



ANNOTATED AGENDA

REGULAR JOINT MEETING OF THE CONCORD CITY COUNCIL AND REDEVELOPMENT AGENCY

Tuesday, March 14, 2006
6:30 p.m. – Council Chamber
1950 Parkside Drive

5:30 p.m. – Closed Session

I. **ROLL CALL** – Councilmember Allen absent (Councilmember Peterson arrived at 5:45 p.m.).

II. **CLOSED SESSION:**

a. Conference regarding Real Property Negotiation pursuant to Government Code Section 54956.8 –

Property: Chronicle Pavilion at Concord
City Negotiators: Assistant City Manager Mark Deven and consultant Tonic Entertainment (Nick Toby Clainos)
Negotiating Parties: Bill Graham Presents
Under Negotiation: Price and terms of payment

ACTION: Closed Session held.

III. **RECESS** – at 6:40 to reconvene in the Council Chamber.

6:30 p.m. – Council Chamber

ROLL CALL – Councilmember Allen absent.

PLEDGE TO THE FLAG – Representatives from Boy Scout Troops 266 and 465.

PUBLIC COMMENT PERIOD

Joe Partansky encouraged government agencies to observe Sunshine Week, March 12 – 18, 2006, and provide transparent government services.

1. **PRESENTATION** - of Concord Business Recognition Awards to Shaw Environmental, Cal State 9 Credit Union, Sam Clar Office Furniture, and Gaunt Machine & Iron Works, Inc. Report by John Montagh, Business Development Manager.

ACTION: Business Recognition Awards presented.

2. **ANNOUNCEMENTS**

Mayor Bonilla announced that she would be substituting for Councilmember Allen at the upcoming Infrastructure and Franchise meeting being held on March 22, 2006.

CITY COUNCIL MATTERS

3. **CITY COUNCIL CONSENT CALENDAR**

- a. **Accepting** - improvements for RFB #2020 (Project #1095), Removal of Three Underground Storage Tanks in the Corporation Yard, by Controlled Environmental Services, of Oakley, and directing the filing of the Notice of Completion. Recommended by the Director of Public Works.

ACTION: Improvements accepted; Notice of Completion to be filed.

- b. **Authorizing** - the acceptance and appropriation of a Federal Justice Assistance Grant (JAG) in the amount of \$29,226 to partially fund the Police Department's Family Violence-Victim Advocate position and authorizing the City Manager to execute the agreement. Recommended by the Chief of Police.

ACTION: Authorization approved; City Manager authorized to execute agreement.

- c. **Award** - of contract for the 2006 Slurry Seal Program, RFB #2038, to Bond Blacktop of Union City, as the lowest responsible bidder in the amount of \$778,937.22 and approve a related budget transfer in the amount of \$120,000. Bids were opened on February 22, 2006 at 2:00 p.m. Recommended by the Director of Public Works.

ACTION: Award of contract and related budget transfer approved.

- d. **Approving** - the designation of the City Engineer as the appropriate person and authorizing the City Engineer to execute right-of-way certifications for public projects. Resolution 06-15 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Resolution 06-15 adopted.

- e. **Authorizing** - the application to the California Department of Forestry and Fire Protection for an allocation of Proposition 12 California Urban & Community Forestry Program funds in the amount of \$13,350 to be used to plant 133 trees in seven parks and other landscaped areas maintained by the City; committing the necessary match for the project in the amount of \$6,518; and stating the assurance of the City to complete the project. Resolution 06-14 for adoption. Recommended by the Director of Building, Engineering and Neighborhood Services.

ACTION: Resolution 06-14 adopted.

- f. **Matters to be set for public hearing** - on Tuesday, April 4, 2006 –

- 1) **Proposed Amendment to Concord Municipal Code – Public Nuisance Ordinance** – to consider amendments to Article II, Chapter 62 entitled Public Nuisances; Article III, Chapter 62 entitled Weeds and Other Vegetation; Article VI, Chapter 62 entitled Abandoned, Wrecked, Dismantled, and Inoperative Vehicles; Article II, Chapter 82 entitled Collection and Disposal; and, Article II, Chapter 114 entitled Trees and Shrubs.

ACTION: Public Hearing set for Tuesday, April 4, 2006.

- 2) **Proposed Amendment to Concord Municipal Code - Animal Control** – to consider the amendment of Chapter 1, General Provisions, Sections 1-24, County Animal Control Ordinance, relating to dangerous animals.

ACTION: Public Hearing set for Tuesday, April 4, 2006.

- 3) **Proposed Amendment to the Master Fees and Charges Resolution – Residential Garbage Rates** – to consider a Base-Year Rate Application by Concord Disposal Service to increase residential garbage rates by 10.9% effective May 4, 2006.

ACTION: Public Hearing set for Tuesday, April 4, 2006.

- g. **Authorizing** - the submittal of a grant request to the Department of Conservation's Division of Recycling for the funding of recycling containers, a City-wide litter campaign, and educational materials in FY 2006/07; and designating the City Manager to receive and expend available funds on behalf of the City of Concord. Resolution 06-6 for adoption. Recommended by the Director of Public Works.

ACTION: Resolution 06-6 adopted.

4. CITY COUNCIL PUBLIC HEARING

- a. **Proposed Amendment to the Concord Municipal Code** - to repeal Article VI, Condominiums, Section 94-171, et seq., and enacting new Article VI, Condominium Conversions, Section 94-171, et seq., to incorporate new open space standards, inclusionary housing requirements, annual conversion and percent leasing caps, and other changes to make consistent with Concord's multi-family development and building standards. This project is categorically exempt pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act of 1970, as amended. Recommended by the Planning Commission (4-1; Brumley - No)

ACTION: Public Hearing opened; continued to April 25, 2006.

JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY MATTERS

5. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

- a. **Approving** – an agreement with McDonough, Holland & Allen PC to provide legal services to the Concord Redevelopment Agency and authorizing the Executive Director to execute the agreement. Recommended by Director of Planning and Economic Development.

ACTION: Agreement approved; Executive Director authorized to execute it.

6. CORRESPONDENCE

- a. Treasurer's Report for the month of December, 2005
- b. Legislative letter to Senator Kehoe opposing SB 1206 dated February 28, 2006.
- c. Memo dated March 14, 2006 from Assistant City Attorney Mark Boehme relating to Agenda Item #4.a entitled *Proposed Modifications to Condominium Conversion Ordinance*.
- d. Facsimile transmitted March 14, 2006 from Bruce Woolpert, Graniterock.
- e. Copy of the March 8-14, 2006 edition of the *Guardian* submitted by J. Partansky.

7. CLOSED SESSION REPORTS - None

8. COUNCIL AND STAFF REPORTS - None

9. ADJOURNMENT – at 7:42 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) 671-3495.

NEXT REGULAR CITY COUNCIL MEETING: Tuesday, March 28, 2006

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.