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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 28, 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 28, 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. City Negotiators: Valerie Barone, City Manager; Kay Winer, Labor Negotiator; 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: 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 6:35 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 6:40 p.m. on Tuesday, July 28, 2015, with Mayor Grayson 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, 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; Robert Ovadia, City Engineer; Jovan
Grogan, Deputy City Manager; Jeff Roubal, Fleet
Management Program Manager

MEMBERS OF THE PUBLIC

WHO ADDRESSED THE COUNCIL: Lynn Noone, Concord; Dori DeCommer, Concord; George Fulmore, Concord; Stephen Carroll, Unionville; Joe Partansky, Concord; Roylen Stack, Concord; Steve Older, Concord; Tom Lawson, Local 159; Tom Lewis, Local 5; Dan Reynolds, Contra Costa Central Labor Council; Lindy Lavender, Supervisor Mitchoff's Office; Suzette Adkins, Assemblywoman Bonilla's Office; Pat Joyce, Congressman DeSaulnier's Office

PUBLIC COMMENT PERIOD

Lynn Noone, Adult Services Librarian, presented an update on the summer activities at the Concord Library.

Dori DeCommer, Concord Library, spoke about the summer reading program at the Concord Library, *Read to the Rhythm*.

George Fulmore, Concord, spoke about the Spray Park, and inquired why the Spray Park wasn't working earlier in the day.

Stephen Carroll, Unionville, stated that there is one race, the human race.

Joe Partansky, Concord, spoke of city publications and their availability to the public.

Roylen Stack, Concord, spoke of the parked cars with for sale signs that line Detroit Avenue and demanded a four-way stop at the corner of Detroit, Pine Creek, and Todd.

Steve Older, Concord, Director of Machinist Union, President of AFLCIO Labor Council, urged the Council to adopt their good Concord jobs platform and support the good jobs initiative.

Tom Lawson, President of Plumbers and Steamfitters Local 159, requested that the Council ensure good jobs and living wages for the Concord Naval Weapons Station Project by signing an agreement with the Community Coalition for a Sustainable Concord before a master developer is selected.

Tom Lewis, United Steel Workers Local 5, spoke of good jobs, living wages, and affordable housing for the Concord Naval Weapons Station Project.

Dan Reynolds, Contra Costa Central Labor Council, spoke of valid labor agreements and priority given to Concord residents for jobs on the Concord Naval Weapons Station Project.

PRESENTATIONS

CITY TREASURER THOMAS J. WENTLING

Mayor Grayson and the City Council presented outgoing City Treasurer Thomas J. Wentling with a proclamation declaring July 28, 2015 as *Thomas Wentling Day* in the City of Concord, a plaque in honor of his 30 years of service to the City of Concord, and a gift from the City Council.

Lindy Lavender, Supervisor Karen Mitchoff's Office, presented Mr. Wentling with a Certificate of Appreciation for his years of service.

Suzette Adkins, Assemblywoman Bonilla's Office, presented Mr. Wentling with a Resolution for his years of service.

Pat Joyce, Congressman DeSaulnier's Office, read a letter into the record from Congressman DeSaulnier and presented Mr. Wentling with a Certificate for his years of service.

Karan Reid, Director of Finance, presented Mr. Wentling with a scrapbook prepared by the Finance staff recapping his 30 years with the City of Concord.

UPDATE ON POLICE DEPARTMENT ACTIVITIES

Mayor Grayson introduced Chief of Police Guy Swanger who presented an update on department activities.

ANNOUNCEMENTS

City Clerk Joelle Fockler announced a recruitment to fill an unexpected vacancy on the Planning Commission for a term ending February 28, 2017, and set Friday, August 28, 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 meetings of June 30, July 7, July 14, and July 21, 2015. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – 2015 Vactor Plus Truck with 2105 Jet Rodder

Motion was made by Hoffmeister and seconded by Helix to award a contract to Owen Equipment of Sacramento in the amount of \$401,374 for a 2015 Vactor Plus Truck with 2105 Jet Rodder. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Safety Network Traffic Signs, Inc.

Motion was made by Hoffmeister and seconded by Helix to award a contract to Safety Network Traffic Signs, Inc. in the amount of \$250,000 for the Traffic Sign Replacement Project. Motion passed by unanimous vote of the Council.

