



A G E N D A

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

**Tuesday, April 22, 2014
6:30 p.m.
City Council Chamber
1950 Parkside Drive, Concord, CA**

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

ROLL CALL

PLEDGE TO THE FLAG – Councilmember Hoffmeister

PUBLIC COMMENT PERIOD

1. PRESENTATIONS

- a. **Presentation** – in recognition of Phyllis Wanamaker and the Garden Club.
Introduction by Mayor Grayson.
- b. **Presentation** – in recognition of Police Officer Scott Wagner (retired).
Introduction by Mayor Grayson.
- c. **Presentation** – Concord Tourism Improvement District update presented by Matt Hohenstreet, Visit Concord Boardmember. **Introduction by Mayor Grayson.**
- d. **Presentation** – Library Strategic Plan Update presented by Gail McPartland, Deputy County Librarian, Public Services Contra Costa County Library.
Introduction by Mayor Grayson.

2. ANNOUNCEMENTS

**CITY COUNCIL
MATTERS**

3. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the minutes from the meetings of April 1 and 2, 2014 (no fiscal impact). Recommended by City Clerk.
- b. **Matter to set for Public Hearing** – on Tuesday, May 6, 2014 at 6:30 p.m. in the Council Chamber – consideration of the Draft 2014-15 Action Plan for Community Grant Funding from Community Development Block Grant Funds (CDBG) and Child Care Developer Fees. Recommended by: Director of Parks and Recreation Services.
- c. **Adopting** – Resolution No. 14-20 supporting the Walnut Creek Watershed Council and its Activities (no fiscal impact). Recommended by: Director of Community and Economic Development.
- d. **Amending** – agreement with Pinnacle Petroleum Incorporated to provide and deliver unleaded gasoline on an as-needed basis (General Fund). Recommended by: Director of Public Works.
- e. **Approving** – master agreements for professional services with six transportation firms to prepare transportation studies in the City of Concord (CIP). Recommended by: Director of Community and Economic Development
- f. **Adopting** – Policy and Procedure No.169 establishing a formal policy on memorial and commemorative items (no fiscal impact). Recommended by: Director of Public Works.
- g. **Approving** – the following items related to Downtown Landscape Maintenance District, Pine Hollow Landscape Maintenance District, Landscaping and Lighting Maintenance District #3, and the Citywide Street Lighting Assessment District. For additional information contact David Boatwright, Senior Admin Analyst at (925) 671-3141. (Funded by Landscape District Assessments) Recommended by: Director of Public Works.
 - (1) Accepting the Engineer's Report for the Downtown Landscape Maintenance District. Resolution No. 14-23 for adoption.
 - (2) Accepting the Engineer's Report for Pine Hollow Landscape Maintenance District. Resolution No. 14-24 for adoption.
 - (3) Accepting the Engineer's Report for Landscaping and Lighting Maintenance District No. 3. Resolution No. 14-25 for adoption.
 - (4) Accepting the Engineer's Report for the Citywide Street Lighting Assessment District. Resolution No. 14-26 for adoption.

(5) Ordering improvements in the Downtown Landscape Maintenance District and setting a public hearing for May 27, 2014 at 6:30 p.m. in the Council Chamber. Resolution of Intention No. 14-27 for adoption.

(6) Ordering improvements in the Pine Hollow Landscape Maintenance District and setting a public hearing for May 27, 2014 at 6:30 p.m. in the Council Chamber. Resolution of Intention No. 14-28 for adoption.

(7) Ordering improvements in the Landscaping and Lighting Maintenance District No. 3 and setting a public hearing for May 27, 2014 at 6:30 p.m. in the Council Chamber. Resolution of Intention No. 14-29 for adoption.

(8) Ordering improvements in the Citywide Street Lighting Assessment District and setting a public hearing for May 27, 2014 at 6:30 p.m. in the Council Chamber. Resolution of Intention No. 14-30 for adoption.

4. **CITY COUNCIL CONSIDERATION ITEMS:**

- a. **Consideration** – of the removal of Farm Bureau Road from the City’s truck route system. Alternate truck routes exist in the City and there is no need to designate new truck routes to replace Farm Bureau Road. Most truck operators would shift to Clayton Road, Port Chicago Highway/East Street and Grant Street to gain access to/from Hwy 242 and Hwy 4. Recommended by the Director of Community and Economic Development. Resolution No. 14-3521.2 for adoption. (Minimal Fiscal Impact) Report by Ray Kuzbari, Transportation Manager.

Staff recommendation: Hear the report, take public testimony, adopt Resolution No. 14-3521.2, authorizing and directing staff to remove and install the appropriate traffic signs to effectuate this Resolution.

5. **CITY COUNCIL PUBLIC HEARING:**

- b. **Consideration** – of an appeal filed by Steve Rawlings, on behalf of 99 Cents Only Stores, concerning the Zoning Administrator’s denial of an application to sell alcoholic beverages at the 99 Cent Only Store at 4665 Clayton Road stating a discrepancy in the crime rates reported by the Concord Police Department to the California Department of Alcoholic Beverage Control and those reported to the Zoning Administrator as required for a Finding of Public Convenience and Necessity.

Staff Recommendation: Hear the report, take public testimony, and adopt Resolution No. 14-16, denying the appeal, and upholding the Zoning Administrator’s denial of the 99 Cents Only Store request for a Finding of Public Convenience and Necessity.

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

6. LOCAL REUSE AUTHORITY CONSENT ITEMS:

Approving – an amendment to the Master Services Agreement with Environmental Risk Services Corporation (ERS) for Professional Services associated with hazardous materials management, remedial assessment reviews, and risk management planning in an amount not to exceed \$25,000 (OEA Grant) for a total contract price of \$140,000 thus requiring Council approvals; and authorizing the Executive Director of the LRA to execute the agreement. Recommended Reuse Project Director.

6. CORRESPONDENCE

- a. Letter from Mayor Grayson to California State Senator Correa in support of SB 1262 – Medical Marijuana
- b. Letter from Mayor Grayson to California State Senator Padilla in support of SB 270 Solid Waste: Single-use Carryout Bags

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, May 6, 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>