

REGULAR JOINT MEETING OF THE  
CONCORD CITY COUNCIL  
AND REDEVELOPMENT AGENCY  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
JUNE 10, 2003

The Concord City Council and Redevelopment Agency convened in a regular joint meeting on Tuesday, June 10, 2003 in closed session regarding personnel matters, pursuant to Government Code Section 54957, to interview applicants for the position of Director of Finance. The meeting convened at 5:35 p.m. in the City Council Conference Room and all Councilmembers were present. The meeting recessed at 6:25 p.m. to reconvene in the Council Chamber.

The Concord City Council and Redevelopment Agency reconvened at 6:34 p.m. in the Council Chamber, with Mayor/Agencymember Peterson 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: Helen Allen, Susan Bonilla, Laura Hoffmeister, Bill McManigal, Mark Peterson

COUNCILMEMBERS ABSENT: None

STAFF PRESENT: Ed James, City Manager; Mary Rae Lehman, City Clerk; Craig Labadie, City Attorney; Greg Jones, Assistant City Manager; Mike Vogan, Director of Public Works-Maintenance Services; Mark Deven, Director of Parks and Recreation

MEMBERS OF AUDIENCE  
WHO ADDRESSED COUNCIL: Virginia Brunk, Concord

PUBLIC COMMENT PERIOD

There were no public comments.

PRESENTATION OF BUSINESS RECOGNITION AWARDS

Following reports from Economic Development/Redevelopment Specialist Dwayne Dalman and Chamber of Commerce Chair Jeff Kasper, Mayor Peterson presented Business Recognition Awards to Cerus Corporation; We Care, Inc.; Barbara Milliff Children's Center; and Luna Ristorante.

CITY HIGHLIGHT - Coast Guard Housing

Mayor Peterson introduced James M. Hass, Commanding Officer of the U.S. Coast Guard Integrated Support Command of Alameda. He described the importance of having the housing complex located at the former Concord Naval Weapons Station for Coast Guard housing. The complex consists of

316 housing units which will house the families of men and women stationed in the Bay Area. He thanked the City Council for its support.

CITY HIGHLIGHT - Community Leadership Academy Program

Assistant City Manager Greg Jones described the City's Community Leadership Academy program, and introduced the graduates of the 2003 Academy, who commented on the success of the program.

ANNOUNCEMENTS

Mayor Peterson announced the extension of the recruitment period to July 11, 2003 for openings on the Community Services Commission and Status of Women Commission.

CITY COUNCIL MATTERS

SETTING FOR PUBLIC HEARING - Willow Walk Residential Subdivision Appeal

Motion was made by Allen and seconded by McManigal to set a public hearing for Tuesday, July 1, 2003 at 6:30 p.m. in the Council Chamber to consider the appeal by John Haffner, et al., of the Planning Commission's approval (5-0) of an application by The Olson Company to construct a 56-lot single-family residential subdivision at 2800 and 2888 Willow Pass Road, 1855 and 1861 Parkside Drive, 1880 Third Street, and 2877, 2879, and 2885 Euclid Avenue, APN's: 113-021-003, -008, -009, -010, -011, -015, -019, -020, -022, -024, and -025. Motion passed by unanimous vote of the Council.

NAMING OF CITY PARK - Iron Horse Park

Motion was made by Allen and seconded by McManigal to approve the name of the new City park associated with the Abba Self and RV Storage development as Iron Horse Park, located at Solano Way and Hilltop Drive, as recommended by the Council Committee on Recreation and Cultural Affairs. Motion passed by unanimous vote of the Council.

AGREEMENT WITH CARL WARREN & COMPANY - Third Party Administrator Services, Claims Processing

Motion was made by Allen and seconded by McManigal to approve an agreement with Carl Warren & Company to provide third party administrator services for claims processing and reporting for the City, and to authorize the City Manager to execute the agreement. Motion passed by unanimous vote of the Council.

AGREEMENT WITH MCK SERVICES - Installation of Speed Tables and Textured Crosswalks

Motion was made by Allen and seconded by McManigal to approve a contract in the amount of \$56,700 to MCK Services, Inc. for the installation of speed tables and textured crosswalks, (RFQ 1934) as part of the City's Traffic Calming Program, in accordance with Section 20166 of the Public Contract Code. Motion passed by unanimous vote of the Council.

AGREEMENT WITH CONCORD SENIOR CITIZENS CLUB AND AMENDMENT TO POLICY AND PROCEDURE NO. 147 - Operation and Use of Concord Senior Citizens Building

This item was removed from the Consent Calendar at the request of Virginia Brunk, President-Elect of the Senior Citizens Club, who requested that the matter be continued to allow for further review of the agreement by club members.

Senior Citizens Club President Eizo Kobayashi stated that several meetings had been held with members, and said that the agreement represented a starting point. He stated that the Board had requested that the agreement be presented to the City Council.

Motion was made by Allen and seconded by McManigal to approve the agreement with the Concord Senior Citizens Club, with revisions as benched, and modifications to Policy and Procedure No. 147, Operation and Use of the Concord Senior Citizens Building, as recommended by the Council Committee on Recreation and Cultural Affairs. Motion passed by unanimous vote of the Council.

