



# ANNOTATED AGENDA

**REGULAR MEETING OF THE  
CONCORD CITY COUNCIL/  
CITY COUNCIL SITTING AS  
THE SUCCESSOR AGENCY**

**Tuesday, September 8, 2015**

**7:00 p.m.**

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

**NOTE THE LATER STARTING TIME**

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**CLOSED SESSION  
CITY COUNCIL CONFERENCE ROOM  
5:30 p.m.**

- I. ROLL CALL – all present.**
- II. PUBLIC ANNOUNCEMENT (Open Session) – none.**
- III. PUBLIC COMMENT (Open Session) – none.**
- IV. CLOSED SESSION:**
  - a. Conference with Labor Negotiators pursuant to Government Code Section 54957.6.

City Negotiators: Valerie Barone, City Manager  
Kay Winer, Interim Director of Human Resources –  
Negotiations  
Charles Sakai, Esq. and Don Turko of Renne, Sloan,  
Holtzman & Sakai

Employee Organizations: Administrative, Technical & Clerical Representation  
Unit and Field & Operations Representation Unit of International Brotherhood of  
Teamsters Local 856; Professional Representation Unit of OPEIU Local 29; Peace  
Officer Representation Unit of Concord Police Officers Association and Police  
Managerial Representation Unit of Police Management Association.

Unrepresented Units: Executive, Management & Confidential Employees

**ACTION: Closed Session held.**

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**V. ADJOURNMENT – at 6:15 p.m. to reconvene in regular session in the Council Chamber.**

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

**ROLL CALL – all present.**

**PLEDGE TO THE FLAG – Councilmember Helix**

**PUBLIC COMMENT PERIOD**

Alejandra Plascencia, Concord, announced that First Five Contra Costa is working with the Concord Parks and Recreation Department to provide low cost yoga, Zumba, and TaeKwonDo classes for children 2-5 years old to be held at Ellis Lake Park.

George Fulmore, Concord, spoke of staffing at Meadow Homes Spray Park, funding for Meadow Homes Park play structures, and paving of Walters Way.

Babs Gomez, Concord, stated that she is a proud citizen of Concord and acknowledged Labor Day and her appreciation of Concord employees.

Hope Johnson, Concord, spoke of the Concord Reuse Project and Mayor Grayson retaining an attorney for his Assembly campaign and requested that Mayor Grayson recuse himself from voting on the Master Developer for the Concord Reuse Project.

**1. PRESENTATIONS**

- a. **Presentation** – by John Fenoglio, Scout Executive of the Mt. Diablo Silverado Council of the Boy Scouts of America, of the Boy Scouts of America’s North Star Award to City employee Tyce Dekker. **Introduction by Mayor Grayson.**

**ACTION: John Fenoglio, Scout Executive of the Mt. Diablo Silverado Council of the Boy Scouts of America presented the Boy Scouts of America’s North Star Award to City employee Tyce Dekker.**

- b. **Presentation** – to Jim Carlson, Meals on Wheels Falls Prevention Program, proclaiming the week of September 21-27, 2015 as *Fall Prevention Awareness Week*. **Presentation by Mayor Grayson.**

**ACTION: Mayor Grayson presented Jim Carlson, Meals on Wheels Falls Prevention Program, a proclamation declaring the week of September 21-27, 2015 as Fall Prevention Awareness Week in the City of Concord.**

- c. **Presentation** – to the Concord Blue Devils proclaiming September 8, 2015 as “Blue Devils Day” in the City of Concord. **Presentation by Mayor Grayson.**

**ACTION: Mayor Grayson presented the Concord Blue Devils a proclamation declaring September 8, 2015 as “Blue Devils Day” in the City of Concord.**

- d. **Presentations** – of Business Recognition Awards to a) D’Ann Harvey, Owner of D’Ann’s Academy of Dance & Music, b) Jeff Hadley, Branch Manager, Slakey Brothers, and c) Tom Young, General Manager, Concord Chevrolet. Overview of program by Pedro Garcia, Economic Development Specialist; introduction of recipients by Marilyn Fowler, Chief Operations Officer of the Concord Greater Chamber of Commerce. **Presentations by Mayor Grayson.**

