



ANNOTATED AGENDA

**REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL
AND REDEVELOPMENT AGENCY;
AND MEETING OF THE CITY COUNCIL
AND JOINT POWERS FINANCING AUTHORITY**

**Tuesday, September 2, 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 6:15 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

Evelyn Freitas addressed the City Council regarding the importance of Megan's Law, and encouraged citizens to contact the Police Department for information on offenders in their area.

Kevin Gao asked the City Council to urge the Chinese government to release the fiancé of his friend, who is in prison in China for practicing Falun Gong.

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1. **PROCLAMATION** - proclaiming September 12-14, 2003 as “Greek Festival Days” in the City of Concord. **Report from Mayor Peterson.**

ACTION: Proclamation presented to Father Marin of St. Demetrios Greek Orthodox Church.

2. **PROCLAMATION** - proclaiming September 15-21, 2003 as “Pollution Prevention Week” and September 20, 2003 as “Coastal Cleanup Day” in the City of Concord. **Report from Mayor Peterson.**

ACTION: Proclamation presented to Director of Public Works-Maintenance Services Mike Vogan.

3. **ANNOUNCEMENTS**

Mayor Peterson announced the recruitment of candidates to fill a vacancy as Concord's representative on the Central Contra Costa Transit Authority (CCCTA - County Connection) Citizens' Advisory Committee.

Mayor Peterson announced the extension of the recruitment to fill vacancies on the Community Services Commission.

CITY COUNCIL MATTERS

4. **CITY COUNCIL CONSENT CALENDAR**

- a. **Approval of Minutes** - of June 24, July 1 and July 22, 2003. Recommended by City Clerk.

ACTION: Minutes approved.

- b. **Adoption of Ordinance 03-6 - Conduct in Park and Recreation Areas** - amending Sections 74-31, 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: Ordinance 03-6 adopted.

- c. **Authorizing** - the filing of an application for the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002. Resolution 03-51 for adoption. Recommended by Director of Parks and Recreation.

ACTION: Resolution 03-51 adopted, authorizing filing of application.

4. CITY COUNCIL CONSENT CALENDAR - contd.

- d. **Authorizing** - the filing of an application for grant funds under the Roberti-Z'berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002. Resolution 03-52 for adoption. Recommended by Director of Parks and Recreation.

ACTION: Resolution 03-52 adopted, authorizing filing of application.

- e. **Approving** - the appointment of Councilmember Laura Hoffmeister as the City of Concord's Voting Delegate for the League of California Cities Annual Conference, to be held in Sacramento on September 7-10, 2003. Recommended by Mayor Peterson.

ACTION: Appointment approved.

- f. **Authorizing** - use of Office of Traffic Safety Seat Belt Compliance grant funds in the amount of \$25,006 to increase seat belt enforcement hours. Recommended by Chief of Police.

ACTION: Use of grant funds authorized as recommended.

- g. **Approving** - amendment to agreement with Advanced Risk Management Techniques for consulting services relating to evaluation of liability coverage alternatives and transition to new risk management authority, and approving a related budget transfer in the amount of \$14,985. Recommended by City Attorney.

ACTION: Amendment to agreement and budget transfer approved.

- h. **Approving** - agreement with Caltrans for landscape maintenance in the vicinity of the Concord Avenue/Market Street on-ramp to State Route 242 related to the ABBA Self and RV Storage development, and authorizing the City Manager to execute the agreement. Resolution 03-53 for adoption. Recommended by Director of Public Works-Engineering Services.

ACTION: Resolution 03-53 adopted, approving agreement and authorizing the City Manager to execute it.

4. CITY COUNCIL CONSENT CALENDAR - contd.

- i. **Approving** - agreement for professional services with Fieldman Rolapp and Associates for financial advisory services for the issuance of Sewer Revenue Bonds for the rehabilitation of various sections of the City's trunk sewer lines, and authorizing the City Manager to execute the agreement. Recommended by Director of Finance.

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

- j. **Approving** - improvement fund surplus and disposition of surplus amounts for completed assessment districts AD #65, Sun Valley Parking; AD #80, Heather Acres; and AD #81, North Fifth Street. Resolution 03-50 for adoption. Recommended by Director of Finance.

ACTION: Resolution 03-50 adopted, declaring funds surplus and allowing for disposition of funds.