REDEVELOPMENT AGENCY MATTERS

AGREEMENT WITH CREATIVE MUSICAL ALTERNATIVES - Downtown Events

Motion was made by Allen and seconded by Peterson to approve an agreement with Creative Musical Alternatives in the amount of \$48,650 to provide talent booking, publicity and stage management services to the Concord Redevelopment Agency for downtown events, and to authorize the Executive Director to execute the agreement. Motion passed by unanimous vote of the Agency.

AMENDMENT TO LOAN MODIFICATION AGREEMENT - Contra Costa Software Business Incubator

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

Council member McManigal asked whether the proposed sale of the building at 2430 Stanwell Drive would leave the Incubator with sufficient space to continue its operation. City Manager Ed James responded that CCSBI would retain 2440 Stanwell Drive, which is 11,250 square feet and is sufficient for their needs.

Motion was made by McManigal and seconded by Allen to authorize the Executive Director to negotiate and execute an amendment to the Loan Modification Agreement with the Contra Costa Software Business Incubator (CCSBI), approving Redevelopment Agency assistance in the amount of \$150,000 for FY 2003/04. Motion passed by unanimous vote of the Agency.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MATTERS

AGREEMENT WITH HOUSING RIGHTS, INC. - Housing Counseling Services

Motion was made by Allen and seconded by McManigal to approve an agreement with Housing Rights, Inc. for comprehensive housing counseling services for FY 2003/04 in the amount of \$58,710, and to authorize the City Manager/Executive Director to execute the agreement. Motion passed by unanimous vote of the Council/Agency.

CITY COUNCIL MATTERS

INTRODUCTION OF ORDINANCE 03-4 - Secondary Living Units

Continued from May 27, 2003.

Principal Planner Cathy Munneke presented a report, referring to her memorandum dated June 10, 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, on May 27, 2003, the City Council reviewed the proposed ordinance amendments and directed staff to incorporate language in the ordinance to address architectural review, access to second story

secondary living units, parking in setbacks, and utility metering. She stated that these revisions have been made to the ordinance and that a final draft of the ordinance has been benched.

The public hearing was opened and closed without comments.

Mayor Peterson said he would not support the ordinance, stating that, in his opinion, it is not good legislation and severely limits public remedy.

Following discussion, motion was made by McManigal and seconded by Hoffmeister to introduce Ordinance 03-4 by reading of the title only and waiving further reading, as revised, entitled "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 122 (ZONING), ARTICLE III (DISTRICTS AND DISTRICT REGULATIONS), DIVISION 2 (SINGLE-FAMILY RESIDENTIAL DISTRICTS), SECTION 122-310; DIVISION 4 (D-3 - DUPLEX RESIDENTIAL), SECTION 122-362; AND DIVISION 6, (MULTI-FAMILY RESIDENTIAL DISTRICTS (LOW TO MEDIUM DENSITY), FAR 0.2 AND FAR 0.2+ TO 0.4), SECTION 122-412, PERTAINING TO SECONDARY LIVING UNITS." The city Attorney read the ordinance title. Motion passed by the following vote of the Council:

AYES: Allen, Bonilla, Hoffmeister, McManigal

NOES: Peterson

ABSTAIN: None

#### INTRODUCTION OF ORDINANCE 03-5 - Claims

The Notice of Public Hearing was published in the Contra Costa Times and posted on the Civic Center kiosk on May 30, 2003.

City Attorney Craig Labadie presented a report, referring to his memorandum dated June 10, 2003 regarding consideration of amending Chapter 2 (Administration), Article VII (Finance), Division 2 (Claims Against City) pertaining to local procedures governing monetary claims against the City. He stated that the purpose of the proposed claims ordinance is to specify procedures and time limits as authorized by state law for filing monetary claims against the City in situations which are not covered by the Government Claims Act or other state statutes. The proposed Claims Ordinance incorporates Government Code provisions relating to presentation of claims against the City, including applicable time limits. He stated that the proposed Ordinance will supercede existing claim procedures which state that claims must be filed within ninety (90) days. He concluded that the proposed ordinance will result in standardizing the City's claim presentation requirements.

The public hearing was opened and closed without comments.

Motion was made by Hoffmeister and seconded by McManigal to introduce Ordinance 03-5 by reading of the title only and waiving further reading, entitled "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 2 (ADMINISTRATION), ARTICLE VII (FINANCE), DIVISION 2 (DEMANDS AGAINST CITY TREASURY)." The City Attorney read the ordinance title. Motion passed by unanimous vote of the Council.

#### COUNCIL AND STAFF REPORTS

Mayor Peterson reported on the City's hosting of the Mayors' Conference at the new Senior Center.

By order of the chair, the meeting was adjourned at 7:45 p.m.

APPROVED:

---

MARK A. PETERSON  
MAYOR/AGENCYMEMBER

---

LAURA M. HOFFMEISTER  
COUNCILMEMBER/AGENCY CHAIR

---

MARY RAE LEHMAN  
CITY CLERK/AGENCY SECRETARY