



CONCORD ANNOTATED AGENDA

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

Tuesday, July 7, 2015

6:30 p.m.

**City Council Chamber
1950 Parkside Drive, Concord, CA**

ROLL CALL – all present.

PLEDGE TO THE FLAG – Councilmember Helix

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.

1. PRESENTATIONS

- a. **Presentation – to PG&E Government Relations Manager Tom Guarino proclaiming July 2015 as “National Safe Digging Month.” Introduction by Mayor Grayson.**

ACTION: Mayor Grayson presented PG&E Government Relations Manager Tom Guarino a proclamation declaring July 2015 as “National Safe Digging Month.”

- b. **Presentation** – by Tom Guarino, PG&E Government Relations Manager, on the PG&E Pipeline Project “Coming off Pause.” **Introduction by Mayor Grayson.**

ACTION: PG&E Government Relations Manager Tom Guarino presented an update on the PG&E Pipeline Project.

- c. **Presentation** – by Tom Dalziel, Contra Costa County Clean Water Coordinator, on the Municipal Regional Stormwater Permit. **Introduction by Mayor Grayson.**

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

2. 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

3. CITY COUNCIL CONSENT ITEMS:

- a. **Approving** – the minutes from the meeting of June 9, 2015. (No Fiscal Impact) Recommended by the City Clerk.

ACTION: Minutes approved.

- b. **Authorizing** – the write-off of the uncollectible accounts receivable in the amount of \$231,228 effective June 30, 2015. (General Funds, CIP, Sewer Fund) Recommended by the Director of Finance.

ACTION: Write-off of the uncollectible accounts receivable in the amount of \$231,228 effective June 30, 2015 authorized.

- c. **Awarding** – a construction contract in the amount of \$99,592 to Rosas Brothers Construction of Oakland for Cowell Road Safety Improvements (Project No. 2314); and approving a related budget transfer in the amount of \$50,000. (Measure J, TDA Grant) Recommended by the Director of Community and Economic Development.

ACTION: Construction contract awarded in the amount of \$99,592 to Rosas Brothers Construction for Cowell Road Safety Improvements, Project No. 2314, and a related budget transfer in the amount of \$50,000 approved.

- d. **Awarding** – a construction contract in the amount of \$640,000 to Bay Line Cutting and Coring, Inc. of Berkeley; approving 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 authorizing the City Manager to execute the agreements. (Bridge Preventative Maintenance Program Grant and General Funds) Recommended by the Director of Community and Economic Development.

ACTION: Construction contract awarded in the amount of \$640,000 to Bay Line Cutting and Coring, Inc., a professional services agreement with Park Engineering in the amount of \$73,750.55 for construction management services for the Citywide Bridge Repair Program – Group 1 Bridges Construction Project (CIP 1601) approved; and the City Manager authorized to execute the contract and the agreement.

- e. **Authorizing** – the expenditure of FY 2015-16 funds for maintenance support agreements to support the programs and applications used by the City; and authorizing the Director of Information Technology to execute any supporting documents. (General Funds) Recommended by the Director of Information Technology.

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

ACTION: The expenditure of FY 2015-16 funds for maintenance support agreements to support the programs and applications used by the City authorized; the Director of Information Technology authorized to execute any supporting documents.

- f. **Awarding** – a construction contract in the amount of \$584,105 to J-Walt Construction of Woodland; waiving minor bid irregularities; approving 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 authorizing the City Manager to execute the agreements. (Building Maintenance, CDBG & General Funds) Recommended by the Director of Community and Economic Development.

ACTION: A construction contract in the amount of \$584,105 to J-Walt Construction awarded; a professional services agreement with Swinerton Management and Consulting in the amount of \$57,205 for construction management services for Center Concord Moveable Walls and Coverings, Project No. 2182, approved; and City Manager authorized to execute the contract and the agreement.

- g. **Approving** – the first amendment to lease agreement with the First 5 Contra Costa Children and Families Commission for the use of the Monument Community First 5 Center; and authorizing the City Manager to execute the amendment. (Rental Income) Recommended by the Director of Parks and Recreation.

ACTION: The first amendment to lease agreement with the First 5 Contra Costa Children and Families Commission for the use of the Monument Community First 5 Center approved; the City Manager authorized to execute the amendment.

- h. **Approving** – amendment to lease agreement with Monument Impact for the use of the Keller House; and authorizing the City Manager to execute the amendment. (Rental Income) Recommended by the Director of Parks and Recreation.

ACTION: Amendment to lease agreement with Monument Impact for the use of the Keller House approved; the City Manager authorized to execute the amendment.

- i. **Authorizing** – the application for 2015-16 CalRecycle Used Oil Payment Program Funding; and authorizing the Director of Public Works, or his designee, to execute all necessary documents. Resolution No. 15-46 for adoption. Recommended by the Director of Public Works.

