

SPECIAL MEETING OF THE  
CONCORD CITY COUNCIL/  
CITY COUNCIL SITTING AS THE  
LOCAL REUSE AUTHORITY  
CITY COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
TUESDAY, NOVEMBER 18, 2014

The Concord City Council met in a regular meeting in the Council Chamber located at 1950 Parkside Drive at 6:35 p.m. on Tuesday, November 18, 2014, with Mayor Grayson presiding. All Councilmembers were present, and the pledge of allegiance was led by Councilmember Birsan. 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, Tim Grayson

COUNCILMEMBERS ABSENT: Laura Hoffmeister

STAFF PRESENT: Valerie Barone, City Manager; Susanne Brown, Senior Assistant City Attorney; Joelle Fockler, City Clerk; Victoria Walker, Director of Community and Economic Development; Justin Ezell, Director of Public Works; Jeff Lewis, Director of Information Technology; Karan Reid, Director of Finance; Michael Wright, Director of Reuse Project; Laura Brunson, Director of Human Resources; Robert Ovadia, City Engineer; John Montagh, Economic Development and Housing Manager; Jovan Grogan, Budget Officer; Andrew Mogensen, Principal Planner; Florence Weiss, Downtown Program Manager; Robert Woods, Chief Building Official; Mark Migliorie, Associate Civil Engineer; Kathy Amoroso, IT Customer Service Manager; Mario Camorongan, Senior Civil Engineer; Jeff Roubal, Program Manager; Ling Tandian, Web Coordinator; Leslye Asera, Community Relations Manager

MEMBERS OF THE PUBLIC WHO ADDRESSED THE COUNCIL: Stan Baraghin, Concord; Dr. Harmesh Kumar, Concord; George Fulmore, Concord; Carlyn Obringer, Concord, Connie Steers, Concord; Julie Jenkins, Concord, Mark Sinclair, Concord

PUBLIC COMMENT PERIOD

Stan Baraghin, Concord, spoke of his concern regarding the misconduct occurring in the Ellis Street area.

Dr. Harmesh Kumar, Concord, congratulated the incumbents on the recent election and noted that elections are not run to win or lose; rather, elections are run to make a positive effect on the community.

George Fulmore, Concord, spoke of the Affordable Care Act and urged people who don't have health insurance to sign up for Covered California. He announced an informational meeting to be held on Saturday, November 22, 2014, from 10 a.m. - 2 p.m. at the Concord library.

Carlyn Obringer, Soroptimist International of Diablo Vista, announced the Live Your Dream Education and Training Awards for Women, which are cash grants awarded to women toward education and training, and noted that the deadline for applications is December 1<sup>st</sup>.

Connie Steers, Concord, who lives in the Ellis Street area, spoke of her concern about the quality of life in her neighborhood.

Julie Jenkins, Concord, stated that she recently received poor treatment by Concord Police.

## PRESENTATIONS

### NATIONAL HOSPICE/PALLIATIVE CARE MONTH

Mayor Grayson presented a proclamation to Tim McGallian, Greater Concord Kiwanis Co-Chair, proclaiming November 2014 as "National Hospice/Palliative Care Month."

### 2014 MUSIC & MARKET SPONSORS, STAFF, AND VOLUNTEERS

Mayor Grayson introduced Downtown Program Manager Florence Weiss who presented certificates of recognition to sponsors Concord Disposal, Diablo Valley, Tesoro, Chevron, Dolan's Lumber, Pacific Service Credit Union, Ashby Lumber, Concord Farmer's Market, Concord Police Association, and Brenden Mann Foundation; volunteers RES Success Hercules and Richard Tyler; and City of Concord staff member Rob Schweitzer.

### 2014 HOLIDAY PIN

Downtown Program Manager Florence Weiss introduced Sabrina Woo, 5<sup>th</sup> grade student at Highland Elementary, and Mayor Grayson presented a certificate to Sabrina for her winning design used on the 2014 Holiday Pin.

### CITY WEBSITE

Mayor Grayson introduced Community Relations Manager Leslye Asera who gave a presentation on the newly redesigned City website.

## ANNOUNCEMENTS

City Clerk Joelle Fockler announced a recruitment to fill two positions on the Board of Appeals, two design professional positions on the Design Review Board, three positions on the Personnel Board, and two positions on the Planning Commission; and set Friday, January 9, 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 Helix and seconded by Leone to approve the minutes from the meetings of October 7, 14, and 28, 2014. Motion passed by the following vote of the Council:

AYES: Birsan, Helix, Leone, Grayson

NOES: None

ABSENT: Hoffmeister

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – West Coast Arborists, Inc.