PURCHASE OF ONE ASPHALT MELTER CRACK SEALER – H-GAC

Motion was made by Hoffmeister and seconded by Helix to authorize the purchase of one Asphalt Melter Crack Sealer in the amount of \$53,935.05 through H-GAC. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT – Spraytec

Motion was made by Hoffmeister and seconded by Helix to award a contract to Spraytec in the amount of \$77,351 to build a Pesticide Spray Truck. Motion passed by unanimous vote of the Council.

ORDINANCE NO. 15-6 – Solar Energy Systems

Motion was made by Hoffmeister and seconded by Helix to adopt 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 SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS AS REQUIRED BY ASSEMBLY BILL 2188 (CHAPTER 521, STATUTES 2014)," which was introduced on July 7, 2015, by reading of the title only and waiving further reading. Motion passed by unanimous vote of the Council.

ORDINANCE NO. 15-5 – Industrial Mixed Use (IMX)

Motion was made by Hoffmeister and seconded by Helix to adopt 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), DIVISION 6 BUSINESS PARK AND INDUSTRIAL DISTRICTS (OBP, 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)," which was introduced on July 7, 2015, by reading of the title only and waiving further reading. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-54 – California Statewide Communities Development Authority Open PACE Programs

Motion was made by Hoffmeister and seconded by Helix to adopt Resolution No. 15-54 entitled, "A RESOLUTION CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OPEN PACE PROGRAMS; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-55 – California Home Finance Authority Community Facilities District No. 2014-1 (Clean Energy)

Motion was made by Hoffmeister and seconded by Helix to adopt Resolution No. 15-55 entitled, "A RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO." Motion passed by unanimous vote of the Council.

RESOLUTION NO. 15-56 – California Home Finance Authority – Program to Finance Renewable Energy Generation Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure – Joint Exercise of Powers Agreement

Motion was made by Hoffmeister and seconded by Helix to adopt Resolution No. 15-56 entitled, 'A RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY, PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO.' Motion passed by unanimous vote of the Council.

AWARD OF CONSTRUCTION CONTRACT/APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – Detroit Avenue Bicycle and Pedestrian Improvements – Clayton Road to Monument Boulevard – Project No. 2276

Motion was made by Hoffmeister and seconded by Helix to award a construction contract in the amount of \$2,105,335.42 to Ghilotti Brothers, Inc. of San Rafael, approving a professional services agreement with Park Engineering, Inc. of Orinda in the amount of \$207,424 for construction Management Services; approving related budget transfers; and authorizing the City Manager to execute the contract and agreement for Detroit Avenue Bicycle and Pedestrian Improvements – Clayton Road to Monument Boulevard (Project No. 2276). Motion passed by unanimous vote of the Council.

LEAGUE OF CALIFORNIA CITIES GENERAL BUSINESS MEETING – Voting Member/Alternate

Motion was made by Hoffmeister and seconded by Helix to appoint Mayor Grayson as voting member and Councilmember Leone as alternate for the General Business Meeting of the League of California Cities Annual Conference scheduled for September 30 – October 2, 2015, in San Jose. Motion passed by unanimous vote of the Council.

PHASE I – THE REPLACEMENT OF PUMP SYSTEM COMPONENT AT FOUR PARK LOCATIONS – Project No. 2242

Motion was made by Hoffmeister and seconded by Helix to authorize the purchase of a Rain Bird Pre-packaged Variable Speed Pumping System for Concord Community Park in the amount of \$68,600 as Phase I of Project No. 2242 – The Replacement of Pump System Component at Four Park Locations. Motion passed by unanimous vote of the Council.

AGREEMENT WITH CONTRA COSTA COUNTY SHERIFF'S CRIME LAB – Forensic Services

Motion was made by Hoffmeister and seconded by Helix approving an agreement with the Contra Costa County Sheriff's Crime Lab for Forensic Services in the amount of \$495,000 for FY 2015-16 and \$495,000 for FY 2016-17; and authorizing the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

APPROVAL OF A PRINCIPAL PLANNER POSITION – Concord Community Reuse Project

Planning Manager Laura Simpson gave a report, referring to her memorandum dated July 28, 2015 and recommending the addition of one full-time Principal Planner position to the Planning Division of the Community and Economic Development Department to work exclusively on the implementation of the Concord Reuse Project Area Plan for the former Concord Naval Weapons Station. Ms. Simpson noted that the position would be funded from the General Fund but fully reimbursed by the Master Developer. She conveyed that due to the time needed for the recruitment and hiring process, the person selected for this position would not begin work with the City until October or November 2015, which would allow the new Principal Planner to begin working on the Specific Plan and environmental compliance documents and other entitlement documents for the Master Developer's first development phase.

