



# ANNOTATED AGENDA

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

**Monday, June 22, 2009  
6:30 p.m. – Regular Joint Meeting  
City Council Chamber  
1950 Parkside Drive, Concord, CA**

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**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  
Richard Bolanos, Liebert Cassidy Whitmore

Employee Organizations: The Administrative, Technical & Clerical  
Representation Unit Concord Employees'  
Association, Local One, The Field & Operations  
Representation Unit Public Employees' Union,  
Local One, OPEIU Local 29, Concord Police  
Officers Association and Police Management Unit

**ACTION: Closed session held.**

**V. ADJOURNMENT – at 6:30 p.m. to reconvene in the City Council Chambers.**

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

**ROLL CALL – All present.**

**PLEDGE TO THE FLAG – Councilmember Peterson**

**PUBLIC COMMENT PERIOD**

Paul Poston, Concord, requested an update on the Recreational Vehicle Permit program.

Florence Weiss, Downtown Coordinator, extended an invitation to the community to participate in the annual 4<sup>th</sup> of July Parade and announced that the Wells Fargo Stage Coach would be a part of the parade this year.

Paul Choisser, Concord, offered his opinions on new revenue sources.

**1. ANNOUNCEMENTS – None**

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**CITY COUNCIL  
MATTERS**

**2. CITY COUNCIL CONSENT ITEMS:**

- a. **Approval of minutes** – of the meeting held June 1, 2009. Recommended by City Clerk.

**ACTION: Minutes approved.**

- b. **Adoption of Ordinance 09-2** – approving 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 introduced on June 1, 2009.

**ACTION: Ordinance 09-2 adopted.**

- c. **Authorizing** – the reappointment of Chris Tang and Phing Thong to serve as the City’s representative and alternate respectively on the Contra Costa County Library Commission. Recommended by Mayor Hoffmeister.

**ACTION: Reappointment of Chris Tang and Phing Thong authorized for a two-year term ending June 30, 2011.**

- d. **Approving** – an agreement with the Mt. Diablo Unified School District to continue the collaboration of the Mt. Diablo CARES After School Program for FY 2009-10; and authorizing the City Manager to execute the agreement. Recommended by Director of Community and Recreation Services.

**ACTION: Agreement approved; City manager authorized to execute it.**

- e. **Approving** – the third amendment to the lease agreement with Vasconi-Belka Realty for continued use by First 5 Center participants of the privately-owned, paved parking lot on Clayton Road; and authorizing the City Manager to execute the agreement. Recommended by Director of Community and Recreation Services.

**ACTION: Third amendment to the Lease Agreement approved; City Manager authorized to execute it.**

- f. **Authorizing** – the write-off of uncollectible accounts receivable for FY 2008-09 in the amount of \$253,106.16. Recommended by Director of Finance.

**ACTION: Write-off of uncollectible FY 2008-09 accounts receivable authorized.**

- g. **Approving** – a Professional Services Agreement with R-Computer in the amount of \$170,000 for FY 2009-10 for desktop computer services; and authorizing the City Manager to execute the agreement. Recommended by Director of Information Technology.

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

- h. **Authorizing** – the Information Technology Director to renew maintenance support agreements with TriTech Software Systems (\$134,062.50), Accela Government Software (\$29,454.04), Lawson Software (\$80,936.15) and The Active Network (\$22,059.48); and further authorizing the City Manager to execute a three-year Microsoft (\$118,079.04) agreement. Recommended by Director of Information Technology.

**ACTION: Maintenance support agreements authorized; City Manager authorized to execute them.**

- i. **Approving** – a Professional Services Agreement with Botts Strategic Solutions for up to \$185,000 for Fiscal Year 2009-10, with options for two additional one-year extensions at the same rate, to provide the Network system maintenance and implementations; and authorizing the City Manager to execute the agreement. Recommended by Director of Information Technology.

