



ANNOTATED AGENDA

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

Tuesday, April 11, 2006

5:30 p.m. – Study Session with Community Services Commission

Permit Center Conference Room

6:30 p.m. – Council Chamber

1950 Parkside Drive

**Joint Study Session with
Community Services Commission**

5:30 p.m. – Permit Center Conference Room

ROLL CALL – All present. Commissioners Camaddo, Green, Hussain, Junz, Lawson, Ormiston, and West also present.

- I. STUDY SESSION WITH COMMUNITY SERVICES COMMISSION –**
Community Services Funding – consideration of accepting the Proposed Draft 2006-07 Action Plan containing the Community Services Commission's recommendations for community grant funding in all project categories from Community Development Block Grant Funds, City of Concord General Fund, and Child Care Developer fees. Recommended by Director of Community and Recreation Services. **Report from Community Services Manager Teri House.**

ACTION: Study Session held.

- II. RECESS – at 6:27 p.m. to reconvene in the Council Chamber.**

6:30 p.m. – Council Chamber

ROLL CALL – All present.

PLEDGE TO THE FLAG – Councilmember Shinn

PUBLIC COMMENT PERIOD – No comments.

1. PRESENTATIONS

- a) **PROCLAMATION** – to Angela Micheals-Tibbals, Concord’s representative to the Contra Costa County Mosquito and Vector Control Board of Trustees proclaiming April 24 through April 30, 2006 as “West Nile Virus and Mosquito and Vector Control Awareness Week” in the City of Concord. **Report by Mayor Bonilla.**

ACTION: Proclamation presented to Angela Micheals-Tibbals.

- b) **PRESENTATION** – on senior mobility issues by Earle Ormiston, representing *For Every Generation Transportation Work Group*; Gretchen Hansen, Paratransit Manager of the Rossmoor Community; and Elaine Welch, Executive Director of Senior Helpline Services. **Introduction by Joan Carrico, Director of Community and Recreation Services.**

ACTION: Presentation on senior mobility issues made by Earle Ormiston, Gretchen Hansen, and Elaine Welch.

2. ANNOUNCEMENTS – None

CITY COUNCIL MATTERS

3. CITY COUNCIL CONSENT CALENDAR

- a. **Approval of minutes** – of the March 14, 2006 meeting. Recommended by City Clerk.

ACTION: Minutes approved.

- b. **Approving** - the following items related to Downtown Landscape Maintenance District, Pine Hollow Landscape Maintenance District, Landscaping and Lighting Maintenance District #3, and the Citywide Street Lighting Assessment District. For additional information contact Administrative Assistant Mary Miller at (925) 671-3141. Recommended by Director of Public Works.

- (1) Accepting the Engineer's Report for the Downtown Landscape Maintenance District. Resolution 06-20 for adoption.

ACTION: Resolution 06-20 adopted.

- (2) Accepting the Engineer's Report for Pine Hollow Landscape Maintenance District. Resolution 06-21 for adoption.

ACTION: Resolution 06-21 adopted.

- (3) Accepting the Engineer's Report for Landscaping and Lighting Maintenance District #3. Resolution 06-22 for adoption.

ACTION: Resolution 06-22 adopted.

- (4) Accepting the Engineer's Report for the Citywide Street Lighting Assessment District. Resolution 06-23 for adoption.

ACTION: Resolution 06-23 adopted.

- (5) Ordering improvements in the Downtown Landscape Maintenance District and setting a public hearing for June 13, 2006 at 6:30 p.m. in the Council Chamber. Resolution of Intention 06-24 for adoption.

ACTION: Resolution 06-24 adopted.

- (6) Ordering improvements in the Pine Hollow Landscape Maintenance District and setting a public hearing for June 13, 2006 at 6:30 p.m. in the Council Chamber. Resolution of Intention 06-25 for adoption.

ACTION: Resolution 06-25 adopted.

- (7) Ordering improvements in the Landscaping and Lighting Maintenance District #3 (Kirkwood, Ygnacio Woods, Balhan Terrace and Valley Terrace), and setting a public hearing for June 13, 2006 at 6:30 p.m. in the Council Chamber. Resolution of Intention 06-26 for adoption.

ACTION: Resolution 06-26 adopted.

- (8) Ordering improvements in the Citywide Street Lighting Assessment District and setting a public hearing for June 13, 2006 at 6:30 p.m. in the Council Chamber. Resolution of Intention 06-27 for adoption.

ACTION: Resolution 06-27 adopted.

- c. **Awarding** – a construction contract to River City Painting of Sacramento in the amount of \$112,957 for PJ#1752.2, (now Project No. 2752.2), Concord Library Improvements, and PJ#2001, Civic Center ADA Door Improvements. Bids were opened on Wednesday, March 15, 2006 at 11:00 a.m. Recommended by Director of Building, Engineering, and Neighborhood Services.

