

SPECIAL MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CONFERENCE ROOM
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, JUNE 30, 2015

The Concord City Council met in a special meeting on Tuesday, June 30, 2015 at 5:30 p.m. in the City Council Conference Room of Wing A at 1950 Parkside Drive with Mayor Grayson presiding. All members of the City Council were present and there was no public comment. The meeting recessed and immediately reconvened in a closed session to confer 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.

Minutes are in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

By order of the Mayor, the closed session meeting was adjourned at 6:45 p.m.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
CITY CLERK

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/CITY
COUNCIL SITTING AS THE
LOCAL REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, JULY 7, 2015

The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 7:30 p.m. on Tuesday, July 7, 2015, with Mayor Grayson 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, Tim Grayson

COUNCILMEMBERS ABSENT: None

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney; Joelle Fockler, City Clerk; Mike Wright, Executive Director, Local Reuse Authority; Jeff Lewis, Director of Information Technology; Victoria Walker, Director of Community and Economic Development; Jovan Grogan, Deputy City Manager; Justin Ezell, Director of Public Works; Karan Reid, Director of Finance; Joan Carrico, Director of Parks and Recreation; Jeff Roubal, Fleet Maintenance Program Manager; Deborah Yamamoto, Senior Financial Analyst; Robert Woods, Chief Building Official; Robert Ovadia, City Engineer; Kevin Marstall, Senior Civil Engineer; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Kealoha Pomerantz, American Cancer Society; George Fulmore, Concord; Rudy Gonzalez, Teamsters; Tim McGallian, Concord

PUBLIC COMMENT PERIOD

Kealoha Pomerantz, American Cancer Society, invited the Council and the public to attend Relay for Life, a 24-hour fundraiser scheduled for July 11 at 10 a.m. – July 12 at 10 a.m. at Todos Santos Plaza.

George Fulmore, Concord, spoke of funding projects at Meadow Homes Park.

Rudy Gonzalez, Teamsters, reported on the current status of negotiations with the Administrative, Technical & Clerical Representation Unit and Field & Operations Representation Unit of International Brotherhood of Teamsters, and noted that because the current contract expired June 30, 2015, those employees are now working without a contract.

Tim McGallian, Concord, spoke of the 4th of July Festival and Fireworks, and noted that there were over 15,000 in attendance. He thanked the Council for attending and participating, Linda and Darrell Graham of the Concord Police Officers Association for coordinating the Firecracker 5k run, parade organizer Tammy Grayson, Turtle Pipher, Kristen Peterson, Chuck Wojack, Larry Tang, Michelle, Marsha and Jeff McGallian, Louise Gee, Melissa Sorenson, Ana Villalobos, Bill Davidson, Troop 465, Junior Giants volunteers, and Key Club volunteers from Concord, College Park, and Mt. Diablo High Schools. Mr. McGallian also thanked the Contra Costa Building & Construction Trade Council for sponsoring the fireworks, Tesoro for sponsoring the parade, and the Concord Police Officers' Association for sponsoring the 5k run.

PRESENTATIONS

NATIONAL SAFE DIGGING MONTH

Mayor Grayson presented PG&E Government Relations Manager Tom Guarino proclaiming July 2015 as "National Safe Digging Month."

PG&E PIPELINE PROJECT – Community Pipeline Safety Initiative

PG&E Government Relations Manager Tom Guarino presented an update on the Community Pipeline Safety Initiative.

MUNICIPAL REGIONAL STORMWATER PERMIT

Contra Costa County Clean Water Coordinator Tom Dalziel presented an update on the reissuance of the Municipal Regional Stormwater Permit.

ANNOUNCEMENTS

Mayor Grayson spoke of his recent comments regarding his concern over the increase in criminal activity in Concord and apologized for the tone of his remarks made on June 23 that may have come across as unfair in manner to the City Manager and Chief of Police. He clarified that he, the City Manager, and the Chief of Police are partners working together with the same intentions. He noted that the Chief will present a full and thorough briefing on crime in Concord at the July 28, 2015 City Council meeting.

CITY COUNCIL MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Helix to approve the minutes for the meeting of June 9, 2015. Motion passed by unanimous vote of the Council.

