The minutes are considered draft until approved by the City Council.

CITY COUNCIL SPECIAL MEETING (OPEN SESSION) at 4 p.m. (not on video)

Arts, Recreation and Community Services Conference Room, 3rd Floor

1. OPENING AND PUBLIC COMMUNICATIONS

Mayor Lawson called the meeting to order at 4:03 p.m. All Councilmembers were present. There were no public comments.

2. INTERVIEW COMMISSION APPLICANTS AND POSSIBLE ACTION ON APPOINTMENT

The Council interviewed the following three candidates at this meeting for one opening on the Transportation Commission: Michael Batie; Kenneth Strongman; and Melissa Ward.

Motion by Silva, second by Haskew, carried unanimously, to APPOINT Melissa Ward to a first four-year term on the Transportation Commission effective March 18, 2014 through March 2018 and to ADD Michael Batie and Kenneth Strongman to the Transportation Commission Eligibility List.

YEAS: Haskew, Silva, Wedel, Mayor Pro Tem Simmons, Mayor Lawson.

3. ADJOURNMENT OF SPECIAL MEETING (OPEN SESSION) TO SPECIAL MEETING (CLOSED SESSION)

Mayor Lawson invited for public comment related to the Closed Session item. There were no members of the public present to speak on the Closed Session item. The City Council reconvened in the 2nd Floor Conference Room for the Closed Session discussion.

CITY COUNCIL SPECIAL MEETING - CLOSED SESSION (not on video)

2nd Floor Conference Room

1. OPENING AND PUBLIC COMMUNICATIONS

All Councilmembers were present. There were no members of the public present to speak on the Closed Session item.

2. CLOSED SESSION

a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code section 54957):
3. ADJOURNMENT OF SPECIAL MEETING (CLOSED SESSION) at 5:35 p.m.

CITY COUNCIL REGULAR MEETING (video recording begins here)

Council Chamber - 1st Floor

1. OPENING
   a. PLEDGE OF ALLEGIANCE
   b. ROLL CALL - all Councilmembers were present.
   c. PRESENTATION: Oath of Office for New Commissioners - Arts Commission - Anita Sagastegui; Park, Recreation and Open Space Commission - Ian McLaughlin; Planning Commission - Brian Krcelic and Iman Novin; and Transportation Commission - Danny Milks.
   d. PRESENTATION: Centennial Minute
   e. PRESENTATION: 2015 Solid Waste Franchise Agreement Procurement Process Update

2. CONSENT CALENDAR
   Motion by Mayor Pro Tem Simmons, second by Silva, carried unanimously, to APPROVE THE CONSENT CALENDAR, with amended minutes for February 4 and 18, 2014 (Consent Calendar Item 2b), as provided below:

YEAS: Haskew, Silva, Wedel, Mayor Pro Tem Simmons, Mayor Lawson.

   c. ACCEPTED WORK for Contract 13-01, the 2013 Overlay project, as complete.
   d. ACCEPTED WORK for Contract 13-15, the Geary Road Tree Removal project, as complete.
   e. ACCEPTED WORK for Contract 13-11, the Playground Equipment Replacement project, as complete.
   f. ACCEPTED Fiscal Year 2012-13 Audited Financial Statements and Compliance Reports.

3. PUBLIC COMMUNICATIONS
   Ralph Hoffmann, resident, thanked the Mayor for the correspondence received regarding his interview for the Advisory Council on Aging.

4. PUBLIC HEARING
   a. SINGLE-USE CARRYOUT BAG ORDINANCE
Clean Water Program Manager Rinta Perkins presented the agenda report. She reported that on October 25, 2013, the City Council directed staff to pursue the development of an ordinance to regulate the distribution of single-use carryout (plastic) bags at all retail stores (except restaurants and non-profit charitable thrift stores) and to conduct a community outreach process to collect public input on the specific implementation of the proposed ordinance.

Mayor Lawson invited for public comment.

Comments were made by the following individuals: Ralph Hoffmann, resident; William Cottrell, Walnut Boulevard resident; Hannah Portner, 8th grader at Walnut Acres; Kathy Hemmingway, Interim Executive Director for Walnut Creek Downtown (WCD), read a letter on behalf of the WCD Board of Directors; John Roe, representing United Food and Commercial Workers Union 5; Karen Pedraza, St. Mary’s student; Samantha Meyer, representing Clean Water Action; Rob Hilton, resident and business owner; Lesley Hunt, Friends of the Creeks; Allison Chan, Save the Bay; Tim James, California Grocers Association; Sheila Hill, resident; John Hanscom, resident; Robert Joe, resident; Bob, Alamo resident; Mia Portner, Walnut Creek Intermediate sixth grader; and Linda Tashamber, former Moraga Mayor, 4-year Contra Costa Solid Waste Authority member, and current Executive Director of Contra Costa County Leaders.

The meeting was recessed from 8:20 p.m. to 8:34 p.m.

