

COUNCILMEMBERS

Edi E. Birsan, Mayor
Carlyn S. Obringer, Vice Mayor
Laura M. Hoffmeister
Ronald E. Leone
Timothy A. McGallian

Civic Center
1950 Parkside Drive
Concord, CA 94519
www.cityofconcord.org



**ANNOTATED AGENDA
Regular Meeting of the
Concord City Council/City
Council Sitting as the
Local Reuse Authority**

Tuesday,
June 26, 2018

6:00 p.m. - Open Session

Council Chamber
1950 Parkside Drive

Information for the public on participation at Council meetings can be found on the back of the Speaker Identification Card located near the Council Chamber entrance. Should you have any questions after consulting the Speaker Identification Card, please contact the City Clerk prior to the Council meeting.

AGENDIZED ITEMS – The public is entitled to address the City Council on items appearing on the agenda before or during the City Council's consideration of that item. Each speaker will be limited to approximately three minutes.

1. OPENING

Roll Call – all present

Pledge to the Flag – Councilmember Leone

2. PUBLIC COMMENT PERIOD

This is a fifteen minute Public Comment Period for items within the City Council's subject matter jurisdiction that are not on this agenda. 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.

Dave Thompson, Concord, spoke of unjust evictions.

Eduardo Torres, Tenants Together, spoke of unjust evictions.

Kenji Yamada, Concord, spoke of unjust evictions.

Dolores Ramos, Central County Regional Group, spoke in opposition to an immigration center on the former Naval Weapons Station.

Gabi Rivas, First 5 Contra Costa, spoke in opposition to an immigration center on the former Naval Weapons Station.

Nicole Zapata, EBASE, spoke of unjust evictions and in opposition to an immigration center on the former Naval Weapons Station.

Dan Reynolds, Mt. Diablo Peace and Justice Center, spoke in opposition to an immigration center on the former Naval Weapons Station.

Tova Fry, spoke in opposition to an immigration center on the former Naval Weapons Station.

Christine Smith, Concord, spoke in opposition to an immigration center on the former Naval Weapons Station.

After Council's consideration of the other items on the Agenda, this item was continued.

George Fulmore, Concord, spoke of pot holes and Kruger field.

Wayne Calhoun, Concord, spoke of Contra Costa Water District shut off valves the size of pot holes.

Quannah Parker Brightman, United Native Americans, spoke in opposition to an immigration center on the former Naval Weapons Station.

Natalie, spoke of flyers around Todos Santos Square.

3. PRESENTATIONS

- a. **Presentation** - to Elizabeth Johnson, Westwood Elementary School; Illana Reyes, Holbrook Language Academy; and Ricardo Ventura, Holbrook Language Academy, in recognition of their prize winning paintings in the K-5 category of the June 2018 Mayor's Art Competition. **Presentation by Mayor Birsan.**

ACTION: Presentation made.

4. ANNOUNCEMENTS –

Mayor Birsan announced a Special Meeting to be held on Wednesday, June 27, 2018, at 1:00 p.m. to discuss the topic of a rumored detention center at the Concord Naval Weapons Station. He noted that a letter from Mayor Birsan

seeking additional information from the Secretary of the Navy was available as benched correspondence.

5. CITY COUNCIL/LOCAL REUSE AUTHORITY (LRA) CONSENT CALENDAR

The public is entitled to address the City Council/LRA on items appearing on the Consent Calendar before or during the City Council's/LRA's consideration of the Consent Calendar. Adoption of the Consent Calendar may be made by one motion of the City Council/LRA, 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.

- a. **Considering** - approval of the minutes from the meetings of April 3, 10, and 24, 2018. Recommended by the City Clerk.

ACTION: Meeting minutes from the meetings of April 3, 10, and 24, 2018, adopted.

- b. **Considering** - acceptance of annual write-off of uncollectible accounts receivable in the amount of \$212,811 for FY 2017-18. Recommended by the Director of Finance.

ACTION: Annual write-off of uncollectible accounts receivable in the amount of \$212,811 for FY 2017-18 accepted.

- c. **Considering** - adoption of Resolution No. 18-54 establishing the Appropriations Limit for the City of Concord for Fiscal Year 2018-19, Pursuant to California Constitution Article XIII B. Recommended by the Director of Finance.

