

REGULAR MEETING OF THE
CONCORD CITY COUNCIL AND
REDEVELOPMENT AGENCY AND THE
CITY COUNCIL SITTING AS THE
LOCAL REUSE AUTHORITY
CONCORD SENIOR CENTER
2727 PARKSIDE CIRCLE
CONCORD, CALIFORNIA
JULY 11, 2006

The Concord City Council met in closed session on Tuesday, July 11, 2006, in the Program Manager's Conference Room in the Concord Senior Center located at 2727 Parkside Circle. The meeting convened at 5:30 p.m. with Mayor Bonilla presiding. Vice Mayor Peterson was absent and there were no public comments. The Council recessed at 5:35 p.m. to convene in closed session to confer with legal counsel pursuant to Government Code Section 54956.9(a) – existing litigation entitled: *Shabnam Anderson v City of Concord, et al*, Contra Costa County Superior Court. The meeting adjourned at 6:00 p.m. to reconvene in the Wisteria Room at the Concord Senior Center.

A regular meeting of the Concord City Council and Redevelopment Agency convened at 6:35 p.m. in the Wisteria Room at the Concord Senior Center, with Mayor/Agencymember Bonilla presiding. The pledge to the flag was led by Councilmember Shinn. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

ROLL CALL

COUNCILMEMBERS PRESENT: Helen Allen, Laura Hoffmeister, Bill Shinn, Susan Bonilla

COUNCILMEMBERS ABSENT: Mark Peterson

STAFF PRESENT: Lydia Du Borg, City Manager; Mark Deven, Assistant City Manager; Craig Labadie, City Attorney; Mary Rae Lehman, City Clerk; Alex Pascual, Director of Building, Engineering, and Neighborhood Services; Jim Forsberg, Director of Planning and Economic Development; Qamar Khan, Director of Public Works; Michael Wright, Reuse Project Director

MEMBERS OF THE AUDIENCE
WHO ADDRESSED COUNCIL:

Nancy Smith, Concord; John Leggett, Concord; Carol Woods, Concord; Tom O'Ban, Concord; Kathy Gleason, Concord; Lynda Conlow, Concord; Ursula Luna, Concord; Keith McMahon, Concord; Ron Leone, Concord

PUBLIC COMMENT PERIOD

There were no public comments

ANNOUNCEMENTS

There were no announcements.

CITY COUNCIL
MATTERS

APPROVAL OF MINUTES

Motion was made by Hoffmeister and seconded by Shinn to approve the minutes of June 13, 2006. Motion passed by the following vote of the City Council:

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

AMENDMENT TO AGREEMENT – Marshall Mok Nursery Inc.

Motion was made by Hoffmeister and seconded by Shinn to approve an amendment to the Building lease Agreement with Marshall Mok Nursery Inc. for the Northern Field Office at 2166 Solano Way in the Estates Shopping Center extending the term for an additional two-year period, expiring June 30, 2008. Motion passed by the following vote of the City Council:

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

APPROVAL OF FINAL MAP – Tract 9046, Port Chicago Plaza

This item was pulled from the calendar without action.

ADOPTION OF RESOLUTION 06-48 – Acceptance of Grant for Project No. 1363-05.1, Clayton Road Rehabilitation (Davis Avenue to Babel Lane)

Motion was made by Hoffmeister and seconded by Shinn to adopt Resolution 06-48, entitled "A RESOLUTION ACCEPTING FEDERAL SURFACE TRANSPORTATION FUNDING FOR PROJECT NO. 1363-05.1, CLAYTON ROAD REHABILITATION (DAVIS AVENUE TO BABEL LANE) AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE FUNDING AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION," accepting Federal Surface Transportation Program (STP) grant funds. Motion passed by the following vote of the City Council:

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

ADOPTION OF ORDINANCE 06-6 – Door-to-Door Solicitation

Motion was made by Hoffmeister and seconded by Shinn to adopt Ordinance 06-6, entitled "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE CHAPTER 18 (BUSINESS AND BUSINESS REGULATIONS), ADDING ARTICLE XII (SOLICITORS AND PEDDLERS)" amending the Concord Municipal Code by adding regulations controlling and licensing door-to-door solicitors and peddlers. Motion passed by the following vote of the City Council:

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

ADOPTION OF ORDINANCE 06-3 – Condominium Conversions

Motion was made by Hoffmeister and seconded by Shinn to adopt Ordinance 06-3, entitled "AN ORDINANCE AMENDING CONCORD MUNICIPAL CODE BY REPEALING CHAPTER 94 (SUBDIVISIONS), ARTICLE VI (CONDOMINIUMS) AND ADDING CHAPTER 94 (SUBDIVISIONS) ARTICLE VI (RESIDENTIAL CONDOMINIUM CONVERSIONS." Motion passed by the following vote of the City Council:

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

APPOINTMENT OF VOTING DELEGATE – League of California Cities Annual 2006 Conference

Motion was made by Hoffmeister and seconded by Shinn to approve the appointment of Councilmember Shinn as the voting delegate and Councilmember Hoffmeister as the alternate voting delegate at the General meeting of the 2006 League of California Cities Annual Conference being held September 6-9, 2006 in San Diego. Motion passed by the following vote of the City Council:

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

ACCEPTANCE OF IMPROVEMENTS – 2006 Patch Paving Program, RFQ #2004

Motion was made by Hoffmeister and seconded by Shinn to accept the improvements for the 2006 Patch Paving Program, RFQ #2004, constructed by G. Bortolotto & Co., Inc., and to direct the City Clerk to file the Notice of Completion. Motion passed by the following vote of the City Council:

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

AMENDMENT TO AGREEMENT – Premier Parks Acquisition Corporation

Motion was made by Hoffmeister and seconded by Shinn to approve a Second Amendment for the Ground Lease for Waterworld USA with Premier Parks Acquisition Corporation increasing the base rent from \$8,333 per month to \$10,234 per month. Motion passed by the following vote of the City Council:

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

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MATTERS

AMENDMENT TO AGREEMENT – Dyett & Bhatia

Motion was made by Allen and seconded by Hoffmeister to approve an amendment to the professional services agreement with Dyett & Bhatia for a total amount of \$145,560 to perform additional consultant services for a refocused General Plan in the amount of \$98,380 and to cover additional consultant services for the zoning Ordinance Update in the amount of \$47,180, and extending the term of the agreement to 2009; and to approved \$30,000 in additional project funds for miscellaneous related project expenses. Motion passed by the following vote of the Agency:

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

CITY COUNCIL SITTING AS THE
LOCAL REUSE AUTHORITY

WORKSHOP ON GOALS AND GUIDELINES – Concord Community Reuse Plan Process

Mayor Bonilla introduced Daniel Iacofano, Moore Iacofano Goltsman, Inc., and Michael Wright, Project Reuse Director. Mr. Iacofano, stated that this was the third in a series of Phase I meetings which he identified as the Organizational Phase. He gave a brief overview of the Reuse Planning Process and the activities and meetings which had occurred to date which have been scheduled to provide an opportunity for the community to engage in the process by providing input on

the development of a planning framework consisting of a set of Goals and Guiding Principles, the development of strategies for community involvement, including establishing a Community Advisory Committee Charter. He explained that the evening would be focused on the planning framework for the community advisory structure, which would continue to guide the process.

Michael Wright, Project Reuse Director, explained the process in Phase II, the Development of a Reuse Plan, would consist of three primary steps which would occur over the next couple of years. The first steps proposed for Phase II would be the development of a charter for a Citizens Advisory Committee (CAC) and a Technical Advisory Group (TAG). The appointments to these bodies would be by the Council, he stated, and he projected this to occur between September and December 2006. Mr. Wright went on to explain that Phase II would focus on conducting an Opportunities and Constraints Analysis, and would continue with an alternatives formation period and financial feasibility analysis, and conclude with a plan formulation, all of which should take place between now and the Spring of 2009. He emphasized that all along the way the community would be given the opportunity to provide input into the processes.

