

REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL
AND REDEVELOPMENT AGENCY
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
FEBRUARY 11, 2003

The Concord City Council and Redevelopment Agency met in a regular joint meeting on Tuesday, February 11, 2003. The meeting convened at 6:30 p.m. in the Council Chamber, with Vice Mayor/Agencymember Allen presiding. The pledge to the flag was led by Councilmember McManigal. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Susan Bonilla, Laura Hoffmeister, Bill McManigal, Helen Allen

COUNCILMEMBERS ABSENT: Mark Peterson

STAFF PRESENT: Ed James, City Manager; Mary Rae Lehman, City Clerk; Craig Labadie, City Attorney; Lydia Du Borg, Assistant City Manager; Greg Jones, Assistant City Manager; Jim Forsberg, Director of Planning and Economic Development; Mike Vogan, Director of Public Works-Maintenance Services; Helen Bean, Economic Development/ Redevelopment Manager

MEMBERS OF AUDIENCE
WHO ADDRESSED COUNCIL: None

PUBLIC COMMENT PERIOD

There were no public comments.

CITY COUNCIL MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by McManigal to approve the minutes of January 14, January 29 and January 30, 2003. Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen

NOES: None

ABSENT: Peterson

ADOPTION OF RESOLUTION 03-7 - NPDES Program and Drainage System Maintenance Fees

Motion was made by Hoffmeister and seconded by McManigal to adopt Resolution 03-7, entitled "A RESOLUTION AUTHORIZING THE CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT TO ESTABLISH AN ANNUAL PARCEL ASSESSMENT FOR FY 2003-04 FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM," maintaining the current ERU rate of \$35.00 per single-family parcel. Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen

NOES: None

ABSENT: Peterson

ADOPTION OF RESOLUTION 03-8 - Department of Conservation's Division of Recycling Grant Request

Motion was made by Hoffmeister and seconded by McManigal to adopt Resolution 03-8, entitled "A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT FUNDING REQUEST TO THE DEPARTMENT OF CONSERVATION'S DIVISION OF RECYCLING AND DESIGNATING THE CITY MANAGER TO RECEIVE AND EXPEND AVAILABLE FUNDS ON BEHALF OF THE CITY OF CONCORD." Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen NOES: None ABSENT: Peterson

ADOPTION OF RESOLUTION 03-9 - Ordering Engineer's Report, Downtown Landscape Maintenance District

Motion was made by Hoffmeister and seconded by McManigal to adopt Resolution 03-9, entitled "A RESOLUTION ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT," ordering the preparation of the Engineer's Report for the levy of annual assessments. Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen NOES: None ABSENT: Peterson

ADOPTION OF RESOLUTION 03-10 - Ordering Engineer's Report, Pine Hollow Landscape Maintenance District

Motion was made by Hoffmeister and seconded by McManigal to adopt Resolution 03-10, entitled "A RESOLUTION ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE PINE HOLLOW LANDSCAPE MAINTENANCE DISTRICT," ordering the preparation of the Engineer's Report for the levy of annual assessments. Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen NOES: None ABSENT: Peterson

ADOPTION OF RESOLUTION 03-11 - Ordering Engineer's Report, Landscaping and Lighting Maintenance District #3

Motion was made by Hoffmeister and seconded by McManigal to adopt Resolution 03-11, entitled "A RESOLUTION ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT #3," ordering the preparation of the Engineer's Report for the levy of annual assessments. Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen NOES: None ABSENT: Peterson

ADOPTION OF RESOLUTION 03-12 - Ordering Engineer's Report, Citywide Street Lighting Assessment District

Motion was made by Hoffmeister and seconded by McManigal to adopt Resolution 03-12, entitled "A RESOLUTION ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR THE CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT," ordering the preparation of the Engineer's Report for the levy of annual assessments. Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen NOES: None ABSENT: Peterson

AGREEMENT WITH BERRYMAN & HENIGAR - Engineering Services for 2003/2004 Landscape and Lighting Assessment Districts

Motion was made by Hoffmeister and seconded by McManigal to approve an agreement with Berryman & Henigar in the amount of \$30,200 to provide engineering services for the City of Concord's 2003/2004 Landscape and Lighting Assessment Districts, and to authorize the City Manager to execute the agreement. Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen NOES: None ABSENT: Peterson

RISK MANAGEMENT - Review of Liability Coverage Proposals

City Attorney Craig Labadie presented a brief report, referring to his memorandum dated February 11, 2003 regarding liability coverage proposals. He introduced Risk Management Consultant, Michael Kaddatz of Advanced Risk Management Techniques (ARMTech), who presented a detailed report regarding liability coverage proposals. He described the criteria used to select prospective providers and said that out of the four selected, one declined to submit a proposal and another wished to postpone its response for a year. He presented a preliminary comparison of the two risk management pools, CPEIA and CJPRMA, comparing factors such as liability loss history, expected loss levels, member cities, and various other components of coverage.

Councilmembers asked questions of the consultant and requested that more detailed information be provided, including the cost of the optional additional coverages described in the presentation, and the impact of handling more claims in-house on City Attorney's Office staff workloads.

Following discussion, motion was made by McManigal and seconded by Hoffmeister to authorize staff to obtain final proposals for liability coverage and return to the City Council with a final recommendation for a new risk management program. Motion passed by the following vote of the Council:

AYES: Bonilla, Hoffmeister, McManigal, Allen NOES: None ABSENT: Peterson

REDEVELOPMENT AGENCY MATTERS

LOAN MODIFICATION AGREEMENT - Contra Costa Software Business Incubator

This item was removed from the Consent Calendar at the request of Agencymember McManigal.

Economic Development/Redevelopment Manager Helen Bean presented a report, stating that the proposed Loan Modification Agreement extends support for CCSBI through June 30, 2003, with a potential additional extension through June 30, 2004 at the authority of the Executive Director if CCSBI meets specific performance criteria related to maintaining the property and improving CCSBI's financial condition. The proposed agreement also broadens the definition of success fees and increases the Agency's share from 50 to 65 percent, she said. In order to allow CCSBI maximum flexibility in managing its leases, the proposed agreement no longer requires CCSBI to have a success fee agreement with each tenant.

Linda Best, CCSBI Boardmember, stated that the Board has approved the proposed modifications and is aware of the need to become financially independent.

Agencymember McManigal requested that a report be brought back to the Agency Board during its budget deliberations in June, giving a status report on the Incubator's progress in achieving its financial objectives and regarding the Executive Director's decision relating to extending the period of support.

Following discussion, motion was made by McManigal and seconded by Allen to approve the loan modification agreement between the Concord Redevelopment Agency and the Contra Costa Software Business Incubator, with a report to be brought back to the Agency Board regarding the Executive Director's decision during the budget hearings in June. Motion passed by the following vote of the Agency:

AYES: Allen, Bonilla, McManigal, Hoffmeister

NOES: None

ABSENT: Peterson

By order of the chair, the meeting was adjourned at 7:23 p.m.

APPROVED:

HELEN M. ALLEN
VICE MAYOR/AGENCYMEMBER

LAURA M. HOFFMEISTER
COUNCILMEMBER/AGENCY CHAIR

MARY RAE LEHMAN
CITY CLERK/AGENCY SECRETARY