

REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL AND THE
REDEVELOPMENT AGENCY AND
CONCORD CITY COUNCIL/JOINT
POWERS FINANCE AUTHORITY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
JUNE 1, 2010

The Concord City Council and Redevelopment Agency convened in a regular joint meeting on Tuesday, June 1, 2010, at 6:36 p.m. in the City Council Chamber located at 1950 Parkside Drive. Mayor Bjerke presided over the meeting and all members were present. Councilmember Shinn led the pledge to the flag. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

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

COUNCILMEMBERS ABSENT:
STAFF PRESENT:

Daniel E. Keen, City Manager; Craig Labadie, City Attorney; Valerie Barone, Assistant City Manager; Mary Rae Lehman, City Clerk; Jim Forsberg, Community Development Director; Alex Pascual, Director of Public Works and Engineering; Joan Carrico, Director of Community and Recreation Services; Michael Wright, Director Community Reuse Planning; Ron Puccinelli, Director of Information Technology; Peggy Lefebvre, Director of Finance; David Livingston, Chief of Police; Kathy Ito, Director of Human Resources

MEMBERS OF THE AUDIENCE
WHO ADDRESSED COUNCIL:

Edi Birsan, Concord; John Kevin Harcharik, Concord; James H. Disney, Concord; Kathleen Dover, Concord; Tyler Saether, Concord; Kenneth Dale Jones, Concord; Jeff Apkarian, Martinez; Geri Henry, Concord; Allie Gramm, Concord; Paul Poston, Concord; Theresa Karr, Pleasant Hill; Ed Andrews, Concord; Bob Cressio, Concord; Richard Valles, Concord;

PUBLIC COMMENT PERIOD

Edi Birsan, Concord, referred to the Budget Workshop and expressed his concern over the decision to give \$90,000 to one individual with 35 other employees potentially pending a lay-off.

John Kevin Harcharik, Concord, stated support of the tree thinning performed on the Concord Naval Weapons Station property due to the flammability of the trees.

James Disney, Concord, shared his opinions about City ordinances.

PRESENTATION

Mayor Bjerke made a presentation to Scott Vasquez, Horticultural Advisor, proclaiming June 9, 2010 as "Arbor Day" in the City of Concord.

ANNOUNCEMENTS - None

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Shinn and seconded by Hoffmeister to approve the minutes of the meeting held May 11, 2010. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF GRANT FUNDS – Federal Justice Assistance

Motion was made by Shinn and seconded by Hoffmeister to authorize the acceptance of the Federal Justice Assistance Grant funds in the amount of \$52,174 and appropriate the money to be used to fund one limited service position in the Police Department's holding facility and pay the administrative fee to the County. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS – Project No. 2130, Clayton Road Pavement Rehabilitation

Motion was made by Shinn and seconded by Hoffmeister to accept the improvements for Project No. 2130, Clayton Road (Market St. to Oakland Ave) Pavement Rehabilitation, constructed by Bay Cities Paving and Grading, Inc. of Concord; and direct the City Clerk to file a "Notice of Completion." Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION NO. 10-43 – Authorizing Liens to Properties

This item was pulled from the consent calendar by James Disney, Kathleen Dover, Tyler Saether, and Kenneth Dale Jones.

James Disney, Concord, stated that in his opinion, every item on the Lien List was an illegal assessment and disputed the \$172.38 fine against his property on Thunderbird Drive.

Kathleen Dover, Concord, stated that a conversion van was the basis for the citation against her property and that it was registered non-operative, parked on concrete strips, and parked behind a fence.

Tyler Saether, Concord, advised that he had originally received a notice for bushes that were too high, had paid the assessed \$266 fine, and yet received additional fines associated with the same notice.

Kenneth Jones, Concord, stated that he had received notifications to fix a fence and to register a non-operative vehicle. He stated he had complied, was on a fixed income and raising three grandchildren who are helping him keep his property in compliance.

Following comments by the Councilmembers, motion was made by Peterson and seconded by Allen to adopt Resolution No. 10-43, entitled "A RESOLUTION CONFIRMING THE NEIGHBORHOOD SERVICES DIVISION'S COST ACCOUNTING REPORT OF UNPAID ADMINISTRATIVE CITATION FINES, INSPECTION FEES, RE-INSPECTION FEES AND ABATEMENT COSTS"; and directing the Contra Costa County Recorder's Office to assess the property owners' regular property tax bills for the amounts shown therein but removing Kathleen Dover, Tyler (Claire) Saether, and Kenneth Jones from the list prior to forwarding it to the County to allow for additional review. Motion passed by unanimous vote of the Council.

