

REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL
AND REDEVELOPMENT AGENCY
COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
MAY 6, 2003

The Concord City Council and Redevelopment Agency met in a regular joint meeting on Tuesday, May 6, 2003 in the Council Chamber. The meeting convened at 6:08 p.m., with Mayor/Agencymember Peterson presiding. The pledge to the flag was led by Councilmember Hoffmeister. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Helen Allen, Susan Bonilla, Laura Hoffmeister, Bill McManigal, Mark Peterson (Bonilla arrived at 6:16 p.m.)

COUNCILMEMBERS ABSENT: None

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; Alex Pascual, Director of Public Works-Engineering Services; Mike Vogan, Director of Public Works-Maintenance Services; Ron Puccinelli, Director of Information Technology; Jim Forsberg, Director of Planning and Economic Development; Hamid Pouya, Director of Building and Neighborhood Services; Ron Ace, Chief of Police; Mark Deven, Director of Parks and Recreation; Peter Dragovich, Director of City Management; Ron Howard, Director of Finance

MEMBERS OF AUDIENCE
WHO ADDRESSED COUNCIL: None

PUBLIC COMMENT PERIOD

There were no public comments.

ANNOUNCEMENTS

Mayor Peterson announced the extension of the recruitment period for openings on the Status of Women Commission and the Community Services Commission.

SETTING FOR PUBLIC HEARING - Proposed Amendment to the Municipal Code, Secondary Living Units

Motion was made by Allen and seconded by McManigal to set a public hearing for Tuesday, May 27, 2003 at 6:30 p.m. in the Council Chamber to consider amending Concord Municipal Code Chapter 122, Section 122-310 to eliminate requirements for discretionary review of secondary living units, as mandated by State law. Motion passed by the following vote of the Council:

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

SETTING FOR PUBLIC HEARING - Proposed Amendment to the Municipal Code, Sewer Fees

Motion was made by Allen and seconded by McManigal to set a public hearing for Tuesday, June 3, 2003 at 6:30 p.m. in the Council Chamber to consider amending Concord Municipal Code Chapter 110, Utilities; Article II, Sewer System; Section 110-32, Rates and Charges Established; Paragraph (c), Annual Sewer Service Charges, increasing the minimum annual sewer service charge by \$12 per year and increasing other corresponding charges as stated in Paragraph (c). Motion passed by the following vote of the Council:

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

ADOPTION OF ORDINANCE 03-1 - Churches, Lodges, Fraternal and Community Services Organizations

Motion was made by Allen and seconded by McManigal to adopt Ordinance 03-1, entitled "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 122 (ZONING), ARTICLE III (DISTRICTS AND DISTRICT REGULATIONS), RELATING TO ACCESS FROM A MAJOR STREET OR ARTERIAL FOR CHURCHES, LODGES, FRATERNAL, AND COMMUNITY SERVICE ORGANIZATIONS; AND ARTICLE IV (GENERAL PROVISIONS AND EXCEPTIONS), REQUIRING MAJOR STREET ACCESS FOR CHILD CARE CENTERS," pertaining to provisions for churches, lodges, fraternal and community service organizations in the Single Family Residential, Duplex, Multi-Family Residential, and Apartment and Professional Office Zoning Districts, to make the City's Zoning Ordinance consistent with the General Plan. Motion passed by the following vote of the Council:

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

ADOPTION OF ORDINANCE 03-2 - Drainage Fees

Motion was made by Allen and seconded by McManigal to adopt Ordinance 03-2, entitled "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 110 (UTILITIES), ARTICLE IV (DRAINAGE FEES), DIVISION 3 (LOCAL DRAINAGE AREAS)," deleting the fees from the Code and moving them to the Resolution of Fees and Charges. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION 03-21 - Accepting Engineer's Report, Downtown Landscape Maintenance District

Motion was made by Allen and seconded by McManigal to adopt Resolution 03-21, entitled "A RESOLUTION ACCEPTING THE ENGINEER'S REPORT FOR THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT." Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION 03-22 - Accepting Engineer's Report, Pine Hollow Landscape and Lighting Maintenance District

Motion was made by Allen and seconded by McManigal to adopt Resolution 03-22, entitled "A RESOLUTION ACCEPTING THE ENGINEER'S REPORT FOR THE PINE HOLLOW LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT." Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION 03-23 - Accepting Engineer's Report, Landscaping and Lighting Assessment District #3

