



# ANNOTATED AGENDA

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

Tuesday, April 25, 2006  
6:30 p.m. – Council Chamber  
1950 Parkside Drive

---

### 6:30 p.m. – Council Chamber

**ROLL CALL – All present.**

#### **PLEDGE TO THE FLAG – Councilmember Allen**

Mayor Bonilla announced the City Council would be considering, at a Special meeting scheduled for May 16, 2006 a recommendation by the Planning Commission to refocus the General Plan Update and shift the emphasis to the existing urban area. She explained that the option would revise the current General Plan Update to remove the proposed development parameters for the CNWS. Councilmember Hoffmeister requested that the item be scheduled for the regular meeting of May 23, 2006 as she would not be available to attend the May 16, 2006 meeting.

#### **PUBLIC COMMENT PERIOD**

**There were no public comments.**

#### **1. PRESENTATIONS**

- a) **PRESENTATION** – to the Liberty Gymnastics Level 6 Boys Team consisting of Taylor Bevans, Austin Chavez, Dillon Choi, Justin Choi, Misha Kolomensky, Isaiah Nuno, and Jacob van Hogh recognizing their 2006 accomplishments. **Report by Mayor Bonilla.**

**ACTION: Mayor Bonilla presented certificates to the team members.**

- 
- b) **PROCLAMATION** - to Arthur Gubisch, Chair of Concord Commission on Aging; Diane Lorenzetti, President of Concord Senior Citizens Club; and Ken Biser, Executive Director of Senior Outreach Services proclaiming the month of May as “Older Americans Month”. **Report by Joan Carrico, Director of Community and Recreation Services.**

**ACTION:** Mayor Bonilla presented proclamations to Arthur Gubisch; Harry Driskill, Vice Chair of the Concord Senior Citizens Club; Maria Vandevier, representing Senior Outreach Services; and Avis Connolly, Program Manager for the Concord Senior Center.

- c) **PROCLAMATION** – to Qamar Khan, Director of Public Works proclaiming May 21 – 27, 2006 as “National Public Works Week” in the City of Concord. **Report by Director of Public Works.**

**ACTION:** Mayor Bonilla presented the proclamation to Qamar Khan, Director of Public Works.

- d) **PRESENTATION** – on the 2006 Summer Programs. **Report by Joan Carrico, Director of Community and Recreation Services.**

**ACTION:** Presentation made.

- e) **PRESENTATION** – on Community Outreach on the Concord Naval Weapons Station Reuse Project by Office of Economic Adjustment Program Manager, Gary Kuwabara, on “Advise to Base Closure Communities”. **Report by Leslye Asera, Community Relations Manager**

**ACTION:** Presentations made by Leslye Asera, Community Relations Manager, and Gary Kuwabara, Office of Economic Adjustment Program Manager.

## 2. ANNOUNCEMENTS

- a) Introduction of Mary Lou Chopelas, new Director of Camp Concord. **Introduction by City Manager Lydia Du Borg.**

**ACTION:** City Manager introduced and welcomed the New Director of Camp Concord, Mary Lou Chopelas.

Mayor Bonilla stated that she would not be available to attend the Housing and Economic Development Council Committee meeting scheduled for Wednesday, April 26, 2006 and announced that Councilmember Shinn would be substituting in her absence.

---

## CITY COUNCIL MATTERS

### 3. CITY COUNCIL CONSENT CALENDAR

- a) **Approving** – an agreement for professional legal services with Sloan, Renne, Holtzman, and Sakai in the amount of \$20,000, and authorizing the City Manager to execute the agreement. Recommended by Director of Human Resources.

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

- b) **Rejecting** – the sole bid of Top Estate Construction of Stockton for Project No. 1928.2, Concord Community Pool Deck Repairs; directing the City Clerk to release the bid bond; authorizing staff to negotiate with contractors; and authorizing the Mayor to execute a contract to perform the work without additional bidding in an amount not to exceed \$52,000 in accordance with Section 20167 of the Public Contract Code. Bids were opened on Friday, March 24, 2006 at 2 p.m. Resolution 06-30 for adoption. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Resolution 06-30 adopted. Sole bid rejected; City Clerk directed to release the bid bond. Staff authorized to negotiate the project with additional contractors up to an amount of \$52,000.**

- c) **Matters to set for public hearing** – on Tuesday, May 23, 2006 at 6:30 p.m. in the City Council Chamber –

- 1) **Esplanade General Plan Amendment and Municipal Code Amendment** – consideration of an application by DeNova Homes to amend the General Plan designation at 1795 Galindo Street from Commercial Office to High Density Residential; and to amend the Downtown Business (DB) District land use map from Office to Residential to allow up to 332 condominium units; and to adopt a Mitigated Negative Declaration as the appropriate environmental document. APN's 126-062-011; 126-143-001, -002, -003, -008, -009, -010, -011; and 126-153-006 and -007.

**ACTION: Public hearing set for May 23, 2006 at 6:30 p.m.**

2) **Proposed Amendment to Concord Municipal Code - Cable Ordinance**

**Amendment** - consideration of a proposed amendment which would revoke in its entirety Concord Municipal Code Chapter 102 – Telecommunications, and Article II – Cable Communications, and replacing with a new Chapter 102 – Telecommunications, and Article II – Cable Communications to update standards. Recommended by Director of City Management.