ACTION: Resolution No. 18-54 adopted.

- d. **Considering** - a Facility Use Agreement with the Terrapins Swim Team covering the period of June 1, 2018 through December 31, 2022; and authorizing the City Manager to execute the Agreement. Recommended by the Director of Parks and Recreation.

CEQA: Not a project/exempt under Public Resources Code Section 21065, CEQA Guidelines Sections 15060, 15378, 15061, 15301, and 15323.

ACTION: Facility Use Agreement with the Terrapins Swim Team covering the period of June 1, 2018 through December 31, 2022, approved; and City Manager authorized to execute the Agreement.

- e. **Considering** - increasing Purchase Order No. 16065, issued to Altec Industries, Inc. on February 21, 2018, for the purchase of a telescopic aerial truck, by \$25,480, from \$157,211 to \$182,691.77. (Annual Vehicle Replacement Fund) Recommended by the Director of Public Works.

ACTION: Increase of Purchase Order No. 16065, issued to Altec Industries, Inc. on February 21, 2018, for the purchase of a telescopic aerial truck, by \$25,480, from \$157,211 to \$182,691.77 approved.

- f. **Considering** - approval of a Maintenance Services Agreement with Futures Explored, Inc. of Concord in the amount of \$90,873.48 for custodial maintenance services; and authorizing the City Manager to execute the Agreement in a form acceptable to the City Attorney. (General Fund) Recommended by the Director of Public Works.

ACTION: Maintenance Services Agreement with Futures Explored, Inc. of Concord in the amount of \$90,873.48 for custodial maintenance services approved; and City Manager authorized to execute the Agreement in a form acceptable to the City Attorney.

- g. **Considering** - approval of a Professional Services Agreement to supply pool chemicals on an as-needed basis for Concord Community Pool in the amount of \$62,440 for the period of July 1, 2018 through June 30, 2019, with the option for 2 one year extensions; and authorizing the City Manager to execute the agreement. Recommended by the Director of Parks and Recreation.

ACTION: Professional Services Agreement to supply pool chemicals on an as-needed basis for Concord Community Pool in the amount of \$62,440 for the period of July 1, 2018 through June 30, 2019, with the option for 2 one year extensions approved; and City Manager authorized to execute the agreement.

- h. **Considering** - authorization of a purchase of Dell computer equipment in the amount of \$166,440. (IT Replacement Fund) Recommended by the Director of Information Technology.

ACTION: Purchase of Dell computer equipment in the amount of \$166,440 authorized.

- i. **Considering** - approval of various annual license and maintenance agreements in the total amount of \$841,727 for IT hardware and software for Fiscal Year 2018-2019. (General Fund) Recommended by the Director of Information Technology.

ACTION: Various annual license and maintenance agreements in the total amount of \$841,727 for IT hardware and software for Fiscal Year 2018-2019 approved.

- j. **Considering** - approval of a lease agreement with KBA Docusys in the amount of \$3,024 per month for five years for a total not-to-exceed amount of \$181,440

for City of Concord printing services; and authorizing the City Manager to execute the agreement in a form acceptable to the City Attorney. (Printing Services and IT Funds) Recommended by the Director of Information Technology.

ACTION: Lease agreement with KBA Docusys in the amount of \$3,024 per month for five years for a total not-to-exceed amount of \$181,440 for City of Concord printing services; and City Manager authorized to execute the agreement in a form acceptable to the City Attorney.

- k. **Considering** - the award of: (1) a Construction Contract in the amount of \$3,909,947.30 to Bay Pacific Pipelines, Inc. for the Concord BART Area Sanitary Sewer Upgrade (Project No. 2406), authorize staff to utilize the available project contingency for contract change orders up to 10% of the contract amount; (2) an Agreement for Professional Services with Swinerton Management & Consulting in the amount of \$258,879 for construction management, inspection, and materials testing services; and (3) a First Amendment to Professional Services Agreement with Harris and Associates in the amount of \$12,287 for additional design engineering services and extending the term for one year; (4) authorize the City Manager to execute the agreements, subject to approval of the City Attorney; and (5) approve a related budget transfer in the amount of \$400,000 from Sewer Capacity Facility Replacement Holding Account (Project No. 2209 Fund 710 Sewer Operating Funds) to the Concord BART Area Sanitary Sewer Upgrade project. (Project No. 2406) Recommended by the Director of Community and Economic Development.

