



# ANNOTATED AGENDA

**REGULAR MEETING OF THE  
CONCORD CITY COUNCIL/CITY COUNCIL SITTING AS THE  
LOCAL REUSE AUTHORITY  
Tuesday, July 14, 2015  
7:30 p.m.  
City Council Chamber  
1950 Parkside Drive, Concord, CA**

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**CLOSED SESSION  
City Council Conference Room  
5:30 p.m.**

**I. ROLL CALL – all present.**

**II. PUBLIC ANNOUNCEMENT (Open Session) – none.**

**III. PUBLIC COMMENT (Open Session) – none.**

**IV. CLOSED SESSION:**

- a. Conference with Labor Negotiators pursuant to Government Code Section 54957.6 (verbal update).

City Negotiators: Valerie Barone, City Manager  
Laura Brunson, Director of Human Resources  
Charles Sakai, Esq. and Don Turko of Renne, Sloan,  
Holtzman & Sakai

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

- b. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8.

Property: Approximately 58 acres of United States Coast Guard-owned property along Olivera Road, known as Quinault Village and Victory Village.

Negotiating Parties: Michael Wright – City of Concord  
Captain James Ingasbe – USCG  
Beverly Freitas – USCG

Under Negotiation: Price, Terms of Payment

- c. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8.

Property: Area within Concord Community Reuse Plan

Negotiating Parties: Michael Wright – City of Concord  
Alan Lee – Department of Navy, BRAC Project Office

Under Negotiation: Price, Terms of Payment

**V. ADJOURNMENT**

**ACTION: Closed session held.**

**CITY COUNCIL  
REGULAR MEETING  
7:30 p.m. – City Council Chamber**

**ROLL CALL – all present.**

**PLEDGE TO THE FLAG** – Vice Mayor Hoffmeister

**PUBLIC COMMENT PERIOD**

Coire Reilly, Contra Costa Health Services, invited the public and the Council to a community workshop for the City of Concord’s Bicycle, Pedestrian and Safe Routes to Transit Plan scheduled for Thursday, July 30, 2015, from 5:30 – 7:30 p.m. at the Centre Concord, 5298 Clayton Road.

Jaime Perez, Concord, expressed concerns about prowlers in the Kirkwood area and requested security guards be reinstated at each end of the Pavilion.

Lukas Yanni, Contra Costa County Climate Leaders, informed the Council about an energy efficiency financing program the City may qualify for through PG&E.

Patty Johnston, Concord, requested the Council chose a developer for the Reuse Project that provides good jobs with living wages, gives priority to Concord citizens, and she requested a Community Benefits Agreement be signed before the developer is selected.

Susan Seeley, Concord, spoke of the need for affordable housing and of attracting employers to Concord that offer a living wage.

Margaret Hanlon-Gradie, Contra Costa AFLCIO, requested support for the AFL-CIO's *Good Jobs Concord* proposals for the Reuse Project.

Dan Jameyson, Concord, spoke of support of the Teamsters, requested affordable housing, open space, and good living wage jobs for Concord residents through Labor Peace Agreements, Card Check Neutrality Agreements, respect for all current bargaining units, and a local hire policy.

Antonio Cambero, Concord, spoke as a City and union employee of the most recent proposal from the Council to the Teamsters and it not being in Concord's best interest and asked the Council to work in cooperation with the employees so that the phrase "Families Come First" is not just a slogan to promote Concord.

Lisa Jardine, Concord Employee, spoke of current negotiations with the Teamsters and the recent issue of retiree health care.

Rudy Gonzalez, Teamsters, spoke of the current negotiations and the lack of a Councilmember or the City Manager as a decision maker at the bargaining table, and expressed feeling there was a lack of leadership.

1. **PRESENTATIONS – none.**

2. **ANNOUNCEMENTS**

City Clerk Fockler announced a recruitment to fill five positions on the Concord Pleasant Hill Health Care District Grant Committee, three members to serve a two-year term ending June 30, 2017 and two members to serve a four-year term ending June 30, 2019; and set Friday, August 21, 2015 at 5 p.m. as the deadline for receipt of applications by the City Clerk.

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### CITY COUNCIL MATTERS

3. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meeting of June 23, 2015. (No Fiscal Impact) Recommended by the City Clerk.

**ACTION: Minutes approved.**

- b. **Authorizing** – the City Manager to respond to Contra Costa County 2014-15 Grand Jury Report No. 1510, relating to Community Court. Recommended by the Chief of Police.

**ACTION: City Manager authorized to respond to Contra Costa County 2014-15 Grand Jury Report No. 1510, relating to Community Court.**

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4. **CITY COUNCIL CONSIDERATION ITEMS:**

- a. **Considering** – approval of 33 Master Services Agreements for various consultant services for Capital Improvement Projects; and authorizing the City Manager to execute the agreements. No expenditures are authorized by these agreements.

