



ANNOTATED AGENDA

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

**Monday, June 1, 2009
6:30 p.m. – Regular Joint Meeting
City Council Chamber
1950 Parkside Drive, Concord, CA**

**5:30 p.m. – Closed Session
City Council Conference Room**

I. ROLL CALL – All present.

II. PUBLIC ANNOUNCEMENT (Open Session)

III. PUBLIC COMMENT (Open Session) - None

IV. CLOSED SESSION:

a. Conference with Labor Negotiators pursuant to Government Code Section 54957.6.

City Negotiators: Daniel E. Keen, City Manager
Valerie Barone, Assistant City Manager
Kathy Ito, Director of Human Resources

Employee Organizations: The Administrative, Technical & Clerical
Representation Unit Concord Employees'
Association, Local One; The Field & Operations
Representation Unit Public Employees' Union, Local
One; Concord Associated Professional Employees;
Concord Police Officers Association and Police
Management Unit

ACTION: Closed Session held.

V. ADJOURNMENT – 6:25 p.m. to reconvene in the Council Chamber.

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

ROLL CALL – All present.

PLEDGE TO THE FLAG – Councilmember Shinn

PUBLIC COMMENT PERIOD

Paul Choisser, Concord, suggested the City impose an impervious surface and run-off impact fee and a heavy haul fee for street repairs to increase revenues.

1. **ANNOUNCEMENTS - None**

**CITY COUNCIL
MATTERS**

2. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – minutes of the meetings of May 4, May 6 and May 11, 2009. Recommended by City Clerk.

ACTION: Minutes approved.

- b. **Authorizing** – the acceptance of Justice Assistance Recovery Grant funds in the amount of \$240,896 and appropriating them to partially fund the Police Department's part-time Forensic Specialist, half-time Forensic Technician positions and one-time equipment purchases. Recommended by Chief of Police.

ACTION: Authorization given and appropriation made.

- c. **Accepting** – the improvements for Project No. 2112, 1948 Colfax Street Lighting Improvements, constructed by Hubbard Electric of Martinez; and directing the City Clerk to file a Notice of Completion. Recommended by Director of Building, Engineering and Neighborhood Services.

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

- d. **Accepting** – a grant from the East Bay Regional Park District for Project No. 1283, Galindo Creek Trail Gap Closure; and authorizing the City Manager to execute the grant agreement and any related amendments. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Grant accepted; City Manager authorized to execute agreement and related amendments.

- e. **Authorizing** – the City Manager to offer qualified employees a Supplemental Retirement Program. Resolution No. 09-50 for adoption. Recommended by Assistant City Manager.

ACTION: Resolution 09-50 adopted; Supplemental Retirement Program authorized.

- f. **Approving** – the filing of an application for Energy Efficiency and Conservation Block (EECBG) Grant program funding to install energy-efficient lighting; and authorizing the City Manager to approve all related documents. Resolution No. 09-37 for adoption. Recommended by Director of Public Works.

ACTION: Resolution 09-37 adopted; filing of application approved.

- g. **Approving** – the Phase I Final Map and Subdivision Agreement for John Muir Medical Center; and authorizing the City Manager to execute the Phase I Subdivision Agreement. Resolution No. 09-38 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Final Map and Subdivision Agreement approved; Resolution 09-38 adopted.

- h. **Approving** – participation in the Caltrans Disadvantaged Business Enterprises (DBE) program; and authorizing the City Engineer to execute the Race-Conscious Implementation Agreement. Resolution 09-44 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Resolution 09-44 adopted; participation in Caltrans Disadvantaged Business Enterprises program approved; City Engineer authorized to execute the Race-Conscious Implementation Agreement.

3. **CITY COUNCIL PUBLIC HEARING**

- a. **Sewer Increase** – consideration of an **Amendment to the Concord Municipal Code**, Chapter 110 Utilities, Article II Sewer System, Section 110-32 Rates and Charges Established, Paragraph (c) Annual Sewer Service Charges, increasing the minimum annual sewer service charges by \$12 per year and increasing other corresponding charges as stated in paragraph (c) and making an administrative change in Section 110-42. Ordinance 09-2 for introduction. **Report from Qamar Khan, Director of Public Works.**

ACTION: Report heard, public testimony taken, Ordinance 09-2 introduced by reading of the title only and waiving further reading.

