



A G E N D A

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

**Tuesday, February 24, 2015
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 Birsan

PUBLIC COMMENT PERIOD

1. PRESENTATIONS

- a. **Presentation** – by Matt Prieshoff, Chief Operating Officer, Live Nation, on the 2014 Concord Pavilion Season. **Introduction by Mayor Grayson.**
- b. **Presentation** – by BART representatives regarding the Downtown Concord BART Station Intermodal Project. **Introduction by Joan Ryan, Senior Planner.**

2. ANNOUNCEMENTS

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

- a. **Approving** – the minutes from the meeting of January 27, 2015. (No Fiscal Impact) Recommended by the City Clerk.
- b. **Authorizing** – the application for Used Oil Competitive Grant Program funding; and authorizing the Director of Public Works, or his designee, to execute all necessary documents. Resolution No. 15-10 for adoption. Recommended by the Director of Public Works.
- c. **Accepting** – a \$250,000 Priority Development Area Planning Grant from the Contra Costa Transportation Authority (CCTA) for the Downtown Corridors Plan, approving a Cooperative Funding Agreement with CCTA to administer the grant; and authorizing the City Manager to execute the agreement and any related amendments, and confirming staff’s selection of the consultant for the project as ARUP from CCTA’s approved list. Recommended by the Director of Community and Economic Development.
- d. **Awarding** – a contract to Hinderliter, De Llamas and Associates for audit of sales and use tax transactions. (General Fund) Resolution No. 15-11 for adoption. Recommended by the Director of Finance.
- e. **Approving** – A Concord Pavilion Management Agreement side letter affirming the City’s commitment regarding Hoffman family seating and parking at the Concord Pavilion. (No Fiscal Impact) Resolution No. 15-12 for adoption. Recommended by the City Attorney.

4. CITY COUNCIL CONSIDERATION ITEM:

- a. **Appointment** – of three applicants to the Personnel Board for terms ending February 28, 2017. (No Fiscal Impact) **Report by Council Committee on Policy Development and Internal Operations.**

Staff Recommendation: Appoint three applicants for terms ending February 28, 2017.

5. CITY COUNCIL PUBLIC HEARING:

MAYOR: Madam Clerk, have all the publications been completed and appropriate parties notified?

- a. **Consideration** – of an appeal of Planning Commission action approving the Oakmont Senior Living Use Permit and Design Review Application (PL1400211), subject to the Conditions of Approval adopted by Planning Commission Resolution No. 15-01PC. Resolution No. 15-9 for adoption. **Report by Frank Abejo, Senior Planner.**

Staff Recommendation: Hear the report, take public testimony, adopt Resolution No. 15-9.

**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 and Regional Economics (ALH Economics) for professional services associated with disposition and land transfer planning at the Concord Naval Weapons Station (CNWS) in an amount not to exceed \$15,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Total contract value since 2012 is \$116, 460. Recommended by the Local Reuse Authority Executive Director.
- b. **Approving** – an amendment to the Professional Services Agreement for specialized legal services with Burke, Williams & Sorensen, LLP, in the amount of \$35,000 in connection with transactional legal support for the transfer for the former Concord Naval Weapons Station (CNWS). Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Total funding since 2013 is \$215,000. Recommended by the Local Reuse Authority Executive Director.
- c. **Approving** – an amendment to the Master Agreement for Professional Services associated with hazardous materials management, remedial assessment reviews, and risk management planning with Environmental Risk Services Corporation (ERS) not to exceed \$120,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Total Funding since 2012 is \$345,000. Recommended by the Local Reuse Authority Executive Director.

- d. **Approving** – an amendment to the Master Agreement for Professional Services for Concord Community Reuse Project legal services with Garrity and Knisely in the amount of \$30,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Total funding since 2007 is \$500,000. Recommended by the Local Reuse Authority Executive Director.
- e. **Approving** – an amendment to the Master Services Agreement with Arup, Inc. for professional services associated with land transfer/development planning at the Concord Naval Weapons Station (CNWS) in an amount not to exceed \$62,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Total funding since 2006 is \$10.2 million. Recommended by the Local Reuse Authority Executive Director.
- f. **Approving** – an amendment to the Master Agreement with H. T. Harvey & Associates (HTH) for professional services associated with preparation of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station in an amount not to exceed \$35,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Total funding since 2009 is \$421,593. Recommended by the Local Reuse Authority Executive Director.
- g. **Approving** – an amendment to the Master Agreement with Engineering Science Associates (ESA) 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 in an amount not to exceed \$31,000. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Total funding since 2008 is \$251,300. Recommended by the Local Reuse Authority Executive Director.

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- 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 671-3390.
 - 8. **PUBLIC COMMENTS ON PRESENTATION ITEMS**
 - 9. **CLOSED SESSION REPORTS**
 - 10. **COUNCIL AND STAFF REPORTS**
 - 11. **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: 5:30 p.m.; Tuesday, March 3, 2015.**PLEASE NOTE MEETING TIME**

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/Helix | 2 nd Monday at 5:30 p.m. |
| Recreation, Cultural Affairs & Comm. Svc. | Birsan/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>