



ANNOTATED AGENDA

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

**Tuesday, June 27, 2006
6:30 p.m. – Council Chamber
1950 Parkside Drive**

6:30 p.m. – Council Chamber

ROLL CALL – All present.

PLEDGE TO THE FLAG – Vice Mayor Peterson

PUBLIC COMMENT PERIOD

Joe Partansky encouraged attendance at the July 10, 2006 Human Relations Commission meeting to hear the annual Americans with Disabilities Act (ADA) updates.

1. ANNOUNCEMENTS

Mayor Bonilla invited the community to attend the Classic Car Show being held in conjunction with the Thursday Music and Market Series on June 29, 2006 and the 4th of July festivities planned for the Todos Santos Plaza.

**CITY COUNCIL
MATTERS**

2. CITY COUNCIL CONSENT CALENDAR

- a. **Approval of Minutes** – of June 10, 2006. Recommended by City Clerk.

ACTION: Minutes approved.

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- b. **Approving** – the following actions for the provision of Senior Shopping Shuttle Service. Recommended by the Community Services Commission.
- 1) Amending the 2006-07 Action Plan for Federal Community Development Block Grant Public Services funding to allocate \$35,000 to Rehabilitation Services of Northern California for provision of the service; and
 - 2) Entering into a one-year agreement with Rehabilitation Services of Northern California in an amount of \$50,000, including Federal Community Development Block Grant funds of \$35,000 and CIP No. 1016 Senior Transportation funds of \$15,000.

ACTION: Action Plan amended and agreement approved.

- c. **Approving** – year-end write-off of uncollectible accounts receivable in the amount of \$ 24,793.45. Recommended by Director of Finance.

ACTION: Year-end write-off of uncollectible funds approved.

- d. **Awarding** – a construction contract in the amount of \$275,088 to Enterprise Roofing Services, Inc. of Concord for Project No. 2031, Centre Concord Roof Repairs. Bids were opened on Friday, June 9, 2006 at 1:00 p.m. Recommended by Director of Building, Engineering, and Neighborhood Services.

ACTION: Contract awarded.

- e. **Approving** – an agreement with the First 5 Contra Costa Children and Families Commission to manage the grant for programs and services for Fiscal Year 2006-07 for the Monument Community First 5 Center, and authorizing the City Manager to execute the agreement. Recommended by Director of Community and Recreation Services.

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

- f. **Approving** – Master Agreements with Associated Engineering Consultants, Associated Right of Way Services (ARWS), Azari Engineering, Bellecci & Associates, Blymyer Engineers, Inc., Cole Management & Engineering, Harris & Associates, Harrison Engineering, Inc., and Leptien, Cronin, Cooper Inc. (LCC) for professional engineering services on various capital projects; and authorizing the City Manager to execute the agreements. Recommended by Director of Building, Engineering, and Neighborhood Services.

ACTION: Agreements approved; City Manager authorized to execute them.

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- g. **Approving** - Master Agreements for professional services with R-Computer of Pleasant Hill, in the amount of up to \$100,000 per year through June 30, 2009, and with Quest of Sacramento for technology consulting services in the amount of up to \$100,000 per year through June 30, 2009, and authorizing the City Manager to execute the agreements. Recommended by Director of Information Technology.

ACTION: Agreements approved; City Manager authorized to execute them.

- h. **Matters to be set for public hearing** – on Tuesday, July 25, 2006, at 6:30 p.m. in the Council Chamber:

- 1) **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. This matter was originally set for public hearing for May 23, 2006, but continued from that meeting to a date uncertain. Recommended by Director of City Management.

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

- 2) **Comcast Franchise Renewal - Comcast Franchise Agreement** - consideration of a 15-year non-exclusive cable television franchise agreement with Comcast, renewing the current agreement with new terms and conditions. This matter was originally set for public hearing for May 23, 2006, but continued from that meeting to a date uncertain. Recommended by the Council Committee on Infrastructure & Franchise.

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

- 3) **La Villa Bella** – consideration of an application by Strategic Investment for a General Plan Amendment to High Density Residential and to amend the Downtown Business District zoning map from Office to High Density residential for 12 town houses on a 0.29-acre site at 2383 Salvio Street. The General Plan designation is Community Office; Zoning classification is DB (Downtown Business); APN 112-135-011. Recommended by the Planning Commission.

ACTION: This item was pulled from the Council agenda.

- i. **Accepting** – a Grant from the State of California Office of Traffic Safety in the amount of \$147,066 to be used for a driving under the influence (DUI) enforcement, awareness and vehicle impound program beginning in Fiscal Year 2006-07. Recommended by Chief of Police.

ACTION: Grant accepted and appropriation approved.

- j. **Approving** – the renewal of a maintenance support agreement with Lawson Software in the amount of \$55,480.24 for Fiscal Year 2006-07, providing for optional renewal for up to three additional years at a 4% annual increase, and authorizing the City Manager to execute the agreement. Recommended by Director of Information Technology.

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

- k. **Approving** - an agreement with Motorola to perform maintenance of hardware for the mobile data computers at a total cost of \$116,063.16 and authorize the City Manager to approve any minor amendments and to execute the agreement. Recommended by Chief of Police.

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

- l. **Approving** – a request by the City of Pleasant Hill to allow SunValley Mall and certain other City of Concord commercial properties to be included in the Pleasant Hill Landscaping and Lighting Assessment District #20, Commercial Landscaping and Lighting. Resolution No. 06-52 for adoption. Recommended by Director of Public Works.

