

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	07/1/15-6/30/16	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 and seconded by 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 Authority**GoMentum 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 and seconded by 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. 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