



A G E N D A

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

Tuesday, July 28, 2015

6:30 p.m.

City Council Chamber

1950 Parkside Drive, Concord, CA

ROLL CALL

PLEDGE TO THE FLAG – Councilmember Leone

PUBLIC COMMENT PERIOD

1. PRESENTATIONS

- a. **Presentation** – to City Treasurer Thomas J. Wentling proclaiming July 28, 2015, as *Thomas Wentling Day* in the City of Concord, in honor of his retirement and 30 years of services to the citizens of Concord. **Presentation by Mayor Grayson.**
- b. **Presentation** – by Chief of Police Guy Swanger providing an update on department activities. **Introduction by Mayor Grayson.**

2. ANNOUNCEMENTS

- a. **Announcing** – 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. (No Fiscal Impact) Recommended by the City Clerk.

**CITY COUNCIL
MATTERS****3. CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meetings of June 30, July 7, July 14, and July 21, 2015. (No Fiscal Impact) Recommended by the City Clerk.
- b. **Awarding** – contract to Owen Equipment of Sacramento in the amount of \$401,374 for a 2015 Vactor Plus Truck with 2105 Jet Rodder. (Vehicle Replacement Fund) Recommended by the Director of Public Works.
- c. **Awarding** – contract to Safety Network Traffic Signs, Inc. in the amount of \$250,000 for the Traffic Sign Replacement Project. (General Funds) Recommended by the Director of Public Works.
- d. **Authorizing** – the purchase of one Asphalt Melter Crack Sealer in the amount of \$53,935.05 through H-GAC. (Vehicle Replacement Fund) Recommended by the Director of Public Works.
- e. **Awarding** – contract to Spraytec in the amount of \$77,351 to build a Pesticide Spray Truck. (Vehicle Replacement Fund) Recommended by the Director of Public Works.
- f. **Adopting** – 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).” Ordinance No. 15-6 was introduced on July 7, 2015, by reading of the title only and waiving further reading. Recommended by the City Clerk.

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- g. **Adopting** – 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).” Ordinance No. 15-5 was introduced on July 7, 2015, by reading of the title only and waiving further reading. Recommended by the City Clerk.
- h. **Approving** – the addition of two Property Assessed Clean Energy (PACE) providers, Open PACE and Ygrene PACE to the existing California Hero and Figtree PACE Programs to provide energy efficiency financing options to residents and businesses of Concord. Resolutions No. 15-54, 15-55, and 15-56 for adoption. (No fiscal impact) Recommended by the Director of Community and Economic Development.
- i. **Awarding** – 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.) (General Funds, Measure J, Measure Q, IT Operations, and CMAQ/OBAG Grant Funds) Recommended by the Director of Community and Economic Development.
- j. **Approving** – the appointment of 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. (No fiscal impact) Recommended by the Mayor.
- k. **Authorizing** – 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 (4) Park Locations. (WW Funds) Recommended by the Director of Public Works.
- l. **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. (General Funds) Recommended by the Chief of Police.

4. CITY COUNCIL CONSIDERATION ITEMS:

- a. **Considering** – approval of a Principal Planner position to facilitate the Planning and Entitlement Process for the Concord Community Reuse Project. (COSTS TO FUND THIS POSITION WILL BE PAID BY THE PHASE 1 MASTER DEVELOPER) **Report by Laura Simpson, Planning Manager.**

Staff recommendation: hear the report; take public testimony; adopt Resolution No. 15-3493.2 approving a Principal Planner position to facilitate the Planning and Entitlement Process for the Concord Community Reuse Project.

- b. **Considering** – a pilot program for the placement of art on utility boxes within the City of Concord. (Sponsorships and donations) **Report by Justin Ezell, Director of Public Works.**

Staff recommendation: hear the report; take public testimony; 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.

