



ANNOTATED AGENDA

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

**Monday, June 8, 2009
5:30 p.m. – Regular Joint Meeting
City Council Chamber
1950 Parkside Drive, Concord, CA**

**5:30 p.m. – Regular Meeting
Council Chamber**

ROLL CALL – Councilmember Shinn absent

PLEDGE TO THE FLAG – Vice Mayor Bjerke

PUBLIC COMMENT PERIOD

Maureen McManus, Agent for OPEIU – Local 29, introduced herself as the new Business Agent for the Office & Professional Workers, unrepresented City employees previously identified as CAPE employees.

Jack Biller, Concord, shared his opinion about taxi cab operations in Concord, and submitted documentation which suggested most of the surrounding cities allow a \$3.00 drop and meter fee for taxi cabs operators.

1. PRESENTATION

- a. **Presentation** – to Police Sergeant Scott Wagner who celebrated 25 years of service with the City on June 4, 2009. **Presentation by Chief Livingston.**

ACTION: Chief Livingston gave a brief overview of Sergeant Wagner’s 25-year history with the City of Concord Police Department and presented him with a commemorative plaque.

- b. **Presentation** – to Parks Manager John Rego, proclaiming June 10, 2009 as “Arbor Day” in the City of Concord. **Presentation by Mayor Hoffmeister.**

ACTION: Mayor Hoffmeister presented the proclamation.

- c. **Presentation** – by John Keibel, author of *Behind the Barbed Wire: History of Concord Naval Weapons Station*. **Introduction by Mayor Hoffmeister.**

ACTION: Author John Keibel thanked the Council for their encouragement and underwriting and presented each with an autographic copy of the publication.

2. **ANNOUNCEMENTS - None**

**CITY COUNCIL
MATTERS**

3. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approving** – the submittal to Contra Costa County of the confirmed unpaid abatement costs, administrative citations, inspection and re-inspection fees as shown in the Cost Accounting Report for the purpose of assessing the property owners for the amounts listed. Resolution 09-33 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Resolution 09-33 adopted. (4-0-1; Shinn absent)

- b. **Authorizing** – a response to the Contra Costa County 2008-09 Grand Jury Report No. 0909, entitled “Harsh Economic Times Dictate City Travel Practices Be Fine-Tuned”; and authorizing the City Manager to submit the response. Recommended by Director of Finance.

ACTION: Response to Grand Jury authorized.

- c. **Approving** – a Professional Services Agreement with Savant Business Solutions, Inc. in an amount up to \$200,000 for Fiscal Year 2009-10, with options for two additional one-year extensions, for Information Technology support of the Lawson HR/Finance System; and authorizing the City Manager to execute the agreement. Recommended by Director of Information Technology.

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

- d. **Authorizing** – the transfer of \$90,000 from Project No. 2032, *Uninterruptible Power Supply*, to Project No. 2139, *HVAC*, which will allow the replacement of the existing HVAC equipment in the Civic Center Wing C basement, Pavilion Radio Bunker, Concord Community Pool, Centre Concord, and the Radio Room and Server Room in the Concord Police Department that can no longer maintain required temperatures. Recommended by Director of Information Technology.

ACTION: Transfer of funds authorized.

- e. Matters to be set for public hearing for **Monday, July 6, 2009**, at 6:30 p.m. in the Council Chamber:

- 1) Proposed amendment to the Concord Municipal Code amending Chapter 18, Businesses and Business Regulations, Article IX, Massage Establishments, Out-Call Massage Therapy, and Massage Therapy Technicians, Section 18-274 exempting licensed Massage Practitioners and Therapists from City Permit Requirements to the extent required by recent state legislation.

ACTION: Public hearing set for Monday, July 6, 2009 at 6:30 p.m.

- 2) Proposed Amendment to the Concord Municipal Code amending Chapter 2 (administration), Article V (Boards, Commissions, and Committees), Section 2-271 to allow alternates to City Boards, Commissions, and Committees to perform all duties of member being replaced.

ACTION: Public hearing set for Monday, July 6, 2009 at 6:30 p.m.

- f. Matters to be set for public hearing for **Monday, July 13, 2009** at 6:30 p.m. in the Council Chamber:

- 1) **Copperleaf Residential Subdivision (RZ 08-001)** – Application for a Rezoning from R-10 (Single Family Residential, 10,000 sq. ft. minimum lot size) to R-7.5 (Single Family Residential, 7,500 sq. ft. minimum lot size) on a 2.36-acre site at 3319 Walnut Avenue. The General Plan designation is Low Density Residential; Zoning classification is R-10 (Single Family Residential, 10,000 sq. ft. minimum lot size); APN 113-133-008.

ACTION: Public hearing set for Monday, July 13, 2009 at 6:30 p.m.

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- 2) **Copperleaf Residential Subdivision Appeal (AC 09-002)** – Appeal by John Newman of the Planning Commission's approval (4-1) of an application for a Vesting Tentative Map, Tree Removal, and Design Review by Discovery Builders for 11 single-family homes on a 2.36-acre site at 3319 Walnut Avenue. The General Plan designation is Low Density Residential; Zoning classification is R-10 (Single Family Residential, 10,000 sq. ft. minimum lot size); APN 113-133-008; the project is not subject to environmental review.

ACTION: Public hearing set for Monday, July 13, 2009 at 6:30 p.m.

- g. **Accepting** – work performed at Diablo Creek Golf Course by (1) Enterprise Roofing, Inc. of Concord, (2) Mark Scott Construction, Inc. of Pleasant Hill, and (3) G&G Buildings, Inc. of Pleasanton; and directing the City Clerk to file a “Notice of Completion” for each. Recommended by Director of Building, Engineering and Neighborhood Services.

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

- h. **Approving** – a Professional Services Agreement with JMEC Engineering, Inc. for design services on Project No. 1854, Seismic Retrofit of Marsh Drive Bridge, in the not-to-exceed amount of \$54,800; and authorizing the City Manager to execute the agreement. Recommended by Director of Building, Engineering and Neighborhood Services.

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

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4. **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 month of April 2009.
- b. Facsimile dated May 25, 2009 from Margaret Temple regarding the lien placed upon property location at 4021 Roland Drive.
- c. Exhibit A to Resolution 09-33; listing of property addresses to be liened in Item #3.a
- d. Memorandum dated June 8, 2009 from Director Puccinelli providing supplemental information related to Item #3.c, Savant Business Solutions.

- e. Correspondence from J. Biller dated June 8, 2009, regarding taxi cab operations and fees.
 - f. Correspondence dated June 8, 2009 from Ed Eisen expressing support for the current staffing levels in the Building Division.
 - g. Survey of Taxicab Fares conducted June 2008 submitted by J. Biller during Public Comment.
5. **CLOSED SESSION REPORTS** – City Attorney Craig Labadie announced that the Council would be convening in Closed Session immediately following adjournment of the meeting.
6. **COUNCIL AND STAFF REPORTS - None**
7. **ADJOURNMENT – at 6:10 p.m. to reconvene in Closed Session.**
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5:30 p.m.
Or as soon thereafter as possible
Closed Session
City Council Conference Room
Meeting Commenced at 6:20 p.m.

- I. **ROLL CALL – Councilmember Shinn absent**
- 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 – 7:30 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, June 22, 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.