



A G E N D A

**REGULAR MEETING OF THE
CONCORD CITY COUNCIL
Tuesday, March 11, 2014
6:30 p.m. – Regular Meeting
City Council Chamber
1950 Parkside Drive
Concord, CA 94519**

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REGULAR MEETING
6:30 p.m. – City Council Chamber**

ROLL CALL

PLEDGE TO THE FLAG – Councilmember Birsan

PUBLIC COMMENT PERIOD

1. PRESENTATIONS

- a. **Presentation** – Concord Pavilion Update presented by Matt Prieshoff, Chief Operating Officer for Live Nation, California. **Introduction by Mayor Grayson.**
- b. **Presentation** – to Ricardo Simental, Policy Coordinator, Monument Corridor Anti Drug and Alcohol Coalition proclaiming April as “Alcohol Awareness Month.” **Introduction by Mayor Grayson.**
- c. **Presentation** – An overview and update on the Parks Maintenance Division. Presentation by Steve Voorhies, Parks Program Manager. **Introduction by Mayor Grayson.**

2. ANNOUNCEMENTS

**CITY COUNCIL
MATTERS**

3. CITY COUNCIL CONSENT ITEMS:

- a. **Approving** – the minutes from the meetings of February 25 and March 11, 2014. (No Fiscal Impact) Recommended by City Clerk.
- b. **Adopt Ordinance No. 14-3** – amending 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. Ordinance No. 14-3 was introduced on March 11, 2014 by reading of the title and waiving further reading. Recommended by Planning Commission.
- c. **Approving** – the receipt of grant funds in the amount of \$48,207.97 from the Brenden Mann Foundation, appropriate the funds for downtown patrol services, adopt Resolution No. 14-15 amending the Fiscal Year 2013-14 budget; and authorize the City Manager to execute all required documents. (Grant funds) Recommended by Chief of Police.
- d. **Awarding** – a contract through the National Joint Powers Alliance (NJPA) to Owen Equipment Company in the amount of \$90,355.53 to purchase the ROVVER RCX 90 Closed Circuit Camera, ROVVER X 130 Crawler and Basic Truck Package system. (Sewer Operations Fund) Recommended by Director of Public Works.
- e. **Awarding** – a contract for RFB #2277, Abandoned Trash Removal on an as-needed basis, in the amount not-to-exceed \$15,000 to Bernardini Enterprises, Inc. as the lowest responsive bidder; and authorize the City Manager to execute the current contract and extend the contract for up to three additional, one-year periods. (Grant Funds) Recommended by Director of Public Works.
- f. **Approving** – Project No. 2301 (ADA Improvements – Monument Blvd (Mi Casa Court to Detroit Avenue); and appropriate \$70,000 from Project No. 1284 (Citywide Accessibility Improvements) and \$6,500 from Project No. 2064 (Monument Corridor Pedestrian Infrastructure Improvements) to fully fund the project. Recommended by Director of Community and Economic Development.
- g. **Approving** – the Third Amendment to the Stormwater Utility Area Agreement between the Contra Costa County Flood Control and Water Conservation District and the City of Concord; and authorizing the City Manager to sign the amendment. Resolution No. 14-18 for adoption. (No Fiscal Impact) Recommended by Director of Community and Economic Development.

