self-Insured Workers' Compensation Program. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

ADOPTION OF RESOLUTION NO. 17-49 – Compliance with the State Surplus Land Act

A motion was made by McGallian and seconded by Birsan to adopt Resolution No. 17-49 entitled, "A Resolution to Comply with Assembly Bill 2135, Surplus Land Act, as required by the Metropolitan Transportation Commission for Receipt of Federal Grant under the Cycle 2 OneBayArea Grant (OBAG 2) Program." Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 17-27 – Commerce Avenue Complete Streets Project

A motion was made by McGallian and seconded by Birsan to adopt Resolution No. 17-27 entitled, "A Resolution of Local Support Authorizing the Filing of an Application for Funding Assigned to MTC and Committing any Necessary Matching Funds and Stating Assurance to Complete the Commerce Avenue Complete Streets Project." Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

ADOPTION OF RESOLUTION NO. 17-28 – Complete Streets Project

A motion was made by McGallian and seconded by Birsan to adopt Resolution No. 17-28 entitled, "A Resolution Amending the FY 2017-18 CIP Budget to Adjust the Scope and Funding Plan of CIP Project No. 2085, including Acceptance and Appropriation of \$1.44 Million of MTC Funds, and a Budget Transfer of \$500,000 of Measure Q Lease Financing Funds from CIP Project No. 2157 to Project No. 2085 to Provide Matching Funds." Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

APPROVAL OF SUBLEASE AGREEMENT OF WATERWORLD WATERPARK

A motion was made by McGallian and seconded by Birsan to approve a Landlord's Consent to Sublease between the City of Concord and EPR Parks, LLC, and a Sublease Agreement of Waterworld Waterpark between EPR Parks, LLC, as sublessor, and Six Flags Concord, LLC, as sublessee; and authorize the City Manager to execute the documents, subject to approval of the City Attorney. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

AWARD OF CONTRACT – VMI, Inc.

A motion was made by McGallian and seconded by Birsan to approve and appropriate funds for the City Council Chamber, Senior Center, Todos Santos Plaza, and the Concord Pavilion Video Refresh Project, Project No. 2416, in the amount of \$785,922; award of contract in the amount of \$714,474.19 to VMI, Inc. for equipment and installation; authorize staff to use the available contingency up to 10 percent of the project value; and authorize the City Manager to execute the agreement in a form acceptable to the City Attorney. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

APPROVAL OF AGREEMENT FOR LEGAL PROFESSIONAL SERVICES – Lubin Olson & Niewiadomski LLP

A motion was made by McGallian and seconded by Birsan to approve an Agreement for Legal Professional Services with Lubin Olson & Niewiadomski LLP in the amount of \$196,000 for work with the Community Reuse Project. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

APPROVAL OF A LETTER STATING THE CONCORD CITY COUNCIL'S POSITION – Northgate Unified School District

This item was pulled from the Consent Calendar by Concord resident Herbert Lee and Concord resident Dr. Harmesh Kumar.

Mayor Hoffmeister opened a public comment period.

Herbert Lee, Concord, spoke in opposition to Concord City Council's position letter.

Harmesh Kumar, Concord, spoke of providing resources to Concord students.

Mayor Hoffmeister closed the public comment period.

Following comments by the Council, a motion was made Leone by and seconded by Birsan to approve a letter stating the Concord City Council's position that an election regarding the territory transfer to create a Northgate Unified School District election should be held in the entire current Mt. Diablo Unified School District area. Motion passed by the following vote of the Council:

AYES: Birsan, Leone, McGallian, Hoffmeister NOES: None ABSENT: Obringer

APPROVAL OF THE FY 2017-18 INVESTMENT POLICY UPDATE

This item was continued to July 25, 2017.

BIENNIAL BUDGET AND TEN-YEAR FINANCIAL FORECASTS FOR FISCAL YEARS 2017-18 AND 2018-19 FOR THE CITY OF CONCORD AND RELATED ITEMS

A notice of Public Hearing announcing the hearing dates of June 13 and 27, 2017, was published in the East Bay Times on May 30 and June 13, 2017, mailed to interested parties of record; and posted in the City's posting cabinet.

