



# ANNOTATED AGENDA

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

Tuesday, June 24, 2003

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

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### 6:30 p.m. - Council Chamber

**ROLL CALL - All present**

**PLEDGE TO THE FLAG - Vice Mayor Allen**

#### **PUBLIC COMMENT PERIOD**

**William McDonald commented about complaint letters he had written to the City concerning the pedestrian crossing at Concord Boulevard and Farm Bureau Road and the City's responses.**

**Joe Partansky stated that the Third Annual Report of the Frail, Elderly, and Persons with Disabilities will be presented at the Concord Human Relations Commission meeting on July 7, 2003.**

**Florence Weiss, Downtown Coordinator, announced the events scheduled in the City for the Fourth of July weekend and invited everyone to attend.**

**Michelle Blackwell addressed the City Council regarding the Chronicle Pavilion, stating that community events have been greatly reduced due to Clear Channel's lack of support for the community. She urged the City Council not to renew the contract with Clear Channel for operation of the Pavilion.**

**Beverly Lane, Director of the East Bay Regional Parks District, announced a community event on July 12 to remove Puncture Vine from the Iron Horse Trail.**

**Councilmembers responded to comments made during the Public Comment Period. Councilmember McManigal requested that the City Attorney schedule a closed session as soon as possible to review the results of the audit the City conducted regarding the Pavilion Associates and to prepare for whatever legal action may be necessary.**

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1. **PRESENTATION** - to Majors Bill and Judy Nottle, The Salvation Army, commending them for the contributions they have made to the City of Concord.  
**Report from Mayor Peterson.**

**ACTION: Presentation made.**

2. **ANNOUNCEMENTS**

**Mayor Peterson announced the extension of the recruitment period for openings on the Commission on Aging to July 25, 2003.**

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## **CITY COUNCIL MATTERS**

3. **CITY COUNCIL CONSENT CALENDAR**

- a. **Approval of Minutes** - of May 27 and June 3, 2003. Recommended by City Clerk.

**ACTION: Minutes approved.**

- b. **Adoption of Ordinance 03-3 - Sewer Fees** - amending 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 charge by \$12 per year and increasing other corresponding charges as stated in Paragraph (c).

**ACTION: Ordinance 03-3 adopted.**

- c. **Adoption of Ordinance 03-4 - Secondary Living Units** – amending Concord Municipal Code Chapter 122 to eliminate requirements for discretionary review of secondary living units, as mandated by State law.

**ACTION: Ordinance 03-4 adopted (4-1; Peterson, No).**

- d. **Adoption of Ordinance 03-5 - Claims** - amending Concord Municipal Code Chapter 2 (Administration), Article VII (Finance), Division 2 (Claims Against City) pertaining to local procedures governing monetary claims against the City.

**ACTION: Ordinance 03-5 adopted.**

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**3. CITY COUNCIL CONSENT CALENDAR - contd.**

- e. **Approving** - master agreements for professional services with Savant Technology Group; Basis, Inc.; Net Works; and Quest for a variety of technology consulting services for information technology projects, and authorizing the City Manager to execute the agreements. Recommended by Director of Information Technology.

**ACTION: Agreements approved; City Manager authorized to execute them.**

- f. **Approving** - Joint Exercise of Powers Agreement for Aquatic Pesticides with Alameda County Public Works Agency; Zone 7-Alameda County Flood Control and Water Conservation District; City of Antioch; and Contra Costa County Public Works Department. Resolution 03-38 for adoption. Recommended by Director of Public Works-Maintenance Services.

**ACTION: Resolution 03-38 adopted.**

- g. **Approving** – year-end write-off of uncollectible accounts receivable in the amount of \$7,874.82. Recommended by Director of Finance.

**ACTION: Write-off of uncollectible accounts receivable approved.**

- h. **Approving** – agreement with Contra Costa Convention and Visitors Bureau for funding for fiscal year 2003-04 in the amount of \$282,949. Recommended by Director of Finance.

**ACTION: Agreement approved.**

- i. **Approving** - agreement with Ryan Smiley in an amount not to exceed \$50,000 to continue development, installation and management of an Intranet site and web-based program for Police Information Services, and authorizing the City Manager to execute the agreement. Recommended by Chief of Police.

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

- j. **Approving** - agreement with Jim Norman in an amount not to exceed \$40,000 to provide support for the programming and installation of Mobile Data Computers and additional support for Police Information Services, and authorizing the City Manager to execute the agreement. Recommended by Chief of Police.

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

**3. CITY COUNCIL CONSENT CALENDAR - contd.**

- k. **Approving** - an agreement with Motorola for one year in the amount of \$108,835.10 for the maintenance of hardware for the mobile data computers, and authorizing the City Manager to execute the agreement. Recommended by Chief of Police.

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

- l. **Authorizing** - the City Manager to enroll the City of Concord in Ventura County's agreement with Gartner Group in the amount of \$24,817 for technology advisory services. Recommended by Director of Information Technology.

**ACTION: City Manager authorized to enroll as recommended.**

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## **JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY MATTERS**

### **4. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR**

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

**ACTION: Statements of Investment Policy approved.**

- b. **Authorizing** – the execution of the 2003-04 services agreement in the amount of \$820,557 between the City of Concord and the City of Concord Redevelopment Agency. Recommended by Director of Planning and Economic Development.