WRITE-OFF OF UNCOLLECTABLE ACCOUNTS RECEIVABLE

Motion was made by Hoffmeister and seconded by Helix to authorize the write-off of the uncollectible accounts receivable in the amount of \$231,228 effective June 30, 2015. Motion passed by unanimous vote of the Council.

COWELL ROAD SAFETY IMPROVEMENTS, Project No. 2314

Motion was made by Hoffmeister and seconded by Helix to award a construction contract in the amount of \$99,592 to Rosas Brothers Construction of Oakland for Cowell Road Safety Improvements, Project No. 2314, and approve a related budget transfer in the amount of \$50,000. Motion passed by unanimous vote of the Council.

CITYWIDE BRIDGE REPAIR PROGRAM – Group 1 Bridges Construction Project No. CIP-1601

Motion was made by Hoffmeister and seconded by Helix to award a construction contract in the amount of \$640,000 to Bay Line Cutting and Coring, Inc. of Berkeley; approve a professional services agreement with Park Engineering of Orinda in the amount of \$73,750.55 for construction management services for the Citywide Bridge Repair Program – Group 1 Bridges Construction Project No. CIP-1601, and authorize the City Manager to execute the contract and the agreement. Motion passed by unanimous vote of the Council.

APPROVE ANNUAL LICENSE AND MAINTENANCE CONTRACT RENEWALS

Motion was made by Hoffmeister and seconded by Helix to authorize the expenditure of Fiscal Year 2015-16 funds for the following annual license and maintenance contract renewals required to support the systems and applications used by the City; and to authorize the Director of Information Technology to execute any supporting documents. Motion passed by unanimous vote of the Council.

SYSTEM	MANUFACTURER/SUPPLIER	TERM	AMOUNT
Accela Automation	Accela Government Software	12/21/15-12/20/16	43,052.37
HR/Finance System	Infor (name change from Lawson)	07/01/15-06/30/16	110,200.33
SmartNet Maintenance	Cisco/Quest	7/1/15-6/30/16	69,993.13
East Bay Regional Communications System	EBRCSA - JPA	07/01/15-06/30/16	185,280.00
ACCJIN (Criminal Justice System)	Contra Costa County	FY 2014/2015	15,248.93
ARIES (Sheriff's Office Info Exchange)	Contra Costa County	FY 2014/2015	33,400.00
CLETS (maintenance)	Contra Costa County	FY 2013/2014	1,800.00
CLETS (level II software access)	Contra Costa County	FY 2013/2014	7,674.81
Computer Aided Dispatch (CAD)	TriTech	08/01/15-08/01/16	119,186.02
			\$585,835.59

CENTRE CONCORD MOVEABLE WALLS AND COVERINGS – Project No. 2182

Motion was made by Hoffmeister and seconded by Helix to award a construction contract in the amount of \$584,105 to J-Walt Construction of Woodland, waiving minor bid irregularities, approve a professional services agreement with Swinerton Management and Consulting of Concord in the amount of \$57,205 for construction management services for Centre Concord Moveable Walls and Coverings, Project No. 2182, and authorize the City Manager to execute the contract and agreement. Motion passed by unanimous vote of the Council.

FIRST 5 CONTRA COSTA CHILDREN AND FAMILIES COMMISSION – First Amendment to Lease Agreement

Motion was made by Hoffmeister and seconded by Helix to approve the first amendment to the lease agreement with the First 5 Contra Costa Children and Families Commission for the use of the Monument Community First 5 Center and authorize the City Manager to execute the amendment. Motion passed by unanimous vote of the Council.

MONUMENT IMPACT USE OF KELLER HOUSE – Amendment to Lease Agreement

Motion was made by Hoffmeister and seconded by Helix to approve an amendment to the lease agreement with Monument Impact for the Use of the Keller House and authorize the City Manager to execute the amendment. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-46 – 2015-16 CalRecycle Used Oil Payment Program Funding

Motion was made by Hoffmeister and seconded by Helix approving Resolution No. 15-46 entitled, "A RESOLUTION AUTHORIZING THE APPLICATION FOR A FY 2015-16 CALRECYCLE USED OIL PAYMENT PROGRAM." Motion passed by unanimous vote of the Council.

