



ANNOTATED AGENDA

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

**Tuesday, June 13, 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

PUBLIC COMMENT PERIOD

Robert Moreau expressed his opinion concerning business opportunities for Concord.

- 1. PRESENTATION - of Concord Business Recognition Awards to Concord Nissan, Orchard Supply Hardware, and Suwa's Restaurant. Report from Business Development Manager John Montagh.**

ACTION: Recognition Awards presented to Concord Nissan, Orchard Supply Hardware, and Suwa's Restaurant.

- 2. PRESENTATION - of a Certificate of Recognition to Concord resident Michelle Viezcas, 5th grade student at Fair Oaks Elementary, winner of the Mr. Funnelhead Magnet Art Contest, part of the Clear Water Program. Report by Mayor Bonilla.**

ACTION: Mayor presented a Certificate of Recognition to Michelle Viezcas.

- 3. PRESENTATION - update on the Ygnacio Valley Road repair. Report by Alex Pascual, Director of Building, Engineering, and Neighborhood Services.**

ACTION: Alex Pascual, Director of Building, Engineering, and Neighborhood Services, presented an update on the Ygnacio Valley Road landslide repairs.

4. ANNOUNCEMENTS - None

**CITY COUNCIL
MATTERS**

5. CITY COUNCIL CONSENT CALENDAR

- a. **Approval of Minutes** - of April 11, April 25, May 9, May 10, May 16, and May 23, 2006. Recommended by City Clerk.

ACTION: Minutes approved.

- b. **Approving** - a professional services agreement with Hanson, Bridgett, Marcus, Vlahos, Rudy, LLP for legal services relating to the City of Concord Retirement Plan in an amount not to exceed \$40,000 covering Fiscal Year 2005-06 and Fiscal Year 2006-07, and authorizing the City Manager to execute the agreement. Recommended by Director of Human Resources.

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

- c. **Adoption of Ordinance 06-5 - 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. Ordinance 06-5 was introduced on May 16, 2006.

ACTION: Ordinance 06-5 adopted.

- d. **Matters to Set for Public Hearing** - on Tuesday, June 27, 2006 at 6:30 p.m. and waiving the three-week noticing requirement -

- 1) **Proposed Amendment to the Concord Municipal Code – Door-to-Door Solicitation** – Proposed Amendment to the Municipal Code Chapter 18 (Business and Business Regulations), adding Article XII Regulating Solicitors and Peddlers. Recommended by Council Committee on Neighborhood and Community Services.

ACTION: Public Hearing set for Tuesday, June 27, 2006 at 6:30 p.m. and three-week noticing requirement waived.

- 2) **Industrial Condominiums** – consideration of an application by DLR Ventures for a Preliminary Development Plan (PDP) for the construction of three multi-tenant light industrial buildings totaling 54,272 sq. ft. on a 2.81-acre site at the northwest corner of Arnold Industrial Way and Industrial Way. The General Plan designation is Industrial Business Park; Zoning classification is PD (Planned District); APN's 159-060-083, -084. Recommended by the Planning Commission.

ACTION: Public Hearing set for Tuesday, June 27, 2006 at 6:30 p.m. and three-week noticing requirement waived.

- e. **Awarding** - a construction contract in the amount of \$168,309 to K-W Western of Reno, Nevada for Project No. 2752.4, Camp Concord ADA Restroom Improvements and Boys Shower Modifications; and approve a related budget transfer in the amount of \$212,909. Bids were opened on Thursday, March 2nd at 10 a.m. Recommended by Director of Building, Engineering and Neighborhood Services.

ACTION: Contract awarded; budget transfer approved.

- f. **Awarding** - a contract for RFB #2051, Remove and Replace Gutters on the Corporation Yard Garage, to Metal Building Company of Oakland, as the lowest responsible bidder in the amount of \$14,330. Bids were opened on May 15, 2006 at 1:00 p.m. Recommended by Director of Public Works.

ACTION: Contract awarded.

- g. **Awarding** - a contract for RFB #2049, Installation of a Pedestrian Warning Beacon at the Crosswalk of Willow Pass Road and San Vincente Drive, to W. Bradley Electric of Novato, as the lowest responsible bidder in the amount of \$12,969. Bids were opened at 10:30 a.m. on Friday, May 19, 2006. Recommended by Director of Public Works.

ACTION: Contract awarded.

- h. **Awarding** – a contract for RFB #2052, Repair of Damaged Guardrail on Bailey Road near the north end of the city limits, to M. Baumgarner, Inc. of Livermore, as the lowest responsible bidder in the amount of \$13,670. Bids were opened at 10:00 a.m. on May 23, 2006. Recommended by Director of Public Works.

ACTION: Contract awarded.

