

REGULAR MEETING OF THE
CONCORD CITY COUNCIL AND THE
CITY COUNCIL SITTING AS THE LOCAL
REUSE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
TUESDAY, FEBRUARY 25, 2014

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, February 25, 2014, with Mayor Grayson presiding. All Councilmembers were present. The meeting was recessed and immediately reconvened in a closed session to a) confer regarding a personnel matter pursuant to Government Code Section 54957.6 to confer with Labor Negotiators pursuant to Government Code Section 54957.6. City Negotiators included Valerie Barone, City Manager; Kay Winer, City Consultant; and Charles Sakai, Esq. of Renne, Sloan, Holtzman & Sakai regarding Employee Organizations including 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 and Unrepresented Units - Executive, Management & Confidential Employees. The meeting adjourned at 6:50 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 7:05 p.m. on Tuesday, February 25, 2014, with Mayor Grayson presiding. All Councilmembers were present and the pledge of allegiance was led by Councilmember 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; Scott P. Johnson, Assistant City Manager; Mary Rae Lehman, City Clerk; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Michael Wright, Reuse Project Director; Robert Ovadia, City Engineer; Robert Woods, Building Official; Karan Reid, Director of Finance; Laura Brunson, Director of Human Resources

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Ray Barbour, Concord; Carlyn Obringer, Concord

PUBLIC COMMENT PERIOD

Ray Barbour, Concord, expressed his concern over General Plan requirements that would turn quiet residential streets into what he described as super highways.

Carlyn Obringer, Concord, reminded the Council of the upcoming unveiling of the 10,000 Origami Crane sculpture, folded in 2011 by the residents of the community, sharing that it is scheduled for Sunday, March 9th at 1:30 p.m. in the Brenden Theatre Lobby, and announcing that the Diablo Taiko Drummers would be performing at the beginning of the event.

PRESENTATIONS

PRESENTATION BY PG&E – Information on the Pipeline Pathways Project

PG & E Government Relations Manager, Tom Guarino, made opening comments, assuring the Council that the poles along Concord Boulevard in the public right-of-way would be relocated in the near future. He then introduced Wes Gullett, Strategic Planner for the Pipeline Pathways Project, who gave an overview of the project, and explaining the process that will be used to build a safer, stronger natural gas system. He shared the step-by-step guide prepared to explain the approach to a ready access to the area above the 6,750 miles of pipeline owned by PG&E. The City Council expressed their concerns over removal of mature trees and compliance with the City's permit process. Mr. Gullett made a commitment only to work with staff and the City's legal team to work toward adherence to permit requirements and tree replacement to the City's satisfaction.

City Attorney Mark Coon expressed the City's desire to have a full inventory of the trees that would be affected before any work was commenced advising that it would take approximately one month for staff to complete the task. Mr. Gullett representing PG&E assured City Attorney Coon that they would not cut any protected trees, and advised that they were working out agreements with the property owners not affected by City Ordinances to remove private structures and vegetation in the desire to start work as soon as possible.

PRESENTATION BY MICHAEL WRIGHT – Concord Naval Weapons Station

Michael Wright, Executive Director – Local Reuse Authority, provided an update on the Concord Naval Weapons Station and shared information on the progress of the conveyance of the property. He stated that the plan developed by the community and adopted by the Council remains unaltered. However, he explained, that Cal State University East Bay's request for public benefit transfer of property had officially been withdrawn. Mr. Wright assured the Council that the adopted Area Plan still allowed for development of a four-year campus. He also shared that there were two types of conveyance, Economic Development Conveyance used to transfer the development footprint and park areas, and Public Benefit Conveyance used to transfer the large open space areas. Property north of Highway 4 requested by the Sheriff and Fire Departments for a training center will also be transferred using the Public Benefit Conveyance process.

In terms of the overall transfer schedule he noted that optimistically the initial transfer of some property may begin in 2015, but that it will take 10-15 years before all the land is transferred. He shared that key relationships had been established with the Environmental Protection Agency on site remediation and the US Fish and Wildlife Service for habitat mitigation discussions. He advised that there have been civil surveys done on the large parcels to develop deed language and discussions with our police department, public works department, and others regarding temporary access, land management, all initial steps for the development of a Memorandum of Agreement with the East Bay Regional Park District.

