



ANNOTATED AGENDA

**SPECIAL MEETING OF THE
CONCORD CITY COUNCIL/CITY COUNCIL
SITTING AS THE LOCAL REUSE AUTHORITY**

**Tuesday, November 18, 2014
6:30 p.m. - Special Meeting
City Council Chamber
1950 Parkside Drive, Concord, CA**

**CITY COUNCIL
SPECIAL MEETING
6:30 p.m. – City Council Chamber**

ROLL CALL – Councilmember Hoffmeister absent

PLEDGE TO THE FLAG – Councilmember Birsan

PUBLIC COMMENT PERIOD

Stan Baraghin, Concord, spoke of his concern regarding the misconduct occurring in the Ellis Street area.

Dr. Harmesh Kumar, Concord, congratulated the incumbents on the recent election and noted that elections are not run to win or lose; rather, elections are run to make a positive effect on the community.

George Fulmore, Concord, spoke of the Affordable Care Act and urged people who don't have health insurance to sign up for Covered California. He announced an informational meeting to be held on Saturday, November 22, 2014, from 10 a.m. – 2 p.m. at the Concord library.

Carlyn Obringer, Soroptimist International of Diablo Vista, announced the Live Your Dream Education and Training Awards for Women, which are cash grants awarded to women toward education and training, and noted that the deadline for applications is December 1st.

Connie Steers, Concord, who lives in the Ellis Street area, spoke of her concern about the quality of life in her neighborhood.

Julie Jenkins, Concord, stated that she recently received poor treatment by Concord Police.

1. PRESENTATIONS

- a. **Presentation** – to Tim McGallian, Greater Concord Kiwanis Co-Chair, proclaiming November 2014 as “National Hospice/Palliative Care Month.” **Presentation by Mayor Grayson.**

ACTION: Mayor Grayson presented a proclamation to Tim McGallian, Greater Concord Kiwanis Co-Chair, proclaiming November 2014 as “National Hospice/Palliative Care Month.”

- b. **Presentation** – by Downtown Program Manager Florence Weiss recognizing and thanking the 2014 Music & Market sponsors, staff, and volunteers. **Introduction by Mayor Grayson.**

ACTION: Mayor Grayson introduced Downtown Program Manager Florence Weiss who presented sponsors Concord Disposal, Diablo Valley, Tesoro, Chevron, Dolan’s Lumber, Pacific Service Credit Union, Ashby Lumber, Concord Farmer’s Market, Concord Police Association, and Brenden Mann Foundation; volunteers RES Success Hercules and Richard Tyler; and City of Concord staff member Rob Schweitzer with certificates of recognition.

- c. Presentation – by Mayor Grayson to Sabrina Woo, 5th grade student at Highland Elementary, honoring her for her winning design used on the 2014 Holiday Pin. Introduction by Downtown Program Manager Florence Weiss.

ACTION: Introduction made by Florence Weiss, Downtown Program Manager and presentation made by Mayor Grayson to Sabrina Woo, winner of the design contest for the 2014 Holiday Pin.

- d. **Presentation** – by Community Relations Manager Leslye Asera on the newly redesigned City website. **Introduction by Mayor Grayson.**

ACTION: Community Relations Manager Leslye Asera gave a presentation on the newly redesigned City website.

2. ANNOUNCEMENTS

- a. **Announcing** – a recruitment to fill two positions on the Board of Appeals, two design professional positions on the Design Review Board, three positions on the Personnel Board, and two positions on the Planning Commission; and set Friday, January 9, 2015 at 5 p.m. as the deadline for receipt of applications by the City Clerk. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: City Clerk Joelle Fockler announced a recruitment to fill two positions on the Board of Appeals, two design professional positions on the Design Review Board, three positions on the Personnel Board, and two positions on the Planning Commission; and set Friday, January 9, 2015 at 5 p.m. as the deadline for receipt of applications by the City Clerk.

