



ANNOTATED AGENDA

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

Tuesday, November 4, 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

ROLL CALL - All present

- I. CLOSED SESSION - conference with Legal Counsel pursuant to Government Code Section 54956.9(c) to discuss potential litigation.**

ACTION: Closed session held.

- II. RECESS - at 6:10 p.m. to reconvene in the Council Chamber.**

6:30 p.m. - Council Chamber

ROLL CALL - All present

PLEDGE TO THE FLAG - Councilmember McManigal

PUBLIC COMMENT PERIOD

Joe Partansky asked the City to add a Marcus O'Connell Free Speech Amendment to its meeting conduct rules to provide video equipment in the Council Chamber for the public to use when making presentations to the City Council.

Councilmember McManigal wished the US Marine Corps a happy 228th birthday.

1. **PROCLAMATION** - proclaiming November 2003 as “Homeless Awareness Month” in the City of Concord. **Report from Mayor Peterson.**

ACTION: Proclamation presented to Judy Sparks, Homeless Continuum of Care Board of Contra Costa County.

2. **PROCLAMATION** – proclaiming November 24-30, 2003 as “National Family Week” in the City of Concord. **Report from Mayor Peterson.**

ACTION: Proclamation presented to John Hoops, Concord resident, who accepted the proclamation on behalf of families in Concord.

3. **PROCLAMATION** - November 2003 as “National Hospice Month” in the City of Concord. **Report from Mayor Peterson.**

ACTION: Proclamation presented to Karen Furrer, member of the Board of Trustees, Hospice of Contra Costa Foundation.

4. **ANNOUNCEMENTS**

Mayor Peterson announced three openings on the Concord Appeals Board for two-year terms ending January 31, 2006, and announced Friday, December 5, 2003, as the deadline for receipt of applications.

CITY COUNCIL MATTERS

5. **CITY COUNCIL CONSENT CALENDAR**

- a. **Approving** - lease agreement with Cingular Wireless to install antennas on a ballfield light standard and construct a small utility enclosure in Willow Pass Park; and authorizing the City Manager to execute the agreement. Recommended by Director of City Management.

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

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- b. **Approving** - extension of cable television franchise agreement with Comcast to May 4, 2004 and authorizing the City Manager to enter into a contract amendment with the Contra Costa Cable Consortium in the amount of \$26,000 to fund the formal cable franchise renewal process; and approving a related budget transfer. Approval recommended by Council Committee on Infrastructure and Franchise. Resolution 03-59 for adoption. Recommended by Director of City Management.

ACTION: Resolution 03-59 adopted, approving agreement extension and contract amendment; \$26,000 budget transfer approved; City Manager authorized to execute documents.

- c. **Approving** – an amendment to the employment agreement between the City of Concord and Edward R. James, City Manager. Recommended by Mayor Peterson.

ACTION: 1.5% increase in salary approved, to be effective July 7, 2003, for an annualized salary of \$200,581; one-time \$10,000 performance bonus awarded (4-1; Hoffmeister, No.)

- d. **Approving** – an amendment to the employment agreement between the City of Concord and Craig Labadie, City Attorney. Recommended by Mayor Peterson.

ACTION: 1.5% increase in salary approved, to be effective July 7, 2003, for an annualized salary of \$175,103; one-time \$5,000 performance bonus awarded.

- e. **Approving** - agreement for professional services with ATS Engineering Services for the design of lighting improvements at Sun Terrace and Willow Pass Parks, Project No. 931, in the amount of \$9,000; and authorizing the City Manager to execute the agreement. Recommended by Director of Public Works-Engineering Services.

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

- f. **Accepting** - improvements for Project No. 188, Highlands Park Lighting Improvements, constructed by Jacino Electrical, 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.

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- g. **Awarding** - contract for RFQ #1947, Remove and Replace Asphalt Concrete Parking Lot of Batting Cages at Willow Pass Community Park, to Granite Construction Company as the lowest responsible bidder in the amount of \$47,150.00. Bids were opened at 9 a.m. on October 24, 2003. Recommended by the Director of Public Works-Maintenance Services.

ACTION: Contract awarded as recommended.

6. CITY COUNCIL PUBLIC HEARINGS

Sycamore Grove Rezoning and Preliminary Development Plan - consideration of an application by SummerHill Homes to amend the Zoning Map from Medium Density Multiple Residential (M-1.8) to Planned District (PD), and for a Preliminary Development Plan to construct 45 single-family detached homes on a 4.79-acre site at 3994 Willow Pass Road; and determination that a negative declaration with mitigation measures and monitoring program is the appropriate environmental document. Approval recommended by Planning Commission. Rezoning Ordinance 03-425.1 for introduction and Resolution 03-57 for adoption. **Report from Planning Manager Deborah Raines.**

ACTION: Rezoning Ordinance 03-425.1 introduced by reading of the title only and waiving further reading, and Resolution 03-57 adopted, approving the rezoning and preliminary development plan as recommended (3-2; Hoffmeister and McManigal, No).

**JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MATTERS**

7. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

Authorizing - the Redevelopment Agency of the City of Concord to apply to the California Department of Housing and Community Development (HCD) for funding under the Exterior Accessibility Grants for Renters (EAGR) Program. City Council Resolution 03-61 and Redevelopment Agency Resolution 03-659 for adoption. Recommended by Director of Building and Neighborhood Services.

ACTION: Redevelopment Agency Resolution 03-659 and City Council Resolution 03-61 adopted as recommended.

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8. **CONSIDERATION** - of authorizing the City Manager/Executive Director to execute a new Owner Participation Agreement and Public Improvement Agreement with Salvio Pacheco Square, LLC for the renovation of Salvio Pacheco Square, located at 1851 Salvio Street. City Council Resolutions 03-63 and 03-64 and Redevelopment Agency Resolution 03-660 for adoption. **Report from Economic Development/Redevelopment Manager Helen Bean.**

ACTION: City Council Resolution 03-63 and Redevelopment Agency Resolution 03-660 adopted, authorizing the City Manager/Executive Director to execute a new Owner Participation Agreement; and City Council Resolution 03-64 adopted, approving a Public Improvement Agreement with Salvio Pacheco Square, LLC.

9. **CLOSED SESSION REPORTS - None**
10. **COUNCIL AND STAFF REPORTS - None**
11. **ADJOURNMENT - at 8:53 p.m. in memory of Jim Smith, member of the Commission on Aging and Concord Senior Center, who passed away on November 2, 2003.**

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 CITY COUNCIL MEETING: Tuesday, November 18, 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.