CEQA: Exempt per CEQA Guidelines Sections 15301 – Existing Facilities, 15302 – Replacement and Reconstruction, 15304 – Minor Alterations to Land, and 15061 (b)(2).

ACTION: Construction Contract in the amount of \$3,909,947.30 to Bay Pacific Pipelines, Inc. for the Concord BART Area Sanitary Sewer Upgrade (Project No. 2406) awarded and staff authorized to utilize the available project contingency for contract change orders up to 10% of the contract amount; an Agreement for Professional Services with Swinerton Management & Consulting in the amount of \$258,879 for construction management, inspection, and materials testing services awarded; a First Amendment to Professional Services Agreement with Harris and Associates in the amount of \$12,287 for additional design engineering services and extending the term for one year awarded; City Manager authorized to execute the agreements, subject to approval of the City Attorney; and a related budget transfer in the amount of \$400,000 from Sewer Capacity Facility Replacement Holding Account (Project No. 2209 Fund 710 Sewer Operating Funds) to the Concord BART Area Sanitary Sewer Upgrade project (Project No. 2406) approved.

- i. **Considering** - approval of: (1) project creation of the Concord Community Pool Plaster Replacement project (Project No. 2435); and (2) approval of c. Recommended by the Director of Community and Economic Development.

CEQA: Not a project/exempt under CEQA Guidelines Sections 15060(c)(2), 15378, and 15061(b)(3).

ACTION: Project creation of the Concord Community Pool Plaster Replacement project (Project No. 2435) and project creation of the Concord Community Pool Plaster Replacement project (Project No. 2435) approved.

- m. **Considering** - award of contract to Sharjo, Inc. dba ServiceMaster Restoration Services in the amount of \$100,000 per year for Sanitary Sewer Overflow Restoration Services; and authorizing the City Manager to execute the contract in a form acceptable to the City Attorney. (Funded by Sewer Enterprise) Recommended by the Director of Public Works.

CEQA: Not a project/exempt under Public Resources Code Section 21065, CEQA Guidelines Sections 15060, 15378, 15061, 15301, and 15302, 15303, and 15304.

ACTION: Contract to Sharjo, Inc. dba ServiceMaster Restoration Services in the amount of \$100,000 per year for Sanitary Sewer Overflow Restoration Services awarded; and City Manager authorized to execute the contract in a form acceptable to the City Attorney.

- n. **Considering** - adoption of Resolution No. 18-55 confirming the Code Enforcement Cost Accounting Report of Unpaid Abatement Costs. Recommended by the Chief of Police.

ACTION: Resolution No. 18-55 adopted.

- o. **Considering** - approval of a Third Amendment to Professional Services Agreement in the amount of \$28,412.75 with Pavement Engineering Inc. for design services during construction for the Measure Q Pavement Repair Projects #5 and #6, Project Nos. 2332 and 2333; authorizing the City Manager to execute the agreement, subject to the approval of the City Attorney. Recommended by the Director of Community and Economic Development.

CEQA: Not a project/exempt under CEQA Guidelines Sections 15060(c)(2) , 15378, and 15061(b)(3).

ACTION: Third Amendment to Professional Services Agreement in the amount of \$28,412.75 with Pavement Engineering Inc. for design services

during construction for the Measure Q Pavement Repair Projects #5 and #6, Project Nos. 2332 and 2333 approved; and City Manager authorized to execute the agreement, subject to the approval of the City Attorney.

- p. **Considering** - approval of Construction Change Order No. 4 in the amount of \$197,000; authorizing a budget transfer of \$350,000 to the Operational Improvements Along Parallel Arterials Project, Project No. 2356 (\$350,000 from Measure Q Lease Revenue Bond Funds); authorizing staff to use project contingency funds for contract change orders within staff's authority; approval of a Professional Services Agreement Amendment with Swinerton Management and Consulting in the amount of \$64,906 for construction management services; and authorizing the City Manager to execute the agreement, subject to approval of the City Attorney. Recommended by the Director of Community and Economic Development

CEQA: Exempt per California Environmental Quality Act (CEQA) Guidelines Sections 15301 – Existing Facilities, 15302 – Replacement and Reconstruction, 15303 – New Construction or Conversion of Small Structures, and 15304 – Minor Alterations to Land.

