

CITY OF CONCORD

In the year of our Lord two thousand and twenty-six

RESOLUTION APPROPRIATING THE SUM OF FIFTEEN THOUSAND DOLLARS (\$15,000) FOR BARRICADE RENTAL AND INSTALLATION AND ACCEPTING THE SUM OF FIFTEEN THOUSAND DOLLARS (\$15,000) IN OUTDOOR DINING LICENSE REVENUE FOR THIS PURPOSE

Page 1 of 2

The City of Concord resolves as follows:

WHEREAS, on August 13, 2018, the City Council approved Ordinance 5-1-17, which authorizes certain private activities on public property, including outdoor dining. The Ordinance also granted rule making authority to the City Manager; and

WHEREAS, in spring 2020, the City instituted a policy whereby restaurants located in the Downtown Central Business District could secure permits to encumber and utilize on-street parking spaces for outdoor dining activities during the spring / summer / fall months; and

WHEREAS on March 13, 2023 the City Council held a public hearing and subsequently approved modifications to the City’s Outdoor Dining regulations to require the use of concrete “jersey” barriers to enclose outdoor dining areas located within on-street parking spaces; and

WHEREAS, on May 8, 2023, the City Council further modified the Outdoor Dining Program to include modifications to the length of the outdoor dining season, changes to concrete barrier layout plans, as well as rental of concrete barriers in lieu of purchase; and

WHEREAS, City Administration intends to establish a non-ordinance-based fee to cover the cost of rental, installation, and removal of barriers from the City’s vendor, and administration thereof; and

WHEREAS, City Administration intends to establish the fee and provide notice to those restaurants who may desire to encumber parking spaces prior to the 2026 dining season; and

WHEREAS, this appropriation is for a purpose for which funding was not included in the Fiscal Year 2026 adopted budget, therefore Section 37 of the City Charter requires a two-thirds vote of the City Council.

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Page 2 of 2

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

1. The sum of\$15,000
be and is hereby appropriated as follows:

General Fund

Professional Services\$15,000

2. Revenue to meet said appropriation shall be from the following source:

General Fund

Outdoor Dining License revenue\$15,000

3. Sums as appropriated shall be expended under the direction of the City Manager.
4. The City Manager is hereby authorized to establish a non-ordinance based fee to be assessed to participating restaurants to defer the cost of barrier rentals and associated administration thereof. Said fee shall be established prior to the 2026 outdoor dining season, and adjusted annually thereafter for future dining seasons as necessary.
5. This resolution shall take effect upon its passage.