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

- j. **Approving** – two (2) three-year agreements with the City of Clayton which authorize the City of Concord to provide the City of Clayton with (1) Dispatch, Computer Aided Dispatch System Services and (2) Telephone and Voice Mail Services in the combined amount of \$156,432 adjusted by actual annual CPI, and a one-time fee of \$13,173; and authorizing the City Manager to execute the agreements. Recommended by Director of Information Technology.

**ACTION: Two three-year agreements approved; City Manager authorized to execute them. (Mayor Hoffmeister recused herself on this matter due to conflict of interest.)**

- k. **Approving** – the establishment of permit parking on Gill Drive between Grant Street and Gill Court and on Gill Court. Resolution No. 09-52 for adoption. Recommended by Director of Public Works.

**ACTION: Resolution 09-52 adopted.**

- l. **Approving** – an amendment to the agreement for professional services with Moore Iacofano Goltsman, Inc. for Project No. 2035, ADA Transition Plan Update, extending the agreement to December 31, 2009; and authorizing the City Manager to execute the amendment. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Amendment to agreement approved; City Manager authorized to execute it.**

- m. **Approving** – a lease agreement with Mt. Diablo Unified School District for the use of a portable building located at Meadow Homes Park for the operation of the Mt. Diablo CARES After School program; and authorizing the City Manager to execute the agreement. Recommended by Director of Community and Recreation Services.

**ACTION: Lease agreement approved; City Manager authorized to execute it.**

- n. **Approving** – the City's Revised Proposition 1B Expenditure Plan and related budget transfers. Resolution No. 09-53 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Resolution No. 09-53 adopted.**

- o. **Awarding** – a construction contract in the amount of \$1,372,740 to Top Grade Construction, Inc. of Livermore for Project No. 2109, Ygnacio Valley Road Permanent Restoration Phase 2; approving a Professional Services Agreement with Cole Management and Engineering, Inc. in the amount of \$85,608 for construction management services; and authorizing the City Manager to execute the agreement. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Contract awarded; Agreement approved and City Manager authorized to execute it.**

- p. **Authorizing** – the City Attorney to cooperate with the League of California Cities, other cities and counties in litigation challenging the constitutionality of any seizure by state government of the City's street maintenance funds. Resolution No. 09-54 for adoption. Recommended by City Manager.

**ACTION: The League of California Cities modified their request following the posting of the agenda which required this item to be moved to the Joint City Council/Redevelopment Consent calendar as Item 5.d.**

- q. **Approving** – the acceptance of grant monies in the amount of \$194,772.00 from the State of California Office of Traffic Safety and appropriating the funds for use in the City's DUI/Unlicensed Driver enforcement and awareness program. Recommended by Chief of Police.

**ACTION: Acceptance of grant approved; funds appropriated to the City's DUI/Unlicensed Driver program.**

- r. **Approving** – an agreement with the First 5 Contra Costa Children and Families Commission to manage the grant for programs and services for the Monument Community First 5 Center; and authorizing the City Manager to execute the agreement. Recommended by Director of Community and Recreation Services.

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

3. **CITY COUNCIL CONSIDERATION ITEMS:**

- a. **Appointment** – of up to five applicants to the Concord Community Services Commission for two-year terms ending June 30, 2011, and one applicant to serve as an alternate for a one-year term ending June 30, 2010. **Report from Council Committee on Neighborhood and Community Services.**

**ACTION: Applicants Carlos Balladares and Grace Hernandez were appointed and Incumbents Norman Frietas, Jeanette Green, and Jack Thomson were reappointed for two-year terms ending June 30, 2011, and applicant Mark Weinmann was appointed as an alternate for a one-year term ending June 30, 2010.**

- b. **Appointment** – of two applicants to the Concord Appeals Board for a term ending February 28, 2011, and three applicants to a term ending February 28, 2012. **Report from Council Committee on Infrastructure and Franchise Services.**

**ACTION: Incumbents William Abend, Robert Delucchi and Fredric N. Wright were reappointed for terms ending February 28, 2012 and applicants Thomas Midanek and Cesar Sifuentes were appointed for terms ending February 28, 2011.**