Motion was made by Helix and seconded by Leone to approve a Professional Services Agreement with West Coast Arborists, Inc. in the amount of \$130,000 to provide tree maintenance services for Fiscal Year 2014-15, with three annual options of a one-year renewal; and authorize the City Manager to execute the agreement. Motion passed by the following vote of the Council:

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

ADOPT RESOLUTION NO. 14-3493.1 – Public Works Supervisor Classification

Motion was made by Helix and seconded by Leone to adopt Resolution No. 14-3493.1 entitled, "A Resolution Adopting the Classification of Public Works Supervisor" creating the Public Works Supervisor classification assigned to the Office and Professional Employees International Union (OPEIU) bargaining unit at Pay Grade 012 (Market Rate). Motion passed by the following vote of the Council:

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

APPOINTMENT OF CITY REPRESENTATIVE TO THE CONTRA COSTA LIBRARY COMMISSION

Motion was made by Helix and seconded by Leone to appoint Judi Waterson to serve on the Contra Costa Library Commission. Motion passed by the following vote of the Council:

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

REAPPOINTMENT OF CITY REPRESENTATIVE TO SERVE ON THE CONTRA COSTA COUNTY IRON HORSE CORRIDOR ADVISORY COMMITTEE

Motion was made by Helix and seconded by Leone to recommend to District IV Supervisor Karen Mitchoff the reappointment of Roseanne Nieto to serve on the Contra Costa County Iron Horse Corridor Advisory Committee representing the City of Concord. Motion passed by the following vote of the Council:

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

APPROVAL OF CIP PROJECTS AND APPROPRIATING PROJECT FUNDING – CIP Project No. 2324, Citywide Curb Ramp Improvements and CIP Project No. 2325, FY14-15 Citywide Accessibility Improvements in Various Locations

Motion was made by Helix and seconded by Leone to approve Project No. 2324, Citywide Curb Ramp Improvements, and appropriate \$400,000 from Project No. 1284, Citywide Accessibility Improvements and \$30,000 from Project No. 1773, Citywide Sidewalk Improvement Annual Program; and approve Project No. 2325, FY14-15 Citywide Accessibility Improvements in Various Locations, and appropriate \$174,000 from Project No. 1284, Citywide Accessibility Improvements, and \$50,000 from Project No. 1173, Citywide Sidewalk Improvement Annual Program, to fully fund the projects. Motion passed by the following vote of the Council:

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

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – Fehr & Peers Consulting

Motion was made by Helix and seconded by Leone to approve a Professional Services Agreement with Fehr & Peers Consulting in the not-to-exceed amount of \$375,124.40 to provide Professional Engineering and Design Services for Project No. 2293, Upgrade Existing and Install New Traffic Signals and Related Improvements at Various Locations in the City of Concord – Phase 1, and Project No. 2285, Upgrade Existing and Install New Traffic Signals and Related Improvements at Various Locations in the City of Concord – Phase 2; approve the consolidation of various City Council approved traffic signal projects into Project No. 2285, Upgrade Existing and Install New Traffic Signals and Related Improvements at Various Locations in the City of Concord – Phase 2; approve the consolidation of the Projects' budgets; and authorize the City Manager to execute the agreement. Motion passed by the following vote of the Council:

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

AWARD OF CONTRACT TO BAY CITIES GRADING AND PAVING, INC. – PROJECT NO. 2296 – Concord Boulevard PG&E Utility Pole Relocation and Pavement Rehabilitationk (Sixth Street to Farm Bureau Road)

The following bids were opened in the City Clerk's office on Thursday, October 16, 2014, at 10 a.m.:

Bay Cities Paving & Grading, Inc.	\$165,668.92
MCK Services, Inc.	\$179,461.20
Granite Rock	\$195,897.00
Ray's Electric	\$234,896.00
O'Grady Paving, Inc.	\$237,890.00

Motion was made by Helix and seconded by Leone to award a contract to Bay Cities Grading and Paving of Concord in the amount of \$165,998.92 for Project No. 2296, Concord Boulevard PG&E Utility Pole Relocation and Pavement Rehabilitation; and authorize the Mayor to execute the contract. Motion passed by the following vote of the Council:

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

AWARD OF ON-CALL CONSTRUCTION CONTRACT TO OVERMILLER, INC. DBA ROTO ROOTER OF CONCORD – Project No. 2244, Citywide Sewer Lateral Replacement Program