Motion by Mayor Pro Temp Simmons, second by Silva, carried, to INTRODUCE AND WAIVE FURTHER READING of the Ordinance amending Chapter 6 of Title 5 of the Walnut Creek Municipal Code prohibiting retailers and public eating establishments from providing single use carryout bags to customers, requiring retailers to impose minimum charges for recyclable paper carryout bags and promoting the use of reusable bags by retail and public eating establishment customers, as provided in its amended form at the dais, and as amended further in conversations this evening, specifically as read into the record by Interim City Attorney Steve Mattas.

YEAS: Haskew, Silva, Mayor Pro Temp Simmons, Mayor Lawson.

NOES: Wedel.

5. CONSIDERATION

The Consideration items were handled out of order.

b. BOUNDARY OAK GOLF COURSE CLUBHOUSE IMPROVEMENT

Interim Arts, Recreation and Community Services Director Kevin Safine presented the agenda report. He reported that staff is seeking Council approval to proceed with the financing, design and construction phases of a limited number of Boundary Oak Clubhouse Improvement Projects.

Mayor Lawson invited for public comment. Dick Richmond, resident, commented.

Motion by Silva, second by Haskew, carried unanimously, to APPROVE the scope of the Boundary Oak Clubhouse Improvement Projects described in the agenda report; to APPROVE the use of $330,000 of Golf Course Enterprise funds appropriated to CP 9814 (Boundary Oak Exterior Repair Project) and $699,700 in existing and future Golf Course Enterprise Funds to fund the Clubhouse Improvement Project, specifically Projects 1 and 2; to APPROVE in concept a $450,000 loan from the General Fund unassigned reserves to the Golf Course
Enterprise Fund to be repaid by the Golf Course Enterprise Fund over 10 years, in order to 
retire the outstanding City of Walnut Creek Public Facilities Financing Authority 1997 Lease 
Revenue Bonds; to APPROVE in concept the plan to redeem the outstanding City of Walnut 
Creek Public Facilities Financing Authority 1997 Lease Revenue Bonds to address the cash 
flow needs of the Clubhouse Improvement Project financing plan; to APPROVE in concept the 
plan to secure $2.5 million through a lease-based, long-term financing to be repaid by the Golf 
Course Enterprise Fund over 10 years to fund the Clubhouse Improvement Project with the 
understanding that the details of the lease-based, long-term financing will return to the City 
Council for review and approval; to DIRECT STAFF to proceed with the design and 
construction of Phases 1 and 2 of the Clubhouse Improvement Project with design and 
construction of Phases 3 and 4 of the Clubhouse Improvement Project pending the approval of 
a long-term financing plan; and to DIRECT STAFF to prepare the documents and take 
other necessary steps to implement the General Fund loan in order to retire the outstanding City 
of Walnut Creek Public Facilities Financing Authority 1997 Lease Revenue Bonds.

YEAS: Haskew, Silva, Wedel, Mayor Pro Tem Simmons, Mayor Lawson.

a. EIGHTEEN-MONTH UPDATE OF 2012-14 BIENNIAL OPERATING BUDGET

Finance Manager Cindy Mosser presented the agenda report. She reported that the City has 
concluded eighteen months of the 2012-14 Biennial Operating Budget. Throughout the 2-year 
budget cycle, staff monitors the economic environment and provides status updates to the 
Council at six-month intervals. This progress report for the 2012-14 budget cycle contains 
proposed adjustments to reflect current information. The City of Walnut Creek continues to 
maintain a balanced budget. Staff seeks City Council approval of the proposed 2013-2014 
fiscal year budget amendments.

Mayor Lawson invited for public comment. William Cattrell, Walnut Boulevard resident, 
commented.

Motion by Silva, second by Haskew, carried unanimously, to ADOPT RESOLUTION NO. 
14-08 adjusting the 2012-2014 Biennial Operating Budget for amendments to Fiscal Year 
2013-2014 (adjustments included as part of the 18-Month Budget Update).

YEAS: Haskew, Silva, Wedel, Mayor Pro Tem Simmons, Mayor Lawson.

6. COUNCILMEMBER AND STAFF ANNOUNCEMENTS, REPORTS ON ACTIVITIES OR 
REQUESTS

a. Closed Session announcements - Interim City Attorney Steve Mattas reported that during the 
February 4, 2014 Closed Session, the City Council, pursuant to a 5-0 vote, approved the terms of 
a proposed settlement in the matter of Cathy Moran versus City of Walnut Creek. This case 
volved a trip and fall incident along the 1100 block of South Main Street. Pursuant to the 
terms of the agreement, the City has agreed to pay $35,000 in exchange for a full release of all 
claims. The settlement agreement has been executed on behalf of the plaintiff, Ms. Moran.

b. City Manager reports - none.

c. City Councilmember reports on AB1234 Activities, Councilmember assignments and various 
activities and upcoming events

Council members announced upcoming events, reported on meetings and other local events 
attended since the last meeting; and made comments on issues of concern.

7. ADJOURNMENT at 10:11 p.m.
Suzie Martinez, CMC
City Clerk of the City of Walnut Creek

Approved:

Kristina Lawson
Mayor of the City of Walnut Creek