



A G E N D A

REGULAR MEETING OF THE CONCORD CITY COUNCIL

Tuesday, November 3, 2015
6:30 p.m.
City Council Chamber
1950 Parkside Drive, Concord, CA

ROLL CALL

PLEDGE TO THE FLAG – Councilmember Birsan

PUBLIC COMMENT PERIOD

1. PRESENTATIONS

- a. **Presentation** – to Rocci Barsotti, Concord Kiwanis, proclaiming November 2015 as National Hospice/Palliative Care Month in the City of Concord. **Presentation by Mayor Grayson.**

2. ANNOUNCEMENTS

CITY COUNCIL MATTERS

3. CITY COUNCIL CONSENT ITEMS:

- a. **Accepting** – funding under the California Beverage Container Recycling and Litter Abatement City/County Payment Program and allocate the funding to litter abatement activities. Resolution No. 15-69 for adoption. Recommended by the Director of Public Works.
- b. **Approval** – of extending current agreements between the City of Concord and Thebs Consulting, LLC in the not-to-exceed amount of \$51,000, Botts Strategic Solutions in the not-to-exceed amount of \$48,000, and Robert Half International, Inc. in the not-to-exceed amount of \$49,000 to provide for network infrastructure support and technical staffing on a month-to-month basis, for a maximum of three months to February 29, 2016, while a competitive request for proposal process for these services is completed. (General Fund) Recommended by the Director of Information Technology.

-
- c. **Approving** – an agreement for legal professional services between the City of Concord and Libow & Wellman for the services of Brian M. Libow as the City of Concord’s Interim City Attorney for a not to exceed amount of \$150,000; and authorizing the City Manager to execute the agreement.

4. **CITY COUNCIL CONSIDERATION ITEM:**

- a. **Appointing** – applicants to serve on the Concord Pleasant Hill Health Care District Grant Committee. (No Fiscal Impact) **Report by Council Committee on Recreation, Cultural Affairs & Community Service.**

Staff recommendation: consider the recommendations of the Council Committee on Recreation, Cultural Affairs and Community Services and appoint applicants to serve on the Concord Pleasant Hill Health Care District Grant Committee.

5. **CITY COUNCIL PUBLIC HEARING:**

- a. **Consideration** – of Development Code update amendments to Sections 18.20.020, Personal Services Restricted Use Classifications; 18.40.020, Small Residential Care Facilities in Office and Commercial Districts; 18.200.050, Child Day Care Facilities; 18.200.130, Mechanical and Electronic Games; 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.

Staff recommendation: hear the report, take public testimony, and introduce Ordinance No. 15-8 by reading of the title only and waiving further readings.

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

6. LOCAL REUSE AUTHORITY CONSENT ITEMS:

- a. **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 \$50,000. Total funding since 2012 including this agreement is \$500,000; an Office of Economic Adjustment (OEA) Grant provided \$95,000 of the total funding. (Funding provided by an existing loan to the Local Reuse Authority from the General Fund) Recommended by the Local Reuse Authority Executive Director.
- b. **Approving** – an amendment to the professional services agreement for technical, strategic and tactical advice on the Base Reuse Project with The Wright Group (Michael Wright) not to exceed \$76,000. Total funding since 2015 including this agreement is \$126,000. (Funding provided by an existing loan to the Local Reuse Authority from the General Fund) Recommended by the Local Reuse Authority Executive Director.
- c. **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 \$40,000. Total funding since 2006 is \$10.3 million. (Funding provided by an existing grant from the OEA) Recommended by the Local Reuse Authority Executive Director.
- d. **Approving** – an amendment to the professional services agreement for specialized legal services with Burke, Williams & Sorensen, LLP in the amount of \$70,000 in connection with transactional legal support for the transfer for the former Concord Naval Weapons Station (CNWS). Total funding since 2013 including this amendment is \$395,000. (Funding provided by a loan to the Local Reuse Authority from the General Fund) Recommended by the Local Reuse Authority Executive Director.
- e. **Approving** – an amendment to the master services agreement with HR&A Advisors, Inc. (HR&A) for professional services associated with the Economic Development Conveyance (EDC) application and business plan and developer selection process at the Concord Naval Weapons Station (CNWS) in an amount not to exceed \$55,000. Total funding since 2012 including this amendment is \$390,000 of which \$125,000 was supported by an OEA Grant. (Funding provided by a loan to the Local Reuse Authority from the General Fund and a grant from the OEA) Recommended by the Local Reuse Authority Executive Director.

- f. **Approving** – an amendment to the master services agreement with Johnson Marigot Consulting, LLC for preparation of materials to support an application for a 404 permit under the Clean Water Act and regulatory support services in the amount of \$20,000. Total funding since 2014 including this amendment is \$80,000, of which \$10,000 was supported by an OEA grant. (Funding provided by an existing loan to the Local Reuse Authority from the General Fund) Recommended by the Local Reuse Authority Executive Director.

-
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: 6:30 p.m., November 10, 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@cityofconcord.org

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>