RESOLUTION NO. 10-3493.1 DEFERRED – New Classification Entitled Facilities Maintenance Technician

This item was pulled from the consent calendar by Jeff Apkarian, Business Agent for Local One, who stated that the expenditure approved to include another employee in the early retirement program at the last meeting and the nearly equal amount being saved with the establishment of a new classification was an insult to the employees being represented by Local One, and suggested that the sworn police employees should be drawn back to the bargaining table.

Following comments by the Councilmembers, motion was made by Hoffmeister and seconded by Shinn to defer the matter to create a new Classification within the Field and Operations bargaining unit entitled Facilities Maintenance Technician classification, pay grade 008 (\$3,530 - \$4,292 per month). to the meeting of July 27, 2010. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT DEFERRED – Project No. 2119, 911 System Replacement and Dispatch Room Remodel

The award of a construction contract in the amount of \$145,742 to Xybix Systems, Inc. of Littleton, CO, for Project No. 2119, 911 System Replacement and Dispatch Room Remodel – Phase 2 was removed from the consent calendar and deferred to a later date by staff who advised that additional approvals were required before the Grant funds could be used to award a contract.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MATTERS

AGREEMENTS WITH JONES HALL AND FIELDMAN, ROLAPP AND ASSOCIATES – Legal and Financial Services

Motion was made by Shinn and seconded by Hoffmeister to approve Professional Services Agreements with Jones Hall in the amount of \$25,000 and Fieldman, Rolapp and Associates in the amount of \$26,500 for legal and financial services, respectively, related to private placement refunding of the City of Concord's 1993 Lease Revenue Bonds regarding the Police Facility and the 1999 Judgement Obligation Bonds; and to authorize the City Manager to execute the agreements. Motion passed by unanimous vote of the Council/Agency.

JOINT CITY COUNCIL/
JOINT POWERS FINANCING AUTHORITY MATTERS

ADOPTION OF JPFA RESOLUTION NO. 10-1 – Establish Time and Place of Board Meetings

Motion was made by Shinn and seconded by Hoffmeister to adopt Joint Powers Financing Authority Resolution No. 10-1, entitled "A RESOLUTION OF THE CITY OF CONCORD JOINT POWERS FINANCING AUTHORITY ESTABLISHING TIME AND PLACE OF REGULAR BOARD MEETING." Motion passed by the Authority Board.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MATTERS

FISCAL YEAR 2010-11 BUDGETS PUBLIC HEARING

The notice of public hearing was published in the Contra Costa Times on May 18, 2010, posted in the City's posting cabinet and mailed to interested parties.

City Manager Dan Keen presented a report, referring to his memorandum dated June 1, 2010, advising that the closure of the Community Pool on Cowell Road and the cuts proposed for Camp Concord had been removed from the proposed budget savings list and that the City would be working with constituents to find ways to offset operating costs. He advised that additional review had identified additional savings opportunities by reassigning costs and reducing operating expenditures citywide.

City Manager Keen advised that additional cuts in Fiscal Year 2011-12 might be necessary to solve a remaining \$6.4M budget deficit and scrolled through a list of the proposed assumptions which included laying off 35 positions and cutting \$1.4M in part-time staffing.

Mayor Bjerke opened the public hearing.

Bob Cressio, Concord, commented on the franchise fee proposed for Tow Companies, objecting to the proposed \$25,000 to \$35,000 fee and requesting the opportunity to visit with staff regarding the impacts to Tow Companies.

Richard Valles, owner of B & D Towing, stated that call volumes have decreased and that enforcement has been cut back by the police department, and asked to be included in the discussion with staff.

Geri Henri, Concord, stated her support of the police services and encouraged the continuation of lap swimming at Cowell Pool.

Allie Gramm, Concord, stated her support of police services and her desire to see Cowell Pool remain open year around.

Paul Poston, Concord, stated his understanding of the budget situation and suggested raising code enforcement fees to support the program and offered to volunteer his services.

Theresa Karr, representing California Apartment Association, shared the association's desire to see the multi-family inspection program continue to ensure the quality of housing conditions, but stated that the association was opposed to raising fees.

Edi Birsan, Concord, expressed his opinion that the City needed to be more practical and to start living within our means, not our dreams. He suggested that as things start to get better, half should be placed into reserves.

John Kevin Harcharik, Concord, suggested that Concord citizens use services other than those offered by the City and showed example of those services being cheaper than the ones offered by the City. He also stated his support for volunteer services.

Ed Andrews, a business owner in downtown Concord, expressed his opinion that parking meters in the downtown would be detrimental to the downtown businesses.

Mayor Bjerke closed the opportunity to make comments and continued the public hearing to June 22, 2010.