ACTION: This item was pulled from the Consent Calendar by staff to be brought back at a later date.

- q. **Considering** - adoption of Resolution No. 18-27 approving the FY 2018-19 Action Plan, including the Community Services Commission 2018-19 funding recommendations for \$1,310,276 to programs/projects (Community Development Block Grant Funds). Recommended by the Director of Community and Economic Development.

ACTION: Resolution No. 18-27 adopted.

- r. **Considering** - approval of a Professional Services Agreement in the amount of \$250,000 with 4Leaf, Inc. and an Amendment to Professional Services Agreement with West Coast Code Consultants increasing compensation by \$200,000 for a total of \$250,000 for Plan Check and Building Inspection services for the Building division; and authorizing the City Manager to execute the agreement and the amendment. Recommended by the Director of Community and Economic Development.

CEQA: Not a project under Guidelines Section 15378.

ACTION: Professional Services Agreement in the amount of \$250,000 with 4Leaf, Inc. and an Amendment to Professional Services Agreement with West Coast Code Consultants increasing compensation by \$200,000 for a total of \$250,000 for Plan Check and Building Inspection services for the Building division approved; and City Manager authorized to execute the

agreement and the amendment.

- s. **Considering** - Award of Contract for Professional Landscape Maintenance Services in the amount of \$500,000 per year, for up five years, to BrightView Landscape Services, Inc.; and authorizing the City Manager to execute a contract in a form acceptable to the City Attorney. (General Fund) Recommended by the Director of Public Works.

CEQA: Not a project/exempt per Guidelines Sections 15060(c), 15061(b)(2) and (3), 15273, 15301, 15302, 15304, 15378, and Public Resources Code Section 21065.

This item was pulled from the Council Consent Calendar by Concord resident George Fulmore.

ACTION: Contract for Professional Landscape Maintenance Services in the amount of \$500,000 per year, for up five years, to BrightView Landscape Services, Inc. awarded; and City Manager authorized to execute a contract in a form acceptable to the City Attorney.

- t. **Consider** - awarding sole-source contract to Dream Ride Elevator in the amount of \$49,700 for the main lobby elevator control upgrades at the Police Department; and authorizing the City Manager to execute the contract in a form acceptable to the City Attorney. (Building Maintenance Fund) Recommended by the Director of Public Works.

CEQA: Exempt pursuant to CEQA Guidelines Sections 15301, 15302, and 15061(b)(2).

ACTION: Sole-source contract to Dream Ride Elevator in the amount of \$49,700 for the main lobby elevator control upgrades at the Police Department awarded; and City Manager authorized to execute the contract in a form acceptable to the City Attorney.

- u. **Considering** - revision to the 2018 City Council Meeting Calendar. Recommended by the City Clerk.

ACTION: Revisions to the 2018 City Council Meeting Calendar approved.

LOCAL REUSE AUTHORITY CONSENT CALENDAR

- v. **Considering** - approval of an Agreement for Professional Services with Environmental Science Associates (ESA) in an amount not to exceed \$1,182,000 for 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; and authorizing the Executive

Director of the Local Reuse Authority (LRA) to execute the Agreement subject to City Attorney approval. (Funding will be provided by the Master Developer and a loan to the Local Reuse Authority (LRA) from the City). Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Professional Services with Environmental Science Associates (ESA) in an amount not to exceed \$1,182,000 for 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 approved; and Executive Director of the Local Reuse Authority (LRA) authorized to execute the Agreement subject to City Attorney approval.

- w. **Considering** - approval of an Agreement for Professional Services with Johnson Marigot Consulting, LLC (Johnson Marigot) for preparation of materials to support an application for a 404 Permit under the Clean Water Act and Regulatory Support Services for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS) in the amount not to exceed \$146,920; and authorizing the Executive Director of the Local Reuse Authority (LRA) to execute the agreement, subject to approval by the City Attorney. (Funding will be provided by a loan to the LRA from the City) Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Professional Services with Johnson Marigot Consulting, LLC (Johnson Marigot) for preparation of materials to support an application for a 404 Permit under the Clean Water Act and Regulatory Support Services for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS) in the amount not to exceed \$146,920 approved; and Executive Director of the Local Reuse Authority (LRA) authorized to execute the agreement, subject to approval by the City Attorney.