SUBDIVISION ORDINANCE UPDATE – Project No. 2308

Motion was made by Hoffmeister and seconded by Helix approving a professional services agreement with Ben Noble, City and Regional Planning, in the not-to-exceed amount of \$100,000 to provide an analysis of the Subdivision Ordinance for compliance with the Development Code and pertinent State and Federal regulations and prepare proposed modifications to update the Subdivision Ordinance, Project No. 2308. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-48 – SunShares Residential Solar Installation Program

Motion was made by Hoffmeister and seconded by Helix approving Resolution No. 15-48 entitled, "A RESOLUTION AUTHORIZING THE CITY OF CONCORD'S PARTICIPATION IN THE SUNSHARES RESIDENTIAL SOLAR INSTALLATION PROGRAM." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-47 – Federal Justice Assistance Grant (JAG) Program

Motion was made by Hoffmeister and seconded by Helix approving Resolution No. 15-47 entitled, "A RESOLUTION TO ACCEPT GRANT FUNDING FROM THE FEDERAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AND AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2015-16." Motion passed by unanimous vote of the Council.

MUNICIPAL REGIONAL STORMWATER PERMIT (MRP 2.0) – Letter of Opposition

Motion was made by Hoffmeister and seconded by Helix to authorize the Mayor to sign on behalf of the full City Council a letter of opposition to the tentative order reissuing the Municipal Regional Stormwater Permit (MRP 2.0). Motion passed by unanimous vote of the Council.

PROPERTY TAX MANAGEMENT AND AUDIT SERVICES – HdL Coren & Cone

Motion was made by Hoffmeister and seconded by Helix to approve a professional services agreement with HdL Coren and Cone for property tax management and audit services in an amount not to exceed \$20,000 plus 25 percent of the property tax revenue recovered by the consultant during the agreement period of July 1, 2015 through June 30, 2018 and authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

APPOINTMENTS TO THE CITY OF CONCORD COMMISSION ON AGING

Motion was made by Helix and seconded by Grayson to appoint Linda Bailey, Cathy McCaughey, and Casilda Gonzales to serve on the City of Concord Commission on Aging for a four-year term ending June 30, 2019. Motion passed by unanimous vote of the Council.

APPOINTMENTS TO THE CITY OF CONCORD COMMUNITY SERVICES COMMISSION

Motion was made by Helix and seconded by Grayson to appoint Lisa Gallo, Bonnie Rea, Ronald Glas, and Ciel Gierke to the City of Concord Community Services Commission for a two-year term ending June 30, 2017 and David Miller, Ajit Kaushal, and Kurt Brogger for a four-year term ending June 30, 2019, and direct the City Clerk to open a recruitment period for the Concord Pleasant Hill Health Care District Grant Committee. Motion passed by unanimous vote of the Council.

The Council reconvened as the Local Reuse AuthorityGoMentum Station – Memorandum of Understanding between the Contra Costa Transportation Authority and The City of Concord Local Reuse Authority

Mike Wright, Executive Director, Local Reuse Authority, presented a report, referring to his memorandum dated July 7, 2015, and noting that the purpose of the Memorandum of Understanding (MOU) with the Contra Costa Transportation Authority is to establish mutually acceptable conditions governing access, marketing, utilization, and temporary site improvements at the Concord Naval Weapons Station (CNWS) Connected Vehicle/Autonomous Vehicle (CV/AV) Testbed, now referred to as GoMentum Station (Testbed), for CV/AV testing, research, development, deployment and commercialization by the Contra Costa Transportation Authority and the City of Concord Local Reuse Authority.

Following questions by the Council, Mr. Wright introduced Jack Hall, Contra Costa Transportation Authority ITS CV/AV Program Manager, who answered Council questions regarding the project.

Following questions by the Council, Mayor Grayson opened a public comment period, and receiving no comments, closed the public comment period.

