



ANNOTATED AGENDA

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

Tuesday, February 10, 2004

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

6:30 p.m. - Council Chamber

ROLL CALL - All present

PLEDGE TO THE FLAG - Councilmember Peterson

PUBLIC COMMENT PERIOD

Brian James, President of the Board of Directors of the Rainbow Community Center, announced that his membership has nominated the City Council and former Councilmember Michael Pastrick to receive an award for promoting gay and lesbian rights in the City of Concord and for providing health benefits to domestic partners of City workers. Councilmembers directed staff to prepare a response from Mayor Allen.

Linda Regan expressed opposition to the installation of speed bumps in the Clayton Valley Highlands neighborhood and stated that residents were not adequately informed of the traffic calming project. She requested that the matter be deferred to allow more neighborhood input. Vice Mayor Hoffmeister requested that staff look into ways of better identifying mailers where ballots are enclosed.

Joe Partansky commended the City on its comprehensive website and requested that City Attorney comments be more fully reported in Council minutes. He submitted a pamphlet printed by the Department of Justice entitled "Disabilities - Knocking Down Barriers" and asked that white crossing bars be installed in downtown crosswalks.

Councilmember Peterson requested that staff look into the possibility of billing offenders for the cost for police time spent on administering DUI charges. He requested that the matter be scheduled for consideration by the Policy Development and Internal Operations Committee.

Councilmember Peterson requested that, following the Planning Commission public hearing, the Inclusionary Housing ordinance be scheduled for further consideration by the Council Committee on Housing and Economic Development prior to consideration by the City Council. Councilmember McManigal and Vice Mayor Hoffmeister questioned the value of such action; Mayor Allen and Councilmember Bonilla concurred with his request.

1. ANNOUNCEMENTS

Announcement - of two openings on Concord's Parks, Recreation and Open Space Commission and setting Friday March 12, 2004 as the deadline for receipt of applications.

ACTION: Openings and deadline announced.

CITY COUNCIL MATTERS

2. CITY COUNCIL CONSENT CALENDAR

a. **Approval of Minutes** - of January 6, 2004. Recommended by City Clerk.

ACTION: Minutes approved.

b. **Authorizing** - the Contra Costa County Flood Control and Water Conservation District to establish an annual parcel assessment for Fiscal Year 2004-05 for drainage system maintenance and the National Pollutant Discharge Elimination System (NPDES) Program by maintaining the current Equivalent Runoff Unit (ERU) rate of \$35 per single-family parcel. Resolution 04-9 for adoption. Recommended by Director of Public Works-Maintenance Services.

ACTION: Resolution 04-9 adopted.

c. **Ordering** – the preparation of the Engineer's Report for the levy of annual assessments for the following landscaping and lighting maintenance assessment districts. Recommended by Director of Public Works-Maintenance Services.

(1) Downtown Landscape Maintenance District. Resolution 04-15 for adoption.

ACTION: Resolution 04-15 adopted, ordering preparation of the Engineer's Report.

2. c. CITY COUNCIL CONSENT CALENDAR - contd.

- (2) Pine Hollow Landscape Maintenance District. Resolution 04-16 for adoption.

ACTION: Resolution 04-16 adopted, ordering preparation of the Engineer's Report.

- (3) Landscaping and Lighting Maintenance District #3. Resolution 04-17 for adoption.

ACTION: Resolution 04-17 adopted, ordering preparation of the Engineer's Report.

- (4) Citywide Street Lighting Assessment District. Resolution 04-18 for adoption.

ACTION: Resolution 04-18 adopted, ordering preparation of the Engineer's Report.

- d. **Approving** – agreement with Francisco & Associates in the amount of \$29,000 to provide engineering services for the City of Concord's 2004/2005 Landscape and Lighting Assessment Districts: Downtown Landscape Maintenance District, Pine Hollow Landscape Maintenance District, Landscaping and Lighting Maintenance District #3, and the Citywide Street Lighting Assessment District, and authorizing the City Manager to execute the agreement. Recommended by Director of Public Works-Maintenance Services.

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

- e. **Accepting** - improvements for Project No. 182, Clayton Road and Contra Costa Canal Trail Crossing Traffic Signal Installation, constructed by Columbia Electric, Inc.; 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.

- f. **Approving** - task order in the amount of \$60,000 in connection with the professional services agreement with LCC, Inc. for the design of Project No. 251, La Bonita Storm Drain, and authorizing the City Manager to execute the task order. Recommended by the Director of Public Works - Engineering Services

ACTION: Task order approved; City Manager authorized to execute it.

2. CITY COUNCIL CONSENT CALENDAR - contd.

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- g. **Approving**- an agreement for professional services with Fehr & Peers Associates, Inc. for transportation planning services, and authorizing the City Manager to execute the agreement. Recommended by the Director of Public Works-Maintenance Services.