Mr. Iacofano explained the staff proposed development plan for a Community Advisory Committee (CAC). He detailed the expected functions and roles, membership and composition, selection process, meeting frequency and organization, and the recommendation process of the CAC and explained that the goal was to have a membership that had a broad interest base and would represent the overall community. He emphasized that the CAC would operate within the operating principles and ground rules consistent with the City's policies for Boards and Commissions and within the framework of the City's existing Mission, Vision, and Values. He further explained that the Commission meetings would be subject to the Brown Act and that their recommendations to the Council which would be reached through discussions and use of consensus-building methods.

Daniel Iacofano continued by explaining the framework of the Technical Advisory Group, stating that its membership would be composed of service providers, public and regulatory agencies, neighboring jurisdictions, and non-governmental organizations. He concluded his presentation by explaining the functions and roles of the Project Management Team, and stated that its composition would include the City Manager, the Reuse project staff and project consultants.

The City Council was invited to discuss the proposed development of the CAC and its role and function, and to comment in general on the presentations.

Much discussion occurred over the size and length of term of the committee, as well as the appointment of a Chair and Vice-Chair, but all concurred that the representation on the committee should include all areas of community interest. The Council concluded that the CAC should consist of between 15 and 21 members, that each Councilmember might review all applications and chose 8 applicants to move forward to a full-Council public interview. That at least 80% of the members should be Concord residents, and that members could serve two-year staggered terms without an alternate pool consistent with the current Board and Commission policy. The Council was divided as to how the Chair and Vice Chair of the committee should be appointed, but concurred that an early appointment of a Chair would allow the committee to start their work expeditiously.

Discussions concerning the Technical Advisory Group centered around the definition of the participating groups.

Mayor Bonilla recessed the meeting at 8:10 p.m. and reconvened the meeting at 8:20 p.m.

Nancy Smith, Concord, stated that she and her husband preferred that the property remain primarily undeveloped, with 80% of open space and only 20% development in the North Concord/Martinez area off Port Chicago to minimize traffic impacts.

John Leggett, Concord, urged the process to consider all alternatives that would minimize or negate development.

Kathy Gleason, Concord, reminded the attendees that 44% of the people surveyed preferred open space and asked that survey results and information be shared.

Lynda Conlow, Concord, expressed her opinion that transitional housing for the homeless be included in the plan for the Concord Naval Weapons Station.

Carole Woods, Concord, inquired as to how the CAC and the Technical Advisory Group would communicate with each other and was advised that the Project Reuse Director would facilitate the communications.

Ursula Luna, Concord, suggested that a jury style selection process would be a better way to appoint members to the CAC, considering the number of expected applicants.

Ron Leone, Concord, shared his opinion that the total membership of the committee should be an odd number, and that the appointment of a temporary Chair would be beneficial to the process.

Keith McMahon, CEO of the Concord Chamber of Commerce, stated that the Chamber, which represents the Concord business community, would like the opportunity to be actively involved in the process.

Tom O'Ban, Concord, expressed his concern over the number of members proposed on the CAC, stating that there should be representation from all districts of the community.

The public comments period was closed and Daniel Iacofano gave a brief summary of the evening's proceedings.

The Councilmembers expressed appreciation of the community participation in the process

By order of the chair, the meeting was adjourned at 9:00 p.m. in memory of John Turner, a former member of the Concord Appeals Board who served from 1974 through 1987.

SUSAN A. BONILLA
MAYOR/AGENCYMEMBER

WILLIAM D. SHINN
COUNCILMEMBER/AGENCY CHAIR

MARY RAE LEHMAN
CITY CLERK/AGENCY SECRETARY