**CITY COUNCIL
MATTERS****3. CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meeting of October 7, 14, and 28, 2014. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: Minutes of the October 7, 14, and 28, 2014 meetings approved. (4-0-1; Hoffmeister absent)

- b. **Approving** – a Professional Services Agreement with West Coast Arborists, Inc. to provide tree maintenance services in the amount of \$130,000 for Fiscal Year 2014-15, with three annual options of a one-year renewal; and authorizing the City Manager to execute the agreement. (General Fund) Recommended by the Director of Public Works.

ACTION: Professional Services Agreement with West Coast Arborists, Inc. approved in the amount of \$130,000; and City Manager authorized to execute the agreement. (4-0-1; Hoffmeister absent)

- c. **Approving** – the creation of the Public Works Supervisor classification assigned to the Office and Professional Employees International Union (OPEIU) bargaining unit at Pay Grade 012 (Market Rate). Resolution No. 14-3493.1 for adoption. Recommended by the Director of Human Resources.

ACTION: Resolution No. 14-3493.1 adopted. (4-0-1; Hoffmeister absent)

- d. **Recommending** – the appointment of Judi Waterson to serve on the Contra Costa County Library Commission. Recommended by the Mayor.

ACTION: Judi Waterson appointed to serve on the Contra Costa County Library Commission. (4-0-1; Hoffmeister absent)

- e. **Recommending** – the reappointment of Roseanne Nieto to serve on the Contra Costa County Iron Horse Corridor Advisory Committee. Recommended by the Mayor.

ACTION: Roseanne Nieto reappointed to serve on the Contra Costa County Iron Horse Corridor Advisory Committee. (4-0-1; Hoffmeister absent)

- f. **Approving** – CIP Project No. 2324, Citywide Curb Ramp Improvements, and CIP Project No. 2325, FY 14-15 Citywide Accessibility Improvements in Various Locations, and appropriating the project funding. (CDBG and Measure J Funds) Recommended by the Director of Community and Economic Development.

ACTION: CIP Project No. 2324, Citywide Curb Ramp Improvements, approved and \$400,000 appropriated from Project No. 1284, Citywide Accessibility Improvements, and \$30,000 appropriated from Project No. 1173, Citywide Sidewalk Improvement Annual Program; and Project No. 2325, FY14-15 Citywide Accessibility Improvements in Various Locations approved, and \$174,000 appropriated from Project No. 1284 and \$50,000 appropriated from Project No. 1173 to fully fund the projects. (4-0-1; Hoffmeister absent)

- g. **Approving** – a Professional Services Agreement with Fehr and Peers Consulting of Walnut Creek in the not-to-exceed amount of \$375,124.40 to provide professional Engineering and Design Services for Project No. 2293, Upgrade Existing and Install New Traffic Signals and Related Improvements at Various Locations in the City of Concord – Phase 1; Project No. 2285, Upgrade Existing and Install New Traffic Signals and Related Improvements at Various Locations in the City of Concord – Phase 2; approving the consolidation of various City Council approved traffic signal projects into Project No. 2285, including the consolidation of the Projects' budgets; and authorizing the City Manager to execute the agreement. (HSIP, CMAQ, Prop. 111 & Measure J Funds) Recommended by the Director of Community and Economic Development.

ACTION: Professional Services Agreement with Fehr and Peers Consulting in the not-to-exceed amount of \$375,124.40 approved; City Manager authorized to execute the agreement. (4-0-1; Hoffmeister absent)

- h. **Awarding** – a construction contract in the amount of \$165,668.92 to Bay Cities Grading and Paving, Inc. of Concord; approving a related budget transfer in the amount of \$48,000 for Project No. 2296, Concord Boulevard PG&E Utility Pole Relocation and Paving Rehabilitation – Sixth Street to Farm Bureau Road; and authorizing the Mayor to execute the contract. (OSIP, Measure J and Caltrans Grant Funds) Recommended by the Director of Community and Economic Development.