- x. **Considering** - approval of an Agreement for Legal Professional Services with Garrity and Knisely in an amount not to exceed \$101,850 for services regarding property transfer and remediation for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS); and authorize the City Attorney to execute the Agreement. (Funding will be provided by the Master Developer and a loan to the Local Reuse Authority (LRA) from the City) Recommended by the Director of Reuse Planning.

ACTION: Agreement for Legal Professional Services with Garrity and Knisely in an amount not to exceed \$101,850 for services regarding property transfer and remediation for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS) approved; and City Attorney authorized to execute the Agreement.

- y. **Considering** - approval of an Agreement for Legal Professional Services with Lubin Olson & Niewiadomski LLP in the amount of \$305,325 for work with the Concord Reuse Project; and authorize the City Attorney to execute the agreement. (Funding will be provided by the Master Developer or a loan to the Local Reuse Authority (LRA) from the General Fund) Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Legal Professional Services with Lubin Olson & Niewiadomski LLP in the amount of \$305,325 for work with the Concord Reuse Project approved; and City Attorney authorized to execute the agreement.

- z. **Considering** - approval of an Agreement for Professional Services with Arup North America Ltd. (Arup) in an amount not to exceed \$827,788 associated with land transfer and development planning for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS); and authorizing the Executive Director of the Local Reuse Authority (LRA) to execute the agreement, subject to approval of the City Attorney. (Funding will be provided by the Master Developer and through a loan to the LRA from the City) Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Professional Services with Arup North America Ltd. (Arup) in an amount not to exceed \$827,788 associated with land transfer and development planning for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS) approved; and Executive Director of the Local Reuse Authority (LRA) authorized to execute the agreement, subject to approval of the City Attorney.

- aa. **Considering** - approval of an Agreement for Professional Services with ALH Urban & Regional Economics (ALH) in an amount not to exceed \$97,985 for economic studies and fiscal analysis related to the Concord Reuse Project at the Concord Naval Weapons Station; and authorizing the Executive Director of the Local Reuse Authority (LRA) to execute the agreement, subject to approval of the City Attorney. (Funding will be provided by the Master Developer and through a loan to the LRA from the City) Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Professional Services with ALH Urban & Regional Economics (ALH) in an amount not to exceed \$97,985 for economic studies and fiscal analysis related to the Concord Reuse Project at the Concord Naval Weapons Station approved; and Executive Director of the Local Reuse Authority (LRA) authorized to execute the agreement, subject to approval of the City Attorney.

- bb. **Considering** - approval of an Agreement for Professional Services with Environmental Risk Services Corporation (ERS) in an amount not to exceed \$202,950 providing specialized remediation services for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS); and authorizing the Executive Director of the Local Reuse Authority to execute the agreement in a form acceptable to the City Attorney. (Funding will be provided by a Loan to the Local Reuse Authority (LRA) from the City) Recommended by the Director of Reuse Planning.

ACTION: Agreement for Professional Services with Environmental Risk Services Corporation (ERS) in an amount not to exceed \$202,950 providing specialized remediation services for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS) approved; and Executive Director of the Local Reuse Authority authorized to execute the agreement in a form acceptable to the City Attorney.

- cc. **Considering** - approval of an Agreement for Legal Professional Services with Burke, Williams & Sorensen, LLP in the amount of \$286,370 in connection with transactional legal support for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS); and authorizing the City Attorney to execute the agreement. (Funding will be provided by the Master Developer or through a loan to the Local Reuse Authority (LRA) from the City) Recommended by the Director of Community Reuse Planning.

This item was pulled from the Consent Calendar by Concord resident Kenji Yamada.

ACTION: Agreement for Legal Professional Services with Burke, Williams & Sorensen, LLP in the amount of \$286,370 in connection with transactional legal support for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS) approved; and City Attorney authorized to execute the agreement.

