

REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL AND
REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
APRIL 27, 2009

The Concord City Council and Redevelopment Agency convened in a regular joint meeting on Monday, April 27, 2009, at 5:30 p.m. in the City Council Conference Room at 1950 Parkside Drive with Mayor/Agencymember Hoffmeister presiding. Councilmember Allen was absent and there were no public comments. The meeting recessed and immediately reconvened in a closed session regarding real property negotiations pursuant to Government Code Section 54956.8 concerning the Sleep Train Pavilion at Concord. Present were City Negotiators: City Manager Daniel E. Keen and Assistant City Manager Valerie Barone; Negotiating Party: Live Nation; Under Negotiation: Price and terms of payment for Pavilion Facilities Management Agreement. The closed session adjourned at 6:30 p.m. to reconvene in the Council Chamber.

The Concord City Council and Redevelopment Agency convened in a regular joint meeting in the Council Chamber at 6:37 p.m. Mayor/Agencymember Hoffmeister presided. Councilmember Allen was absent and the pledge was led by Councilmember Shinn. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Guy Bjerke, Mark Peterson, Bill Shinn, Laura Hoffmeister

COUNCILMEMBERS ABSENT: Helen Allen

STAFF PRESENT: Daniel E. Keen, City Manager; Craig Labadie, City Attorney; Valerie Barone, Assistant City Manager; Mary Rae Lehman, City Clerk; Alex Pascual, Director of Building, Engineering and Neighborhood Services; Qamar Khan, Director of Public Works

MEMBERS OF THE AUDIENCE
WHO ADDRESSED COUNCIL: Edi Birsan, Concord; Tommy Larragueta, Concord

PUBLIC COMMENT PERIOD:

Edi Birsan, Concord, expressed his opinion that City staff should be deputized to prosecute the criminal activities that the District Attorney's office has stated they will not prosecute due to budget constraints.

Tommy Larragueta, Concord, submitted a self-designed brochure entitled "Concord BMX Park" and shared his ideas on meeting the needs of local youth by providing a BMX Park in Concord.

PRESENTATION – Wellness City Challenge

Mayor Hoffmeister made a presentation to Cindy Gershan, Director of the Wellness City Challenge, proclaiming the City’s participation in the Wellness City Challenge.

PRESENTATION – Concord Bocce Federation Day

Mayor Hoffmeister made a presentation to Cosmo Tedeschi and the Concord Bocce Federation proclaiming Monday, April 27, 2009 as “Concord Bocce Federation Day” in the City of Concord.

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Shinn and seconded by Bjerke to approve the minutes of April 6, 2009. Motion passed by the following vote of the City Council:

AYES: Bjerke, Peterson, Shinn, Hoffmeister NOES: None ABSENT: Allen

ADOPTION OF ORDINANCE 09-1 – Appointment of City Clerk

Motion was made by Shinn and seconded by Bjerke to adopt Ordinance 09-1, entitled “AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 2 (ADMINISTRATION), ARTICLE III (OFFICERS AND EMPLOYEES) AND CHAPTER 26 (ELECTIONS), ARTICLE II (CAMPAIGN CONTRIBUTIONS AND EXPENDITURES: FAIR CAMPAIGN PRACTICES) SECTIONS RELATING TO THE POSITION OF THE CITY CLERK” to reflect the voters decision to have the position filled by appointment and deleting reference to the election cycle, compensation, campaign statement requirements, and filing requirements. Motion passed by the following vote of the City Council:

AYES: Bjerke, Peterson, Shinn, Hoffmeister NOES: None ABSENT: Allen

ADOPTION OF RESOLUTION NO. 09-28 – Policy and Procedure No. 1555, Identity Theft Prevention Program

Motion was made by Shinn and seconded by Bjerke to adopt Resolution No. 09-28, entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CONCORD ADOPTING THE IDENTITY THEFT PREVENTION PROGRAM” approving a new Policy and Procedure No. 155, Identity Theft Prevention Program, created in order to comply with regulations (“Red Flag Rules”) issued by the Federal Trade Commission (FTC) as part of the implementation of the Fair and Accurate Credit Transaction (FACT) Act of 2003. Motion passed by the following vote of the City Council:

AYES: Bjerke, Peterson, Shinn, Hoffmeister NOES: None ABSENT: Allen

ADOPTION OF RESOLUTION NO. 09-34 – Pleasant Hill Landscaping and Lighting Assessment District #20