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

- h. **Authorizing** - submittal of an application to the State of California Department of Housing and Community Development (CalHome Program) for funding under the Building Equity and Growth in Neighborhoods (BEGIN) Program. Resolution 04-19 for adoption. Recommended by Director of Building and Neighborhood Services.

ACTION: Resolution 04-19 adopted, authorizing submittal of grant application and authorizing City Manager to all related documents.

3. CITY COUNCIL PUBLIC HEARINGS

The Alameda Underground Utility District - consideration of designating an area for the underground installation of utilities and ordering the removal of above-ground utilities in an area generally located on The Alameda between Clayton Road and Cordova Way (The Alameda Underground Utility District). Resolution 04-13 for adoption. **Report from Director of Public Works - Engineering Services Alex Pascual.**

ACTION: Resolution 04-13 adopted (as revised), authorizing formation of The Alameda Underground Utility District as recommended.

4. **CONSIDERATION** - of approving revisions, additions and deletions to the City's Policies and Procedures. Approval recommended by Council Committee on Policy Development and Internal Operations. Resolution 04-6 for adoption. **Report from Director of City Management Peter Dragovich.**

ACTION: Resolution 04-6 adopted, approving the revisions, additions and deletions to the City's Policies and Procedures as recommended, with minor revision to Section 4.3, "Addressing the Council".

5. **APPOINTMENT** - of applicants to the following boards and commissions.

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- a. Appointment of one applicant to the Status of Women Commission for a term ending June 30, 2004 to fill an unscheduled vacancy. **Report from Council Committee on Recreation and Cultural Affairs.**

ACTION: Zena Jones appointed to the Status of Women Commission for a term ending June 30, 2004; Estrella Camaddo appointed as Alternate.

- b. Appointment of three applicants to the Mobilehome Rent Review Board for two-year terms ending February 28, 2006. **Report from Council Committee on Housing and Economic Development.**

ACTION: Charles Carpenter, William Hooy and Arthur Kroeger reappointed to the Mobilehome Rent Review Board for two-year terms ending February 28, 2006.

REDEVELOPMENT AGENCY MATTERS

- 6. **CONSIDERATION** - of authorizing the assembly and development, as a unified development by a master developer, of an approximately 3-acre site bounded by Galindo Street, Clayton Road and Concord Boulevard within the Central Concord Redevelopment Project Area. Resolution 04-663 for adoption. **Report from Economic Development/Redevelopment Manager Helen Bean.**

ACTION: Resolution 04-663 adopted, authorizing the assembly and development, as a unified development by a master developer of an approximately 3-acre site located on Galindo Street within the Central Concord Redevelopment Project area; to include that the preference of the Agency is to include or retain the Masonic Lodge building or its exterior in the proposed project (3-1-1; Peterson, No; McManigal, Abstain).

JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY MATTERS

7. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

Matter to be set for public hearing - on Tuesday, March 2, 2004.

Disposition and Development Agreement with Anderson Lehmer Investment, LLC - consideration of approving a Disposition and Development Agreement with Anderson Lehmer Investment, L.L.C., for the sale and development of Agency-owned property to construct an auto dealership on a 3.77-acre site located at 1905 Market Street, APN 126-030-032, located within the Central Concord Redevelopment Project, and confirming that a negative declaration with mitigation measures and monitoring program is the appropriate environmental document.

ACTION: Public hearing set for March 2, 2004.

8. CORRESPONDENCE

- a. City of Concord Treasurer's Report for November, 2003.
- b. City of Concord Redevelopment Agency Investment Report dated December 31, 2003.
- c. Department of Justice pamphlet entitled "Disabilities - Knocking Down Barriers."
- d. Letter dated February 10, 2004 from Linda Regan opposing the installation of speed bumps in the Clayton Valley Highlands neighborhood and stating that residents were not adequately informed of the traffic calming project.
- e. Copy of a letter dated April 10, 2002 from Joe Partansky regarding parking for people with disabilities and related issues.

9. CLOSED SESSION REPORTS - None

10. COUNCIL AND STAFF REPORTS

Announcement - of establishment of an Ad Hoc Committee for the City of Concord Centennial Celebration, and appointment of Susan Bonilla (Chair) and Helen Allen (Member) to serve on the Committee. **Report from Mayor Allen.**

ACTION: Committee established and appointments made.

10. COUNCIL AND STAFF REPORTS - contd.

Councilmember Bonilla reported on her attendance at the turning on of the lights at Salvio Pacheco Square.

- 11. ADJOURNMENT - at 7:36 p.m. in memory of Lewis Ervin (Erv) Lehmer II, who passed away on January 22, 2004 at the age of 90. Erv was the founder and owner of Lehmer's Automobile Dealership since 1931.**

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, February 24, 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.