



A G E N D A

**REGULAR MEETING OF THE
CONCORD CITY COUNCIL/CITY COUNCIL SITTING AS THE
CONCORD/PLEASANT HILL HEALTH CARE DISTRICT
Tuesday, June 9, 2015
6:30 p.m.
City Council Chamber
1950 Parkside Drive, Concord, CA**

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 podium and in the Chamber foyer. 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 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

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

ROLL CALL

PLEDGE TO THE FLAG – Councilmember Birsan

PUBLIC COMMENT PERIOD

MAYOR: I will now open the Public Comment Period. Members of the audience may address the Council on any matter that is not on tonight's agenda. Fifteen minutes is allocated to the Public Comment Period, and each speaker will be limited to approximately three minutes.

1. **PRESENTATIONS**
2. **ANNOUNCEMENTS**

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

- a. **Approving** – the minutes from the meeting of May 26, 2015. (No Fiscal Impact) Recommended by the City Clerk.
- b. **Matter to set for public hearing** – on Tuesday, July 7, 2015, at 6:30 p.m. in the City Council Chamber to consider an Ordinance amending District WMX of the Development Code deleting certain industrial uses and amending Table 18.45.020 for consistency. An addendum to the 2012 EIR to the Development Code has been prepared and approved by the Planning Commission with the recommendation it be forwarded to the City Council for adoption. Recommended by the Director of Community and Economic Development.
- c. **Matter to set for public hearing** – on Tuesday, July 7, 2015, at 6:30 p.m. in the City Council Chamber to consider an Ordinance amending District IMX of the Development Code allowing certain outdoor activities with a Use Permit and amending Table 18.45.020 for consistency. An addendum to the 2012 EIR to the Development Code has been prepared and approved by the Planning Commission with the recommendation it be forwarded to the City Council for adoption. Recommended by the Director of Community and Economic Development.
- d. **Matter to set for public hearing** – on Tuesday, July 7, 2015, at 6:30 p.m. in the City Council Chamber to consider an amendment to the 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). The project is exempt from environmental review per CEQA Guidelines under the General Rule (Section 15061(b)(3)). The proposed Municipal Code amendment will have no significant negative effect on the environment. Recommended by the Director of Community and Economic Development.
- e. **Authorizing** – the purchase of Dell computer equipment in the amount of \$96,592.24. (Computer Replacement Fund) Recommended by the Director of Information Technology.

- f. **Approving** – a three-year Enterprise License Agreement with Microsoft in the amount of \$97,498.57 for the first year and \$102,620.51 for years two and three for software licenses used by all City Staff, and authorize the City Manager to execute the Agreement. (General Fund) Recommended by the Director of Information Technology.
- g. **Approving** – a Professional Services Agreement with Harrison Engineering, Inc. of Pleasant Hill in the not-to-exceed amount of \$100,000 to provide civil engineering design, environmental review, right-of-way certification and design services during construction; approving an associated budget transfer in the amount of \$15,000 for Concord Various Streets Preservation (Project No. 2292); and authorizing the City Manager to execute the Agreement. (Measure J, Gas Tax, and STP/CMAQ through OBAG Grant Funds) Recommended by the 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. 15-42 for adoption. (General Fund Reimbursement) Recommended by the Chief of Police and the Director of Community and Economic Development.
- i. **Authorizing** – the purchase of battery backup systems and 24VDC backup battery packs for signal controllers from Tesco Controls, Inc. as a Sole Source Contract (Measure J 28(a) Funds) Recommended by the Director of Public Works.

4. **CITY COUNCIL PUBLIC HEARING:**

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

BUDGET HEARING

- a. **Consideration – of the Biennial Budget and Ten-Year Financial Forecasts for Fiscal Years 2015-16 and 2016-17 for the City of Concord and Related Items**
- 1) **Presentation** – concluding the presentations begun at the May 12, 2015 Budget Workshop and addressing the questions raised at that meeting.
Report by City Manager Valerie Barone.

- 2) **Presentation** – of the Capital Improvement Budget. **Report by Robert Ovadia, City Engineer.**
- 3) **Presentation** – of the Enterprise and Special Revenue Ten-Year Plans.
 - Sewer and Stormwater Fund. **Report by Robert Ovadia, City Engineer.**
 - Diablo Creek Golf Course Fund. **Report by Joan Carrico, Director of Parks and Recreation.**
- 4) **Proposed Amendment to Exhibit A to Resolution No. 78-6042 (Establishing Fees and Charges for Various Municipal Services in the City of Concord)** - consideration of amending Exhibit A to the Master Fees and Charges Resolution for fees relating to various municipal services, including but not limited to Administrative Fees; Business, Professional and Trades Fees; Parks and Recreation Fees; Permit Center Fees; Police Fees; Off-Site Street Improvement Program (OSIP) Fees; and Parkland In-Lieu Fees. Data is available, as required by Government Code Title 7, Division 1, Chapter 8 Section 66016. Resolution No. 15-6042.1 proposed.
- 5) **Annual Appropriation Limits and Adjustment Factors** - approving annual appropriation limits and adjustment factors for Fiscal Year 2015-16, pursuant to Article XIII B of the California Constitution and reaffirming Policy & Procedure No. 129, “Budget and Fiscal Policies” in order to ensure the City’s continued financial health. Resolution No. 15-43 proposed.
- 6) **Establishment of the Minimum Purchase Threshold** for Fiscal Year 2015-16 over which City Council approval is required in accordance with Concord Municipal Code Article VIII Sec. 2-644(a). Resolution No. 15-44 proposed.
- 7) **2015-16 and 2016-17 City of Concord Budget, Ten-Year Financial Forecast and Capital Improvement Program** - consideration of Fiscal Year 2015-16 and 2016-17 City of Concord Budget and Ten-Year Financial Forecast, and adoption of the 2015-16 Capital Improvement Program. Resolution No. 15-45 proposed.

Staff Recommendation: Hear the report. Open the public hearing, receive testimony and continue the public hearing to Tuesday, June 23, 2015, at 6:30 p.m. in the Council Chamber.

**CITY COUNCIL SITTING
AS THE CONCORD/PLEASANT HILL
HEALTH CARE DISTRICT**

**5. CONCORD/PLEASANT HILL HEALTH CARE DISTRICT CONSIDERATION
ITEM:**

- a. **Considering** – approval of the Concord/Pleasant Hill Health Care District Grant Committee second year funding recommendations for programs/projects for FY 2015/16. Resolution No. 15-010 for adoption. **Report by Brenda Kain, Community Services Program Manager.**

Staff Recommendation: Hear the report; take public testimony; adopt Resolution No. 15-010 authorizing second year funding of Concord/Pleasant Hill Health Care District funds as recommended by the Grant Committee; and authorize the Executive Director to execute all required documentation.

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- 5. 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.

6. PUBLIC COMMENTS ON PRESENTATION ITEMS

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) 671-3390.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, June 23, 2015.

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 a.m., 2 p.m. and 7 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>