Mr. Wright noted that for land to transfer it must receive a finding by Federal and State regulators of suitability for transfer. To make sure the right parcels are ready for such a finding, he advised, that staff has had to work with the Navy to reprogram remediation funding. The Navy will continue to do clean up even as land is transferred. The Navy cannot transfer the land without a Finding of Suitability for Transfer and some parcels will take longer than others. He shared that focus in on the contaminated sites within the parkland area being transferred to East Bay Regional

Parks, because the City is going to be looking at that land for our mitigation needs and/or restoration.

Mr. Wright continued his presentation by advising that the City is working with the government agencies to reduce the burdensome restrictions. He gave a review of the perceived First Phase of Development which he stated would occur near Highway 4 and explained that a Request for Qualifications had been released as a first step in a one year process to select a master developer. A second more formal request for proposal stage will commence in July of 2014.

Following Mr. Wright's comments concerning the efforts required of the Navy and the concepts for keeping the project on track, the Council made comments and the presentation concluded.

CITY COUNCIL SITTING AS
THE LOCAL REUSE AUTHORITY

Following the presentation by Mr. Wright, the Council convened as the Local Reuse Authority to take the following actions:

AMENDMENT TO AGREEMENT WITH ARUP, INC. – Professional Services

Motion was made by Helix and seconded by Leone to approve an amendment to the Master Agreement for Professional Services 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 \$110,000; and to authorize the Executive Director of the Local Reuse Authority to execute the agreement. Motion passed by unanimous vote of the Authority.

AMENDMENT TO AGREEMENT WITH HR&A ADVISORS, INC. – Professional Services

Motion was made by Helix and seconded by Leone to approve an amendment to the Master Agreement for Professional Services with HR&A Advisors, Inc. in the amount of \$70,000 for Preparation of Specialized Real Estate Studies, Economic Development Conveyance Business Plan/Application, and Developer Selection Process for the Concord Naval Weapons Station (CNWS); and to authorize the Executive Director of the Local Reuse Authority to execute the agreement. Motion passed by unanimous vote of the Authority.

The Council reconvened as the City Council of the City of Concord to continue with the evening's business.

ANNOUNCEMENTS

City Manager Valerie Barone introduce the new Human Resource Director, Laura Brunson, and welcomed her to the City of Concord.

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Birsan to approve the minutes from the meetings of February 4 and February 11, 2014. Motion passed by unanimous vote of the Council.

BUDGET TRANSFER – Project No. 2179, ADA Barriers at Baldwin Park

Motion was made by Hoffmeister and seconded by Birsan to approve a budget transfer in the amount of \$52,170 for Project No. 2179 (ADA Barriers at Baldwin Park and other Concord Locations. Motion passed by unanimous vote of the Council.

MASTER COOPERATIVE AGREEMENTS WITH CONTRA COSTA TRANSPORTATION AUTHORITY

Motion was made by Hoffmeister and seconded by Birsan to approve the execution of Master Cooperative Agreements with Contra Costa Transportation Authority, No. 12C-03 and No. 13C.01, as required to receive Measure J funding for the Contra Costa - Transportation for Livable Communities and Pedestrian, Bicycle and Trail Facilities programs, respectively. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS – Project No. 2243, Monte Gardens/San Vincente Sanitary Sewer Rehabilitation

Motion was made by Hoffmeister and seconded by Birsan to accept the improvements for Project No. 2243 (Monte Gardens/San Vincente Sanitary Sewer Rehabilitation) constructed by Ghilotti Construction Co., Inc.; to direct the City Clerk to file a Notice of Completion; and to approve an associated budget transfer in the amount of \$52,900 to Project No. 2209. (Sewer Capital Facility Replacement) Motion passed by unanimous vote of the Council.

