



ANNOTATED AGENDA

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

Tuesday, December 16, 2003

**5:00 p.m. - Council Chamber
6:30 p.m. - Council Chamber
1950 Parkside Drive, Concord, CA**

5:00 p.m. - Council Chamber

ROLL CALL - All present

- I. STUDY SESSION - to review the proposed Inclusionary Housing Program..
Report from Housing Manager Amy Hodgett.**

ACTION: The Council reviewed and approved the Inclusionary Housing Program components and directed staff to prepare a draft ordinance and present it to the Planning Commission as an amendment to the City's Zoning Ordinance. Council requested that the Inclusionary Housing Program include considerations to Concord residents. By recommendation of the Planning Commission the draft ordinance will be scheduled for City Council consideration at a future date (3-2; Peterson and Allen, No).

- II. RECESS - at 6:25 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

Nick Virgallito, President and CEO of the Concord Chamber of Commerce, stated that his organization is submitting a proposal to partner with the City to undertake a study to maintain and enhance the existing Buchanan Field Airport.

Councilmember McManigal requested that the matter be referred to the City Manager and Council Ad Hoc Committee.

Bill Callison, Jeanae Hope, Mary Evans, Frank Runninghorse and Neila Hollingsworth addressed the City Council protesting proposed rent increases in mobilehome parks. Councilmember McManigal stated that a court-ordered action requiring review by the City's Mobilehome Rent Review Board is currently underway. Mayor Allen requested that the City Attorney provide information regarding disclosure laws relating to the sale of mobile homes.

Mariana Moore and Blanca Carovetto, The Wellness Community, described their non-profit cancer resource program.

Ed Seghers expressed disappointment that the City Council did not place consideration of opening the Armory as a homeless shelter on an upcoming agenda.

Jean Simutis, Darby Lockett, Dan Hardie, Rev. Michael Cunningham, and Lee Woods expressed concern regarding the homeless problem and urged the City Council to consider opening the Armory as a shelter for the homeless during the winter months.

Tom Walsh opposed opening the Armory as a homeless shelter, stating that there is already a large number of homeless people in his neighborhood and opening the Armory would encourage more. Councilmembers expressed concern regarding the homeless but stated that opening the Armory as proposed by the Interfaith Council was not a good solution, and suggested that members of the Interfaith Council approach churches to open their doors to smaller groups of homeless.

- 1. PROCLAMATION - proclaiming December as "National Drunk and Drugged Driving Prevention Month" in Concord. Report from Mayor Allen.**

ACTION: Proclamation presented to Emily Justice, Friday Night Live County Coordinator; Amy Chao, County Alcohol and Other Drugs Services Administrator; and Harold Parsley, Alcohol and Other Drugs Advisory Chair and Friday Night Live Youth Councilmember.

-
2. **PROCLAMATION** - proclaiming December 15-19 as “National Benevolence Week” in Concord. **Report from Mayor Allen.**

ACTION: Proclamation presented to Mike Rose of Mike’s Auto Body.

3. **PROCLAMATION** - proclaiming December, 2003 as “Literacy Month” in the City of Concord and joining the Cities that Read campaign. **Report from Mayor Allen.**

ACTION: Proclamation presented to Lorraine Gosbey, President of the Diablo Valley Literacy Council, and Maureen Kilmurray, Concord Librarian; agreement for meeting “Cities that Read” criteria approved, naming Councilmember Bonilla as Liaison.

4. **PRESENTATION** - of City of Concord Business Recognition Awards to Concord Toyota, Elephant Bar Restaurant, and March Plasma Systems. **Report from Economic Development/Redevelopment Specialist Dwayne Dalman.**

ACTION: Mayor Allen presented the awards.

5. **ANNOUNCEMENTS**

Mayor Allen announced the extension of the recruitment period for openings on the Concord Appeals Board to January 9, 2004.

CITY COUNCIL MATTERS

6. **CITY COUNCIL CONSENT CALENDAR**

- a. **Approval of Minutes** - of October 28 and November 4, 2003. Recommended by City Clerk.

ACTION: Minutes approved.

- b. **Approving** - reappointment of Earl Mortenson as the City’s representative on the Board of Trustees for the Contra Costa Mosquito and Vector Control District for a term ending December 31, 2005. Recommended by Mayor Allen.

ACTION: Earl Mortenson reappointed as recommended for a term ending December 31, 2005.

6. CITY COUNCIL CONSENT CALENDAR - contd.

- c. **Approving** - an on-call agreement for professional services with Kleinfelder, Inc. for soil engineering and geotechnical services; and authorizing the City Manager to execute the agreement. Recommended by Director of Public Works-Engineering Services.

