

REGULAR JOINT MEETING OF THE  
CONCORD CITY COUNCIL  
AND REDEVELOPMENT AGENCY  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
OCTOBER 28, 2003

The Concord City Council and Redevelopment Agency met in a regular joint meeting on Tuesday, October 28, 2003 in a study session to review the Community Services Commission funding cycle plan and prioritization for FY 2004/05. The meeting convened at 5:34 p.m. in the Permit Center Conference Room, Mayor/Agencymember Peterson presiding. All Councilmembers were present and there were no public comments. The City Council approved the proposed in the 2004-05 Funding Cycle Plan. The meeting recessed at 6:18 p.m. to reconvene in the Council Chamber.

The Concord City Council and Redevelopment Agency reconvened in the Council Chamber at 6:45 p.m., with Mayor/Agencymember Peterson presiding. The pledge to the flag was led by members of Boy Scout Troop 380. 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

COUNCILMEMBERS ABSENT: None

STAFF PRESENT: Ed James, City Manager; Lydia Du Borg, Assistant City Manager; Mary Rae Lehman, City Clerk; Craig Labadie, City Attorney; Qamar Khan, Director of Public Works-Maintenance Services; Alex Pascual, Director of Public Works-Engineering Services; Helen Bell, Director of Finance; Deborah Raines, Planning Manager; Hamid Pouya, Director of Building and Neighborhood Services; Ron Puccinelli, Director of Information Technology; Barry Dansie, Police Captain; Mark Deven, Director of Parks and Recreation; Callie Foster Struggs, Neighborhood Preservation Manager; Phillip Woods, Principal Planner; Amy Hodgett, Housing Manager

MEMBERS OF AUDIENCE  
WHO ADDRESSED COUNCIL:

PUBLIC COMMENT PERIOD

There were no public comments.

PROCLAMATION - Blue Devils Day

Mayor Peterson proclaimed October 28, 2003 as "Blue Devils Day" in the City of Concord and presented the proclamation to Pete Emmons, Manager of the Blue Devils "A" Corps, and Gail Schultz, Promotion & Development Director of the Blue Devils.

PRESENTATION - Continuing Excellence in Business Permitting Award

Linda Best, Executive Director, Contra Costa Economic Partnership, presented the City with the "Continuing Excellence in Business Permitting" Award for its outstanding Permit Center.

CERTIFICATE OF COMMENDATION - Random Act of Kindness

Following a report from Human Relations Commissioner Janis Hoyt, Mayor Peterson presented a Certificate of Commendation to Laura Hearne, a citizen recognized for performing a "Random Act of Kindness" in the community.

CERTIFICATE OF APPRECIATION - Concord Transcript Reporter Theresa Harrington

Mayor Peterson presented a Certificate of Appreciation to Theresa Harrington, former Reporter for the Concord Transcript assigned to the Concord community.

INTRODUCTIONS

City Manager Ed James introduced new Neighborhood Services Manager Callie Foster-Struggs and new Director of Public Works/Maintenance Services Qamar Khan and gave a brief background on both.

PRESENTATION - Contra Costa Water District

Contra Costa Water District President Joe Campbell presented an overview of CCWD projects and an update on the Los Vaqueros Reservoir Expansion.

ANNOUNCEMENTS

Mayor Peterson announced one opening on the Status of Women Commission for a term ending June 30, 2005 to fill an unscheduled vacancy, and announced Friday, November 28, 2003 as the deadline for the receipt of applications.

CITY COUNCIL MATTERS

APPROVAL OF MINUTES

Motion was made by Allen and seconded by Hoffmeister to approve the minutes of September 2, September 23, October 7 and October 14, 2003. Motion passed by unanimous vote of the Council.

SETTING FOR PUBLIC HEARING - Federal Local Law Enforcement Block Grant Funds

Motion was made by Allen and seconded by Hoffmeister to set a public hearing for Tuesday, November 18, 2003 at 6:30 p.m. in the Council Chamber to consider authorizing the use of Local Law Enforcement Block Grant funds in the amount of \$101,555, and approving an appropriation of \$11,284 from the Citizen's Options for Public Safety (COPS) California State Grant funds program to meet the grant's matching funds requirement. Motion passed by unanimous vote of the Council.