The following bid was opened by the City Clerk's office on Monday, September 29, 2014, at 2 p.m.:

Roto Rooter Plumbers	\$681,650
----------------------	-----------

Motion was made by Helix and seconded by Leone to award an on-call contract to Overmiller, Inc. dba Roto Rooter of Concord in the amount of \$150,000 for Project No. 2244, Citywide Sewer Lateral Replacement Program. Motion passed by the following vote of the Council:

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

ADOPT RESOLUTION NO. 14-82 – Citizens' Options for Public Safety (COPS) State of California Grant Funds

Motion was made by Helix and seconded by Leone to adopt Resolution No. 14-82 entitled, "A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESA) TO ACCEPT FUNDS FROM THE CITIZEN'S OPTIONS FOR PUBLIC SAFETY GRANT FOR FISCAL YEAR 2014-15; AND APPROPRIATE THE FUNDS FOR ONE FULL-TIME FORENSIC SPECIALIST AND ONE FULL-TIME CONTRACT FORENSIC SPECIALIST POSITION." Motion passed by the following vote of the Council:

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

AWARD OF CONTRACTS FOR THE PURCHASE – Three 2015 Ford Taurus Sedans, RFB #2302; Four 2015 Ford F-150 Pickup Trucks, RFB #2304; One Diesel Front-Mounted Mower, RFB #2306; One Trailer-Mounted Leaf Collector, RFB #2307

The following bids were opened in the City Clerk's Office on Friday, September 26, 2014, at 10:15 a.m. for three 2015 Ford Taurus Sedans, RFB #2302:

Hansel Ford Lincoln Mercury	\$87,420.00
Serramonte Ford	\$91,554.60

The following bids were opened in the City Clerk's Office on Friday, September 26, 2014, at 10:30 a.m. for four 2015 Ford F-150 pickup trucks, RFB #2304:

Hansel Ford Lincoln Mercury	\$83,380.00
Serramonte Ford	\$94,493.32

The following bids were opened in the City Clerk's Office on Thursday, October 30, 2014, at 10 a.m. for one diesel front-mounted mower, RFB #2306:

Mission Valley Tractor & Equipment	\$23,458.94
Belcorp AG LLC	\$25,614.21
Garton Tractor	\$26,850.00

The following bid was opened in the City Clerk's Office on Thursday, October 30, 2014, at 10:15 a.m. for one trailer-mounted leaf collector, RFB #2307:

Nixon-Egli Equipment Co.	\$82,000.00
--------------------------	-------------

Motion was made by Helix and seconded by Leone to award contracts to Hansel Ford Lincoln Mercury in the amount of \$87,420 for the purchase of three 2015 Ford Taurus sedans, RFB #2302; Hansel Ford Lincoln Mercury in the Amount of \$83,380 for the purchase of four 2015 Ford F-150 pickup trucks, RFB #2304; Mission Valley Tractor & Equipment in the amount of \$23,458.94 for the purchase of one Diesel Front-Mounted Mower, RFB #2306; and Nixon-Egli Equipment Company in the amount of \$82,000 for the purchase of one trailer-mounted leaf collector, RFB #2307. Motion passed by the following vote of the Council:

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

ADOPT RESOLUTION NO. 14-4735.10 – Amendment to the Memorandum of Understanding between the City of Concord and the Teamsters Local Union No. 856

Motion was made by Helix and seconded by Leone to adopt Resolution No. 14-4735.10 entitled, "A RESOLUTION APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CONCORD AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL UNION NO. 856 REPRESENTING THE EMPLOYEES IN ADMINISTRATIVE, CLERICAL & TECHNICAL AND FIELD & OPERATIONS UNITS FOR THE PERIOD JULY 1, 2014 – JUNE 30, 2015." Motion passed by the following vote of the Council:

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

ACCEPT CITYWIDE CLIMATE ACTION PLAN – Annual Implementation Review

Motion was made by Helix and seconded by Leone to receive the report. Motion passed by the following vote of the Council:

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

ADOPT RESOLUTION NO. 14-3521.3 – Installation of All-Way Stop Control at the Intersection of Salvio Street and Date Street

This item was pulled from the Consent Calendar by Mark Sinclair, Concord, who shared his support of the project.