Comments were made by each of the Councilmembers.

Mayor Bjerke called a recess at 9:00 p.m. and reconvened the meeting at 9:15 p.m.

FISCAL YEAR 2010-11 CAPITAL IMPROVEMENT PROGRAM BUDGET

Alex Pascual, Director of Public Works and Engineering, provided an overview of the Fiscal Year 2009-10 completed project, the carryover project, and projects scheduled for construction in Fiscal Year 2010-2011. He also reported on the grants received in Fiscal Year 2009-10 and advised that over \$17M in grant funds are scheduled for Fiscal Year 2010-2011.

FISCAL YEAR 2010-11 REDEVELOPMENT AGENCY BUDGET

Jim Forsberg, Director of Community Development, provided an overview of Redevelopment Agency assumptions and shared the Redevelopment Agency 10-year plan with and without the SERAF Reimbursement.

City Manager Dan Keen made closing comments and Mayor Bjerke stated that the public hearing would be continued to June 22, 2010 at 6:30 p.m. to take action on the following matters:

- a. Consider approval of Fiscal Year 2010-11 Budgets for the City of Concord and Concord Redevelopment Agency, Ten-Year Financial Plans and Related Items, which include:
 - 1) Proposed Amendments to the Master Fees and Charges Resolution - consideration of amending the Master Fees and Charges Resolution for fees relating to various municipal services, including but not limited to Administrative Fees; Business, Professional and Trades Fees; Parks and Recreation Fees; Permit Center Fees; Police Fees; Off-Site Street Improvement Program (OSIP) Fees; and Parkland In-Lieu Fees. Data is available, as required by Government Code Title 7, Division 1, Chapter 8, Section 66016. Please contact Margaret Lefebvre, Director of Finance, at (925) 671-3078.
 - 2) Annual Appropriation Limits and Adjustment Factors - approving annual appropriation limits and adjustment factors for Fiscal Year 2010-11, pursuant to Article XIII B of the California Constitution and reaffirming Policy & Procedure No. 129, "Budget and Fiscal Policies" in order to ensure the City's continued financial health.
 - 3) 2010-11 City of Concord Budget, Ten-Year Financial Plan and Capital Improvement Program - consideration of Fiscal Year 2010-11 City of Concord

Budget and Ten-Year Financial Plan, and adoption of the 2010-11 Capital Improvement Program.

- 4) 2009-10 City of Concord Redevelopment Agency Budget - consideration of Fiscal Year 2010-11 City of Concord Redevelopment Agency Budget.

CORRESPONDENCE

- a. E-mail dated 5/31/2010 from Allie Gramm regarding the proposed budget and closure of the Concord community pool.
- b. E-mail dated June 1, 2010 from Theresa Karr, California Apartment Association regarding a proposed Multi-Family Unit Inspection and Maintenance Peer-to-Peer Program.
- c. E-mail dated June 1, 2010 from Deanne Carlson submitting proposed ideas and suggestions to help with the current budget crisis.
- d. E-mail dated June 1, 2010 from Dan Marino providing opinions on the PARS Supplemental Agreement approved on May 25, 2010.
- e. E-mail dated May 25, 2010 from Bob Barnes submitting suggestions for the current budget constraints.
- f. E-mails dated June 1, 2010 from Reid Cooper, Susan Brinton, James Pappas, and Cameron M. Morrison expressing disapproval of the \$90,000 PARS Supplemental payout approved May 25, 2010.
- g. E-mail dated June 1, 2010 from Barbara Cain opposing the proposed cuts to the police budget.
- h. E-mail dated May 28, 2010 from Lisa Gonzalez inquiring about the time of placement of the PARS Supplemental Agreement on the May 25, 2010 agenda.
- i. Memorandum recommending removing Item 3.f from the agenda for additional review.
- j. Memorandum proposing an addendum to the Proposed CIP/TIP 10-Year Plan by adding two additional projects (Item #6.a).
- k. Memorandum proposing changes in the Proposed FY 2010-11 Sewer Enterprise 20-Year Financial Plan (Item #6.a).
- l. Updated Exhibit A to Resolution No. 10-43, Cost Accounting Report; Item #3.b.

COUNCIL AND STAFF REPORTS

Councilmember Hoffmeister reported on the successful KidFest event held over the Memorial Day weekend at Mt. Diablo High School.

By order of the Chair, the meeting was adjourned at 9:42 p.m.

GUY S. BJERKE
MAYOR/AGENCYMEMBER

MARK A. PETERSON
COUNCILMEMBER/AGENCY CHAIR

MARY RAE LEHMAN, CMC
CITY CLERK/AGENCY SECRETARY