ACTION: Resolution 06-52 adopted.

- m. **Approving** – modifications to the Executive and Management Compensation Program applying California Public Employee Retirement (CalPERS) Regulations and authorizing its implementation. Resolution 06-53 for adoption. Recommended by Director of Human Resources.

ACTION: Resolution 06-53 adopted.

3. CITY COUNCIL PUBLIC HEARING

- a. **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. Introduction of Ordinance 06-6. Recommended by Council Committee on Neighborhood and Community Services.

ACTION: Ordinance 06-6 introduced by reading of the title only and waiving further reading.

- b. **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. Resolution 06-49 for adoption. Recommended by the Planning Commission.

ACTION: Resolution 06-49 adopted, approving the Preliminary Development Plan as recommended.

- c. **Proposed Amendment to the Concord Municipal Code – Condominium Conversions** - 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. **This item was continued from the meetings of March 14 and April 25, 2006 with the Public Hearing open.** Introduction of Ordinance 06-3. Recommended by the Planning Commission (4-1; Brumley - No)

ACTION: Ordinance 06-3 introduced by reading of the title only and waiving further reading with the following modifications: 1) delete requirement for tenant notices in languages other than English; 2) delete requirement to offer lifetime leases to tenants over 60 years of age; 3) delete the entire affordable housing component; 4) require the establishment of a Homeowners Association for all conversion projects; and 5) remove personal information questions from Sec. 94-174 "Application Requirements."

JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY

4. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

- a. **Approving** – transmittal of the proposed Redevelopment Plan Amendment Preliminary Report for sub-areas in North Concord, along Willow Pass Corridor, and Monument Boulevard Corridor and Draft Environmental Report to each affected taxing agency, and referring the proposed Redevelopment Plan Amendment to the Planning Commission for review of consistency with General Plan. Resolution 06-685 and 06-686 for adoption. Recommended by Director of Planning and Economic Development.

ACTION: Resolutions 06-685 and 06-686 adopted.

- b. **Approving** – City of Concord and Concord Redevelopment Agency Statements of Investment Policy. Recommended by Director of Finance.

ACTION: City of Concord and Concord Redevelopment Agency Statements of Investment Policy approved.

5. 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. **Continued from June 13, 2006 with the public hearing open. Report from City Manager/Executive Director Lydia E. Du Borg.**

- 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. If you have questions please contact Peggy Lefebvre, Director of Finance, at 671-3078. City Council Resolution 06-6042.2 for adoption.

ACTION: Resolution 06-6042.2 adopted.

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- 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. City Council Resolution 06-46 for adoption.

ACTION: Resolution 06-46 adopted as recommended.

- 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. City Council Resolution 06-47 for adoption.

ACTION: Resolution 06-47 adopted, approving the 2006-07 City of Concord Budget, Ten-Year Financial Plan and Capital Improvement Program, removing the Treat Boulevard/Oak Grove Plaza Driveway Traffic Signal from the project list for more study, and including the recommendation for a future study and consideration of landscape median improvements along Bailey Road.

- 4) **2006-07 City of Concord Redevelopment Agency Budget** - consideration of 2006-07 City of Concord Redevelopment Agency Budget. Redevelopment Agency. Redevelopment Agency resolution 06-684 for adoption.

ACTION: Redevelopment Agency Resolution 06-684 adopted, approving the 2006-07 City of Concord Redevelopment Agency Budget as recommended.

6. CORRESPONDENCE

- a. Letter dated June 8, 2006 to Assemblyman J. Canciamilla opposing SB 1206 – Redevelopment Law.
- b. Letter dated June 5, 2006 to Senator M. Escutia opposing AB 2987 – Digital Infrastructure and Video Competition Act of 2006.
- c. Memo from City Manager Lydia Du Borg to the Mayor and City Council dated June 27, 2006 regarding pulling Item 2.h.3 La Villa Bella Town House from the agenda.

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- d. Memo dated June 27, 2006 from Alex Pascual, Director of Building, Engineering and Neighborhood Services to City Manager Lydia Du Borg, entitled “Treat Blvd./Oak Grove Plaza Driveway Traffic Signal”.
 - e. Memo dated June 27, 2006 from Alex Pascual, Director of Building, Engineering, and Neighborhood Services to City Manager Lydia Du Borg, entitled “Errata to the Proposed CIP/TIP 10-Year Plan”.
 - f. Revised Staff Report and attachments for Item 2.M dated June 27, 2006, entitled A RESOLUTION APPROVING MODIFICATIONS TO THE EXECUTIVE AND MANAGEMENT COMPENSATION PROGRAM FOR UNREPRESENTED EMPLOYEES APPLYING CALIFORNIA PUBLIC EMPLOYEE RETIREMENT SYSTEM (CALPERS) REGULATIONS AND AUTHORIZING ITS IMPLEMENTATION”.
 - g. Colored renditions of Exhibit A and B to Attachment 5 and Exhibit A to Attachment 4, referencing Item 4.1.
 - h. Revised Ordinance 06-3.

7. CLOSED SESSION REPORTS - None

8. COUNCIL AND STAFF REPORTS

Councilmembers shared highlights of the events they had attended during the past week and invited the community to attend one of the “Singing Flag” productions scheduled for the Dave Brubeck Park on July 2, 3, and 4.

9. ADJOURNMENT – at 9:39 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, July 11, 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.