



ANNOTATED AGENDA

**REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL/
REDEVELOPMENT AGENCY**

**Tuesday, May 25, 2010
6:30 p.m. - Regular Joint Meeting
City Council Chamber
1950 Parkside Drive, Concord, CA**

CLOSED SESSION

5:30 p.m. – City Council Conference Room

I. ROLL CALL – All present.

II. PUBLIC ANNOUNCEMENT (Open Session)

III. PUBLIC COMMENT (Open Session)

IV. CLOSED SESSION:

- a. Conference with Labor Negotiators pursuant to Government Code Section 54957.6.

City Negotiators: Daniel E. Keen, City Manager
Valerie Barone, Assistant City Manager
Kathy Ito, Director of Human Resources
Charles Sakai, Esq. of Renne, Sloan, Holtzman & Sakai

Employee Organizations: Administrative, Technical & Clerical
Representation Unit and Field & Operations
Representation Unit of Concord Public Employees'
Union, Local One; OPEIU Local 29 (formerly
Concord Associated Professional Employees)

ACTION: Closed Session held.

V. ADJOURNMENT – at 6:20 p.m. to reconvene in the Council Chamber.

**REGULAR MEETING
6:30 p.m. – Council Chamber**

ROLL CALL – All present.

PLEDGE TO THE FLAG – Councilmember Peterson

PUBLIC COMMENT PERIOD

Jay Bedecerre, Clayton, invited the City Council and members of the community to attend the 21st annual KidFest May 29, 30, and 31st being held at Mt. Diablo High School.

Betsy Trtek, Concord, advised that property at the corner of Monument Boulevard and Oak Grove Road had become trash filled and blighted, and asked the City Council to take the steps necessary to clean up the area.

1. **ANNOUNCEMENTS – None**

**CITY COUNCIL
MATTERS**

2. **CITY COUNCIL CONSENT ITEMS:**

- a. **Approval of minutes** – for the meetings held April 27, 2010. Recommended by City Clerk.

ACTION: Minutes approved.

- b. **Approving** – an updated Memorandum of Understanding with Central Contra Costa Sanitary District for Wastewater Pretreatment; and authorizing the City Manager to execute the Agreement. Recommended by Director of Public Works and Engineering.

ACTION: Memorandum of Understanding with Central Contra Costa Sanitary District approved; City Manager authorized to execute it.

- c. **Approving** – a request from the City of Pleasant Hill to allow SunValley Mall and certain other City of Concord commercial properties to be included in the Pleasant Hill Landscaping and Lighting Assessment District #20, Commercial Area Landscaping and Lighting. Resolution No. 10-31 for adoption. Recommended by Director of Public Works and Engineering.

ACTION: Resolution No. 10-31 adopted.

- d. **Approving** – an Amended and Restated Supplementary Retirement program through the Public Agency Retirement System (PARS) and adding an additional tier for participation in the program. Resolution No. 10-46 for adoption. Recommended by City Attorney.

ACTION: Resolution No. 10-46 adopted. (3-2; Hoffmeister and Peterson, No)

3. **CITY COUNCIL PUBLIC HEARING:**

- a. **Landscape and Lighting Maintenance Districts** – public hearing to consider confirming assessment diagrams and levying annual assessments for Fiscal Year 2010-11 related to the following landscape and lighting maintenance districts. **Report from Director of Public Works and Engineering.**

- 1) Confirming the Assessment Diagram and Levy of Assessments for the Downtown Landscape Maintenance District for Fiscal Year 2010-11. Resolution No. 10-39 for adoption.

ACTION: Resolution No. 10-39 adopted confirming the assessment diagram and levying the annual assessment for 2010-11.

- 2) Confirming the Assessment Diagram and Levy of Assessments for the Pine Hollow Estate Landscape Maintenance District for Fiscal Year 2010-11. Resolution No. 10-40 for adoption.

ACTION: Resolution No. 10-40 adopted confirming the assessment diagram and levying the annual assessment for 2010-11.

- 3) Confirming the Assessment Diagram and Levy of Assessments for the Landscaping and Lighting Maintenance District No. 3 for Fiscal Year 2010-11. Resolution No. 10-41 for adoption.

ACTION: Resolution No. 10-41 adopted confirming the assessment diagram and levying the annual assessment for 2010-11.

- 4) Confirming the Assessment Diagram and Levy of Assessments for the Citywide Street Lighting District for Fiscal Year 2010-11. Resolution No. 10-42 for adoption.

ACTION: Resolution No. 10-42 adopted confirming the assessment diagram and levying the annual assessment for 2010-11.

**JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MATTERS**

4. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT ITEMS:

- a. **Approving** – two agreements with Contra Costa County for Administration of the City’s Housing Rehabilitation Loan and Grant Programs at an annual cost of up to \$160,000 in Redevelopment Set-Aside funds and \$40,000 in approved Community Development Block Grant (CDBG) funds; and authorizing the City Manager/Executive Director to execute each agreement. Recommended by Community Development Director.

ACTION: Two agreements approved; City Manager/Executive Director authorized to execute them.

5. **JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARINGS:**

- a. **Consideration** – of the conveyance of the Galindo House and Property from the City of Concord to the Concord Redevelopment Agency and the Agency’s acceptance of the property and improvements; the approval of a Purchase and Sale Agreement between the Redevelopment Agency and the Concord Historical Society for the sale of the Galindo House and Property to the Concord Historical Society; the approval of a Relocation Agreement regarding the former Masonic Temple building located on Galindo Street and the transfer of the building from the Redevelopment Agency to the Concord Historical Society; and approval of an agreement to settle, release and waive all potential claims of the Concord Historical Society. Resolution Nos. 10-33, 10-742, 10-45 and 10-746 for adoption. **Report by John Montagh, Economic Development and Housing Manager.**

ACTION: Report heard, public testimony taken, Resolution Nos. 10-33, 10-742, 10-45 and 10-746 adopted as recommended.

- b. **Consideration** – of an Amended and Restated Disposition and Development Agreement and related Settlement Agreement and Mutual Release pertaining to the Legacy Park Central Apartments located at 1555 Galindo Street in downtown Concord. Resolution Nos. 10-743 and 10-44 for adoption. **Report by City Attorney Craig Labadie.**

ACTION: Report heard, public testimony taken, Redevelopment Agency Resolution No. 10-743 and City Council Resolution No. 10-44 adopted.

**REDEVELOPMENT AGENCY
MATTERS**

6. **REDEVELOPMENT AGENCY CONSENT ITEM:**

- a. **Approving** – an agreement with McDonough Holland & Allen PC in the amount of \$200,000 to provide legal services in support of the Redevelopment Agency’s redevelopment activities in its project areas and authorize the Executive Director to execute the agreement. Recommended by Community Development Director.

ACTION: Agreement approved; Executive Director authorized to execute it.

7. **REDEVELOPMENT AGENCY CONSIDERATION ITEM:**

- a. **Authorizing** – the transmittal of a Preliminary Plan for the Concord Community Reuse Redevelopment Project to certain taxing entities, the State Board of Equalization and the Planning Commission for comment. Redevelopment Agency Resolution Nos. 10-744 and 10-745 for adoption. **Report by John Montagh, Redevelopment and Housing Manager.**

ACTION: Report heard; public testimony taken; Redevelopment Agency Resolution No. 10-744 adopted authorizing the transmittal to certain tax entities; and Redevelopment Agency Resolution No. 10-745 adopted authorizing transmittal to the Planning Commission for comment.

8. **CORRESPONDENCE** – City Council correspondence not selectively included in the following list is available for inspection during normal business hours by contacting the City Clerk at 671-3495.

- a. KidFest handbill presented by Jay Bedecarre during Public Comment.
- b. Memorandum dated May 25, 2010, clarifying the agreement in Item 4.a as only for a two-year period.
- c. Fact Sheet entitled “Concord Fuels Reduction Project, Updated May 25, 2010.”
- d. E-mail from Judy Madsen encouraging severe cuts during the Fiscal Year 2010-2011 budget.
- e. E-mails from Jeff Apkarian - Local One, Michael Sandoval, Dan Marino, Norm Machado, Kathy Barnett, and Jennifer Terry objecting to the early retirement exception proposed in Item 2.d.

9. **CLOSED SESSION REPORTS** – None

10. **COUNCIL AND STAFF REPORTS** – None

11. **ADJOURNMENT** – at 7:46 p.m. in memory of Deirdre Katz, a long-time resident and supporter of the Library League, who passed away on May 8, 2010.

NOTICE

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting (Policy and Procedure No. 2, Section 4.24). For information on the next regular or special City Council meeting, please call (925) 671-3495.

NEXT REGULAR CITY COUNCIL MEETING: 6:30 p.m., Tuesday, June 1, 2010

MEETING RECORDS

Audio cassette tapes and videotapes of most City Council meetings are available for listening or viewing at the City Clerk's office. Copies of the videotapes may be purchased. Contact the Community Relations Manager at (925) 671-3272 for further information.