

SPECIAL JOINT MEETING OF THE
CONCORD CITY COUNCIL AND
REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBER
1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA
MAY 16, 2006

The Concord City Council and Redevelopment Agency met in a special joint meeting on Tuesday, May 16, 2006. The meeting convened at 6:36 p.m. in the Council Chamber, with Mayor/Agencymember Bonilla presiding. Councilmember Hoffmeister was absent and the pledge to the flag was led by Vice Mayor Peterson. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Helen Allen, Mark Peterson, Bill Shinn, Susan Bonilla

COUNCILMEMBERS ABSENT: Laura Hoffmeister

STAFF PRESENT: Lydia Du Borg, City Manager; Mark Deven, Assistant City Manager; Craig Labadie, City Attorney; Mary Rae Lehman, City Clerk; Peggy Lefebvre, Finance Director; Joan Carrico, Director of Community and Recreation Services; Alex Pascual, Director of Building, Engineering, and Neighborhood Services; Ron Puccinelli, Director of Information Technology; Qamar Khan, Director of Public Works

MEMBERS OF THE AUDIENCE
WHO ADDRESSED COUNCIL:

Theresa Karr, Pleasant Hill; Joseph V. A. Partansky,
Concord

PUBLIC COMMENT PERIOD

Joseph V. A. Partansky shared his views on the recent purchase of the Knight Ridder newspaper chain.

PRESENTATION - Jazz Artist Dave Brubeck

Mayor Bonilla expressed the City's pleasure in honoring Dave Brubeck at a Courtyard Reception held early that afternoon for World Renowned Jazz Artist Dave Brubeck. She explained that Mr. Brubeck had been accompanied by his wife, Iola, and that numerous honors were bestowed upon him at Salvio Pacheco Square by Senator Tom Torlakson, Assemblymember Joe Canciamilla, Remy Goldsmith representing Congresswomen Ellen Tauscher, Supervisor Mark DeSaulnier, Mayor H. Abram Wilson of San Ramon and herself. She further explained that Mr. Brubeck was born in Concord on December 6, 1920, that the afternoon's festivities had filled his day to capacity, and that he regretted that he would not be able to be at the Council meeting. She expressed appreciation on behalf of the Council and the entire community for his musical contributions to the world.

PROCLAMATION - Arbor Day

Mayor Bonilla presented a proclamation recognizing the City of Concord's 25th year as a Tree City USA and proclaiming May 18, 2006 as "Arbor Day" in the City of Concord to John Rego, Parks Manager, who presented a brief report on what the City had done to receive the Tree City USA award for the 25th year.

CITY COUNCIL MATTERS

JOINT POWERS AGREEMENT - Central Contra Costa Sanitary District

Motion was made by Allen and seconded by Shinn to approve the execution of a Joint Powers Agreement with Central Contra Costa Sanitary District regarding the A-Line Relief Interceptor, Phase 2A Project, and Concord's connection to this line and to authorize the Mayor to execute the agreement. Motion passed by the following vote of the Council:

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

SETTING FOR PUBLIC HEARING - Master Fees and Charges Resolution

Motion was made by Allen and seconded by Shinn to set a public hearing for Tuesday, June 13 and Tuesday, June 27, 2006 at 6:30 p.m. in the Council Chamber to consider a proposed amendment to the Master Fees and Charges Resolution for fees relating to various municipal services, including but not limited to Administrative Fees; Business, Professional and Trades Fees; Parks and Recreation Fees; Permit Center Fees; Police Fees; Off-Site Street Improvement Program (OSIP) Fees; and Parkland In-Lieu Fees. Motion passed by the following vote of the Council:

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

SETTING FOR PUBLIC HEARING - Annual Appropriate Limits and Adjustment Factors

Motion was made by Allen and seconded by Shinn to set a public hearing for Tuesday, June 13 and Tuesday, June 27, 2006 at 6:30 p.m. in the Council Chamber to consider the annual appropriation limits and adjustment factors for Fiscal Year 2006-70, pursuant to Article XIII B of the California Constitution. Motion passed by the following vote of the Council:

