

REGULAR JOINT MEETING OF THE  
CONCORD CITY COUNCIL  
AND REDEVELOPMENT AGENCY  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
MAY 27, 2003

The Concord City Council and Redevelopment Agency convened in a regular joint meeting on Tuesday, May 27, 2003. The meeting convened at 6:35 p.m. in the Council Chamber, with Mayor/Agencymember Peterson presiding. The pledge to the flag was led by Cub Scout Pack 490. 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: Mary Rae Lehman, City Clerk; Craig Labadie, City Attorney; Lydia Du Borg, Assistant City Manager; Greg Jones, Assistant City Manager; Mike Vogan, Director of Public Works-Maintenance Services; Alex Pascual, Director of Public Works-Engineering Services; Mark Boehme, Assistant City Attorney; Helen Bean, Economic Development/Redevelopment Manager; Ginger Gessner, Parks Manager; Cathy Munneke, Principal Planner

MEMBERS OF AUDIENCE WHO ADDRESSED COUNCIL: Joe Partansky, Concord; William McDonald, Concord

PUBLIC COMMENT PERIOD

Joe Partansky stated that the Third Annual Report of the Frail, Elderly, and Persons with Disabilities will be presented at the Concord Human Relations Commission meeting on July 7, 2003.

William McDonald submitted a letter regarding the pedestrian crossing at Concord Boulevard and Farm Bureau Road, stating that the access ramps do not line up with the sidewalks and pose a hazard.

PROCLAMATION - Affordable Housing Week

Mayor Peterson proclaimed May 31- June 8, 2003 as "Affordable Housing Week" in the City of Concord, and presented the proclamation to Diane Kennedy, representing Monument Community Partnership.

ANNOUNCEMENTS

Mayor Peterson proclaimed May 29-June 1, 2003 as "Contra Costa County Fair Week" in the City of Concord and presented the proclamation to Steve Limrite, 2nd Vice President of the 23rd District Agricultural Association.

CITY COUNCIL MATTERS

APPROVAL OF MINUTES

Motion was made by Allen and seconded by Hoffmeister to approve the minutes of April 22, 2003. Motion passed by unanimous vote of the Council.

APPOINTMENT OF REPRESENTATIVE - Contra Costa Transportation Authority's Citizens' Advisory Committee

Motion was made by Allen and seconded by Hoffmeister to reappoint Charles "Chuck" Carpenter as the City's representative on the Contra Costa Transportation Authority's Citizens' Advisory Committee for a two-year term ending July 31, 2005. Motion passed by unanimous vote of the Council.

APPOINTMENT OF REPRESENTATIVE AND ALTERNATE - Contra Costa County Library Commission

Motion was made by Allen and seconded by Hoffmeister to reappoint Patricia Howlett as the City's representative and to reappoint John Simutis as alternate to serve on the Contra Costa County Library Commission for a two-year term ending June 30, 2005. Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT - Pine Hollow Landscape Maintenance District, RFQ 1929

The following bids were opened at 10 a.m. on April 14, 2003:

<u>Bidder</u>	<u>Bid 2003/2004</u>
North Bay Landscape Management, Inc.	\$12,480.00
Labor Rate-Extra Work	\$22.00 (Hr.)
TOTAL EXTENDED BID	\$14,680.00
Creative Outdoor Environment	\$11,700.00
Labor Rate-Extra Work	\$35.00 (Hr.)
TOTAL EXTENDED BID	\$15,200.00
Eisenstaedt Landscaping	\$24,330.00
Labor Rate-Extra Work	\$27.50 (Hr.)
TOTAL EXTENDED BID	\$27,080.00
City of Concord	\$25,800.00
Labor Rate-Extra Work	\$22.80 (Hr.)
TOTAL EXTENDED BID	\$28,080.00
Trugreen Landcare	\$49,025.00
Labor Rate-Extra Work	\$45.00 (Hr.)
TOTAL EXTENDED BID	\$53,525.00

Motion was made by Allen and seconded by Hoffmeister to award the contract for landscape maintenance services for the Pine Hollow Landscape Maintenance District, RFQ No. 1929, to North Bay

Landscape Management Inc. as the lowest responsible bidder in the amount of \$14,680 (\$12,480 lump sum and \$2,200 extra work). Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT - Kirkwood Landscape Maintenance District, RFQ No. I930