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

Motion was made by Leone and seconded by Birsan to approve Resolution No. 15-3493.2 entitled, "A RESOLUTION AUTHORIZING A PRINCIPAL PLANNER POSITION IN THE PLANNING DIVISION." Motion passed by unanimous vote of the Council.

UTILITY BOX ART PILOT PROGRAM

Director of Public Works Justin Ezell gave a report, referring to his memorandum dated July 28, 2015, and recommending, along with the Youth and Education Committee, that the City Council authorize staff to work with Streets Alive!, an initiative of Earth Island Institute that produces public art projects, to place vinyl wrap artwork on utility boxes and to help solicit sponsorships to fund the art on utility box program.

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

Motion was made by Leone and seconded by Birsan to authorize staff to work with Streets Alive! to place vinyl wrap artwork on utility boxes and to help solicit sponsorships to fund the art on utility box program. Motion passed by unanimous vote of the Council.

FY 14-15 PAVEMENT MAINTENANCE PROJECT – PJ 2329

City Engineer Robert Ovadia presented a report, referring to his memorandum dated July 28, 2015 and confirming that the Fiscal Year 14-15 Pavement Maintenance Project (PJ2329) will construct base repair and slurry seal improvements along 78 City streets in the City's geographic area Zone 3 and includes miscellaneous concrete repairs to curb and gutter areas.

Mr. Ovadia reported that Intermountain Slurry Seal, Inc. of Reno, Nevada submitted the lowest total responsive and responsible bid in the amount of \$1,551,551, has an appropriate, valid contractor's license and satisfactory work references. He noted that a budget transfer in the amount of \$1,870,000 is required to fund the project, and the Infrastructure and Franchise Committee, comprised of Vice Mayor Hoffmeister and Councilmember Birsan, reviewed the project at its July 20 meeting and recommend the City Council fund construction of this project with the Measure Q lease financing revenue proceeds.

Following questions from the City 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 Birsan to award a Construction Contract in the amount of \$1,551,551 to Intermountain Slurry Seal, Inc.; approve a Professional Services Agreement with Swinerton Management & Consulting in the amount of \$93,714 to provide construction management services; transfer \$1,870,000 of Measure Q lease revenue proceeds from the Pavement Management Annual Program holding account (Project No. 2157) to fully fund construction and construction operations; and authorize the City Manager to execute the contract and agreement. Motion passed by unanimous vote of the Council.

The Council then convened as the Local Reuse Authority

AMENDMENT TO MASTER AGREEMENT FOR PROFESSIONAL SERVICES – H. T. Harvey & Associates

This item was pulled from the agenda by Local Reuse Authority Executive Director to allow staff to refine the work programs based on regulatory input.

AMENDMENT TO THE MASTER AGREEMENT FOR PROFESSIONAL SERVICES – Environmental Science Associates (ESA)

This item was pulled from the agenda by Local Reuse Authority Executive Director to allow staff to refine the work programs based on regulatory input.

The Local Reuse Authority then reconvened as the City Council

CORRESPONDENCE

- a. Letter regarding City Treasurer Thomas Wentling from Contra Costa Water District Board President Joel Keller
- b. Concord Library Report to City Council flyer
- c. Police Department Public Safety PowerPoint Presentation – Item 1B
- d. Principal Planner Position PowerPoint Presentation – Item 4A

PUBLIC COMMENTS ON PRESENTATION ITEMS

Joe Partansky, Concord, stated that he would have liked a question and answer period with the public after the presentation, inquired if the Bike, Pedestrian, and Safe Routes Committee was working in cooperation with the police department, would have liked the Chief to elaborate on the Mental Health Evaluation Team, and requested that the police department put more information on its webpage.

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.

Councilmember Leone requested and received support to have the Housing and Economic Development Committee review options for an Electronic Digital Sign Ordinance. The Housing and Economic Development Committee will also review the procedures for naming streets.

By order of the Mayor, the meeting was adjourned at 10:06 p.m.

TIMOTHY S. GRAYSON
MAYOR

JOELLE FOCKLER, CMC
CITY CLERK