- dd. **Considering** - approval of an Agreement for Legal Professional Services with Jarvis, Fay & Gibson, LLP (Jarvis Fay) in the amount of \$437,775 to provide legal support for the California Environmental Quality Act (CEQA) review of the Specific Plan for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS); and authorize the City Attorney to execute the Agreement. (Funding will be provided by the Master Developer) Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Legal Professional Services with Jarvis, Fay & Gibson, LLP (Jarvis Fay) in the amount of \$437,775 to provide legal support for the California Environmental Quality Act (CEQA) review of the Specific Plan for the Concord Reuse Project at the former Concord Naval Weapons Station (CNWS) approved; and City Attorney authorized to

execute the Agreement.

- ee. **Considering** - approval of an Agreement for Professional Services with Kittelson and Associates, Inc. in the amount of \$367,075 to provide transportation consulting services in connection with the preparation of the Concord Reuse Project – Specific Plan and related environmental documents; and authorizing the Executive Director of the Local Reuse Authority (LRA) to execute the Agreement subject to approval of the City Attorney. (Agreement to be funded by Master Developer for the Concord Community Reuse Project) Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Professional Services with Kittelson and Associates, Inc. in the amount of \$367,075 to provide transportation consulting services in connection with the preparation of the Concord Reuse Project – Specific Plan and related environmental documents approved; and Executive Director of the Local Reuse Authority (LRA) authorized to execute the Agreement subject to approval of the City Attorney.

- ff. **Considering** - approval of an Agreement for Professional Services with SWCA Environmental Consultants in the amount of \$2,008,588.31 to provide environmental consulting services in connection with the preparation of the Concord Reuse Project – Specific Plan and related environmental documents, subject to approval of the City Attorney; and authorizing the Executive Director of the Local Reuse Authority. (LRA) to execute the Agreement (Agreement to be funded by Master Developer for the Concord Reuse Project) Recommended by the Director of Community Reuse Planning.

ACTION: Agreement for Professional Services with SWCA Environmental Consultants in the amount of \$2,008,588.31 to provide environmental consulting services in connection with the preparation of the Concord Reuse Project – Specific Plan and related environmental documents, subject to approval of the City Attorney approved; and Executive Director of the Local Reuse Authority (LRA) authorized to execute the Agreement.

6. CITY COUNCIL CONSIDERATION ITEM

The public is entitled to address the City Council on items appearing on the agenda before or during the City Council's consideration of that item. Each speaker will be limited to approximately three minutes.

- a. **Considering** - adoption of Resolution No. 18-52 authorizing the allocation of \$5.5 million in City Housing Funds to Resources for Community Development for the development of an affordable housing project proposed in response to the Housing Division's Notice of Funding Availability. **Report by Sophia Sidhu, Housing Program Analyst.**

CEQA: Not a project/exempt per CEQA Guidelines Sections 15060(c), 15061(b)(2) and (3), 15273, 15378, and Public Resources Code Section

21065.

ACTION: Report heard; public testimony taken; Resolution No. 18-52 adopted with an amendment to line 11 to read, “subsidy to help fund up to 44 units of affordable housing at 1313 Galindo Street that meets the...”

- b. **Considering** - the draft work plan for the Campus District Visioning Project and the Blue Ribbon Committee. **Report by Kathleen Trepa, Assistant City Manager.**

ACTION: Report heard; public testimony taken; Blue Ribbon Committee Work Plan and formation approved.

- c. **Considering** - authorizing Mayor to send response to cease and desist letter under the Brown Act for inadvertent violations on June 5, 2018. **Report by Susanne Brown, City Attorney.**

ACTION: Report heard; public testimony taken; Mayor authorized to send response to cease and desist letter.

7. CITY COUNCIL PUBLIC HEARING

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 level for discussion and action. Further comment from the audience will not be received unless requested by the Council. No public hearing shall commence after 10 p.m. unless approved by majority vote of the City Council.

- a. **Considering** - introduction of Ordinance No. 18-5, amending the Concord Municipal Code to establish Chapter 8.17 “Food & Beverage Service Ware Regulations,” banning polystyrene-based disposable food and beverage service ware, by reading of the title only and waiving further reading. **Report by Jessica Gonzalez, Assistant Planner.**

CEQA: Categorically exempt under CEQA Guidelines Section 15307 (Action by Regulatory Agency for Protection of Natural Resources), Section 15308 (Action by Regulatory Agency for Protection of Environment) and Sections 15061(b)(2) and (3); in the alternative, not a “project” under CEQA Guidelines 15060(c)(2) and 15378.