Motion was made by Hoffmeister and seconded by Helix to approve the Memorandum of Understanding between the Contra Costa Transportation Authority and the City of Concord and authorize the City Manager to execute the Memorandum of Understanding with notation of concerns raised about financial considerations for the future. Motion passed by unanimous vote of the Council.

The Local Reuse Authority reconvened as the City Council.ORDINANCE NO. 15-6 – Solar Energy Systems

Chief Building Official Robert Woods presented a report explaining Assembly Bill No. 2188, approved by the Governor of California on September 21, 2014. He reported that the purpose of the bill is to implement a statewide streamlined permitting process for small residential rooftop solar systems with an output capacity of 10 kwatts or less.

Chief Building Official Woods requested that the City Council introduce Ordinance No. 15-6 amending Concord Municipal Code Title 15, Buildings and Building Regulations, in order to add a new Chapter 15.115, Solar Energy Systems to create an expedited, streamlined permitting process for small residential rooftop solar systems as required by Assembly Bill 2188 (Chapter 521, Statutes 2014).

Following questions by the Council, Mayor Grayson opened a public comment period, and receiving no comments, closed the public comment period.

Motion was made by Hoffmeister and seconded by Helix introducing Ordinance No. 15-6 entitled, "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE TITLE 15 (BUILDINGS AND BUILDING REGULATIONS), IN ORDER TO ADD A NEW CHAPTER 15.115 (SOLAR ENERGY SYSTEMS) TO CREATE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS AS REQUIRED BY ASSEMBLY BILL 2188 (CHAPTER 521, STATUTES 2014)." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-49 AND ORDINANCE NO. 15-5 – Industrial Mixed Use Text Amendment to the Development Code

Community and Economic Development Director Victoria Walker presented a report, referring to her memorandum dated July 7, 2015, and reporting that since the Council adopted a comprehensive update to the Development Code in July 2012, staff has periodically brought forward proposed amendments to the Development Code to address identified inconsistencies, modifications or clarifications. She conveyed that the proposed text amendment to the Industrial Mixed Use zoning district in the Development Code would allow outdoor activities, facilities and storage in the IMX district with approval of a Use Permit.

Following questions by the Council, Mayor Grayson opened a public comment period, and receiving no comments, closed the public comment period.

Motion was made by Hoffmeister and seconded by Leone adopting Resolution No. 15-49 entitled, "A RESOLUTION APPROVING AND ADOPTING THE ADDENDUM TO THE 2012 SEIR FOR THE INDUSTRIAL MIXED USE TEXT AMENDMENT TO THE DEVELOPMENT CODE, REAFFIRMING THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING AN ORDINANCE TO APPROVE THE INDUSTRIAL MIXED USE TEXT AMENDMENT TO THE DEVELOPMENT CODE (PL15158-DC)," and introducing Ordinance No. 15-5 entitled, "AN ORDINANCE AMENDING THE CONCORD MUNICIPAL CODE BY ADOPTING AN AMENDMENT TO THE 2012 DEVELOPMENT CODE; VOLUME 1, DATED JULY 24, 2012 (FORMERLY CHAPTER 122 (ZONING) OF THE CONCORD MUNICIPAL CODE) TO REVISE ARTICLE II (ZONING DISTRICTS – USES AND STANDARDS), IBP, IMX AND HI) TABLE 18.50.202 (BUSINESS PARK AND INDUSTRIAL DISTRICTS – ALLOWED USES AND PERMIT REQUIREMENTS), LAND USE CLASSIFICATIONS; INDUSTRIAL MIXED USE (IMX)" by reading of the title only and waiving further reading. Motion passed by unanimous vote of the Council.

Note to minutes: Typographical error in the Resolution Number. Resolution No. 15-49 has been changed to Resolution No. 15-4823.2.

ORDINANCE NO. 15-7 – District WMX of the Development Code

This item was continued to a date uncertain to allow staff additional time to review.