SETTING FOR PUBLIC HEARING - Proposed Amendment to the Municipal Code, Multiple Family Rental Dwelling Unit Inspection and Maintenance Code, and Amendment to the Multi-Family Housing Inspection Program

Motion was made by Allen and seconded by Hoffmeister to set a public hearing for Tuesday, November 18, 2003 at 6:30 p.m. in the Council Chamber to consider amending Chapter 14, Article XIV to provide clarification and establish a self-certification option, and corresponding amendment to the City's Multi-Family Housing Inspection Program. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT - Project 115.1, Bonifacio Street Drainage Improvements

The following bids were opened at 10 a.m. on September 16, 2003:

	<u>Base</u>	<u>Alt. 1</u>
Sposeto Engineering, Inc.	\$42,096	\$3,792.80
Bruce Carone Grading & Paving	\$43,195	\$3,866.00
W. R. Forde Associates	\$44,991	\$6,140.00
Pfister Excavating, Inc.	\$69,060	\$6,840.00

Motion was made by Allen and seconded by Hoffmeister to award the contract for Project 115.1, Bonifacio Street Drainage Improvements, to Sposeto Engineering, Inc. as the lowest responsible bidder in the amount of \$45,888.80 for the Base Bid and Alternate 1, and to approve a \$15,700 related budget transfer. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS - 2003 Patch Paving Program, RFQ #1918

Motion was made by Allen and seconded by Hoffmeister to accept improvements for 2003 Patch Paving Program, RFQ #1918, constructed by MCK Services, Inc., and to direct the City Clerk to file the Notice of Completion. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS - Project No. 132, Traffic Signal Installation and Site Improvements at Intersection of Concord Boulevard and Clayton Way

Motion was made by Allen and seconded by Hoffmeister to accept improvements for Project No. 132, Traffic Signal Installation and Site Improvements at Intersection of Concord Boulevard and Clayton Way, constructed by W. Bradley Electric; to approve a \$25,000 related budget transfer; and to direct the City Clerk to file the Notice of Completion. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS - Project No. 172, Monte Gardens/San Vincente Area Sewer Rehabilitation Phase 2

Motion was made by Allen and seconded by Hoffmeister to accept improvements for Project No. 172, Monte Gardens/San Vincente Area Sewer Rehabilitation Phase 2, constructed by RePipe California, Inc., dba PPR of Santa Ana, and to direct the City Clerk to file the Notice of Completion. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION 03-3493.1 - New Classification, Parks and Recreation Customer Service Coordinator

Motion was made by Allen and seconded by Hoffmeister to adopt Resolution 03-3493.1, entitled "A RESOLUTION ADOPTING THE NEW CLASSIFICATION OF PARKS AND RECREATION CUSTOMER SERVICE COORDINATOR," approving the new classification (ATC Pay Grade 7), and the reclassification of the affected incumbent with status, effective 11/10/03. Motion passed by unanimous vote of the Council.

YEAR-END BUDGET ADJUSTMENTS

This item was removed from the Consent Calendar at the request of Mayor Peterson.

Mayor Peterson commented on the recent upgrade done to the parking lot at Concord High School and requested that landscaping for the school be considered for inclusion into the budget.

Councilmember Hoffmeister requested a discussion with the school to determine a cooperative solution between the City and the school and to determine if measure C funds could be used for landscape improvements.

Motion was made by Peterson and seconded by Allen to approve year-end budget adjustments for Fiscal Year 2002-2003 and related budget adjustments for Fiscal Year 2003-2004. Motion passed by unanimous vote of the Council.

ADOPTION OF RESOLUTION 03-55 - Citizen's Options for Public Safety (COPS) Grant

The notice of public hearing was posted on the Civic Center kiosk on October 14, 2003.

Captain Barry Dansie presented a report, referring to his memorandum dated October 28, 2003 regarding consideration of approving the expenditure plan for Fiscal Year 2003-04 Citizen's Options for Public Safety fund grant in the estimated amount of \$186,055 to be used for front line municipal police services. He stated that the COPS Program was initiated through Assembly Bill 3229 in 1996. Captain Dansie advised that the funds must be used for front line municipal police services and must supplement existing funding. He stated the funds will be used for four civilian Crime Scene Investigator positions in the amount of \$174,771, with \$11,284 to be used for the required matching funds.

The public hearing was opened and closed without comments.

Motion was made by Hoffmeister and seconded by McManigal to adopt Resolution 03-55, entitled "A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF) UTILIZING FUNDS FROM THE CITIZEN'S OPTIONS FOR PUBLIC SAFETY GRANT FOR THE 2003-04 FISCAL YEAR." Motion passed by unanimous vote of the Council.

AGREEMENT WITH PUBLIC ENTERPRISE GROUP - Beverage/Snack Marketing Partnership Agreement

Director of Parks and Recreation Mark Deven presented a report, referring to his memorandum dated October 28, 2003 regarding consideration of an agreement with the Public Enterprise Group (PEG) to facilitate development of an exclusive Beverage/Snack Marketing Partnership Agreement, and authorizing the City Manager to execute the agreement.

Council Committee on Recreation and Cultural Affairs and the Parks, Recreation and Open Space Commission had reviewed the plan, and based upon the estimated net income of \$44,636 per year. The Council Committee approved the recommendation to develop an agreement with PEG for the Council's consideration to implement the beverage/snack vending strategies as summarized in the proposed agreement.