Motion was made by Shinn and seconded by Bjerke to adopt Resolution No. 09-34 entitled, "A RESOLUTION APPROVING THE REQUEST OF THE CITY OF PLEASANT HILL TO ALLOW SUNVALLEY MALL AND CERTAIN OTHER CITY OF CONCORD COMMERCIAL PROPERTIES TO BE INCLUDED IN PLEASANT HILL LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT #20, COMMERCIAL AREA LANDSCAPING AND LIGHTING" to allow the City of Pleasant Hill to levy the annual assessment for the commercial landscaping and lighting district. Motion passed by the following vote of the City Council:

AYES: Bjerke, Peterson, Shinn, Hoffmeister NOES: None ABSENT: Allen

AUTHORIZATION OF BUDGET TRANSFER – Cart Barn Electrical Improvements at Diablo Creek Golf Course

Motion was made by Shinn and seconded by Bjerke to approve a budget transfer in the amount of \$71,586 from Fund 452, Parkland Fees, Project No. 2086, Replace Maintenance Building at Hillcrest Park, to Fund 700, Golf Course Enterprise Fund, Project No. 2058, Cart Barn Electrical Improvements. Motion passed by the following vote of the City Council:

AYES: Bjerke, Peterson, Shinn, Hoffmeister NOES: None ABSENT: Allen

ADOPTION OF RESOLUTION NO. 09-35 - Voluntary Salary Reduction by City Council

City Attorney Craig Labadie gave a brief report advising that the City Council could individually volunteer to participate in a 5% salary reduction if they so desired by completing a Voluntary Reduction in Salary form and stated that the reduction would be effective on the first pay period in July 2009. City Attorney Labadie responded to questions and Mayor Hoffmeister opened the public comment period but received no comments.

Motion was made by Peterson and seconded by Bjerke to adopt Resolution No. 09-35, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CONCORD ENCOURAGING ALL CONCORD COUNCILMEMBERS TO VOLUNTARILY ACCEPT A 5% REDUCTION IN THEIR SALARIES FOR FISCAL YEAR 2009-10 DUE TO THE URGENT FINANCIAL CHALLENGES FACING THE CITY." Motion passed by the following vote of the City Council:

AYES: Bjerke, Peterson, Shinn, Hoffmeister NOES: None ABSENT: Allen

COMMUNITY GRANT FUNDING – Reschedule of Public Hearing

The public hearing to consider the draft 2009-10 Action Plan for Funding in all project categories from Federal Community Development Block Grant Funds (CDBG), City of Concord General Fund, and Child Care Developer Fees was continued to May 11, 2009, as the Department of Housing and Urban Development has been delayed in announcing the Fiscal Year 2009-10 CDBG entitlement grant funding allocations to all jurisdictions.

CITY MANAGER UPDATE ON CURRENT BUDGET FORECAST

City Manager Dan Keen gave an update on the current budget forecast stating the City has realized a much larger deficit than reported in January, 2009, and potentially may face even larger financial impact due to the downturn in the economy. He shared that the City has experienced an additional \$1M in new costs which raises the annual deficit for Fiscal Year 2009-10 to \$4M. He concluded that the City needs to be creative in offsetting the expenditures and that the City Council will be asked to make difficult decisions during the Budget Hearings, a process which will commence on Monday, May 4, 2009 with the first of two Budget Workshops beginning at 6:30 p.m.

CORRESPONDENCE

- a. Brochure entitled "Concord BMX Park" submitted by Tommy Larragueta during Public Comment period.
- b. Pamphlet entitled "Concord Bocce Federation 2009" submitted by Cosmo Tedeschi during the presentation made to him by Mayor Hoffmeister.
- c. Flyer presented by Cindy Gershan entitled Wellness City Challenge.

COUNCIL AND STAFF REPORTS

Vice Mayor Bjerke reported on his attendance at a recent TRANSPAC meeting and commended Project Reuse Director Michael Wright on the report that he presented at that meeting.

Councilmember Shinn stated that he would be writing a voluntary check in the amount of 10% of his salary as his Voluntary Reduction in Salary. He also announced that he would be cancelling his reservation to attend the League of California Cities Conference in San Diego as a cost savings effort; that he would be attending local meetings regarding District Attorney public services and impacts due to parole policy changes.

Councilmember Peterson announced that the Reuse Project Director was making presentations to any local agency requesting his presence.

Mayor Hoffmeister stated that she would be taking a 10% voluntary reduction in salary.

By order of the Chair, the meeting was adjourned at 7:28 p.m.

LAURA M. HOFFMEISTER
MAYOR/AGENCYMEMBER

WILLIAM D. SHINN
COUNCILMEMBER/VICE AGENCY CHAIR

MARY RAE LEHMAN, CMC
CITY CLERK/AGENCY SECRETARY