Director of Finance Karan Reid reviewed the Budget Hearing Agenda, which included an Operating Budget Review with follow-up items from the Budget Workshop held May 9, 2017, receipt of report from the Measure Q Oversight Committee, and updates on the Golf Course, Sewer, Stormwater, and Gas Tax Funds, opportunity for public comment, and opportunity for the Council to provide direction to staff. She conveyed that no action would be taken at this meeting; the item will return on June 27, 2017, for adoption. Ms. Reid noted that there would also be a presentation on an informational report on Key Capital Improvement Program Projects where an opportunity for public comment would be allowed.

Ms. Reid outlined two follow-up items from the May 9 Budget Workshop: Reprogram use of \$114,000 of Measure Q revenue initially proposed to be transferred to the General Fund and used to pay for unfunded liabilities instead be spent on capital projects, and information on Council compensation.

Ms. Reid introduced Diane Sprouse, the Chair of the Measure Q Oversight Committee, who presented a report on the Measure Q Oversight Committee's review of the 2017-18 and 2018-19 proposed budget. Ms. Sprouse reported that the FY 2015-16 Annual Audit reflects that Measure Q funds were collected and appropriately spent; the City's proposed General Fund biennial budget for FY 2017-18 and FY 2018-19 protects the City's core services and maintains the City's reserves; and the City's proposed General Fund biennial budget continues to rely on Measure Q, at a level of \$7.5 million in FY 2017-18 and FY 2018-19. Ms. Sprouse confirmed that the Measure Q Committee supports the City Council's development of a fiscal stability plan that will provide options to address the long-term funding of city services; and the Committee believes that long term changes of a more fundamental and ambitious nature will be required to maximize the City's many attributes and align a vision of what Concord can and should be with identified resources.

Following the Operating Budget Review, Council asked clarifying questions of staff. Director Reid then introduced Director of Parks and Recreation Steve Voorhies, who gave a presentation on the proposed FY 2017-18 Diablo Creek Golf Course Budget. Mr. Voorhies reported that the Golf Enterprise Fund supports the operations of the City's Diablo Creek Golf Course, and that estimated operational revenue and expenditures for the next two years are projected to be flat, primarily because no increases to fees are supported in the current market climate. He explained that the Fund is paying off its long-term debt in FY 2018-19, the 10-year Golf Course Fund Forecast shows an increasing fund balance beginning in FY 2019-20, when revenues are projected to exceed expenses by \$200,000. He noted that increased fund balance will provide an opportunity to make future capital improvements to the Golf Course.

Following clarifying questions by the Council on the Diablo Creek Golf Course Budget, Director Voorhies introduced City Engineer Robert Ovadia, who gave a presentation on the proposed Sewer Fund Budget and Forecast, Stormwater Fund Budget and Forecast, and Gas Tax Budget and Forecast, with Council asking clarifying questions after each fund presentation.

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

Staff was directed to return with an Ordinance that would establish a 4 percent increase in Councilmember compensation to be effective after the November 2018 City Council election, and incorporate that change into the FY 2018-19 Budget.

The public hearing was continued to June 27, 2017.

FY 2016-17 AND 2017-18 CAPITAL BUDGET MID-CYCLE INFORMATIONAL STATUS REPORT

City Engineer Robert Ovadia and Director of Information Technology (IT) Jeff Lewis presented an informational status report on the FY 2016-17 and 2017-18 Capital Budget that included a recap of the two-year capital program, projects completed during FY 2016-17, projects under or soon to be under construction, ongoing projects, upcoming projects, funding opportunities, new CIP webpage, and IT project updates.

Following the presentation, Council asked clarifying questions of the staff. Mayor Hoffmeister opened a public comment period, and upon receiving no public testimony, closed the public comment period.

CORRESPONDENCE

- a. June 8, 2017, email received from Stan Stansbury
- b. June 9, 2017, email received from Herbert Lee
- c. City Council Budget Hearing PowerPoint Presentation
- d. FY 2016-17 and 2017-18 Capital Budget Mid-Cycle Informational Status Report 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.

By order of the Mayor, the meeting was adjourned at 8:45 p.m.


LAURA M. HOFFMEISTER
MAYOR


JOELLE FOCKLER, MMC
CITY CLERK