



ANNOTATED AGENDA

**REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL
AND REDEVELOPMENT AGENCY
AND THE CITY COUNCIL SITTING
AS THE LOCAL REUSE AUTHORITY**

**Monday, March 2, 2009
6:30 p.m. – Regular Joint Meeting
City Council Chamber
1950 Parkside Drive, Concord, CA**

**6:30 p.m. – Regular Meeting
Council Chamber**

ROLL CALL – All present.

PLEDGE TO THE FLAG – Councilmember Shinn

PUBLIC COMMENT PERIOD

Florence Weiss, Downtown Program Manager, introduced Stacey Street, Executive Director of the California Symphony, who thanked the City Council for their support of the annual “Pops in the Park” event and announced that this year’s concert would be held on September 12.

Margaret Temple, Concord, expressed her opinions on recommended business for location on the Concord Naval Weapons Station, homeless support, a traffic conditions at Treat and Clayton Road.

- 1. PRESENTATION – of Business Recognition Awards to Ouimet Brothers Concord Funeral Chapel and T-Mobile. Introduction by Joyce Davidson-Seitz. Presentation by Mayor Hoffmeister.**

ACTION: Economic Development Specialist Joyce Davidson-Seitz introduced Ellen Williams, Chair of the Chamber of Commerce Board of Directors, who gave a summary of the business accomplishments and community support for Ouimet Brothers Concord Funeral Chapel and T-Mobile. Mayor Hoffmeister presented each business with a Business Recognition Award.

2. ANNOUNCEMENTS - None

**CITY COUNCIL
MATTERS**

3. CITY COUNCIL CONSENT ITEMS:

MAYOR: "The next item is the City Council Consent Calendar which is considered in a single motion. If any member of the Council or the public wishes to remove any item from the Consent Calendar, please indicate now; otherwise I will consider a motion for approval."

Staff Recommendation: Adopt the Consent Calendar as recommended.

- a. **Approving** – a Professional Services Agreement with NewPoint Group in an amount not to exceed \$99,750, with the cost shared equally with Concord Disposal Services, to provide consultant services to assist the City in the Base-Year Rate Application review of residential solid waste rates; and authorizing the City Manager to execute the agreement.

ACTION: Agreement approved; City Manager authorized to execute it.

- b. **Approving** – Master Contract with East Bay Regional Park District (EBRPD) authorizing applications for local grant funds from the EBRPD under Measure WW Park Bond Extension; and authorizing the City Manager to execute all related actions and documents. Resolution 09-8 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Resolution 09-8 adopted; contract with East Bay Regional Park District authorizing applications for local grant funds under Measure WW approved; City Manager authorized to execute related documents and actions.

- c. **Matter to be Set for Public Hearing** – for Monday, March 23, 2009 at 6:30 p.m. in the Council Chamber, to consider an appeal filed by Sylvia Simon of the February 4, 2009 Planning Commission approval of a Use Permit Amendment submitted by La Clinica to operate a health clinic at 1040 Oak Grove Road. Property is zoned Apartment and Professional Office (APO); APN 129-310-007.

ACTION: This item was withdrawn by the appellant.

- d. **Authorizing** – the filing of an application for Federal American Recovery and reinvestment Act of 2009 (ARRA) funding and stating the assurance to complete the two associated projects. Resolution 09-14 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Resolution 09-14 adopted authorizing the filing of an application for ARRA funding and stating assurance to complete two associated projects.

- e. **Approving** – Project No. 2134, Curb, Gutter, Sidewalk and Curb Ramp Improvements on Clayton Road (Market Street to Oakland Avenue) and allocating \$230,000 in funding. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Project No. 2134 approved; \$230,000 in funding allocated.

- f. **Approving** – Project No. 2135, Curb, Gutter, Sidewalk and Curb Ramp Improvements on Clayton Road at various intersections and allocating \$130,000 in funding. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Project No. 2135 approved; \$130,000 in funding allocated.

- g. **Authorizing** – the deferral of payment of Development Impact Fees except School Impact Fees and Zoning and Permit Fees as permitted by AB 2604 signed into law effective January 1, 2009. Resolution 09-15 for adoption. Recommended by City Attorney.

ACTION: Resolution No. 09-15 adopted.

- h. **Awarding** – a construction contract for Project No. 2067, Citywide Entryway and Wayfinder Signage Improvements (Phase I – Wayfinder Signage) in the amount of \$144,877 to Fluoresco Lighting and Signs and waiving a minor bid defect; rejecting Tube Art Display's and Cinray Construction's bids as non-responsive; and adopting the project Plans and Specifications. Item continued from February 23, 2009. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Contract awarded for Phase I (Wayfinder Signage) of Project No. 2067, Citywide Entryway and Wayfinder Signage Improvements; project Plans and Specifications adopted.

**JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MATTERS**

4. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT ITEMS:

- a. **Approving** – the amendment of Policy and Procedure 37.22 entitled *Military Leave* providing paid military leave beyond the initial period of eligibility for paid leave in the form of supplemental compensation from the date employee exhausts the initial fully paid military leave period and through the period of involuntary deployment. Resolution No. 09-13 for adoption. Recommended by Director of Human Resources.

ACTION: Resolution 09-13 adopted; Policy and Procedure 37.22 entitled *Military Leave* amended.

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

5. CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT ITEMS:

- a. **Approving** – the fifth amendment to the Master Agreement for Professional Services with ARUP, Inc. associated with the preparation of the Reuse Plan for the Concord Naval Weapons Station in an additional amount not to exceed \$240,000; and authorizing the Executive Director to execute the amendment. Recommended by the Reuse Project Director.

ACTION: Amendment to the agreement approved; Executive Director authorized to execute it.

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6. **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 671-3495.
- a. City Clerk's memo dated March 2, 2009 in reference to Item #3.c advising that the Notice of Appeal submitted by Sylvia Simons had been withdrawn.

7. **CLOSED SESSION REPORTS** - None

8. **COUNCIL AND STAFF REPORTS**

Councilmember Allen encouraged the public to contact local legislators to share their concerns over community and economic issues.

Councilmember Hoffmeister advised of planned changes to the local bus programs which will go into effect in March and encouraged the community to watch for announcements.

9. **ADJOURNMENT – at 7:08 p.m.**

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) 671-3495.

NEXT REGULAR CITY COUNCIL MEETING: Monday, March 9, 2009

MEETING RECORDS

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