



ANNOTATED AGENDA

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

**Tuesday, January 28, 2003
5:30 p.m. - City Council Conference Room
6:30 p.m. - Council Chamber
1950 Parkside Drive, Concord, CA**

5:30 p.m. - City Council Conference Room

I. ROLL CALL - All present

II. CLOSED SESSION:

- a. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a)
– existing litigation entitled:

**City of Concord v. Contra Costa County Municipal Risk Management
Insurance Authority**

Contra Costa County Superior Court Case No. C00-04311

ACTION: Closed session held.

III. RECESS – at 6:15 p.m. to reconvene in the Council Chamber.

6:30 p.m. - Council Chamber

ROLL CALL - All present

PLEDGE TO THE FLAG - Councilmember Bonilla

PUBLIC COMMENT PERIOD

**Joe Partansky asked the City Council to proclaim March 16-March 22 as Media
Democracy Week.**

Alex Kluber, Zach Block and Megan Pattillo addressed the City Council regarding the Concord skatepark, requesting that the park hours for use by bicyclists be expanded.

1. ANNOUNCEMENTS

Announcement - of two openings on the Concord Design Review Board for two-year terms, and setting Friday, February 28, 2003 as the deadline for receipt of applications. **Report from Mayor Peterson.**

ACTION: Openings and deadline announced.

CITY COUNCIL MATTERS

2. CITY COUNCIL CONSENT CALENDAR

- a. **Approval of Minutes** - of November 26, 2002 and January 7, 2003. Recommended by City Clerk.

ACTION: Minutes approved, with Councilmember Bonilla abstaining on the minutes of November 26, 2002.

- b. **Approving** - amendment to the agreement for professional services with Field Paoli Architects in the amount of \$61,080 for additional work on the Concord Library grant application, and authorizing the City Manager to execute the amendment. Recommended by Director of City Management.

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

- c. **Approving** - transfer of asset forfeiture funds in the amount of \$45,338.41 to purchase the Telestaff automated staffing and scheduling program for the Police Department. Recommended by Chief of Police.

ACTION: Transfer of funds approved as recommended.

- d. **Accepting** - annual report on the General Plan, reporting on the status of its implementation, and authorizing submittal of the report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development. Approval recommended by Planning Commission. Recommended by Director of Planning and Economic Development.

ACTION: Annual report accepted and submittal authorized as recommended.

2. CITY COUNCIL CONSENT CALENDAR - contd.

- e. **Approving** - agreement with Marty O's Concession and Catering to provide food and beverage concessions at Willow Pass Park. Recommended by Director of Parks and Recreation.

ACTION: Agreement approved.

- f. **Awarding** - the construction contract for Project No. 179, Pine Hollow Landscape District Soundwall Slope Stabilization and Footing Repair, to Planned Environments, Inc. as the lowest responsible bidder in the amount of \$42,499.96; waiving a minor defect in the bid proposal; and approving a \$5,000 related budget transfer. Bids were opened at 11 a.m. on Tuesday, November 26, 2002. Recommended by Director of Public Works-Engineering Services.

ACTION: Contract awarded; bid defect waived; \$5,000 budget transfer approved.

- g. **Awarding** - the construction contract for Project No. 182, Traffic Signal Installation at Clayton Road and Contra Costa Canal Trail Crossing, to Columbia Electric, Inc. as the lowest responsible bidder in the amount of \$86,805, and approving a \$24,900 related budget transfer. Bids were opened at 10 a.m. on Wednesday, December 10, 2002. Recommended by Director of Public Works-Engineering Services.

ACTION: Contract awarded and \$24,900 budget transfer approved.

- h. **Accepting** - improvements for Project No. 133, Ellis Lake Park Playground Renovation, constructed by Nimco Landscape Services, and directing the City Clerk to file the Notice of Completion. Recommended by Director of Public Works-Engineering Services.

ACTION: Improvements accepted; Notice of Completion to be filed.

- i. **Accepting** - improvements for Project No. 725, Corporation Yard Facility Improvements, constructed by Pacific Bay Construction, and directing the City Clerk to file the Notice of Completion. Recommended by Director of Public Works-Engineering Services.

ACTION: Improvements accepted; Notice of Completion to be filed.

2. CITY COUNCIL CONSENT CALENDAR - contd.

- j. **Accepting** - improvements for Project No. 785, San Vincente Drive Storm Drain at Contra Costa Canal, constructed by J. W. Riley & Son, Inc., and directing the City Clerk to file the Notice of Completion. Recommended by Director of Public Works-Engineering Services.

ACTION: Improvements accepted; Notice of Completion to be filed.

- k. **Accepting** - improvements for Project No. 005, Moretti Drive Drainage Improvements, constructed by Pacific Underground Services, and directing the City Clerk to file the Notice of Completion. Recommended by Director of Public Works-Engineering Services.

ACTION: Improvements accepted; Notice of Completion to be filed.

- l. **Rejecting** - all bids for Project No. 177, Kirker Pass Road Median Landscape (Clayton Station Shopping Center to Concord Boulevard). Bids were opened at 11 a.m. on Friday, December 6, 2002. Recommended by Director of Public Works-Engineering Services.

ACTION: Bids rejected as recommended.

- 3. REPORT** - from City Manager regarding potential impacts related to the State budget crisis. **Report from City Manager Ed James.**

ACTION: Report presented.

- 4. CONSIDERATION** - of a grant application to be submitted to the State of California Office of Library Construction to fund 65% of the cost of construction of a new Concord Public Library. Resolution 03-6 for adoption. **Report from City Manager.**

ACTION: Staff directed not to submit the grant application for the second round of library grant applications (due March 28, 2003), and to place the library project on the Unfunded Projects list (3-2; Bonilla and Peterson, No).

- 5. CONSIDERATION** - of authorizing the Mayor to send a letter to the Contra Costa Transportation Authority (CCTA) with the City's comments on the "Growth Management Program" Options Paper. **Report from Transportation Manager John Templeton.**

ACTION: Mayor authorized to send the letter to CCTA as recommended.

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6. **CONSIDERATION** - of appointing two applicants to the Concord Appeals Board for two-year terms ending January 31, 2005. **Report from Council Committee on Infrastructure and Franchise.**

ACTION: Fredric Wright reappointed and Jaime Perez appointed to the Concord Appeals Board for two-year terms ending January 31, 2005.

JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY MATTERS

7. **JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARINGS**

Sale of Agency Property to Lexus of Concord - consideration of approving the execution of a Purchase Agreement with Lexus of Concord for the sale of Redevelopment Agency-owned property, a land remnant at 2195 Market Street, APN 126-030-025, and authorizing the City Manager/Executive Director to execute the agreement. City Council Resolution 03-5 and Redevelopment Agency Resolution 03-652 for adoption. **Report from Economic Development/Redevelopment Specialist David Griffith.**

ACTION: City Council Resolution 03-5 and Redevelopment Agency Resolution 03-652 adopted, approving the purchase agreement and authorizing the City Manager/Executive Director to execute it.

8. **CORRESPONDENCE**

- a. City of Concord Redevelopment Agency Investment Report dated November 30, 2002.
- b. City of Concord Redevelopment Agency Investment Report dated December 31, 2002.

9. **CLOSED SESSION REPORTS - None**

10. **COUNCIL AND STAFF REPORTS - None**

11. **ADJOURNMENT - at 9:32 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) 671-3292.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m., Tuesday, February 4, 2003

MEETING RECORDS

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