



REVISED

This agenda has been revised. The change to the agenda moved Consideration Item No. 4.a to Consent Calendar Item No 3.i. There are no Consideration Items for this agenda.

A G E N D A

**REGULAR MEETING OF THE
CONCORD CITY COUNCIL/
CITY COUNCIL SITTING AS THE
MT. DIABLO HEALTH CARE DISTRICT**



**Tuesday, May 27, 2014
7:00 p.m. – Regular Meeting
City Council Chamber
1950 Parkside Drive, Concord, CA**

**CITY COUNCIL
REGULAR MEETING
7:00 p.m. – City Council Chamber**

ROLL CALL

PLEDGE TO THE FLAG – Councilmember Helix

PUBLIC COMMENT PERIOD

1. PRESENTATIONS

- a. **Presentation – by Linda Best, East Bay Broadband Consortium. Introduction by Mayor Grayson.**
- b. **Presentation – to VIPS Volunteer of the Year Ben Hornstein. Presentation by Mayor Grayson.**

2. ANNOUNCEMENTS

**CITY COUNCIL
MATTERS**

3. CITY COUNCIL CONSENT ITEMS:

- a. **Approving** – the minutes from the meeting of May 6, 2014. (No Fiscal Impact) Recommended by Deputy City Clerk.
- b. **Authorizing** – the acceptance of the Edward Byrne Memorial Justice Assistance Grant (JAG) grant funding in the amount of \$37,787 from the Federal Justice Assistance Grant (JAG) Program; and appropriating the funds to be used to partially fund two limited service officer trainee positions and their attendance at the basic POST academy. Resolution No. 14-43 for adoption. (Grant funds) Recommended by Chief of Police.
- c. **Authorizing** – the calling of a general municipal election in Concord on November 4, 2014, under the provisions of laws relating to General Law cities in the State of California, for the purpose of electing three members to the City Council and one City Treasurer, each for full terms of four years. (General Fund) Resolution 14-31 for adoption. Recommended by City Clerk.
- d. **Certification** – of the final Measure J Calendar Years 2012 and 2013 Growth Management Program Compliance Checklist for receipt of fiscal years 2013-14 and 2014-15 Local Street Maintenance and Improvement funds. (No Fiscal Impact) Recommended by Director of Community and Economic Development.
- e. **Approving** – a Professional Services Agreement with Francisco & Associates in the not-to-exceed amount of \$79,000 to provide professional services related to assessments; and authorizing the City Manager to execute the agreement. (Assessment District Funds) Recommended by Director of Public Works.
- f. **Authorizing** – the acceptance and appropriation of funds for a State Homeland Security Grant in the amount of \$20,000 to be used to fund Spanish speaking outreach, training and equipment for the Monument Corridor. Resolution No. 14-45 for adoption. (Grant Funds) Recommended by the Chief of Police.
- g. **Awarding** – a construction contract in the amount of \$326,130 to California Trenchless, Inc. of Dublin for Project No. 2245 (Willow Pass Road Trunk Sewer Upgrade) (Sewer Enterprise Funds and Developer Contribution) Recommended by Director of Community and Economic Development.

- h. **Authorizing** – the lien on various properties for failure to pay abatement costs, administrative citation fines, inspections and re-inspection fees; and directing the Contra Costa County Auditor Controller to assess the property owners’ regular property tax bills for the amounts shown therein. Resolution No. 14-37 for adoption. (General Fund Reimbursement) Recommended by Chief of Police and Director of Community and Economic Development.
- i. **Authorizing** – the acceptance of \$588,103 in non-recurring revenues and appropriating \$75,000 for Finance Department expenditures, \$76,240 for Information Technology expenditures, and \$436,763 for General Fund Project No. 2304, and authorizing the City Manager to execute an Amendment for Financial and Accounting Services Agreement with A. Maze, Inc. in the amount of \$75,000 and a new Professional Service Agreement for Information Technologies Consulting Services with Truepoint Solutions, Inc. in the amount of \$76,340, both in connection with the development and implementation of financial and business processes in the Accela Permitting System. Resolution No. 14-42 for adoption. (General Fund) Recommended by Karan Reid, Director of Finance.

5. **CITY COUNCIL PUBLIC HEARING:**

- a. **Consideration** – of an amendment to the Concord Municipal Code Title 3 (Revenue and Finance) adding Chapter 3.20 (Fiscal Sustainability), Article 1 (Use of One-Time and Budget Surplus Funds). Ordinance 14-4 for introduction. **Report by Scott P. Johnson, Assistant City Manager.**

Staff Recommendation: **Hear the report, take public testimony and introduce Ordinance No. 14-4 by reading of the title only and waiving further readings.**

- b. **Landscape and Lighting Maintenance Districts** – consider confirming the assessment diagrams and levying the annual assessments for Fiscal Year 2014-15 related to the following landscape and lighting maintenance districts. (Funded by Landscape and Lighting Assessment Districts) **Report by Justin Ezell, Director of Public Works.**
 - 1) Confirming the Assessment Diagram and Levy of Assessments for the Downtown Landscape Maintenance District for Fiscal Year 2014-15. Resolution No. 14-38 for adoption.
 - 2) Confirming the Assessment Diagram and Levy of Assessments for the Pine Hollow Estates Landscape and Lighting Maintenance District for Fiscal Year 2014-15. Resolution No. 14-39 for adoption.

- 3) Confirming the Assessment Diagram and Levy of Assessments for the Landscaping and Lighting Maintenance District No. 3 for Fiscal Year 2014-15. Resolution No. 14-40 for adoption.
- 4) Confirming the Assessment Diagram and Levy of Assessments for the Citywide Street Lighting Assessment District for Fiscal Year 2014-15. Resolution No. 14-41 for adoption.

Staff Recommendation: Hear the report; take public testimony; adopt Resolution Nos. 14-38, 14-39, 14-40 and 14-41 confirming the assessment diagrams and levying the annual assessments for 2014-15.

**MT. DIABLO HEALTH
CARE DISTRICT**

6. MT. DIABLO HEALTH CARE DISTRICT CONSIDERATION ITEMS:

- a. **Consideration** – of granting funds in the amount of \$290,333 to 20 community based organizations in Fiscal Year 2014-15. Resolution No. 14-008 for adoption. **Report by Marla Parada, Community Services Program Manager.**

Staff Recommendation: Hear the report, take public testimony, approve the funding to 20 community based organizations.

7. 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 671-3495.

- a. Letter from Mayor Grayson to California State Senator De Lone in support of SB 1455 – California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2016.
- b. Letter from Mayor Grayson to California State Assemblymember Muratsuchi in opposition of AB 2188 – Solar Permits (as amended May 5, 2014).
- c. Treasurer’s Report for the period January 1 – March 31, 2014.

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) 671-3495.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, June 3, 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

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/about/citynews/tvlistings.pdf>