CORRESPONDENCE

- a. Community Pipeline Safety Initiative PowerPoint Presentation – Item 1b
- b. Contra Costa Clean Water Program PowerPoint Presentation – Item 1c
- c. Ordinance No. 15-6 PowerPoint Presentation – Item 5a
- d. IMX Zoning District Area PowerPoint Presentation – Item 5b

PUBLIC COMMENTS ON PRESENTATION ITEMS - None

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 8:35 p.m. in memory of Mary Garaventa.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
CITY CLERK

REGULAR MEETING OF THE
CONCORD CITY COUNCIL/
CITY COUNCIL SITTING AS THE
LOCAL REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, JULY 14, 2015

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, July 14, 2015, with Mayor Grayson presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to: a) confer 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) confer 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 Frietas – 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.

The meeting adjourned at 7:25 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 7:30 p.m. on Tuesday, July 14, 2015, with Mayor Grayson presiding. The pledge of allegiance was led by Vice Mayor Hoffmeister. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

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

STAFF PRESENT: Valerie Barone, City Manager; Mark Coon, City Attorney;
Joelle Fockler, City Clerk; Guy Swanger, Chief of Police;
Justin Ezell, Director of Public Works; Karan Reid,
Director of Finance; Jeff Lewis, Director of Information
Technology; Joan Carrico, Director of Parks and
Recreation Services; Robert Ovadia, City Engineer;
Jovan Grogan, Deputy City Manager

MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL: Coire Reilly, Contra Costa Health Services; Jaime Perez, Concord; Lukas Yanni, Contra Costa County Climate Leaders; Patty Johnston, Concord; Susan Seeley, Concord; Margaret Hanlon-Gradie, AFLCIO Labor Council; Dan Jameyson, Concord; Antonio Cambero, Concord; Lisa Jardine, Concord Employee; Rudy Gonzalez, Teamsters; Ernie Guerrero, Concord; Marcos Suarez, Windsor; Carlos Alarcon; Ed Basaldua, Concord; Jimmy Araujo, Concord; Tommy Wolf, Concord; Michael McKay, Concord; Ray Barbour, Concord

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.

PRESENTATIONS – None

ANNOUNCEMENTS

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

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Helix to approve the minutes for the meeting of June 23, 2015. Motion passed by unanimous vote of the Council.

2014-15 GRAND JURY REPORT NO. 1510 – Community Court

Motion was made by Hoffmeister and seconded by Helix to authorize the City Manager to respond to Contra Costa County 2014-15 Grand Jury Report No. 1510, relating to Community Court. Motion passed by unanimous vote of the Council.

The Council then convened as the Local Reuse Authority.

APPROVAL OF MINUTES – June 17, 2015 Special Meeting

This item was pulled by Councilmember Leone so he could abstain from the vote.

Motion by Helix and second by Birsan to approve the minutes of June 17, 2015. Motion passed by the following vote of the Authority:

AYES: Birsan, Helix, Hoffmeister, Grayson NOES: None ABSTAIN: Leone

AMENDMENT TO MASTER SERVICES AGREEMENT – ALH Urban & Regional Economics

Motion by Helix and seconded by Hoffmeister to approve an amendment to the existing Master Services Agreement for an amount not to exceed \$20,000; Local Reuse Authority Executive Director authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

AMENDMENT TO MASTER SERVICES AGREEMENT – ARUP Inc.

Motion by Helix and seconded by Hoffmeister to approve an amendment to the Master Services Agreement for professional services in an amount not to exceed \$365,000; Local Reuse Authority Executive Director authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

AMENDMENT TO MASTER PROFESSIONAL SERVICES AGREEMENT – Johnson Marigot Consulting, LLC

Motion by Helix and seconded by Hoffmeister to approve an amendment to the Master Professional Services in an amount not to exceed \$45,000; Local Reuse Authority Executive Director authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

AMENDMENT TO MASTER SERVICES AGREEMENT – Law Offices of Craig Labadie

Motion was made by Helix and seconded by Hoffmeister to approve an amendment to the Master Services agreement in an amount not to exceed \$12,000; City Attorney authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

AMENDMENT TO MASTER SERVICES AGREEMENT FOR PROFESSIONAL SERVICES – Environmental Risk Services Corporation (ERS)

Motion was made by Helix and seconded by Hoffmeister to approve an amendment to the Master Services Agreement for Professional Services with ERS in an amount not to exceed \$105,000; Local Reuse Authority Executive Director authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