**ACTION: Public hearing set May 23, 2006 at 6:30 p.m.**

- d) **Adopting** – Ordinance 06-4 amending Concord Municipal Code 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. Ordinance 06-4 introduced on April 4, 2006. Recommended by Director of Building, Engineering, and Neighborhood Services.

**ACTION: Ordinance 06-4 adopted.**

- e) **Approving** – certification of the Contra Costa Transportation Authority’s Growth Management Biennial Compliance Checklist for Calendar Years 2004 and 2005, and authorizing the City Manager to sign the checklist. Recommended by Director of Public Works.

**ACTION: Certification approved; City Manager authorized to sign the document.**

- f) **Adopting** – Ordinance 06-2 amending Concord Municipal Code Chapter 1, General Provisions, Sections 1-24, County Animal Control Ordinance, relating to dangerous animals, and adopting by reference the County Animal Control Ordinance. Ordinance 06-2 introduced on April 4, 2006. Recommended by Director of City Management.

**ACTION: Ordinance 06-2 adopted.**

- g) **Approving** – a Traffic Mitigation Fee Agreement with the City of Pittsburg for intersection related improvements at Bailey Road/Concord Boulevard and Bailey Road/Myrtle Drive, and authorizing the Mayor to sign the agreement. Recommended by the Director of Public Works.

**ACTION: Agreement approved; Mayor authorized to execute the agreement.**

- h) **Accepting** – improvements for Project No. 1254, Monument Community First 5 Center, constructed by Pacific Coast Reconstruction and Building, Inc. of Lafayette, and directing the City Clerk to file the Notice of Completion. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Improvements accepted; City Clerk directed to file Notice of Completion.**

- i) **Awarding** – a construction contract in the amount of \$28,900 to Apollo Plumbing of South Lake Tahoe for Project No. 2752.5, Camp Concord Improvements; and approving a related budget transfer in the amount of \$46,740. Bids were opened on March 2, 2006 at 10 a.m. Recommended by Director of Building, Engineering and Neighborhood Services.

**ACTION: Contract awarded; budget transfer approved.**

- j) **Matters to be set for Public Hearing** – on Tuesday, May 16, 2006 at 6:30 p.m. in the Council Chamber:

- 1) **Vacation of a Portion of Beach Street** – consideration of the vacation of a portion of Beach Street located between the north end of Willow Pass Road and the south end of Salvio Street affecting assessor's Parcel Numbers 111-221-002, 111-221-008, 111-222-017, and 111-222-004. Recommended by City Attorney.

**ACTION: Public hearing set for May 16, 2006 at 6:30 p.m.**

- 2) **BRIDGE TEFRA Hearing** - matter is being set in accordance with Section 147(f) of the Internal Revenue Code of 1986 Tax Equity and Fiscal Responsibility Act of 1986 (TEFRA) regarding the proposed issuance of revenue bond. A portion of the proceeds of the Bonds will be used by BRIDGE Housing (the "Borrower") to finance the cost of acquisition, construction, renovation, rehabilitation and remodeling of California Hill Apartments, located at 1700 Broadway Street, Concord, California. The facility will be 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: Item withdrawn from the calendar.**

- 3) **Proposed Amendment to Concord Municipal Code – Multi-Family Housing Inspection and Maintenance Code** – consideration of a proposed amendment to the Concord Municipal Code, Article XIV, entitled Multi-Family Rental Dwelling Unit Inspection and Maintenance Code; Article IV, entitled Uniform Building Code; and Article V, entitled Boards, Commissions, and Committees. Recommended by Building, Engineering and Neighborhood Services.

**ACTION: Public hearing set for May 16, 2006 at 6:30 p.m.**

#### **4. CITY COUNCIL PUBLIC HEARINGS**

- a) **2006-07 Community Development Block Grant – 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 the Community Services Commission. Resolution 06-34 for adoption. Report from Community Services Manager, Teri House.

**ACTION: 2006-07 Action Plan approved and Resolution 06-34 adopted.**

- b) **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) **This item was continued from the meeting of March 14, 2006 with the Public Hearing open.**

**ACTION: Open Public Hearing continued to Tuesday, June 27, 2006.**

- c) **John Muir Health Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing** - held in accordance with Section 147(f) of the Internal Revenue Code (the "Code") to consider a proposed issuance by the 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. Resolution 06-33 for adoption. Report by John Montagh, Business Development Manager.

**ACTION: Resolution 06-33 adopted.**

---

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

### **5. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR**

- a. **Approving** – a Master Agreement with Origins Design Network in the amount of \$30,000 to provide architectural and design consulting services to the City of 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. (4-1; Hoffmeister - No)**

### **6. CORRESPONDENCE**

- a. **Eleven letters dated March 13, 2006 urging inclusionary housing be removed from the proposed condominium conversion ordinance.**

### **7. CLOSED SESSION REPORTS - None**

**8. COUNCIL AND STAFF REPORTS**

- a. Councilmembers gave brief reports on their recent activities.**

**9. ADJOURNMENT – at 8:38 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, May 9, 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.