ACTION: Resolution No. 15-46 adopted.

- j. **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). (Building Permit Surcharge Fees) Recommended by the Director of Community and Economic Development.

ACTION: Professional services agreement with Ben Noble, City and Regional Planning, in the amount of \$100,000 approved; the City Manager authorized to execute the Agreement.

- k. **Authorizing** – the City of Concord’s participation in the SunShares Residential Solar Installation Program. Resolution No. 15-48 for adoption. Recommended by the Director of Community and Economic Development.

ACTION: Resolution No. 15-48 adopted.

- l. **Authorizing** – the acceptance of the Edward Byrne Memorial Justice Assistance Grant (JAG) grant funding in the amount of \$30,526 from the Federal Justice Assistance Grant (JAG) Program; and appropriating the funds to be used to partially fund two limited service officer trainee positions. Resolution No. 15-47 for adoption. Recommended by the Chief of Police.

ACTION: Resolution No. 15-47 adopted.

- m. **Authorizing** – 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). (No fiscal impact) Recommended by the Director of Community and Economic Development.

ACTION: The Mayor authorized 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).

- n. **Approving** – a Professional Services Agreement with HdL Coren & 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 authorizing the City Manager to execute the agreement. (General Funds) Recommended by the Director of Finance.

ACTION: Professional services agreement with HdL Coren & Cone in the amount of \$20,000 plus 25 percent of the property tax revenue recovered by the consultant during the agreement period of July 1, 2015 – June 30, 2018 approved; the City Manager authorized to execute the agreement.

4. CITY COUNCIL CONSIDERATION ITEM:

- a. **Consideration** – of the appointment of three applicants to serve on the Commission on Aging, each for a term ending June 30, 2019 and seven applicants to the Community Services Commission, three for terms ending June 30, 2017 and four for terms ending June 30, 2019. (No Fiscal Impact) **Report by Council Committee on Recreation, Cultural Affairs & Community Service.**

ACTION: Linda Bailey, Cathy McGaughey, and Casilda Gonzales appointed to the Commission on Aging for terms ending June 30, 2019; Lisa Gallo, Bonnie Rea, Ronald Glas, and Ciel Gierke appointed to the Community Services Commission for terms ending June 30, 2017; David Miller, Ajit Kaushal, and Kurt Brogger appointed to the Community Services Commission for terms ending June 30, 2019; City Clerk directed to announce a recruitment for five positions on the Concord Pleasant Hill Health Care District.

5. CITY COUNCIL PUBLIC HEARING:

- a. **Consideration** – of an amendment to 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.) Ordinance No. 15-6 for introduction. **Report by Robert Woods, Chief Building Official.**

ACTION: Report heard, opportunity for public testimony given, Ordinance No. 16-5 introduced by reading of the title only and waiving further readings.

- b. **Consideration** – of an Ordinance amending District IMX of the Development Code allowing certain outdoor activities with a Use Permit and amending Table 18.45.020 for consistency. An addendum to the 2012 EIR to the Development Code has been prepared and approved by the Planning Commission with the recommendation it be forwarded to the City Council for adoption. Resolution No. 15-49 for adoption. Ordinance No. 15-5 for introduction.

ACTION: Report heard, opportunity for public testimony given, Resolution No. 15-49 adopted, Ordinance No. 15-5 introduced by reading of the title only and waiving further readings.

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

- c. **Consideration** – of an Ordinance amending District WMX of the Development Code deleting certain industrial uses and amending Table 18.45.020 for consistency. An addendum to the 2012 EIR to the Development Code has been prepared and approved by the Planning Commission with the recommendation it be forwarded to the City Council for adoption. Resolution No. 15-50 for adoption. Ordinance No. 15-7 for introduction.

ACTION: The item was continued to a date uncertain to allow staff additional time to review the proposed amendment.

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

6. LOCAL REUSE AUTHORITY CONSIDERATION ITEM:

- a. **Consideration** – of a Memorandum of Understanding (MOU) between the Contra Costa Transportation Authority (CCTA) and the City of Concord Local Reuse Authority (LRA) on the development and operation of Gomentum Station Connected Vehicles (CV) and Autonomous Vehicle Program (AC) on the former Concord Naval Weapons Station (CNWS).

ACTION: Report heard; opportunity for public testimony given; MOU between CCTA and the City of Concord approved; the City Manager authorized to execute the MOU.

7. CORRESPONDENCE – City Council correspondence not selectively in the following list is available for inspection during normal business hours by contacting the City Clerk- at 671-3390.

- 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

8. PUBLIC COMMENTS ON PRESENTATION ITEMS – none.

9. CLOSED SESSION REPORTS – none.

10. 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.

11. ADJOURNMENT – at 8:35 p.m. in memory of Mary Garaventa.

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: 7:30 p.m.; Tuesday, July 14, 2015.

PLEASE NOTE CHANGE OF START TIME

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>