AMENDMENT TO MASTER PROFESSIONAL SERVICES AGREEMENT – Burke, Williams & Sorensen, LLP

Motion was made by Helix and seconded by Hoffmeister to approve an amendment to the Master Professional Services Agreement in an amount not to exceed \$100,000; City Attorney authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

AMENDMENT TO MASTER SERVICES AGREEMENT FOR PROFESSIONAL SERVICES – HR&A Advisors, Inc. (HR&A)

Motion was made by Helix and seconded by Hoffmeister to approve an amendment in an amount not to exceed \$90,000 with a performance period of July 1, 2015 – June 30, 2015; Local Reuse Authority Executive Director authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

AMENDMENT TO AGREEMENT FOR LEGAL SERVICES – Ebbin Moser + Skaggs, LLP

Motion was made by Helix and seconded by Hoffmeister to approve an amendment to the Agreement for Legal Services with Ebbin Moser + Skaggs, LLP in an amount not to exceed \$90,000; City Attorney authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

AMENDMENT TO MASTER AGREEMENT FOR PROFESSIONAL SERVICES – Garrity and Knisely

Motion was made by Helix and seconded by Hoffmeister to approve an amendment to the Master Agreement for Professional Services with Garrity and Knisely in the amount of \$100,000; City Attorney authorized to execute the amendment. Motion passed by unanimous vote of the Authority.

The Local Reuse Authority then reconvened as the City Council.APPROVAL OF THIRTY-THREE (33) MASTER SERVICES AGREEMENTS FOR VARIOUS CONSULTANT SERVICES FOR CAPITAL IMPROVEMENT (CIP) PROJECTS

City Engineer Robert Ovadia presented a report, referring to the memorandum dated July 14, 2015, and reporting that the City Council Ad-Hoc Committee on Review of Contracts and Consultants (Councilmembers Helix and Leone) met on July 2nd and discussed the Master Services Agreements being brought forward, and after completing their review, directed staff to bring the Agreements to the full Council with a recommendation for approval.

City Engineer Ovidia stated that a Master Services Agreement (MSA) process is a more efficient means to authorize work for smaller CIP expenditures, and the purpose of the MSA process is to simplify and accelerate the delivery of small to medium-sized projects by pre-qualifying consultants and establishing a contractual relationship between the City and consulting firms. He noted that the MSA process is used by other cities and is considered a best practice.

City Engineer Ovidia reported that under the proposed Master Services Agreements, the City Engineer is authorized to approve up to \$50,000 for a Task Order, and Task Orders with compensation of more than \$50,000 would be brought to the Council for consideration. He noted that it is clear to all of the proposed firms that entering into an MSA pre-qualifies them for work but does not guarantee work. The process of pre-qualifying firms that desired to work through a MSA included a Request for Qualifications, to which staff received 118 Statements of Qualifications (SOQ) from firms related to a number of professional disciplines, or areas of expertise. The firms were separated into 13 disciplines for evaluation, including: Civil Design, Project/Construction Management and Inspection, Geotechnical and Materials Testing, California Environmental Quality Act and National Environmental Policy Act (CEQA /NEPA), Environmental Engineering, and Development Review. After a review of the SOQs based on disciplines, 50 firms were invited to participate in an interview process. The panel committees then selected the firms best suited to provide services for the City's projects and anticipated needs.

The firms selected to enter into Master Agreements are: Bellecci & Associates; Harrison Engineering, Inc.; Nichols Consulting Engineers, Chtd.; Pavement Engineering, Inc.; Diablo Engineering Group; Harris and Associates, Inc.; F.J. Kennedy and Associates, Inc.; CSG Consultants, Inc.; Swinerton Management & Consulting; Vali Cooper & Associates; Park Engineering; 4LEAF, Inc.; tBP Architecture, Inc.; SVA Architects, Inc.; Interactive Resources; JMEC Engineering, Inc.; Associated Right of Way Services, Inc.; Paragon Partners, Ltd.; Balance Hydrologics, Inc.; WRECO Engineers; TJKM Transportation Consultants; DKS Associates; McArdle Design; Golden Associates; LCC, Inc.; Mark Thomas & Company; Analytical Environmental Services; Rincon Consultants, Inc.; LSA Associates, Inc.; Kimley-Horn and Associates, Inc.; Kleinfelder West, Inc.; Neil O. Anderson & Associates; and Geocon Consultants.