The following bids were opened at 10:30 a.m. on April 14, 2003:

<u>Bidder</u>	<u>Bid 2003-04</u>
North Bay Landscape Man.	\$11,100.00
Labor Rate-Extra Work:	\$22.00 (Hr.)
City of Concord	\$15,000.00
Labor Rate-Extra Work:	\$22.80 (Hr.)
Eisenstaedt Landscaping	\$18,293.00
Labor Rate-Extra Work:	\$27.50 (Hr.)
Creative Outdoor Environ.	\$22,500.00
Labor Rate-Extra Work:	\$35.00 (Hr.)
Trugreen Landcare	\$54,180.00
Labor Rate-Extra Work:	\$45.00 (Hr.)

Motion was made by Allen and seconded by Hoffmeister to award the contract for landscape maintenance services for the Kirkwood Landscape Maintenance District, RFQ No. I930, to North Bay Landscape Management Inc. as the lowest responsible bidder in the amount of \$13,300 (\$11,100 lump sum and \$2,200 extra work). Motion passed by unanimous vote of the Council.

AWARD OF CONTRACT - Project No. 992, Salvio Street Parking Structure

The following bids were opened at 10:30 a.m. on April 3, 2003:

	<u>Total Base Bid</u>
E. A. Sparacino	\$549,000
Page Construction	\$621,319
Sausal Corporation	\$659,000
Stevelle Corporation	\$690,729
Metropolitan Elevator Co.	Non-Responsive

Motion was made by Allen and seconded by Hoffmeister to award the contract for Project No. 992, Salvio Street Parking Structure, to E. A. Sparacino as the lowest responsible bidder in the amount of \$549,000 (base bid); to reject the bid from Metropolitan Elevator Co. as non-responsive; and to approve a related budget transfer in the amount of \$30,000. Motion passed by unanimous vote of the Council.

AGREEMENT WITH KLEINFELDER, INC. - Groundwater Monitoring at Corporation Yard, Project No. 095

Motion was made by Allen and seconded by Hoffmeister to approve a professional services agreement with Kleinfelder, Inc. in the amount of \$64,800 to conduct groundwater monitoring at the City's Corporation Yard, in connection with Project No. 095, and to authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

ACCEPTANCE OF IMPROVEMENTS - Project No. 709, Willow Pass and Concord Parks Tennis Court Renovations

Motion was made by Allen and seconded by Hoffmeister to accept improvements for Project No. 709, Willow Pass and Concord Parks Tennis Court Renovations, constructed by Rick Armstrong Engineering and Building, 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. 945, Gelbke Lane Improvements

Motion was made by Allen and seconded by Hoffmeister to accept improvements for Project No. 945, Gelbke Lane Improvements, constructed by Bruce Carone Grading and Paving, 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. 115, Uplands and Green Dell Acres Replacement of Curb and Gutter

Motion was made by Allen and seconded by Hoffmeister to accept improvements for Project No. 115, Uplands and Green Dell Acres, Replacement of Curb and Gutter, constructed by Sposeto Engineering, 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. 153, Curb, Gutter and Sidewalk Repair Program (FY 2002-03); Project No. 154, Removal of Barriers to the Mobility Impaired (FY 2002-03); and Project No. 173, Citywide Sidewalk Improvements Program (FY 2002-03)

Motion was made by Allen and seconded by Hoffmeister to accept improvements for Project No. 153, Curb, Gutter and Sidewalk Repair Program (FY 2002-03); Project No. 154, Removal of Barriers to the Mobility Impaired (FY 2002-03); and Project No. 173, Citywide Sidewalk Improvements Program (FY 2002-03), constructed by Sposeto Engineering, and to direct the City Clerk to file the Notice of Completion. Motion passed by unanimous vote of the Council.

AGREEMENT WITH PETER GUMINA - Sale of Land Remnant on Salvio Street

Motion was made by Allen and seconded by Hoffmeister to approve a purchase agreement with Peter Gumina, private property owner, in the amount of \$79,125 for the sale of City-owned property, a 3165 sq. ft. land remnant located at 2051 Salvio Street (portion of APN 112-138-020), and to authorize the City Manager to execute the purchase agreement and any other related documents. Motion passed by unanimous vote of the Council.