**ACTION: Report heard, opportunity for public testimony given, 33 Master Services Agreements for various consultant services for Capital Improvement Projects approved; and the City Manager authorized to execute the agreements.**

- b. **Interviews** – with applicants seeking to fill the unscheduled vacancy of the City Treasurer. **Report by Joelle Fockler, City Clerk.**

- 1) Conduct interviews
- 2) Comments from the public
- 3) City Council deliberations and ballot vote to fill vacancy, if desired
- 4) Consider adoption of Resolution No. 15-51 making an appointment to fill the City Treasurer vacancy

**ACTION: Interviews held, opportunity for public testimony given, Resolution 15-51 approved, and Tim McGallian appointed as City Treasurer.**

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

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

- a. **Approving** – the minutes from the special meeting of June 17, 2015. (No Fiscal Impact) Recommended by the City Clerk.

**ACTION: Minutes of June 17, 2015 approved.**

- b. **Approving** – an amendment to the Master Services Agreement with ALH Urban & Regional Economics (ALH Economics) for professional services associated with disposition and land transfer planning at the Concord Naval Weapons Station (CNWS) in an amount not to exceed \$20,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Master Services Agreement in an amount not to exceed \$20,000 with ALH Urban & Regional Economics approved; Local Reuse Authority Executive Director authorized to execute the amendment.**

- c. **Approving** – an amendment to the Master Services Agreement with ARUP Inc. for professional services associated with land transfer/development planning at the Concord Naval Weapons Station (CNWS) in an amount not to exceed \$365,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Master Services Agreement in an amount not to exceed \$365,000 with ARUP Inc. approved; Local Reuse Authority Executive Director authorized to execute the amendment.**

- d. **Approving** – an amendment to the Master Services Agreement with Johnson Marigot Consulting, LLC for preparation of materials to support an application for a 404 Permit under the Clean Water Act and regulatory support services in the amount of \$45,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Master Services Agreement in an amount not to exceed \$45,000 with Johnson Marigot Consulting, LLC approved; Local Reuse Authority Executive Director authorized to execute the amendment.**

- e. **Approving** – an amendment to the Master Services Agreement in the amount of \$12,000 with the Law Offices of Craig Labadie for Concord Community Reuse Project Disposition and Development Legal Services. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Master Services Agreement in the amount of \$12,000 with the Law Offices of Craig Labadie approved; City Attorney authorized to execute the amendment.**

- f. **Approving** – an amendment to the Master Agreement for Professional Services associated with hazardous materials management, remedial assessment reviews, and risk management planning with Environmental Risk Services Corporation (ERS) not to exceed \$105,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Master Services Agreement in the amount of \$105,000 with Environmental Risk Services Corporation approved; Local Reuse Authority Executive Director authorized to execute the amendment.**

- g. **Approving** – an amendment to the Professional Services Agreement for Specialized Legal Services with Burke, Williams & Sorensen, LLP in the amount of \$100,000 in connection with transactional legal support for the transfer of the former Concord Naval Weapons Station (CNWS). Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Master Services Agreement in the amount of \$100,000 with Burke, Williams & Sorensen, LLP approved; Local Reuse Authority Executive Director authorized to execute the amendment.**

- h. **Approving** – an amendment to the Master Services Agreement with HR&A Advisors, Inc. (HR&A) for professional services associated with the Economic Development Conveyance (EDC) application and business plan and developer selection process at the Concord Naval Weapons Station (CNWS) in an amount not to exceed \$90,000. Funding will be provided from a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Master Services Agreement not to exceed \$90,000 with HR&A Advisors, Inc. approved; Local Reuse Authority Executive Director authorized to execute the amendment.**

- i. **Approving** – an amendment to the Professional Services Agreement for Specialized Legal Services with Ebbin Moser & Skaggs, LLP in the amount of \$90,000 in connection with development of a natural resource conservation strategy and site wide resource permits for the Concord Reuse Project Area Plan. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Professional Services Agreement in the amount of \$90,000 with Ebbin Moser + Skaggs, LLP, approved; City Attorney authorized to execute the amendment.**

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- j. **Approving** – an amendment to the Master Agreement for Professional Services in the amount of \$100,000 with Garrity and Knisely for Concord Community Reuse Project transactional legal services. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

**ACTION: Amendment to the Master Agreement for Professional Services in the amount of \$100,000 with Garrity and Knisely approved; Local Reuse Authority Executive Director authorized to execute the amendment.**

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6. **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. Community Workshop for Concord’s Bicycle, Pedestrian and Safe Routes to Transit Plan Flyer
  - b. PG&E On-Bill Financing for Energy Efficiency Upgrades Flyers
  - c. Letter dated July 14, 2015 from Central Labor Council of Contra Costa County AFL-CIO
  - d. Benched Correspondence – Item No. 4b
  - e. Benched Item No. 4B – email from Scott Hutchinson
  - f. Memorandum from John Pamer dated July 14, 2015.
7. **PUBLIC COMMENTS ON PRESENTATION ITEMS – none.**
8. **CLOSED SESSION REPORTS – none.**
9. **COUNCIL AND STAFF REPORTS**
10. **ADJOURNMENT – at 10:05 p.m. in honor of the 2015 Law Enforcement Torch Run Final Leg for Special Olympics World Summer Games.**

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**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.

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**NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, July 28, 2015.**

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**MEETING RECORDS**

City Council meetings are available for viewing on the City's website, [www.cityofconcord.org](http://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>