**ACTION: Agreement approved.**

### **5. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARINGS**

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**Approval of Fiscal Year 2003-04 Budgets for the City of Concord and Redevelopment Agency, Ten-Year Financial Plan and Related Items** – consideration of the following matters relating to the 2003-04 Budgets. **Report from City Manager.**

- a. **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 and developer fees, including but not limited to Administrative Fees; Business, Professional and Trades Fees; Permit Center Fees; Parks and Recreation Fees; Police Fees; Maintenance Services Fees, and the Off-Site Street Improvement Program (OSIP) Fees. Data is available, as required by Government Code Title 7, Division 1, Chapter 8 Section 66016. Please contact Ron Howard, Director of Finance, at 671-3078. Resolution 03-6042.1 for adoption.

**ACTION: Resolution 03-6042.1 adopted, amending the Master Fees and Charges Resolution, with the amendment that the fees for the Multi Family Housing Inspection Program not be increased (3-2; McManigal and Hoffmeister, No).**

- b. **Annual Appropriation Limit and Adjustment Factors** - approving annual appropriation limit and adjustment factors for Fiscal Year 2003-04, pursuant to Article XIII B of the California Constitution. Resolution 03-32 for adoption.

**ACTION: Resolution 03-32 adopted, approving the appropriation limit and adjustment factors.**

- c. **Amendment to Policy and Procedure No. 129 - Budget and Fiscal Policies** - amending Policy and Procedure No. 129, Budget and Fiscal Policies, to establish additional reserve funds.

**ACTION: Amendment to P&P 129 approved, establishing the additional reserve funds as recommended.**

- d. **2003-04 City of Concord Budget, Ten-Year Financial Plan and Capital Improvement Program** - consideration of Fiscal Year 2003-04 City of Concord Budget and Ten-Year Financial Plan, and adoption of the 2003-04 Capital Improvement Program (CIP). Approval of CIP recommended by Planning Commission. Resolution 03-33 for adoption.

**ACTION: Resolution 03-33 adopted, approving the 2003-04 City of Concord Budget, Ten-Year Financial Plan and Capital Improvement Program.**

**5. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARINGS - contd.**

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- e. **2003-04 City of Concord Redevelopment Agency Budget** - consideration of 2003-04 City of Concord Redevelopment Agency Budget. Redevelopment Agency Resolution 03-655 for adoption.

**ACTION: Redevelopment Agency Resolution 03-655 adopted, approving the 2003-04 Redevelopment Agency Budget.**

## 6. CORRESPONDENCE

- a. City of Concord Redevelopment Agency Investment Report dated April 30, 2003.
- b. City of Concord Treasurer's Report for April, 2003.
- c. Letters dated May 21 and June 2, 2003 from Carol Longshore to the Planning Commission and City Council in support of the Willow Walk Residential Subdivision appeal.
- d. E-mail from Jim Kearns objecting to the proposed increase in senior golf rates at Diablo Creek Golf Course.
- e. Letter dated June 17, 2003 from Marcus O'Connell commenting on the City's response to his letter of June 3, 2003 and requesting additional information.
- f. Copy of letter dated June 13, 2003 to the City Attorney from Pacific Telesis regarding the proposed changes to encroachment permit fees.
- g. Letter dated June 19, 2003 from Property Pro, Ltd. objecting to the proposed increase in multi-family housing inspection fees and asking that the inspection program be reviewed.
- h. E-mail from Joe Mahoney providing comments and suggestions on the City's Multi-Family Housing Inspection Program and related fees.
- i. Letter dated June 23, 2003 from Russell Schaadt, Braddock and Logan Services, objecting to the proposed increase in multi-family housing inspection fees.
- j. Comments and reply to the City Manager letter dated May 30, 2003 submitted during the Public Comment Period from William McDonald regarding complaint letters he had written to the City concerning the pedestrian crossing at Concord Boulevard and Farm Bureau Road and the City's responses.
- k. Letter dated June 23, 2003 from Janelle Hampton, Community Director for Oakview Apartments, objecting to the proposed increase in multi-family housing inspection fees.

- l. Letter dated June 23, 2003 from Sher Gora, Community Director for Diablo View Apartments and Villa Diablo, objecting to the proposed increase in multi-family housing inspection fees.
- m. Letter dated June 23, 2003 from Jack Taylor, Community Director for Meadowlark Apartments, objecting to the proposed increase in multi-family housing inspection fees.
- n. Letter dated June 23, 2003 from Scott Ostrode, Regional Manager for Diablo View Apartments, Meadowlark Apartments, Oakview Apartments and Diablo Villa, objecting to the proposed increase in multi-family housing inspection fees.
- o. Letter dated June 23, 2003 from Brian Rein, Chief Operating Officer for Diablo View Apartments, Meadowlark Apartments, Oakview Apartments and Diablo Villa, objecting to the proposed increase in multi-family housing inspection fees.
- p. Petition containing 70 signatures submitted by Dr. Noel Williams from residents of The Plaza Tower/Heritage senior apartments objecting to the multi-family housing inspection program.
- q. Proposals submitted by Theresa Karr, California Apartment Association, relating to the multi-family housing inspection program.

**7. CLOSED SESSION REPORTS - None**

**8. COUNCIL AND STAFF REPORTS**

**Councilmembers reported on upcoming meetings they will be attending.**

**Councilmember Bonilla sent best wishes to the owner and staff of The Garden Gate gift shop, which is closing.**

**Mayor Peterson stated that Lauri Harris, the parent of a recent High School graduate, wrote to thank the City for televising and recording the graduation ceremonies recently held in Concord.**

**9. ADJOURNMENT - at 8:43 p.m.**

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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) 671-3292.

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**NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m., Tuesday, July 1, 2003**

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**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.