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

SETTING FOR PUBLIC HEARING - 2006-07 City of Concord Budget, Ten-year Financial Plan and Capital Improvement Program

Motion was made by Allen and seconded by Shinn to set a public hearing for Tuesday, June 13 and Tuesday, June 27, 2006 at 6:30 p.m. in the Council Chamber to consider Fiscal year 2006-07 City of Concord Budget and Ten-year Financial Plan and adoption of the 2006-07 Capital Improvement Program. Motion passed by the following vote of the Council:

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

SETTING OF PUBLIC HEARING - 2006-07 City of Concord Redevelopment Agency Budget

Motion was made by Allen and seconded by Shinn to set a public hearing for Tuesday, June 13 and Tuesday, June 27, 2006 at 6:30 p.m. in the Council Chamber to consider the 2006-07 City of Concord Redevelopment Agency Budget. Motion was passed by the following vote of the City Council:

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

ADOPTION OF RESOLUTION 06-36 - Tract 8998, The Corners

Motion was made by Allen and seconded by Shinn to adopt Resolution 06-36, entitled "A RESOLUTION APPROVING THE FINAL MAP FOR SUBDIVISION 8998 ASSESSOR'S PARCEL NO. 117-170-037" approving the Final Map for Tract 8998, The Corners Condominium Conversion, to approve the Subdivision Agreement; and to authorize the City Manager to execute the agreement. Motion passed by the following vote of the Council:

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

ACCEPTANCE OF IMPROVEMENTS - Project 1017.2, Ballpark Fences

Motion was made by made by Allen and seconded by Shinn to accept improvements for Project 1017.2, Ballpark Fences, performed by Morgan Aluminum Products, Inc. of Concord, and to direct the City Clerk to file the Notice of Completion. Motion passed by the following vote of the Council:

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

AWARD OF CONTRACT - Project 2005, Lillian Drive Storm Drain

The following bids were opened on Wednesday, February 22, 2006 at 10:00 a.m.:

W. R. Forde Associates	\$199,169
E. E. Gilbert Construction	\$202,986
William G. McCullough Co.	\$205,504
K. J. Woods Construction	\$208,000
Reliance Engineering, Inc.	\$213,495
Bruce Carone Grading and Paving, Inc.	\$216,560

Motion was made by Allen and seconded by Shinn to award the contract for Project No. 2005, Lillian Drive Strom Drain, to W. R. Forde Associates of Richmond as the lowest responsible bidder in the amount of \$199,169, and to approve a related budget transfer in the amount of \$101,000. Motion passed by the following vote of the Council:

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

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT - Gillarde Planning and Consulting

Motion was made by Allen and seconded by Shinn to approve an amendment to the agreement for professional services with Gillarde Planning and Consulting dated December 1, 2005, to provide planning application development review services in an amount not to exceed \$19,500. Motion was passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION 06-38 - Declaration of Emergency - Ygnacio Valley Road and Camp Concord

This item was removed from the consent calendar to provide an opportunity for a report by Director of Building, Engineering and Neighborhood Services Alex Pascual. Director Pascual advised that the City had been approved for a Grant to fix the landslide on Ygnacio Valley Road and stated that exploration of the landslide had been authorized. He concluded that updates of the repair activity would be provided periodically on the City's website, and that the project is expected to be completed by the end of July.

Motion was made by Shinn and seconded by Allen to adopt Resolution 06-38, entitled "A RESOLUTION DECLARING AN EMERGENCY AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT FOR EMERGENCY REPAIRS TO YGNACIO VALLEY ROAD LANDSLIDE AND CAMP CONCORD LOOP ROAD," declaring an emergency exists along Ygnacio Valley Road and at Camp Concord due to recent storms and to authorize the City Manager to execute construction contracts without competitive solicitation of bids as provided under Sections 20168 and 22050 of the Public Contract Code. Motion passed by the following vote of the Council:

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

ADOPTION OF RESOLUTION 06-31- Vacation of a Portion of Beach Street

The notice of public hearing was published in the Contra Costa Times on May 2, and May 9, 2006, mailed to affected parties and posted at the Civic Center in the posting cabinet on May 2, 2006.

