



# ANNOTATED AGENDA

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

**Tuesday, July 1, 2003**

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

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

**I. ROLL CALL - All present**

**II. CLOSED SESSION:**

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

**James C. Collins, et al. v. City of Concord**  
Contra Costa County Superior Court Case No. C02-02433

**ACTION: Closed session held.**

**III. RECESS – at 6:25 p.m. to reconvene in the Council Chamber.**

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

**ROLL CALL - All present**

**PLEDGE TO THE FLAG - Former Mayor Colleen Coll**

**PUBLIC COMMENT PERIOD**

**Brian Keathley stated that his car was towed and subsequently damaged by Continental Tow, with whom the City contracts for towing services. He stated that the company was unresponsive and requested that the City consider his complaint when the company's contract is up for renewal.**

**PUBLIC COMMENT PERIOD - contd.**

**Ed Seghers discussed prior actions and votes by the City Council in approving the contract with Bill Graham Presents for operation and privatization of the Pavilion.**

**William McDonald responded to comments made by Mayor Peterson at the previous meeting.**

**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.**

1. **PROCLAMATION** - proclaiming the week of July 13-19 as "National Aquatics Week" in the City of Concord. **Report from Mayor Peterson.**

**ACTION: Mayor Peterson presented the proclamation to Program Manager Barbara Selway.**

2. **ANNOUNCEMENTS**

**Vice Mayor Allen announced that, due to lack of respect shown to the Police Department by skaters and the vandalism of nearby police cars, the Concord Skatepark will be closed on July 2 and July 3.**

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## **CITY COUNCIL MATTERS**

3. **CITY COUNCIL CONSENT CALENDAR**

- a. **Approval of Minutes** - of June 10, 2003. Recommended by City Clerk.

**ACTION: Minutes approved.**

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

- b. **Matter to be set for public hearing** - on July 22, 2003.

**Proposed Amendment to the Municipal Code - Conduct in Park and Recreation Areas** - consideration of amending Sections 74-32 and 74-35 of the Concord Municipal Code to allow Code enforcement by Open Space Rangers in the Lime Ridge Open Space.

**ACTION: Public hearing set for July 22, 2003.**

- c. **Awarding** - contract for Project No. 119, East Street (Pacheco Street to 150' South of Grant Street) and Clayton Road (Oakland Avenue to Davis Street) Pavement Rehabilitation to Ghilotti Construction as the lowest responsible bidder in the amount of \$473,811, and rejecting the bid from Construction Materials Testing as non-responsive. Bids were opened at 10:00 a.m. on April 29, 2003. Recommended by Director of Public Works-Engineering Services.

**ACTION: Contract awarded and non-responsive bid rejected as recommended.**

- d. **Awarding** - contract for Project No. 928.1, Concord Community Pool Building Renovation, to NEMA Construction Co. as the lowest responsible bidder in the amount of \$274,000, and rejecting a bid protest. Bids were opened at 2 p.m. on May 22, 2003. Recommended by Director of Public Works-Engineering Services.

**ACTION: Contract awarded and bid protest rejected as recommended.**

- e. **Awarding** - contract for Project No. 172, Monte Gardens/San Vincente Area Sewer Rehabilitation (Phase 2), to RePipe-California, Inc. dba PPR of Santa Ana, as the lowest responsible bidder in the amount of \$318,691.40. Bids were opened at 10 a.m. on April 30, 2003. Recommended by Director of Public Works-Engineering Services.

**ACTION: Contract awarded as recommended.**

- f. **Accepting** - improvements for Project No. 117, Monument Boulevard at Monument Court Intersection Improvements, constructed by Sposeto Engineering; approving a related budget transfer in the amount of \$12,000; 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.**

**4. CITY COUNCIL PUBLIC HEARINGS**

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**Willow Walk Residential Subdivision Appeal** – consideration of an appeal by John Haffner, et al., of the Planning Commission’s approval (5-0) of an application by The Olson Company to construct a 56-lot single-family residential subdivision at 2800 and 2888 Willow Pass Road, 1855 and 1861 Parkside Drive, 1880 Third Street, and 2877, 2879, and 2885 Euclid Avenue, APN’s: 113-021-003, -008, -009, -010, -011, -015, -019, -020, -022, -024, and -025. Resolution 03-40 for adoption. **Report from Planning Manager Deborah Raines.**

**ACTION: Resolution 03-40 adopted, denying the appeal with findings, including changes to the Conditions of Approval (3-2; Bonilla and Peterson, No).**

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

### **5. CORRESPONDENCE**

- a. City of Concord Redevelopment Agency Investment Report dated May 31, 2003.
- b. Letter dated July 1, 2003 from Carol Longshore opposing the Willow Walk Subdivision and urging the City Council to grant the appeal.
- c. Excerpts submitted by Ed Seghers from the February 15, 2000 Report to Council and Minutes relating to the Concord Pavilion Operational Study.
- d. Photos submitted by Sibi Soroka of developments similar to the proposed Willow Walk project.

### **6. CLOSED SESSION REPORTS - No reports**

### **7. COUNCIL AND STAFF REPORTS**

**Mayor Peterson announced the events scheduled in the City for the Fourth of July weekend and invited everyone to attend.**

### **8. ADJOURNMENT - at 11:03 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 22, 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.