5. CONSIDERATION - of appointments to the following City Boards and Commissions.

- a. Appointment of four applicants to the Status of Women Commission for two-year terms ending June 30, 2005, and appointment of two applicants for one-year terms ending June 30, 2004 to fill unscheduled vacancies. **Report from Council Committee on Recreation and Cultural Affairs.**

ACTION: Patricia Moran and Patricia Kroeger reappointed and Anna Ramos and Kristen Revell appointed for two-year terms ending June 30, 2005; Ronald Nixon and Deana Zizi appointed to fill unscheduled vacancies for one-year terms ending June 30, 2004.

- b. Appointment of five applicants to the Commission on Aging for two-year terms ending June 30, 2005, and appointment of one applicant for a one-year term ending June 30, 2004 to serve as alternate, if desired. **Report from Council Committee on Neighborhood and Community Services.**

ACTION: Virginia Brunk, Arthur Gubisch, Anne Perridge-Heavey, Ron Ragno and Charles Rogers reappointed for two-year terms ending June 30, 2005; Fran Kelly appointed to fill an unexpired term ending June 30, 2004; and Barbara Malone appointed to serve as an alternate for a one-year term ending June 30, 2004.

REDEVELOPMENT AGENCY MATTERS

6. **CONSIDERATION** - of forming an Ad Hoc Design Review Committee for the purpose of reviewing a proposal by Signature Properties to develop the Lehmer's site located at 1851 Galindo Street at the southwest corner of Willow Pass Road and Galindo Street, and appointment of two members of the Agency Board to serve on the Committee. **Report from Agency Chair Hoffmeister.**

ACTION: Ad Hoc Design Review Committee formed, with Agency Chair Hoffmeister and Agencymember Allen appointed as members (4-1; McManigal, Abstain). Staff to request the Design Review Board appoint two of its members to complete the AHDRC.

CITY COUNCIL/JOINT POWERS FINANCING AUTHORITY MATTERS

7. **CITY COUNCIL/JOINT POWERS FINANCING AUTHORITY CONSENT CALENDAR**

Approving - the following actions in connection with the Todos Santos Parking Garage; authorizing the Director of Finance to execute the documents on behalf of the City, and authorizing the Executive Director to execute the documents on behalf of the Joint Powers Financing Authority. City Council Resolution 03-49 and Joint Powers Financing Authority Resolution 03-1 for adoption. Recommended by City Attorney.

- a. Approving - First Amendment to the Site and Facilities Lease (Todos Santos Parking Garage) dated September 1, 2003 between the City of Concord and the City of Concord Joint Powers Financing Authority.
- b. Approving - First Amendment to Lease Agreement (Todos Santos Parking Garage) dated September 1, 2003 between the City of Concord and the City of Concord Joint Powers Financing Authority.
- c. Approving - Partial Termination Agreement relating to a portion of the Todos Santos Parking Garage site between the City of Concord, City of Concord Joint Powers Financing Authority and Union Bank of California N.A.
- d. Authorizing - the City Manager to execute a Certificate of the City of Concord as to removal of a portion of the Todos Santos Parking Garage site from the leased property and authorizing the Executive Director to accept said Certificate on behalf of the Authority.

**7. CITY COUNCIL/JOINT POWERS FINANCING AUTHORITY CONSENT
CALENDAR - contd.**

ACTION: City Council Resolution 03-49 and Joint Powers Financing Authority Resolution 03-1 adopted; Director of Finance and Executive Director authorized to execute the documents.

**JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MATTERS**

- 8. CONSIDERATION - of funding request from Resources for Community Development for the acquisition and rehabilitation of Lakeside Apartments in an amount not to exceed \$3,433,945 and authorizing the City Manager/Executive Director to execute the necessary documents. Approval recommended by Council Committee on Housing and Economic Development. Report from Housing Manager Amy Hodgett.**

ACTION: Funding request from RCD approved for the Lakeside Apartments acquisition and rehabilitation in an amount not to exceed \$3,433,945, subject to a Multi-Family Housing loan agreement; staff directed to explore options for revising Multi-Family Housing Inspection ordinance to include a provision for issuing citations against individual apartments on a recurring basis, and to take into account the design of the proposed Olsen project at Galindo and Laguna Streets when reviewing exterior improvements to Lakeside Apartments.

9. CORRESPONDENCE

- a. City of Concord Treasurer's Report for June, 2003.
- b. City of Concord Redevelopment Agency Investment Report dated June 30, 2003.

10. CLOSED SESSION REPORTS - None

11. COUNCIL AND STAFF REPORTS

Councilmembers reported on their attendance at the Fall Fest at Todos Santos Plaza.

12. ADJOURNMENT - at 7:30 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, September 23, 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.