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

The notice of public hearing was published in the Contra Costa Times, mailed to affected parties and posted on the Civic Center kiosk on May 16, 2003.

Principal Planner Cathy Munneke presented a report, referring to her memorandum dated May 27, 2003 regarding consideration of amending Concord Municipal Code Chapter 122 to eliminate requirements for discretionary review of secondary living units, as mandated by State law. She stated that approval of the amendment is recommended by the Planning Commission.

The public hearing was opened and closed without comments.

Councilmember Hoffmeister presented proposed revisions to the ordinance wording relating to architectural review, the location of outside stairways, and parking. She stated that secondary living units should not have a separate meter.

Motion was made by Allen and seconded by Hoffmeister to introduce Ordinance 03-4, with the revisions proposed by Councilmember Hoffmeister.

Councilmembers discussed the issue of additional parking, and the location of such parking on the lot.

Assistant City Attorney Mark Boehme responded to questions from Councilmembers.

Councilmember Allen stated that she would like more information from staff with an in-depth review of the changes proposed. Councilmember Hoffmeister concurred and withdrew her motion.

Motion was made by Allen and seconded by Hoffmeister to continue the public hearing to Tuesday, June 10, 2003 at 6:30 p.m. in the Council Chamber, and to direct staff to prepare a draft of revised ordinance wording relating to architectural review, outside stairways, and parking. Motion passed by unanimous vote of the Council.

#### APPOINTMENTS TO DESIGN REVIEW BOARD

Following a report from the Council Committee on Housing and Economic Development, motion was made by Hoffmeister and seconded by McManigal to reappoint Peter Harmon and James Swanson to the Design Review Board for two-year terms ending March 31, 2005. Motion passed by unanimous vote of the Council.

#### APPOINTMENTS TO HUMAN RELATIONS COMMISSION

Following a report from the Council Committee on Recreation and Cultural Affairs, motion was made by Allen and seconded by Peterson to reappoint Linda Hidzick Meneken and to appoint Stuart Fong and La Shawn Wells to the Human Relations Commission for two-year terms ending May 31, 2005; and to appoint Kathleen McGuire for a one-year term ending May 31, 2004. Motion passed by unanimous vote of the Council.

#### APPOINTMENT TO PERSONNEL BOARD

Following a report from the Council Committee on Policy Development and Internal Operations, motion was made by Peterson and seconded by Allen to appoint Sharon Giampapa to the Personnel Board to fill an unscheduled vacancy for a one-year term ending February 28, 2004. Motion passed by unanimous vote of the Council.

#### APPOINTMENTS TO MOBILEHOME RENT REVIEW BOARD

Following a report from the Council Committee on Housing and Economic Development, motion was made by Hoffmeister and seconded by McManigal to appoint Charles Carpenter and Arthur Kroeger to the Mobilehome Rent Review Board for one-year terms ending February 28, 2004; and to appoint Ronald Fray as alternate. Motion passed by unanimous vote of the Council.

### JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MATTERS

#### CORRESPONDENCE

- a. City of Concord Treasurer's Report for March, 2003.
- b. City of Concord Redevelopment Agency Investment Report dated March 31, 2003.
- c. Letter dated May 27, 2003 from William McDonald regarding the pedestrian crossing at Concord Boulevard and Farm Bureau Road.

COUNCIL AND STAFF REPORTS

Vice Mayor Allen announced the upcoming distribution of the summer edition of City News.

Councilmember Hoffmeister reported on her and Councilmember Bonilla's attendance at the Legislative Action Days held by the League of California Cities earlier in the month, and stated that she would be attending a meeting hosted by Senator Torlakson next Saturday. She also spoke of her attendance at various Memorial Day events in Concord and encouraged residents to attend upcoming Contra Costa Transportation Authority Public Hearings regarding reductions in service.

Councilmember Bonilla encouraged participation by residents at Senator Torlakson's meeting on Saturday, May 31, 2003, stating that it is a Budget Workshop and that it will be held at Mt. Diablo High School from 9 a.m. to noon.

Mayor Peterson expressed sympathy to the friends and family of Kathy Aiello Loreck who was killed on the canal trail in Concord. He stated that a \$35,000 reward is being offered for information leading to the arrest and conviction of the perpetrator.

By order of the chair, the meeting was adjourned at 7:21 p.m. in memory of Kathy Aiello Loreck.

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