- h. **Matter to set for Public Hearing** – on Tuesday, April 8, 2014 at 6:30 p.m. in the Council Chamber – consideration of the proposed Resolution of Necessity for the acquisition of a permanent Right-of-Way and Utility Easement and a Temporary Construction easement for the Clayton Road/Treat Boulevard/Denkinger Road intersection Capacity Improvement Project. Recommended by Director of Community and Economic Development.
 - i. **Approving** – and accepting the General Plan Annual Progress Report, including the Housing Element Annual Progress Report; and directing staff to submit the report to the Governor's Office of Planning and Research and to the State Department of Housing and Community Development. (No Fiscal Impact) Recommended by the Planning Commission.
 - j. **Approving** – the first of two five-year extension options to East Bay Golf Center's Independent Contractor Agreement held with Joseph Fernandez, Director of Golf dated March 25, 2014; and authorize the City Manager to execute the agreement. (No Fiscal Impact) Recommended by Director of Parks and Recreation.
 - k. **Authorizing** – and approving the hiring of a full-time, limited-duration (18-months) benefited Program Coordinator at an annual salary of \$78,520, plus benefits, to work in concert with the Information Technology Department and the entire organization to facilitate the purchase and implementation of a document imaging replacement system; authorizing the transfer of approved budget funds for personnel costs from the Information Technology, Community and Economic Development and City Management departments. (General Fund Transfer) Recommended by City Manager.
4. **CITY COUNCIL CONSIDERATION ITEMS:**
- a. **Consideration** – of appointments to fill up to 4 positions on the Commission on Aging to increase membership due to recent resignations; and to fill one vacancy on the Appeals Board.

Staff Recommendation: 1) Appoint up to 4 members to serve on the Commission on Aging for terms ending June 30, 2015, and consider waiving the need to interview the appointees during the 2015 recruitment, retaining the authority to reappoint the members for an additional term length if desired at that time; 2) Appoint one member to the Appeals Board to serve a term ending February 28, 2017 ensuring continued staggered terms on the Board.

5. CITY COUNCIL PUBLIC HEARING:

Consideration – of the sale of an unused portion of property located at 4050 Port Chicago Highway, Concord California (APN 100-370-009) to Pacific Ranch Investments at fair market value. The General Plan and Zoning Designation for the property portion is Parks and Recreation and the project is classified as Categorically Exempt pursuant to Section 15305(a), Class 5, “Minor Alterations in Land Use Limitations.” Resolution No. 14-17 for adoption. Recommended by Director of Community and Economic Development.

Staff Recommendation: Hear the report, take public testimony, adopt Resolution No.14-17, authorizing the Mayor to enter into the purchase and sales agreement with Pacific Ranch Investments for a 12,075 square foot portion of property locate at 4050 Port Chicago Highway at a value of \$42,504.

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

6. LOCAL REUSE AUTHORITY CONSENT ITEMS:

- a. **Approving** – an amendment to the Master Services Agreement with ALH Urban & Regional Economics (ALH Economics) for Professional Services associated with the Disposition and Land Transfer at the Concord Naval Weapons Station (CNWS) in an amount not to exceed \$5,000 for a total contract price of \$53,460 thus requiring Council approvals; and authorizing the Executive Director of the LRA to execute the agreement. Funding will be provided by a loan from the General Fund to the LRA approved by the City Council on December 10, 2013. Recommended Reuse Project Director.
- b. **Approving** – an amendment to the Master Agreement for Professional Services with Erler and Kalinowski, Inc. in the amount of \$5,850 for a total contract price of \$124,850 for Professional Services associated with Hazardous Materials Management and Remedial Assessment Reviews; and authorizing the Executive Director of the LRA to execute the agreement. The funding will be a loan to the LRA from the General Fund as approved and appropriated as part of an amendment of the FY 2013/2014 budget approved by the City Council on December 10, 2013. Recommended Reuse Project Director.

6. CORRESPONDENCE

- a. Letter dated February 27, 2013 from Mayor Grayson to Supervisor/Board Chair Mitchoff congratulating the receipt of a \$9.6M federal grant to hire firefighters.

7. CLOSED SESSION REPORTS**8. COUNCIL AND STAFF REPORTS****9. 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) 671-3495.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, April 8, 2014

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	Grayson/Leone	4 th Monday at 5:30 p.m.
Infrastructure & Franchise	Hoffmeister/Helix	2 nd Thursday at 5:30 p.m.
Recreation, Cultural Affairs & Comm. Svc.	Birsan/Hoffmeister	4 th Thursday at 5:30 p.m.
Policy Development & Internal Operations	Helix/Grayson	2 nd Monday 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

DVDs of most City Council meetings are available for listening or viewing in the City Clerk's office and at the Concord Public Library. Copies of the DVDs may be purchased. Contact the Community Relations Manager at (925) 671-3272 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/about/citynews/tvlistings.pdf>