



A G E N D A

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

Tuesday, September 1, 2015

7:45 p.m.

**City Council Chamber
1950 Parkside Drive, Concord, CA**

NOTE THE LATER STARTING TIME

ROLL CALL

PLEDGE TO THE FLAG – Councilmember Birsan

PUBLIC COMMENT PERIOD

1. PRESENTATIONS

- a. **Presentation** – to Father Marin of the St. Demetrios Greek Orthodox Church proclaiming September 18-20, 2015 as Greek Festival Days in Concord.
Presentation by Mayor Grayson.

2. ANNOUNCEMENTS

- a. **Announcing** – an extension to the recruitment to fill five positions on the Concord Pleasant Hill Health Care District Grant Committee, three members to serve a two-year term ending June 30, 2017 and two members to serve a four-year term ending June 30, 2019; and set Friday, September 25, 2015 at 5 p.m. as the deadline for receipt of applications by the City Clerk. (No Fiscal Impact) Recommended by the City Clerk.

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

- a. **Approving** – the minutes from the meeting of July 28, 2015. (No Fiscal Impact) Recommended by the City Clerk.
- b. **Matter to set for public hearing** – on Tuesday, September 8, 2015, at 7:00 p.m. in the City Council Chamber to consider City-initiated amendment to the Concord Development Code to correct minor code errors and inconsistencies, implement actions mandated by the State Legislature, and to codify policies discussed at prior study sessions. The proposed Development Code update would amend Sections 18.20.020, Personal Services Restricted Use Classifications; 18.40.020, Small Residential Care Facilities in Office and Commercial Districts; 18.200.130, Mechanical and Electronic Games; 18.200.050, Child Day Care Facilities; 18.200.200, Temporary Events, Uses, and Structures; Section 18.415.100, Decisions and Findings; 18.505.020, Time Limits and Extensions; and 18.540.090, Limitations of Actions. The Planning Commission recommended the City Council approve the proposed amendments by a 4-0 vote at its regular meeting held July 15, 2015. Recommended by the Director of Community and Economic Development.
- c. **Matter to set for public hearing** – on Tuesday, September 8, 2015, at 7:00 p.m. in the City Council Chamber to consider a proposed resolution establishing a non-binding strategy for the annexation of Ayers Ranch, a 189± acre portion of unincorporated Concord. Any environmental review conducted under the California Environmental Quality Act (CEQA) will be considered with the annexation at a later date. Recommended by the Director of Community and Economic Development.
- d. **Recommending** – the appointment of Judi Waterson to serve on the Contra Costa County Library Commission. Recommended by the Mayor.
- e. **Amending** – the Rules of the Planning Commission of the City of Concord to change the meeting start time to 6:30 p.m. Resolution No. 15-58 for adoption. (No fiscal impact) Recommended by the Director of Community and Economic Development.

4. CITY COUNCIL CONSIDERATION ITEMS:

- a. **Authorizing** – the Mayor to execute a Cooperative Agreement with the Contra Costa Transportation Authority to fund the Monument Neighborhood Shuttle, and authorizing the City Manager to execute a Memorandum of Understanding with Monument Impact to define project responsibilities. (CIP Project No. 2279) Report by Ray Kuzbari, Transportation Manager.

Staff recommendation: hear the report, take public testimony, authorize the Mayor to execute a Cooperative Agreement with the Contra Costa Transportation Authority to fund the Monument Neighborhood Shuttle, and authorize the City Manager to execute a Memorandum of Understanding with Monument Impact to define project responsibilities.

- b. **Approving** – the Citywide On-Call Sidewalk Replacement Pilot Program, Project No. 2341, and appropriating project funding. (Measure J and Property Owner Payment) Report by Robert Ovadia, City Engineer.

Staff recommendation: hear the report, take public testimony, approve the Citywide On-Call Sidewalk Replacement Pilot Program, and appropriate project funding.

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

5. LOCAL REUSE AUTHORITY CONSENT ITEMS:

- a. **Approving** – the minutes from the special meeting of July 27, 2015. (No Fiscal Impact) Recommended by the City Clerk.
- b. **Approving** – an amendment to the Master Agreement for Professional Services associated with preparation of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station with H.T. Harvey & Associates (HTH), not to exceed \$110,000; and authorizing the Local Reuse Authority Executive Director to execute the amendment. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.

- c. **Approving** – an amendment to the Master Agreement 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 with Environmental Science Associates (ESA), not to exceed \$148,000; and authorizing the Local Reuse Authority Executive Director to execute the amendment. Funding will be provided by a loan to the Local Reuse Authority (LRA) from the General Fund. Recommended by the Local Reuse Authority Executive Director.
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6. **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.
7. **PUBLIC COMMENTS ON PRESENTATION ITEMS**
8. **CLOSED SESSION REPORTS**
9. **COUNCIL AND STAFF REPORTS**
10. **ADJOURNMENT**
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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: 7:00 p.m., September 8, 2015

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/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

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>