- c. **Appointment** – of two applicants to the Concord Parks, Recreation and Open Space Commission for a two-year term ending June 30, 2011, and one applicant to serve as an alternate for a one-term ending June 30, 2010. **Report from Recreation and Cultural Affairs.**

**ACTION: Incumbents Kandi Lancaster and Mark Sinclair were reappointed for two-year terms ending June 30, 2011 and Lisa Alessi was appointed as alternate for a one-year term ending June 30, 2010.**

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

**4. LOCAL REUSE AUTHORITY CONSENT ITEM:**

- a. **Approving** – a Master Services Agreement with ARUP, Inc. for professional services associated with Phase III Reuse Planning at the Concord Naval Weapons Station in an amount not to exceed \$270,000; and authorizing the Executive Director to execute the agreement. Recommended by Reuse Project Director.

**ACTION: Agreement approved; Execute Director authorized to execute it.**

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**JOINT CITY COUNCIL/  
REDEVELOPMENT AGENCY**

**5. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT ITEMS.**

- a. **Approving** – the City of Concord and Concord Redevelopment Agency Investment Policy. Recommended by Director of Finance.

**ACTION: Investment Policy approved.**

- b. **Approving** – an appropriation in the amount of \$20,000 from the Redevelopment Agency Unallocated Fund balance to Project No. 2130, Clayton Road (Market Street to Oakland Avenue) Pavement Rehabilitation. Redevelopment Agency Resolution No. 09-735 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Resolution No. 09-735 adopted.**

- c. **Approving** – the agreed upon adjustments in compensation for the following non-represented employees. Recommended by the Executive Management Team.

1) Modification to the City Manager’s, City Attorney’s and Executive Management staff’s compensation in Fiscal Year 2009-2010 by approving a five (5%) salary reduction via furlough, and suspension of (1) pay for performance, (2) the 401k Deferred Compensation Plan, and (3) the city-paid flex benefit. Resolution No. 09-4735.1 for adoption.

**ACTION: Resolution No. 09-4735.1 adopted.**

2) Modification to the non-represented Management staff’s compensation in Fiscal Year 2009-2010 by approving a five (5%) salary reduction via furlough, and suspension of (1) pay for performance, and (2) the city-paid flex benefit. Resolution No. 09-4735.2 for adoption.

**ACTION: Resolution No. 09-4735.2 adopted.**

3) Modification to the non-represented Confidential staff’s compensation in Fiscal Year 2009-2010 by approving a five (5%) salary reduction via furlough and suspending step increases. Resolution No. 09-4735.3 for adoption.

**ACTION: Resolution No. 09-4735.3 adopted.**

- d. **Authorizing** – the City Attorney to cooperate with the League of California Cities, other cities and counties in litigation challenging the constitutionality of any seizure by state government of the City’s street maintenance funds. Resolution No. 09-54 for adoption. Recommended by City Manager.

**ACTION: Resolution No. 09-54 adopted with modifications to also include reference to Redevelopment Agency funds. This item was originally calendared as item 2.p.**

**6. 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** – continue the public hearing in 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: Public hearing concluded; Resolution No. 09-41, Resolution No. 09-42, Resolution No. 09-6042.3 and Redevelopment Agency Resolution No. 09-732 adopted.**

7. **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. Revised report and Resolution No 09-54 for Item 2.p to include the California Redevelopment Agency and Redevelopment Agency funds. Item moved to 5.d on the Joint City Council and Redevelopment Agency calendar.
  
8. **CLOSED SESSION REPORTS – None**
  
9. **COUNCIL AND STAFF REPORTS – None**
  
10. **ADJOURNMENT** – at 8:05 p.m. in memory of former Police Officer Lloyd Tanner, the City’s first downtown foot officer and unofficial mayor of “Tanner Town,” his walking beat in the Todos Santos Plaza area.

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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.

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**NEXT REGULAR CITY COUNCIL MEETING: Monday, July 6, 2009**

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**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.