ACTION: Report heard; public testimony taken; Ordinance No. 18-5 introduced by reading of the title only and waiving further reading.

- b. **Considering** - 1) creating a Retail Revitalization Program Commercial Building Vacancy Registration Program via introduction of Ordinance 18-6 Amending Concord Municipal Code Title 8 (Health and Safety) Chapter 8.30 (Vacant Buildings) Renaming Chapter 8.30 (Vacant Buildings) as Chapter 8.30

(Property Registration And Maintenance) and Amending Said Chapter, Amending Chapter 8.25 (Neighborhood Preservation), and Amending Chapter 18.150 (General Development Standards) Regulating Property Boarding and Non-Residential Property Vacancy and Maintenance; by reading of title only and waiving further reading; 2) appropriating \$89,850 for program implementation from General Fund Reserves in FY 2018-19 (\$284,200 annual cost beginning in FY 2019-20); and 3) providing direction on reallocation of Code Enforcement officers during startup period of new program. **Report by Ryan Pursley, Chief Building Official.**

CEQA: Not a project/exempt under CEQA Guidelines Sections 15060(c)(2), and 15378

ACTION: Report heard; public testimony taken; returned to the Housing and Economic Development Committee for further review and research of a fee study.

8. CORRESPONDENCE

Correspondence received at the City Council meeting will be listed here on the Annotated Agenda.

- a. Benched Correspondence – Letter from Mayor Birsan to The Honorable Richard Spencer, Secretary of the Navy, dated June 25, 2018
- b. Benched Correspondence – Agenda Item No. 6.b.
- c. Benched Correspondence – Agenda Item No. 6.c
- d. Benched Correspondence – Agenda Item No. 7.a
- e. Benched Correspondence – Agenda Item No. 7.b
- f. Benched Correspondence – Agenda Item No. 9.a
- g. PowerPoint Presentation – Housing NOFA – Overview of Responses and RCD’s Development Proposal – Agenda Item No. 6.a
- h. PowerPoint Presentation – Ban on Polystyrene Foam Food and Beverage Service Ware – Agenda Item No. 7.a
- i. PowerPoint Presentation – Retail Revitalization – Agenda Item No. 7.b
- j. Comments submitted by Evanne Jordan
- k. Comments submitted by Joe Partansky
- l. Comments submitted by Peter Wilson

9. REPORTS AND ANNOUNCEMENTS

Closed Session Announcements – none.

City Manager or Staff Reports

Council/Local Reuse Authority Reports

- a **Considering** - the formation of a Council Ad Hoc Committee for the period of one year to facilitate the development of one or more project labor agreements for Phase 1 project construction for the Concord Reuse Project. **Report by Guy Bjerke, Director of Community Reuse Planning.**

ACTION: Vice Mayor Obringer and Councilmember McGallian appointed to an Ad Hoc Committee for the period of one year to facilitate the development of one or more project labor agreements for Phase 1 project construction for the Concord Reuse Project.

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 12:03 a.m.

Next Meeting: Regular Meeting

Date: 8/7/2018 - 6:30 PM

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with a T-Coil Hearing Loop. This system allows "T" coil reception of the audio proceedings. Please switch your hearing aid or cochlear device to the "T", "T" Coil or telephone position. If you would like better audio reception, a loop receiver that picks up the audio loop is available from the City Clerk.

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) 671-3031, 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
Policy Development & Internal Operations	Birsan/Obringer	2 nd Wednesday at 6:00 p.m.
Housing & Economic Development	Obringer/McGallian	4 th Monday at 5:30 p.m.
Infrastructure & Franchise	Hoffmeister/Leone	2 nd Monday at 6:00 p.m.
Recreation, Cultural Affairs & Comm. Svc.	McGallian/Birsan	3 rd Wednesday at 5:30 p.m.
Youth & Education	Leone/Hoffmeister	3 rd Monday at 5:30 p.m.