ACTION: Construction contract in the amount of \$165,668.92 awarded to Bay Cities Grading and Paving, Inc.; Mayor authorized to execute the contract. (4-0-1; Hoffmeister absent)

- i. **Awarding** – a contract in the amount of \$150,000 to Overmiller, Inc., dba Roto-Rooter, of Concord, for Project No. 2244, Citywide Sewer Lateral Replacement Program; and authorizing the Mayor to execute the contract. (Sewer Enterprise Funds) Recommended by the Director of Community and Economic Development.

ACTION: Contract in the amount of \$150,000 awarded to Overmiller, Inc.; Mayor authorized to execute the contract. (4-0-1; Hoffmeister absent)

- j. **Authorizing** – the installation of an all-way stop control at the intersection of Salvio Street and Date Street for an estimated total cost of \$3,000. (General Fund) Resolution No. 14-3521.3 for adoption. Recommended by the Director of Community and Economic Development.

This item was pulled from the Consent Calendar by Mark Sinclair, Concord, who shared his support of the project.

ACTION: Resolution No. 14-3521.3 adopted. (4-0-1; Hoffmeister absent)

- k. **Accepting** – the allocation in the amount of \$196,858 from the Citizens' Options for Public Safety (COPS) State of California Grant Funds and allocating it for funding one (1) Full Time Equivalent (FTE) Forensic Specialist I position and one FTE contract Forensic Specialist I position. Resolution No. 14-82 for adoption. Recommended by the Chief of Police.

ACTION: Resolution No. 14-82 adopted. (4-0-1; Hoffmeister absent)

- l. **Awarding** – contracts to various vendors for the purchase of three 2015 Ford Taurus sedans, four 2015 Ford F-150 pickup trucks, one diesel front-mounted mower, and one trailer-mounted leaf collector. (Vehicle Replacement Fund) Recommended by the Director of Public Works.

ACTION: Contract awarded to Hanson Ford Lincoln Mercury in the amount of \$87,420 for the purchase of three 2015 Ford Taurus sedans (RFB #2302); Hansel Ford Lincoln Mercury in the amount of \$83,380 for the purchase of four 2015 Ford F-150 pickup trucks (RFB #2304); Mission Valley Tractor & Equipment in the amount of \$23,458.94 for the purchase of one Diesel Front-Mounted Mower (RFB #2306); and Nixon-Egli Equipment Company in the amount of \$82,000 for the purchase of one Trailer-Mounted Leaf Collector (RFB #2307). (4-0-1; Hoffmeister absent)

- m. **Approving** – an amendment to the Memorandum of Understanding between the City of Concord and the Teamsters Local Union No. 856 representing the employees in Administrative, Clerical & Technical and Field & Operations Units for the period July 1, 2014 through June 30, 2015. Resolution No. 14-4735.10 for adoption. Recommended by the Director of Human Resources.

ACTION: Resolution No. 14-4735.10 adopted. (4-0-1; Hoffmeister absent)

- n. **Accepting** – annual report on implementation of the Citywide Climate Action Plan (CAP) adopted by the City Council on July 23, 2013. Recommended by the Assistant City Manager.

ACTION: Annual report on implementation of the Citywide Climate Action Plan (CAP) accepted. (4-0-1; Hoffmeister absent)

4. CITY COUNCIL PUBLIC HEARINGS:

- a. **Establishing** – a City fee of \$1.75 per hour to recover direct costs associated with the use of an Electric Vehicle Charging Station at the City's Todos Santos Parking Structure. Resolution No. 14-6042.2 approving and adopting an Electric Charging Station Fee and amending Exhibit A to Resolution No. 78-6042 (Fees and Charges for Various Municipal Services), for adoption. This project is exempt from CEQA under CEQA Guidelines Sections 15273, 15303, 15304, and 15311. **Report by John Montagh, Economic Development and Housing Manager.**

ACTION: Report heard, opportunity for public testimony given, Resolution No. 14-6042.2 adopted. (4-0-1; Hoffmeister absent)