- c. **Awarding** – a construction contract in the amount of \$1,551,551 to Intermountain Slurry Seal, Inc. of Reno, NV; approving a Professional Services Agreement with Swinerton Management & Consulting of Concord in the amount of \$93,714 for construction management services; approving a budget transfer in the amount of \$1,870,000; and authorizing the City Manager to execute the contract and agreement for the FY 14-15 Pavement Maintenance Project (PJ 2329). (Measure J and Measure Q) **Report by Robert Ovadia, City Engineer.**

Staff recommendation: hear the report; take public testimony; 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; approve a budget transfer in the amount of \$1,870,000; and authorize the City Manager to execute the contract and agreement for the FY 14-15 Pavement Maintenance Project (PJ 2329).

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

5. LOCAL REUSE AUTHORITY CONSENT ITEMS:

- a. **Approving** – an amendment to the Master Agreement for Professional Services associated with preparation of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station with H.T. Harvey & Associates (HTH), not to exceed \$110,000; and authorizing the Local Reuse Authority Executive Director to execute the amendment. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

- b. **Approving** – an amendment to the Master Agreement for Professional Services associated with 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 with Engineering Science Associates (ESA), not to exceed \$148,000; and authorizing the Local Reuse Authority Executive Director to execute the amendment. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

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

7. **PUBLIC COMMENTS ON PRESENTATION ITEMS**

8. **CLOSED SESSION REPORTS**

9. **COUNCIL AND STAFF REPORTS**

10. **ADJOURNMENT**

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: 6:30 p.m., September 1, 2015

CLOSED SESSION: The City Council may convene in closed session immediately prior to or at the conclusion of the above meeting. If a closed session is to be held, an agenda will be posted on the Friday prior to the meeting. For additional information regarding the closed session, contact the City Attorney's Office at 671-3160

NOTICE TO PUBLIC

SPEAKER'S CARD - Members of the audience who wish to address the City Council are requested to complete a Speaker's Card available at the front bench. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

AGENDA REPORTS - Agenda reports are available for public viewing in a binder on the front staff desk.

PUBLIC COMMENT PERIOD - This is a fifteen-minute Public Comment Period for items not on this agenda, and each speaker will be limited to approximately three minutes. State law prohibits the City Council from acting at this meeting on any matter raised during the Public Comment Period.

CONSENT CALENDAR - Adoption of the Consent Calendar may be made by one motion of the City Council, provided that any Councilmember, individual or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the Mayor may defer action on the particular item and place the same on the regular agenda for consideration in any order s/he deems appropriate.

PUBLIC HEARINGS - Persons who wish to speak on Public Hearings listed on the agenda will be heard when the public hearing is opened, except on public hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency. No public hearing shall commence after 10:00 p.m. unless approved by majority vote of the City Council.

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with Easy Listener Sound Amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the Easy Listener Phonic Ear Personal Sound Amplifier from the City Clerk for personal use during Council meetings.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3170, at least five days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

The following is a list of regular Council Committee meeting dates. Most meetings are held in the Garden Conference Room, 1950 Parkside Drive, Concord. **NOTE: Meetings are subject to change or cancellation. For latest information and committee agendas please call 671-3158.**

Committee	Chair/Member	Meeting Time
Housing & Economic Development	Helix/Leone	4 th Monday at 5:30 p.m.
Infrastructure & Franchise	Hoffmeister/Birsan	2 nd Monday at 5:30 p.m.
Recreation, Cultural Affairs & Comm. Svc.	Helix/Grayson	4 th Thursday at 5:30 p.m.
Policy Development & Internal Operations	Grayson/Hoffmeister	2 nd Thursday at 5:30 p.m.
Youth & Education	Leone/Birsan	3 rd Monday at 5:30 p.m.

Correspondence received that constitutes a public record under the Public Records Act concerning any matter on this agenda is available for inspection during normal business hours by contacting the City Clerk's office at 1950 Parkside Drive, Wing A, Concord, CA.

E-mail: cityinfo@ci.concord.ca.us

Website: www.cityofconcord.org

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 8:00 a.m., 2:00 p.m. and 7:00 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>