6. CITY COUNCIL PUBLIC HEARING

- a) **Landscape and Lighting Maintenance Districts** - public hearing to consider confirming assessment diagrams and levying annual assessments for Fiscal Year 2006-07 related to the following landscape and lighting maintenance districts.
Report from Director of Public Works.

- 1) Confirming the Assessment Diagram and Levy of Assessments for the Downtown Landscape Maintenance District for Fiscal Year 2006-07. Resolution 06-42 for adoption.

ACTION: Resolution 06-42 adopted confirming the assessment diagram and levying the annual assessment for 2006-07.

- 2) Confirming the Assessment Diagram and Levy of Assessments for the Pine Hollow Landscape and Lighting Maintenance District for Fiscal Year 2006-07. Resolution 06-43 for adoption.

ACTION: Resolution 06-43 adopted confirming the assessment diagram and levying the annual assessment for 2006-07.

- 3) Confirming the Assessment Diagram and Levy of Assessments for the Landscaping and Lighting Maintenance District #3 for Fiscal Year 2006-07. Resolution 06-44 for adoption.

ACTION: Resolution 06-44 adopted confirming the assessment diagram, and levying the annual assessment for 2006-07.

- 4) Confirming the Assessment Diagram and Levy of Assessments for the Citywide Street Lighting Assessment District for Fiscal Year 2006-07. Resolution 06-45 for adoption.

ACTION: Resolution 06-45 adopted confirming the assessment diagram and levying the annual assessment for 2006-07.

REDEVELOPMENT AGENCY

7. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

- a. **Matter to be set for Public Hearing** – on Tuesday, July 25, 2006 at 6:30 p.m. - **Central Concord Redevelopment Plan Debt Time Limit** - consideration of adopting an ordinance to amend the Redevelopment Plan to extend the time limit of the effectiveness of the plan and the time limit to repay indebtedness by one year for each year in which an Educational Revenue Augmentation Fund (ERAF) payment is made to Contra Costa County. Recommended by Director of Planning and Economic Development.

ACTION: Public hearing set for Tuesday, July 25, 2006 at 6:30 p.m.

8. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING

- a) **Approval of Fiscal Year 2006-07 Budgets for the City of Concord and Concord Redevelopment Agency, Ten-Year Financial Plans and Related Items** – consideration of the following matters relating to the 2006-07 Budgets.

- 1) **Proposed Amendments to the Master Fees and Charges Resolution** - consideration of amending the Master Fees and Charges Resolution for fees relating to various municipal services, including but not limited to Administrative Fees; Business, Professional and Trades Fees; Parks and Recreation Fees; Permit Center Fees; Police Fees; Off-Site Street Improvement Program (OSIP) Fees; and Parkland In-Lieu Fees. Data is available, as required by Government Code Title 7, Division 1, Chapter 8 Section 66016. Please contact Margaret Lefebvre, Director of Finance, at (925) 671-3078.
- 2) **Annual Appropriation Limits and Adjustment Factors** - approving annual appropriation limits and adjustment factors for Fiscal Year 2006-07, pursuant to Article XIII B of the California Constitution.

- 3) **2006-07 City of Concord Budget, Ten-Year Financial Plan and Capital Improvement Program** - consideration of Fiscal Year 2006-07 City of Concord Budget and Ten-Year Financial Plan, and adoption of the 2006-07 Capital Improvement Program.
- 4) **2006-07 City of Concord Redevelopment Agency Budget** - consideration of 2006-07 City of Concord Redevelopment Agency Budget. Redevelopment Agency.

ACTION: Public Hearing opened, testimony received and public hearing continued to Tuesday, June 27, 2006 at 6:30 p.m. in the Council Chamber.

9. CORRESPONDENCE

- a. Letter dated May 18, 2006 to Senator Lowenthal opposing SB 1800, General Plans; Housing.
- b. Letter dated May 18, 2006 to Senator Murray supporting SB 1431, Public Contracts, Design-build Contracting.
- c. Letter dated May 26, 2006 to Senator Dunn opposing AB 573, Indemnification, Design Professionals.
- d. Letter dated May 30, 2006 to Assemblymember Canciamilla opposing AB 2987, Digital Infrastructure and Video Competition Act of 2006.
- e. Letters dated May 31, 2006 to Senator D. Feinstein and Senator B. Boxer opposing S. 2686, Communications, Consumer's Choice, and Broadband Deployment Act of 2006.
- f. Letter received June 5, 2006 from L. Stiles regarding Animal Control Services.
- g. Memorandum from Alex Pascual, Director of Building, Engineering, and Neighborhood Services entitled "Errata to the Proposed CIP/TIP 10-Year Plan".

10. CLOSED SESSION REPORTS - None

11. COUNCIL AND STAFF REPORTS

Councilmembers made comments.

12. ADJOURNMENT – at 8:40 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, June 27, 2006

MEETING RECORDS

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