- b. **Landscape and Lighting Maintenance Districts** – public hearing to consider confirming assessment diagrams and levying annual assessments for Fiscal Year 2009-10 related to the following landscape and lighting maintenance districts. **Report from Director of Public Works.**

ACTION: Report heard, public testimony taken.

- 1) Confirming the Assessment Diagram and Levy of Assessments for the Downtown Landscape Maintenance District for Fiscal Year 2009-10. Resolution 09-45 for adoption.

ACTION: Resolution 09-45 adopted confirming the assessment diagram and levying the annual assessment for 2009-10.

- 2) Confirming the Assessment Diagram and Levy of Assessments for the Pine Hollow Estate Landscape Maintenance District for Fiscal Year 2009-10. Resolution 09-46 for adoption.

ACTION: Resolution 09-46 adopted confirming the assessment diagram and levying the annual assessment for 2009-10.

- 3) Confirming the Assessment Diagram and Levy of Assessments for the Landscaping and Lighting Maintenance District No. 3 for Fiscal Year 2009-10. Resolution 09-47 for adoption.

ACTION: Adopt Resolution 09-47, confirming the assessment diagram and levying the annual assessment for 2009-10.

- 4) Confirming the Assessment Diagram and Levy of Assessments for the Citywide Street Lighting District for Fiscal Year 2009-10. Resolution 09-48 for adoption.

ACTION: Resolution 09-48 adopted confirming the assessment diagram and levying the annual assessment for 2009-10.

- c. **Community Development Block Grant – Recovery Fund Projects –** consideration of a substantial amendment to the 2008-09 Action Plan containing the Community Service Commission’s recommendations for Community Grant Funding of Community Development Block Grant (CDBG) - Recovery Fund Projects and additionally substantially amend the 2009-2010 Action Plan. Resolution No. 09-43 and Resolution No. 09-51 for adoption. **Report by Teri House, Community Services Manager.**

ACTION: Report heard, public testimony taken, Resolutions No. 09-43 and 09-51 adopted.

**JOINT CITY COUNCIL AND
REDEVELOPMENT AGENCY**

4. JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY CONSENT ITEM:

- a. **Approving** – the removal of the remainder of a forty (40) year affordability restriction on future use of the property at 3142 Grant Street, relinquishing the requirement for shared appreciation value and accepting the return of principal in the amount of \$80,000 as payment in full of all financial obligations; City Council Resolution No. 09-49 and Redevelopment Agency Resolution No. 09-734 for adoption. Recommended by Director of Planning and Economic Development.

ACTION: Resolution 09-49 and Redevelopment Agency Resolution 09-734 adopted.

**REDEVELOPMENT AGENCY
MATTERS**

5. REDEVELOPMENT AGENCY CONSENT ITEMS:

- a. **Approving** – a supplemental lease agreement between the Concord Redevelopment Agency and the Concord Veterans Center for premises located at 1899 Clayton Road, Suite 140, Concord, CA; and authorizing the Executive Director to execute the agreement. Recommended by Director of Planning and Economic Development.

ACTION: Supplemental Lease Agreement approved; Executive Director authorized to execute it.

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

6. LOCAL REUSE AUTHORITY CONSENT ITEM:

- a. **Accepting** – a grant from the Department of Defense, Office of Economic Adjustment (OEA), in the amount of \$706,976 to support the Project Management Office (PMO) and consultants for the Concord Naval Weapons Station (CNWS) Reuse Project; and to authorize the City Manager/Executive Director to execute the grant acceptance. Recommended by the Reuse Project Director.

ACTION: Grant accepted; City Manager/Executive Director authorized to execute it.

