



# ANNOTATED AGENDA

**REGULAR JOINT MEETING OF THE  
CONCORD CITY COUNCIL  
AND REDEVELOPMENT AGENCY**

**Monday, May 11, 2009  
6:30 p.m. – Regular Joint Meeting  
City Council Chamber  
1950 Parkside Drive, Concord, CA**

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

**ROLL CALL – Councilmember Allen absent.**

**PLEDGE TO THE FLAG – Councilmember Peterson**

**PUBLIC COMMENT PERIOD**

Etta Maitland, Concord, expressed gratitude for the CDBG funding Ombudsman Services of Contra Costa has received in the past and urged a two-year funding cycle next funding period with as much money as possible.

Gregg Chavaria, representing CASA, encouraged the Council to retain the \$100,000 in General Fund money in the CDBG program to continue funding of the 26 programs which are helping the youth of the community.

Joe Partansky, Clayton, shared information about Bike to Work Day on Thursday, May 14, 2009 and stated that it is also Bike to School Day and Bike to Transit Day. He noted the locations of the Energizer Station throughout the community.

Edi Birsan, Concord, requested a list of the decisions that have been made to reduce the budget deficit. Mayor Hoffmeister advised that no decisions have been made, that there may be impacts due to the upcoming May 19 election, and that recommendations will be presented at the budget hearing scheduled for June 1 and acted upon by the Council on June 22, 2009.

Art Pedreira, Concord, expressed his opinion about the cut-through traffic through Hickory Drive, the responsibility for repair of sidewalks throughout the City, and the exposed trash containers in his neighborhood.

1. **PRESENTATION**

- a. **PRESENTATION** – to Qamar Khan, Director of Public Works, proclaiming May 17 – 23, 2009, as “National Public Works Week” in the City of Concord.  
**Report by Director of Public Works.**

**ACTION: Presentation made.**

2. **ANNOUNCEMENTS**

Mayor Hoffmeister announced that due to the Memorial Day Holiday the May 25, 2009 Council meeting will not be held.

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**CITY COUNCIL  
MATTERS**

3. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – minutes of the meeting of April 27, 2009. Recommended by City Clerk.

**ACTION: Minutes approved.**

- b. **Approving** – the rejection of all bids opened April 16, 2009 for Project No. 2109, Ygnacio Valley Road Repair Phase II, and authorizing the rebid of the project. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Rejection of bids approved, and staff directed to rebid the project.**

- c. **Approving** – annual renewal of membership with Gartner Inc., through Ventura County’s publicly bid agreement, in the amount of \$43,175 per year for up to four years to provide the Information Technology Department with research, best practices, industry and government benchmarking information, and process and asset management tools needed to ensure the City’s portfolio meets the City’s business need. Recommended by the Director of Information Technology.

**ACTION: Membership renewal approved.**

- d. **Awarding** – a contract for RFB #2178, 2009 Charter Bus Service for Camp Concord Re-bid, to Delta Charter as the responsible low bidder with a round-trip price of \$1898. Recommended by Director of Community and Recreation Services.

**ACTION: Contract awarded.**

- e. **Accepting** – the improvements for the 2009 Patch Paving Program, constructed by G. Bortolotto & Co., Inc. under RFB #2089; and direct the City Clerk to file the Notice of Completion. Recommended by Director of Public Works.

**ACTION: Improvements accepted; City Clerk directed to file Notice of Completion.**

- f. **Rescheduling of Public Hearing** – for the consideration of an appeal filed by John Newman of the Planning Commission’s approval of an application by Discovery Homes for a Rezoning to R-7.5 (Single Family Residential, 7,500 sq. ft. minimum lot size), Vesting Tentative Map, Tree Removal, and Design Review for 11 single-family homes on a 2.36-acre site at 3319 Walnut Avenue, referred to as Copperleaf Subdivision. This Public Hearing will be reset and fully re-noticed for July 13, 2009. Recommended by City Clerk.

**ACTION: Public Hearing rescheduled for July 13, 2009.**

- g. **Authorizing** – the City Manager to respond to the Contra Costa County 2008-2009 Grand Jury Report No. 0907, *Retiree Healthcare Benefits Leave County Taxpayers on the Hook*, as it relates to the City of Concord. Recommended by Director of Finance.

**ACTION: Response to Grand Jury Report authorized.**

**Item added by vote of the City Council:**

- h. **Finding** – that a severe fiscal hardship will exist if additional local property tax funds are seized and additional unfunded mandates are adopted by the state of California. Resolution No. 09-40 for adoption. Recommended by City Clerk.

**ACTION: Resolution 09-40 adopted. (4-0-1; Allen - Absent)**

4. **CITY COUNCIL PUBLIC HEARINGS:**

- a. **Consideration** – of the draft 2009-10 Action Plan containing the Community Service Commission’s recommendation for **Community Grant Funding** in all project categories from Federal Community Development Block Grant Funds, City of Concord General Fund, and Child Care Developer Fees. Resolution No. 09-32 for adoption. This item was continued from the meeting of April 27, 2009. **Report by Teri House, Community Services Manager.**

**ACTION: Report heard, public testimony taken, Resolution No. 09-32 adopted. (4-0-1; Allen - Absent)**

- b. **GASCO Appeal** – consideration of an appeal filed by Engineer’s Associates, Inc. of the Zoning Administrator’s denial on February 11, 2009, of a request for a Zoning Administrator Permit for a Finding of Public Convenience and Necessity for retail sales of alcoholic beverages (beer and wine) at a GASCO site located at 4323 Clayton Road, APN 115-242-038. This item was continued from the meeting of April 13, 2009 at the request of the appellant. **Report by Deborah Raines, Planning Manager.**

**ACTION: Report heard, public testimony taken, and Resolution No. 09-18 adopted upholding the Zoning Administrator’s decision and denying the appeal. (3-1-1; Peterson – No, Allen - Absent)**

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5. **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. Letter to Assemblyman T. Mendoza dated April 16, 2009 opposing AB 155 – Municipal Bankruptcy.
  - b. Letter to Assemblymember A. Strickland dated April 28, 2009 opposing AB 1192 – Funding Local Public Improvements
  - c. Memo dated May 11, 2009 from City Clerk advising of need to add Item 3.h. to the agenda.
  - d. Resolution No. 09-19 entitled, “A Resolution granting the Appeal by Sanjiv Patel and Approving the Zoning Administrator permit Allowing the Sale of beer and Wine at Gasco” related to Item 4.b.
  - e. Memo dated May 11, 2009 from Ron Puccinelli, Director of Information Technology, providing additional information relevant to Item 3.c.
  - f. Copy of Security Plan and Alcohol Management Program submitted by Sanjiv Patel relevant to Item 4.b.
6. **CLOSED SESSION REPORTS - None**

7. **COUNCIL AND STAFF REPORTS**

Mayor Hoffmeister reported on the successful Thursday Night Farmers Market and Music and thanked the John Hege family for promoting the organ donation program.

8. **ADJOURNMENT – at 8:55 p.m.**

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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, June 1, 2009**

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**MEETING RECORDS**

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