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

- d. **Approving** - professional services agreement with Cole Management and Engineering, Inc. for project coordination services for Project No. 169, Concrete Trunk Sewer Main Replacement/Rehabilitation Project; 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.

- e. **Rejecting** - sole bid for Project No. 105.2 Hillcrest Park Restroom, and Project No. 167, Cambridge Park Restroom. Bids were opened at 11:00 a.m. on Thursday, October 30, 2003. Recommended by Director of Public Works - Engineering Services.

ACTION: Bid rejected as recommended.

- f. **Declaring** - the City's intention to amend an underground utility district on East Street between Pacheco Street and Concord Boulevard, and on Salvio Street and Willow Pass Road between Colfax Street and Port Chicago Highway (East Street Underground Utility District); and setting a public hearing for Tuesday, January 13, 2004, at 6:30 p.m. in the Council Chamber. Resolution of Intention 03-68 for adoption. Recommended by the Director of Public Works - Engineering Services

ACTION: Resolution of Intention 03-68 adopted; public hearing set for January 27, 2004 (per revised resolution).

6. CITY COUNCIL CONSENT CALENDAR - contd.

- g. **Approving** - First Amendment to Stormwater Utility Area Agreement (SUA) between the Contra Costa County Flood Control & Water Conservation District and the City of Concord, amending the Stormwater Utility Area Agreement approved by the City Council on July 22, 2003 and authorizing the Contra Costa County Flood Control and Water Conservation District to enter into an agreement with Central Contra Costa Sanitary District and other entities to continue conducting stormwater inspections on the City's behalf; rescinding the First Amendment to SUA and Resolution 03-45 adopted on July 22, 2003; and authorizing the City Manager to execute the amendment. Resolution 03-70 for adoption. Recommended by Director of Public Works-Maintenance Services.

ACTION: Resolution 03-70 adopted, approving the First Amendment to the SUA and rescinding Resolution 03-45.

- h. **Approving** - budget transfers totaling \$352,411 to Project No. 122, Willow Pass Road and Waterworld Parkway Improvements. Recommended by Director of Public Works-Engineering Services.

ACTION: Budget transfers approved.

- i. **Amending** - Master Traffic Resolution 3521 to authorize the installation of an all-way stop control at the intersection of Salvio Street and Mira Vista Terrace. Resolution 03-3521.2 for adoption. Recommended by Director of Public Works-Maintenance Services.

ACTION: Resolution 03-3521.2 adopted.

7. CITY COUNCIL PUBLIC HEARINGS

Central Concord Redevelopment Plan Debt Time Limit - consideration of amending the Central Concord Redevelopment Plan to extend by one year the time limit on the effectiveness of the Plan, the time limit to repay indebtedness, and the time limit to receive property tax. Ordinance 03-8 (Uncodified) for introduction. **Report from Economic Development/Redevelopment Manager Helen Bean.**

ACTION: Ordinance 03-8 (Uncodified) introduced by reading of the title only and waiving further reading.

**JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MATTERS**

8. CORRESPONDENCE

- a. City of Concord Redevelopment Agency Investment Report dated October 31, 2003.
- b. City of Concord Treasurer’s Report for October, 2003.

9. CLOSED SESSION REPORTS - None

10. COUNCIL AND STAFF REPORTS

Acknowledgment - of the Mayor's appointments of Councilmembers to Council Standing and Ad Hoc Committees, and to serve as City representatives on external agencies, for terms ending December 2004. **Report from Mayor Allen.**

ACTION: Appointments acknowledged, including (Chair and Member):

| | |
|---------------------|----------------------------|
| PD & IO: | Allen/Hoffmeister |
| I & F: | McManigal/Allen |
| H & ED: | Bonilla/Peterson |
| N & CS: | Hoffmeister/Bonilla |
| R & CA: | Peterson/McManigal |

Appointment to Design Review Committee, Galindo Street Site changed to Hoffmeister/Allen.

11. RECESS - at 8:10 p.m. to reconvene in closed session in the City Council Conference Room to confer with Real Property Negotiators pursuant to Government Code Section 54956.8 re: Agency-owned property located at 1905 Market Street (APN #126-030-032)

City Representative: Jim Forsberg, Director of Planning & Economic Development
Negotiating Party: Anderson Lehmer Investment, LLC
Under Negotiation: Price and terms of payment

ACTION: Closed session held. Councilmember McManigal recused himself because of a conflict of interest.

12. ADJOURNMENT - at 9:00 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: Tuesday, January 6, 2004

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.