MATTER SET FOR PUBLIC HEARING – Amendment of the Municipal Code Article II

Motion was made by Hoffmeister and seconded by Birsan to set a public hearing on Tuesday, March 11, 2014, at 6:30 p.m. in the City Council Chamber to consider an Ordinance amending the Concord Municipal Code, Article II, Zoning Districts - Uses and Standards, Division 5, Downtown Districts (DP, DMX, and WMX), Section 122-153 Purpose, Subsection (c) WMX of the Development Code adding schools and amending Table 122-154.1 for consistency. Motion passed by unanimous vote of the Council.

AGREEMENT WITH HINES EDM – Document Imaging and Storage Services

This item was pulled from the calendar by Mayor Grayson who asked Building Official Robert Woods to explain the need for the services.

Motion was made by Helix and seconded by Leone to approve a 3-year Master Professional Services Agreement with Hines EDM for Document Imaging and Storage Services for the Building Division in the not-to-exceed amount of \$200,000 in each of the fiscal years, pending approval of the fiscal budgets, and ending on June 30, 2016; and to authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT AND SERVICE AGREEMENTS – Project No. 2295, Downtown Sanitary Sewer Upgrade – Phase II

This item was pulled from the consent calendar by Vice Mayor Ron Leone who expressed his desire for this project to be expedited to reduce impact to local businesses and to the annual Fourth of July parade.

City Engineer Robert Ovadia explained that the contract was an 80-day working contract and that it would initiated in mid-March with the expectation that the work would be complete by the beginning of July. He also shared that within the contract language was a specification that work be considerate of the downtown events.

Mayor Grayson opened a public comments period.

Tim McGallian, representing the Todos Santos Business Association, shared concerns about the impacts to businesses resulting from street closures, and asked if the additional unscheduled work could be included to reduce the impacts to businesses.

Mayor Grayson closed the public comment period.

The following bids were opened in the City Clerk’s office on Wednesday, January 15, 2014 at 10:00 am:

Bay Pacific Pipelines, Inc.	Novato, CA	\$2,526,667.75
Ranger Pipelines, Inc.	San Francisco, CA	\$2,939,871.30
Argonaut Constructors	Santa Rosa, CA	\$3,091,021.90
Ghilotti Bros., Inc.	San Rafael, CA	\$3,252,547.80

Motion was made by Helix and seconded by Hoffmeister to approve the following actions for Project No. 2295 (Downtown Sanitary Sewer Upgrade – Phase II):

1. Award a Construction Contract in the amount of \$1,878,213.62 (Base Bid) to Bay Pacific Pipelines, Inc. of Novato; and
2. Approve a Professional Services Agreement with Cole Management & Engineering of Concord, in the amount of \$155,512 for Construction Management Services; and
3. Approve a Professional Services Agreement with Harris and Associates of Concord, in the amount of \$31,380 for Design Services during Construction; and
4. Approve an associated budget transfer in the amount of \$700,000 from Project No. 2209 (Sewer Capital Facility Replacement) (Fund 710) which acts as a CIP holding account for sewer-related projects, into the project budget for Project No. 2295 (Downtown Sanitary Sewer Upgrade – Phase II); and
5. Authorize the City Manager to execute the Professional Services Agreements.

CORRESPONDENCE

- a. Revised Attachment 1, Project 2295, Downtown Sanitary Sewer Upgrade.
- b. Brochure entitled “Pipeline Pathways – Keeping Safety on the Map” submitted by P.G. & E during their presentation.
- c. List of events and activities Vice Mayor Leone participated in during the period February 12 - February 25, 2014.

CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

Vice Mayor Leone expressed a desire to have a strategic plan prepared for the Monument area. Councilmember Hoffmeister later suggested that a plan be prepared for the Clayton Road area.

Councilmember Birsan suggested a letter of support for adding an additional EMT team to Station 6 be sent to the Fire District. Councilmember Helix supported the suggestion and recommended that it be sent out under the Mayor's signature.

Mayor Grayson shared information about the recent recognition of the City staff at an employee appreciation luncheon, and of formal recognition given to the Volunteers in Police Services for the work they do for the community.

By order of the Mayor, the meeting was adjourned at 9:50 p.m.

TIMOTHY S. GRAYSON
MAYOR

MARY RAE LEHMAN, CMC
CITY CLERK