ACTION: Contract awarded.

- d. **Matter to set for public hearing - Tuesday, April 25, 2006 - TEFRA Hearing in Connection with Proposed Issuance of Bonds – John Muir Health** – setting public hearing, and waiving the three-week noticing period, in accordance with Section 147(f) of the Internal Revenue Code of 1986 Tax Equity and Fiscal Responsibility Act (TEFRA) to a proposed issuance by California Statewide Communities Development Authority of revenue bonds in one or more series in an amount not to exceed \$350,000,000 (the “Bonds”). A portion of the proceeds of the Bonds, in the approximate amount of \$25,000,000, will be used by John Muir Health (the “Borrower”) to finance the cost of acquisition, construction, improvement, equipping, renovation, rehabilitation, remodeling and other capital projects on or about John Muir Health, Concord Campus, located at or near 2540 East Street, Concord, California. The facilities listed above are owned and operated by the Borrower, a California nonprofit public benefit corporation and an organization as described in Section 501(c)(3) of the Code. Recommended by Director of Planning and Economic Development.

ACTION: Matter set for Public Hearing on Tuesday, April 25, 2006 at 6:30 p.m.

4. CITY COUNCIL PUBLIC HEARINGS

- a) **Enea Circle General Plan Amendment and Palmero Preliminary Development Plan** – consideration of the following applications by Enea Square Partners and Allied Investments for the construction of up to 224 residential condominiums on a 4.64 acre site located at 1401 and 1465 Enea Circle. The General Plan designation is currently Regional Office; the Zoning classification is PD (Planned District). Approval recommended by Planning Commission.
Report by Planning Manager Deborah Raines.

1) Application to amend the Central Area boundary to include seven parcels totaling 10.51 acres located in the area of Enea Circle and amend the General Plan designation to High Density Residential/Regional Office and adopting a Mitigated Negative Declaration as the appropriate environmental document. Resolution 06-4832.1 for adoption. APN’s 126-300-023, -030, -033, -035 -043, -044 and -047.

ACTION: Resolution 06-4823.1 adopted, adopting a Mitigated Negative Declaration as the appropriate environmental document and amending the General Plan as recommended. (4-0-1; Hoffmeister - No)

* **REVISED to reflect proper vote on item 4.a.(1)**

2) Application for a Preliminary Development Plan for construction of Palmero Subdivision consisting of up to 224 residential condominiums on a 4.64-acre site located at 1401 and 1465 Enea Circle. APN's 126-300-030, -033, and -047. Resolution 06-28 for adoption.

ACTION: Resolution 06-28 adopted, with the following conditions:

- 1) the developer be allowed to pay a mitigation fee of \$18,560 on each of the 224 units as outlined in their letter dated April 11, 2006; and
- 2) the developer will make a good faith effort to build affordable housing units on another parcel within the City limits at a later date.
(4-0-1; Hoffmeister - No)

5. **CONSIDERATION** - of an amendment to the Pavilion Management Agreement with Bill Graham Enterprises revising the length of the First Extension Term and payment of related fees and designating a new name and title sponsor for the Pavilion; and authorizing the City Manager to execute the amendment. **Report by Mark Deven, Assistant City Manager.**

ACTION: Amendment approved; City Manager authorized to execute the amendment.

CITY COUNCIL SITTING AS THE LOCAL REUSE AUTHORITY

6. LOCAL REUSE AUTHORITY CONSENT CALENDAR

- a) **Approving** – a request to the Navy for postponement of its issuance of a Determination of Surplus property for the Concord Naval Weapons Station. Recommended by Local Reuse Authority Executive Director.

ACTION: Request for postponement approved.

* **REVISED to reflect proper vote on item 4.a.(2)**

JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY MATTERS

7. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

- a) **Approving** – a Façade Improvement Program Grant Agreement in the amount of \$5,000 with Gesinee and Daniel Van Atta for façade improvements at 2355-2357 Concord Boulevard, and authorizing the Executive Director to execute the agreements. Recommended by Director of Planning and Economic Development.

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

8. CORRESPONDENCE

- a) Letter from Enea Square Partners, LP regarding guest parking changes dated April 10, 2006.
- b) Letter from Enea Square Partners, LP regarding changes to Condition #7 dated April 11, 2006.
- c) Recap of telephone call from resident Ed Seghers on April 11, 2006 regarding terms of Pavilion agreement.

9. CLOSED SESSION REPORTS – None.

10. COUNCIL AND STAFF REPORTS

Councilmembers highlighted events they had attended during the prior week.

11. ADJOURNMENT – at 10:15 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, April 25, 2006

MEETING RECORDS

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