- b. **Approving** – a deductive contract change order for Project Nos. 2148, Concord Community Pool Pump and Boiler Retrofit, and 2198, Police Department Building Management System, and authorizing the City Manager to execute the change order; approving Amendment #2 to the Agreement with Chevron Energy Solutions, and authorizing the City Manager to execute the Amendment; accepting the improvements for various ESCO projects managed by Chevron Energy Solutions Company; and directing the City Clerk to file Notices of Completion. (General Fund) **Report by Robert Ovidia, City Engineer.**

ACTION: Report heard; opportunity for public testimony given; deductive contract change order for Project Nos. 2148 and 2198 approved; Amendment #2 to the Agreement with Chevron Energy Solutions approved; City Manager authorized to execute the Amendment; improvements for enumerated ESCO projects approved; and City Clerk directed to File Notices of Completion. (4-0-1; Hoffmeister absent)

5. **CITY COUNCIL CONSIDERATION ITEM**

- a. **Discussion** – of the opening and likely funding approach of the Central County Family Justice Center in Concord; appropriating and allocating \$35,000 in additional funding for the first six months of operation; establishing Project No. 2326; and entering into a three-year lease agreement for a total amount of \$427,680 with Salvio Pacheco Square on behalf of the Central County Family Justice Center; and authorizing the City Manager to execute the agreement. (MULTIPLE SOURCES) **Report by: Guy Swanger, Chief of Police.**

ACTION: This item was pulled from the agenda by City staff.

**CITY COUNCIL SITTING
AS THE LOCAL REUSE AUTHORITY**

6. **LOCAL REUSE AUTHORITY CONSENT ITEMS:**

- a. **Approving** – a Master Agreement for Professional Services associated with preparation of conceptual flood management plans and creek restoration plans in support of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station with Engineering Science Associates (ESA) in an amount not to exceed \$20,000. Total funding since 2008 is \$220,300. Recommended by the Reuse Project Director.

ACTION: Master Agreement for Professional Services in the amount not-to-exceed \$20,000 approved; LRA Executive Director authorized to execute the agreement. (4-0-1; Hoffmeister absent)

7. **CORRESPONDENCE** – City Council correspondence not selectively included in the following list is available for inspection during normal business hours by contacting the City Clerk at 671-3390.
 - a. Quarterly Investment Report
 - b. Tree of Lights Celebration for 2014 Brochure
 - c. Benched Memorandum – Agenda Item No. 3.g
 - d. Benched Resolution No. 14-6042.2 – Agenda Item No. 4.a
 - e. Benched Memorandum – Agenda Item No. 5.a
 - f. List of events that Vice Mayor Leone attended dated October 15 – November 18, 2014.
8. **PUBLIC COMMENTS ON PRESENTATION ITEMS** - None
9. **CLOSED SESSION REPORTS** - None
10. **COUNCIL AND STAFF REPORTS**

The Councilmembers shared highlights of the events and activities in which they had recently participated.
11. **ADJOURNMENT at 7:43 p.m. in memory of Contra Costa Water District Vice President Karl Wandry.**

NOTICE

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting (Policy and Procedure No. 2, Section 4.24). For information on the next regular or special City Council meeting, please call (925) 671-3390.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, November 25, 2014

MEETING RECORDS

City Council meetings are available for viewing on the City's website, www.cityofconcord.org and at the Concord Public Library. Copies of DVDs of the Council Meeting are available for purchase. Contact the City Clerk's Office at (925) 671-3390 for further information.

TELEVISED MEETINGS

All meetings are broadcast live on Comcast channel 28, Astound Broadband channel 29, and AT&T U-Verse channel 99. The meeting is replayed on the Wednesday following the meeting at 8 a.m., 2 p.m. and 7 p.m. Replays are also broadcast on Thursday, Friday and Saturday. Please check the City website, <http://www.cityofconcord.org/pdf/about/citynews/tvlistings.pdf>.