7. LOCAL REUSE AUTHORITY CONSIDERATION ITEM:

- a. **Consideration** – of the formation of a Concord Naval Weapons Station Open Space Working Group to work with the East Bay Regional Park District, and designate of the Mayor and Vice Mayor to serve as members. **Report by Reuse Project Director.**

ACTION: This item was continued to the meeting of June 22, 2009.

**JOINT CITY COUNCIL AND
REDEVELOPMENT AGENCY**

8. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BUDGET REPORTS:
(Continued from the Budget Workshops of May 4 and May 6, 2009)

- a. **FISCAL YEAR 2009-10 REDEVELOPMENT AGENCY BUDGET - Report from Jim Forsberg, Director of Planning and Economic Development.**

ACTION: Report presented.

- b. **FISCAL YEAR 2009-10 CAPITAL IMPROVEMENT PROGRAM BUDGET - Report by Alex Pascual, Director of Building, Engineering and Neighborhood Services.**

ACTION: Report presented.

- c. **FISCAL YEAR 2009-10 ENTERPRISE FUNDS:**

- **Sewer Enterprise Fund. Report by Qamar Khan, Director of Public Work.**

ACTION: Report presented.

- **Golf Course Enterprise Fund. Report by Joan Carrico, Director of Community and Recreation Services.**

ACTION: Report presented.

9. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING:

- a. **Approval of Fiscal Year 2009-10 Budgets for the City of Concord and Concord Redevelopment Agency, Ten-Year Financial Plans and Related Items – consideration for approval of Fiscal Year 2009-10 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 2009-10, 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) **2009-10 City of Concord Budget, Ten-Year Financial Plan and Capital Improvement Program** - consideration of Fiscal Year 2009-10 City of Concord Budget and Ten-Year Financial Plan, and adoption of the 2009-10 Capital Improvement Program.
- 4) **2009-10 City of Concord Redevelopment Agency Budget** - consideration of Fiscal Year 2009-10 City of Concord Redevelopment Agency Budget.

ACTION: Report heard, public hearing opened, public testimony received, public hearing continued open to Monday, June 22, 2009 at 6:30 p.m. in the Council Chamber.

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10. **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. Treasurer's Report for the month of March, 2009.
 - b. Letter dated May 19, 2009 to Assemblymember Caballero in support of AB 715 – City Ordinances: Publishing and Posting Requirements.
 - c. Letter dated May 20, 2009 to Senator Feinstein in support of H.R. 2295 – The Defense Communities Assistance Act.

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- d. Letter dated May 20, 2009 to Congressman Miller in support of H.R. 2295 – The Defense Communities Assistance Act.
 - e. Letter dated May 20, 2009 to Congressman Tauscher in support of H.R. 2295 – The Defense Communities Assistance Act.
 - f. Letter dated May 20, 2009 to Senator Boxer in support of H.R. 2295 – The Defense Communities Assistance Act.
 - g. E-mail dated May 28, 2009 from Paul Poston to City Council regarding the positive impacts the Neighborhood Services division has had on his neighborhood.
 - h. Letter dated May 29, 2009 from the Permit Center Staff to the City Council asking for consideration to retain the Structural Plans Examiner position.
 - i. Petition dated May 30, 2009 bearing 36 signatures supporting the services Stan Rhodes has provided to the Concord Community Pool.
 - j. Letter dated May 4, 2009 from Mary Scheinoha stating objection to the \$12 sewer increase.
 - k. Memorandum dated June 1, 2009 from City Clerk to Mayor and Council rescheduling Item 7.a to June 22, 2009.
 - l. List of electrical work performed by Hubbard Electric between August 2007 and April 2009 submitted by Dean Masters.
11. **CLOSED SESSION REPORTS - None**
12. **COUNCIL AND STAFF REPORTS - None**
13. **ADJOURNMENT – 9:02 p.m.**
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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 8, 2009

MEETING RECORDS

Audio cassette tapes, videotapes and DVDs of most City Council meetings are available for listening or viewing at the City Clerk's office. Copies of the videotapes or DVDs may be purchased. Contact the Community Relations Manager at (925) 671-3272 for further information.