Motion was made by Allen and seconded by McManigal to adopt Resolution 03-23, entitled "A RESOLUTION ACCEPTING THE ENGINEER'S REPORT FOR THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT #3." Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION 03-24 - Accepting Engineer's Report, Concord Citywide Street Lighting Assessment District

Motion was made by Allen and seconded by McManigal to adopt Resolution 03-24, entitled "A RESOLUTION ACCEPTING THE ENGINEER'S REPORT FOR THE CONCORD CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT." Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION OF INTENTION 03-25 - Downtown Landscape Maintenance District

Motion was made by Allen and seconded by McManigal to adopt Resolution of Intention 03-25, entitled "A RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS AND TO SET A PUBLIC HEARING FOR THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT," ordering improvements in the Downtown Landscape Maintenance District and setting a public hearing for June 3, 2003 at 6:30 p.m. in the Council Chamber. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION OF INTENTION 03-26 - Pine Hollow Landscape Maintenance District

Motion was made by Allen and seconded by McManigal to adopt Resolution of Intention 03-26, entitled "A RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS AND TO SET A PUBLIC HEARING FOR THE PINE HOLLOW LANDSCAPE MAINTENANCE DISTRICT," ordering improvements in the Pine Hollow Landscape Maintenance District and setting a public hearing for June 3, 2003 at 6:30 p.m. in the Council Chamber. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION OF INTENTION 03-27 - Landscaping and Lighting Maintenance District #3

Motion was made by Allen and seconded by McManigal to adopt Resolution of Intention 03-27, entitled "A RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS AND TO SET A PUBLIC HEARING FOR THE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT #3," ordering improvements in the Landscaping and Lighting Maintenance District #3 and setting a public hearing for June 3, 2003 at 6:30 p.m. in the Council Chamber. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION OF INTENTION 03-28 - Citywide Street Lighting Assessment District

Motion was made by Allen and seconded by McManigal to adopt Resolution of Intention 03-28, entitled "A RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS AND TO SET A PUBLIC HEARING FOR THE CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT," ordering improvements in the Citywide Street Lighting Assessment District and setting a public hearing for June 3, 2003 at 6:30 p.m. in the Council Chamber. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION 03-29 - Pleasant Hill Landscaping and Lighting Assessment District No. 20

Motion was made by Allen and seconded by McManigal to adopt Resolution 03-19, entitled "A RESOLUTION APPROVING THE REQUEST OF THE CITY OF PLEASANT HILL TO ALLOW SUNVALLEY MALL AND CERTAIN OTHER CITY OF CONCORD COMMERCIAL PROPERTIES TO BE INCLUDED IN PLEASANT HILL LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT #20, COMMERCIAL LANDSCAPING AND LIGHTING." Motion passed by the following vote of the Council:

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

AGREEMENT WITH PRECARE, INC. - Physical Therapy Services

Motion was made by Allen and seconded by McManigal to approve an agreement with PreCare Inc. for on-site physical therapy services for employees who have sustained on-the-job injuries, and to authorize the City Manager to execute the agreement. Motion passed by the following vote of the Council:

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

DESIGNATION OF VOTING DELEGATE - League of California Cities Special Meeting

Motion was made by Allen and seconded by McManigal to designate Councilmember Hoffmeister as Voting Delegate to attend the League of California Cities' Special Meeting of the General Assembly on May 15, 2003 in Sacramento to consider proposals to address the state budget crisis. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION 03-30 - Amendment to State Master Agreement

Motion was made by Allen and seconded by McManigal to adopt Resolution 03-30, entitled "A RESOLUTION APPROVING AMENDMENT TO MASTER AGREEMENT, ADMINISTERING AGENCY-STATE AGREEMENT FOR STATE FUNDED PROJECTS, AGREEMENT NO. 000135 WITH STATE DEPARTMENT OF TRANSPORTATION TO INCLUDE PROGRAM SUPPLEMENT NO. 920 PROVIDING FUNDING FOR WREN AVENUE ELEMENTARY SCHOOL WALKWAY, CITY PROJECT NO. 201 AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS-ENGINEERING SERVICES TO EXECUTE PROGRAM SUPPLEMENT NO. 920." Motion passed by the following vote of the Council:

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

ACCEPTANCE OF IMPROVEMENTS - Project No. 113, Treat Boulevard Median Landscape Improvements

Motion was made by Allen and seconded by McManigal to accept improvements for Project No. 113, Treat Boulevard Median Landscape Improvements (Clayton Road to Cowell Road), constructed by Cleary Brothers, and to direct the City Clerk to file the Notice of Completion. Motion passed by the following vote of the Council:

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

REDEVELOPMENT AGENCY MATTERS

AGREEMENT WITH ASSOCIATED RIGHT OF WAY SERVICES - Relocation, Planning and Coordination for Galindo Street Project

Councilmember Hoffmeister noted an error in the addition on page 4 of the Report to Council. Staff stated that the error would be corrected.