Following discussion, motion was made by Allen and seconded by McManigal to not approve the agreement with the Public Enterprise Group and the item was referred back to staff to review other revenue generating options. Motion passed by the following vote of the Council:

AYES: Allen, Hoffmeister, McManigal

NOES: Bonilla, Peterson

The City Council recessed at 8:15 p.m.

The City Council reconvened at 8:25 p.m.

#### ADOPTION OF RESOLUTION 03-62 - Shaping Our Future Principles of Agreement

Principal Planner Phillip Woods presented a report, referring to his memorandum dated October 28 2003 regarding consideration of approving the Shaping Our Future (SOF) Principles of Agreement, which incorporates the concept of the SOF vision for future countywide growth and development, and serves as the foundation for moving ahead with the SOF project.

Following discussion, motion was made by McManigal and seconded by Hoffmeister to adopt Resolution 03-62, entitled "A RESOLUTION ADOPTING SHAPING OUR FUTURE PRINCIPLES OF AGREEMENT, DATED OCTOBER 1, 2003," supporting the SOF vision for growth in the county and approving the Principles of Agreement; directing staff to send a letter from the Mayor to the Board of Supervisors (Board) indicating the City's support and urging County Supervisor's support for the SOF Principles; and supporting the recommendation regarding the Urban Limit Line as described in Supervisor Millie Greenberg's letter; and requesting the Board abandon their proposed ballot initiative. Motion passed by unanimous vote of the Council.

#### REDEVELOPMENT AGENCY MATTERS

##### AGREEMENT WITH ORIGINS DESIGN NETWORK - Architectural and Design Consulting Services

Motion was made by Mcmanigal and seconded by Allen to approve an amendment to the agreement with Origins Design Network for an additional \$30,000 to continue to provide architectural and design consulting services to the City of Concord Redevelopment Agency, and to authorize the Executive Director to execute the agreement. Motion passed by unanimous vote of the Council.

#### JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MATTERS

##### ADOPTION OF CITY COUNCIL RESOLUTION 03-60 AND REDEVELOPMENT AGENCY RESOLUTION 03-658 - Acquisition and Rehabilitation of Lakeside Apartments Loan Documents

Motion was made by Bonilla and seconded by Hoffmeister to adopt City Council Resolution 03-60, entitled "A RESOLUTION AUTHORIZING EXECUTION OF LOAN DOCUMENTS BY AND BETWEEN THE CITY OF CONCORD AND LAKESIDE APARTMENTS, L.P., AND MAKING FINDINGS AND APPROVALS IN CONNECTION THEREWITH," and Redevelopment Agency Resolution 03-658, entitled "A RESOLUTION AUTHORIZING EXECUTION OF LOAN DOCUMENTS BY AND BETWEEN THE CITY OF CONCORD AND LAKESIDE APARTMENTS, L.P., AND MAKING FINDINGS AND APPROVALS IN CONNECTION THEREWITH," authorizing execution of documents for loan to Resources for Community Development in the amount of \$3,433,945 for the acquisition and rehabilitation of Lakeside Apartments (loan approved by the City Council on September 2, 2003), and making the necessary findings regarding the use of Redevelopment Housing Set-Aside Funds outside the Redevelopment area. Motion passed by unanimous vote of the Council.

CORRESPONDENCE

- a. Contra Costa Convention and Visitors Bureau Financial Statements dated June 30, 2003.
- b. Letter from Edward R. James to Supervisor Mark DeSaulnier dated October 22, 2003.

COUNCIL AND STAFF REPORTS

Mayor Peterson reported on his recent attendance at the 18<sup>th</sup> Annual Halloween Parade and Mongrel Mash. He advised that over 1200 children participated in the parade that was broadcast live by Astound!.

Councilmember Bonilla reported on her recent attendance at the opening of the new Monument Crisis Center and advised that the City proclaimed October 25, 2003 as "Working Together Day" in the City of Concord and presented the Crisis Center with the proclamation.

Councilmember Bonilla announced that a celebration of life service to remember Marcus O'Connell will be held on Saturday, November 1, 2003 in Todos Santos Park.

Mayor Peterson reported on his recent attendance at the nationally televised De La Salle High School football game and congratulated De La Salle on their 145<sup>th</sup> consecutive win.

By order of the chair, the meeting was adjourned at 8:53 p.m.

APPROVED:

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MARK A. PETERSON  
MAYOR/AGENCYMEMBER

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LAURA M. HOFFMEISTER  
COUNCILMEMBER/AGENCY CHAIR

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MARY RAE LEHMAN  
CITY CLERK/AGENCY SECRETARY