Motion was made by Leone and seconded by Birsan to adopt Resolution No. 14-3521.3 entitled, "A RESOLUTION AMENDING THE TRAFFIC RESOLUTION, SECTION C, STOP INTERSECTIONS." Motion passed by the following vote of the Council:

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

The Council then reorganized as the Local Reuse Authority to conduct the following business:

CITY COUNCIL SITTING  
AS THE LOCAL REUSE AUTHORITY

APPROVAL OF MASTER AGREEMENT FOR PROFESSIONAL SERVICES – Engineering Science Associates (ESA)

Motion was made by Helix and seconded by Birsan to approve a Master Agreement for Professional Services with Engineering Science Associates (ESA) in the amount not-to-exceed \$20,000 for the preparation of conceptual flood management plans and creek restoration plans in support of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station; and authorize the Executive Director to execute the Agreement. Motion passed by the following vote of the Council:

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

The Authority reorganized as the City Council for the City of Concord and continued the meeting agenda.

ADOPT RESOLUTION NO. 14-6042.2 – Electric Charging Station Fee

Economic Development and Housing Manager John Montagh presented a report, referring to his memorandum dated November 18, 2014. Mr. Montagh explained the establishment of a new City fee to be paid by users of an Electric Vehicle Charging Station (EVCS) scheduled to be installed at the City's Todos Santos Parking Structure. Mr. Montagh noted that the proposed \$1.75 per hour fee is to recover direct costs associated with the service.

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

Motion was made by Helix and seconded by Birsan to adopt Resolution No. 14-6042.2 entitled, "A RESOLUTION APPROVING AND ADOPTING AN ELECTRIC CHARGING STATION FEE AND AMENDING EXHIBIT A TO RESOLUTION NO. 78-6042.2 (FEES AND CHARGES FOR VARIOUS MUNICIPAL SERVICES.)" Motion passed by the following vote of the Council:

AYES: Birsan, Helix, Leone, Grayson

NOES: None

ABSENT: Hoffmeister

APPROVAL OF A DEDUCTIVE CONTRACT CHANGE ORDER WITH CHEVRON ENERGY SOLUTIONS AND ACCEPTANCE OF ENUMERATED ESCO PROJECTS

City Engineer Robert Ovadia presented a report, referring to his memorandum dated November 18, 2014. Mr. Ovadia explained that the City has been in contract with Chevron Energy Solutions (Chevron) since 2011 for the management of citywide energy efficiency projects, and that a number of citywide energy savings projects were partially financed through an Equipment Lease/Purchase Agreement with Chevron. He went on to clarify that the contract between the City and Chevron specifies that all Change Orders require City Council approval at a regularly scheduled hearing.

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

Motion was made by Helix and seconded by Leone to approve a deductive change to the Citywide Energy Services Company Energy Efficiency contract for Project Nos. 2148 (Concord Community Pool Pump and Boiler Retrofit) and 2198 (Police Department Building Management System), and authorize the City Manager to execute the change order; approve an amendment to the agreement with Chevron extending certain equipment warranties, and authorize the City Manager to execute the amendment; and accept the improvements for enumerated ESCO projects managed by Chevron Energy Solutions Company; and direct the City Clerk to file Notices of Completion. Motion passed by the following vote of the Council:

AYES: Birsan, Helix, Leone, Grayson

NOES: None

ABSENT: Hoffmeister

DISCUSSION OF THE OPENING OF AN LIKELY FUNDING APPROACH OF THE CENTRAL COUNTY FAMILY JUSTICE CENTER IN CONCORD

This item was pulled from the agenda by City staff.

CORRESPONDENCE

- a. Quarterly Investment Report.
- b. Tree of Lights Celebration for 2014 Brochure.

- c. Benched Memorandum – Agenda Item No. 3.g.
- d. Benched Resolution No. 14-6042.2 – Agenda Item No. 4.a.
- e. Benched Memorandum – Agenda Item No. 5.a.
- f. List of events that Vice Mayor Leone attended dated October 15 – November 18, 2014.

PUBLIC COMMENT ON PRESENTATIONS MADE - None

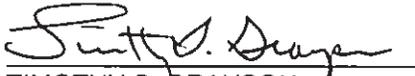
CLOSED SESSION REPORTS - None

COUNCIL AND STAFF REPORTS

Vice Mayor Leone spoke of his 16 years of service on the Mt. Diablo Hospital Board and noted that he did not vote to give himself benefits. He reported that instead of taking \$150,000 in benefits, he donated the funds to the American Cancer Society in the form of an irrevocable annuity.

Councilmembers shared information on recent and upcoming activities and events.

By order of the Mayor, the meeting was adjourned at 7:43 p.m.

  
TIMOTHY S. GRAYSON  
MAYOR

  
JOELLE FOCKLER, CMC  
CITY CLERK