Motion was made by Allen and seconded by McManigal to approve an agreement with Associated Right of Way Services, Inc. (AR/WS) to provide right-of-way relocation, planning, coordination negotiations and support services for the 4.04-acre Galindo Street redevelopment project, and to authorize the Executive Director to execute the agreement. Motion passed by the following vote of the Agency:

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

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MATTERS

BUDGET OVERVIEW - for Fiscal Year 2003/04 and Ten-Year Financial Plan

City Manager Ed James presented an overview of the City of Concord Budget for Fiscal Year 2003/04 and the Ten-Year Financial Plan.

REVENUE/APPROPRIATION ASSUMPTIONS

Director of Finance Ron Howard reported on the revenue and appropriation assumptions for fiscal year 2003/04.

GENERAL FUND FOR FISCAL YEAR 2003/04 AND TEN-YEAR PLAN

The City Manager presented a report on the General Fund for Fiscal Year 2003/04 and the Ten-Year Plan.

ENTERPRISE, SPECIAL REVENUE AND REDEVELOPMENT AGENCY TEN-YEAR PLANS

Director of Planning and Economic Development Jim Forsberg reported on the Redevelopment Agency Fund.

Public Works-Maintenance Services Mike Vogan reported on the Stormwater Fund and the Sewer Enterprise Fund.

Director of Parks and Recreation Mark Deven reported on the Diablo Creek Golf Course Fund.

Director of Leisure Services Mark Deven reported on the Diablo Creek Golf Course Fund and the Chronicle Pavilion at Concord Projection.

ASSESSMENT DISTRICTS' TEN-YEAR PLANS

Director of Public Works-Maintenance Services Mike Vogan reported on the Citywide Street Lighting Assessment District and Ten-Year Plan.

Director of Parks and Recreation Mark Deven reported on the Ten-Year Plans for the Downtown Landscape Maintenance District, Pine Hollow Landscape Maintenance District, and Landscape and Lighting Maintenance District #3 (Kirkwood, Ygnacio Woods, Balhan and Valley Terrace).

CAPITAL IMPROVEMENT PROGRAM

Director of Public Works-Engineering Services Alex Pascual reported on the City's Capital Improvement Program.

SUMMARY OF DEPARTMENTS' BUDGET REDUCTIONS

The following departments presented reports regarding methods to achieve the proposed ½% reductions in their annual operating budgets: Building and Neighborhood Services – Hamid Pouya, Director; City Attorney's Office – Craig Labadie, City Attorney; City Management – Peter Dragovich, Director; Finance – Ron Howard, Director; Human Resources – Greg Jones, Assistant City Manager; Information Technology – Ron Puccinelli, Director; Parks and Recreation – Mark Deven, Director; Planning and Economic Development – Jim Forsberg, Director; Police Department – Ron Ace, Chief of Police; Public Works-Engineering Services – Alex Pascual, Director; Public Works-Maintenance Services – Mike Vogan, Director.

ESTABLISHMENT OF RESERVE FUNDS

Assistant City Managers Lydia Du Borg and Greg Jones reported on the proposed establishment of three additional reserve funds: the Economic Contingency Reserve, the Unforecasted Reserve, and the Capital/Maintenance Reserve.

QUESTIONS FROM THE AUDIENCE REGARDING THE BUDGET

There were no questions from the audience regarding the budget.

QUESTIONS/COMMENTS FROM THE CITY COUNCIL

The City Council thanked staff for the budget workshop presentations and asked questions of staff relating to the budget.

SUMMARY COMMENTS FROM THE CITY MANAGER

The City Manager made summary comments.

By order of the Chair, the meeting was adjourned at 9:38 p.m.

MARK A. PETERSON
MAYOR/AGENCYMEMBER

LAURA M. HOFFMEISTER
COUNCILMEMBER/AGENCY CHAIR

MARY RAE LEHMAN
CITY CLERK/AGENCY SECRETARY