Alex Pascual Director of Building, Engineering, and Neighborhood Services provided a report, referring to his memorandum dated May 16, 2006, stating that the City Council had approved an application buy Legacy Partners to rezone a 2.56 acre parcel for a residential development project which requires the vacation of approximately 266 feet of a portion of Beach Street between Willow Pass Road and Salvio Street. He further stated that the portion of the street will be re-opened as a private street and which will be maintained by a homeowners association. He concluded by recommending the adoption of Resolution 06-31 to order the street vacation.

Motion was made by Allen and seconded by Peterson to adopt Resolution 06-31, entitled "A RESOLUTION ORDERING THE VACATION OF APPROXIMATELY 15,861 SQUARE FEET OF A PORTION OF BEACH STREET LOCATED BETWEEN THE NORTH END OF WILLOW PASS ROAD AND THE SOUTH END OF SALVIO STREET PURSUANT TO THE PUBLIC STREETS, HIGHWAYS AND SERVICE EASEMENTS LAW OF 1980 STREETS AND HIGHWAYS CODE SECTION 8300 ET SEQ., AFFECTING ASSESSOR'S PARCEL NUMBERS 111-331-002, 111-222-018 AND 111-222-004." Motion passed by the following vote of the Council:

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

INTRODUCTION OF ORDINANCE 06-5 - Multi-Family Housing Inspection and Maintenance Code

The notice of public hearing was published in the Contra Costa Times, mailed to affected parties, and posted at the Civic Center in the posting cabinet on May 5, 2006.

Callie Foster Struggs, Neighborhood Services Manager, presented a report referring to her memorandum dated May 16, 2006, concerning a proposed amendment to the Concord Municipal Code which would clarify the multi-family self-certification program; bring the code compliant with the California Model Building Codes and the Health and Safety Codes; codify maintenance standards; codify enforcement procedures, including abatement by the City; and clarify enforcement authority due to the consolidation of the Department of Building and Neighborhood Services into other departments and changes in staff work assignment. She stated that the amendments proposed included two of the three changes suggested by the California Apartment Association during the April

26, 2006 Housing and Economic Development meeting.

The public hearing was opened.

Theresa Karr, representing the California Apartment Association, Contra Costa Division, stated that as suggested during the April 26, 2006 Housing and Economic Development meeting, the Association supports the hiring of a consultant for the self-certification program and would like the number of units inspected for self-certification be reduced from 20% to 10%.

The public hearing was closed and a motion was made by Allen and seconded by Shinn to introduce Ordinance 06-5 by reading of the title only and waiving further reading, entitled "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 14 (BUILDING AND BUILDING REGULATIONS), ARTICLE XIV (MULTIPLE-FAMILY RENTAL SWELLING UNIT INSPECTION AND MAINTENANCE CODE), SECTIONS 14-391 THROUGH 14-407, ARTICLE IV (BUILDING CODE), SECTION 14-91, AND CHAPTER 2 (ADMINISTRATION), ARTICLE V (BOARDS, COMMISSIONS, AND COMMITTEES), DIVISION 2 (BOARD OF APPEALS), SECTIONS 2-296." The City Attorney read the ordinance title. Motion passed by the following vote of the Council:

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

CORRESPONDENCE

- a) Annotated Agenda of the April 26, 2006 Housing and Economic Development Council Committee meeting.
- b) Copy of Certificate presented to Joe Partansky submitted by J. Partansky.

COUNCIL AND STAFF REPORTS

Mayor Bonilla announced that the 10th Annual Thursday Night Music and Farmers Market series began on May 11, 2006.

By order of the chair, the meeting was adjourned at 7:25 p.m.

SUSAN A. BONILLA
MAYOR/AGENCYMEMBER

WILLIAM D. SHINN
COUNCILMEMBER/AGENCY CHAIR

MARY RAE LEHMAN
CITY CLERK