**ACTION: Pedro Garcia, Economic Development Specialist, highlighted the Business Recognition Program and introduced Marilyn Fowler, Chief Operations Officer of the Concord Greater Chamber of Commerce who presented Business Recognition Awards to D’Ann Harvey, Jeff Hadley, and Tom Young.**

- e. **Presentation** – by Downtown Program Manager Florence Weiss to the winning entries in the 2015 4<sup>th</sup> of July Parade and special recognitions to sponsors of Music and Market activities. **Introduction by Mayor Grayson.**

**ACTION: Presentation made.**

2. **ANNOUNCEMENTS – none.**

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

- a. **Approving** – a contract change order and related budget transfer in the amount of \$147,500 for work at the Diablo Creek Golf Course to be added to the construction contract awarded to Intermountain Slurry Seal, Inc. of Reno, Nevada for Pavement Maintenance Project (PJ2329). (Golf Enterprise Fund) Recommended by the Director of Community and Economic Development.

**ACTION: Contract change order and related budget transfer in the amount of \$147,500 for work at the Diablo Creek Golf Course added to the construction contract awarded to Intermountain Slurry Seal, Inc. for Pavement Maintenance Project (PJ2329) approved.**

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**4. CITY COUNCIL PUBLIC HEARING:**

- a. **Consideration** – of establishing a non-binding strategy to annex the unincorporated Ayers Ranch portion of the City’s Sphere of Influence by the year 2030. Resolution No. 15-59 for adoption. (General Fund) **Report by Andrew J. Mogensen, AICP, Principal Planner.**

**ACTION: Report heard, public testimony given, and Resolution No. 15-59 adopted.**

- b. **Consideration** – of an ordinance amending the Concord Municipal Code by adopting Development Code update amendments to Sections 18.20.020, Personal Services Restricted Use Classifications; 18.40.020, Mechanical and Electronic Games; 18.200.050, Small Residential Care Facilities in Office and Commercial Districts; 18.300.130, 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. Ordinance No. 15-8 for introduction. (No Fiscal Impact) **Report by Andrew J. Mogensen, AICP, Principal Planner.**

**ACTION: This item was continued to October 6, 2015.**

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**CITY COUNCIL SITTING AS  
THE SUCCESSOR AGENCY**

**5. SUCCESSOR AGENCY CONSIDERATION ITEM:**

- a. **Authorizing** – the City Manager to make reasonable changes to the Successor Agency’s Long Range Property Management Plan to comply with Oversight Board and Department of Finance Comments.

**ACTION: Report heard; the revised Long Range Property Management Plan reviewed; opportunity for public testimony given; input and direction given to staff to proceed to the Oversight Board for approval of the revised Long Range Property Management Plan; and the City Manager authorized to make any reasonable modifications to the revised Long Range Property Management Plan deemed necessary to address the Oversight Board’s or Department of Finance’s comments.**

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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.

- a. Flyer from First 5 Contra Costa
- b. Treasurer’s Report: April 1 – June 30, 2015
- c. Benched Memorandum – Item No. 3.a
- d. Benched Correspondence – Item No. 4.a
- e. PowerPoint Presentation – Item No. 4.b
- f. PowerPoint Presentation – Item No. 5.a

**7. PUBLIC COMMENTS ON PRESENTATION ITEMS – none.**

**8. CLOSED SESSION REPORTS – none.**

**9. COUNCIL AND STAFF REPORTS**

Councilmembers shared information on events and activities in which they had participated since the last meeting and commented on items of interest.

**10. ADJOURNMENT** – at 10:27 p.m. in memory of William “Bill” Abend and Jon Rowan.

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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.

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**NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m.; Tuesday, September 22, 2015.**

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**MEETING RECORDS**

City Council meetings are available for viewing on the City's website, [www.cityofconcord.org](http://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>