Following questions by the Council, Mayor Grayson opened a public comment period, and receiving no public comment, closed the public comment period.

Following comments by the Council, a motion was made by Helix and seconded by Leone to approve 33 Master Services Agreements for various consultant services, and authorize the City Manager to execute the Agreements. Motion passed by unanimous vote of the Council.

INTERVIEWS FOR CITY TREASURER

City Clerk Joelle Fockler presented a report, referring to her memorandum dated July 14, 2015, and provided an overview of the format to be followed for the interviews.

Interviews were conducted in an open forum with candidate submitting applications for the unscheduled City Treasurer vacancy. Candidates included Gregory M. Grassi, Scott B. Hutchinson, Eric L. Maldonado, Timothy A. McGallian, John M. Pamer, Don Rollins, and James J. Ryan. Applicant Scott B. Hutchinson withdrew his application prior to the meeting. The applicants were given one minute prior to the interview questions for introductions. Each interview was 10 minutes.

The applicants concluded the question and answer period, and Mayor Grayson opened a public comment period.

Ed Basaldua, Concord, spoke in support of Eric Maldonado for City Treasurer.

Carlos Alarcon, spoke in support of Eric Maldonado for City Treasurer.

Marcos Suarez, Windsor, spoke in support of Eric Maldonado for City Treasurer.

Ernie Guerrero, Concord, spoke in support of Eric Maldonado for City Treasurer.

Jimmy Araujo, Concord, spoke in support of Eric Maldonado for City Treasurer.

Michael McKay, Concord, spoke in support of Eric Maldonado for City Treasurer.

Tommy Wolf, Concord, spoke in support of Eric Maldonado for City Treasurer.

Ray Barbour, Concord, spoke in support of Tim McGallian for City Treasurer.

Following comments by the City Council, Vice Mayor Hoffmeister called for the first round of ballots, which resulted in three votes for Timothy A. McGallian (Mayor Grayson, Vice Mayor Hoffmeister, and Councilmember Leone) and two votes for Eric L. Maldonado. (Councilmembers Birsan and Helix.)

ADOPTION OF RESOLUTION NO. 15-51 – Appointment of Timothy A. McGallian to City Treasurer

Motion was made by Hoffmeister and seconded by Leone to adopt Resolution No. 15-51 entitled, “A RESOLUTION APPOINTING TO FILL THE UNSCHEDULED VACANCY OF THE CITY TREASURER FOLLOWING AN APPLICATION AND INTERVIEW PROCESS.” Motion passed by unanimous vote of the Council.

Tim McGallian then stepped down from his appointment as Planning Commissioner.

OATH OF OFFICE – City Treasurer

City Clerk Joelle Fockler administered the Oath of Office to appointed City Treasurer McGallian and had him sign a Certificate of Appointment.

CORRESPONDENCE

- 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.

PUBLIC COMMENTS ON PRESENTATION ITEMS - None

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 10:05 p.m. in honor of the 2015 Law Enforcement Torch Run Final Leg for Special Olympics World Summer Games.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
CITY CLERK

SPECIAL MEETING OF THE
CONCORD CITY COUNCIL
CITY COUNCIL CONFERENCE ROOM
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, JULY 21, 2015

The Concord City Council met in a special meeting on Tuesday, July 21, 2015 at 5:30 p.m. in the City Council Conference Room of Wing A at 1950 Parkside Drive with Mayor Grayson presiding. All members of the City Council were present and there was no public comment. The meeting recessed and immediately reconvened in a closed session to:

a. Confer 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. Confer pursuant to Government Code Section 54954.5(d) Public Employment: Director of Community Reuse Planning.

c. Confer pursuant to Government Code Section 54954.5(d) Public Employee Performance Evaluation: City Manager.

Minutes are in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

By order of the Mayor, the closed session meeting was adjourned at 8:30 p.m.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
CITY CLERK