

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: July 22, 2014

SUBJECT: AN UNCODIFIED ORDINANCE ADOPTING THE RECODIFIED AND REPUBLISHED CONCORD MUNICIPAL CODE**Report in Brief**

The City of Concord has been codifying adopted Ordinances into Municipal Code through the use of in-house staff for over 10 years. With the retirement of the employee who was most knowledgeable of the codification process and the Folio application used to produce the Code, the City Clerk's office researched the use of an outside codification service and the success and satisfaction levels of each company with other agencies who currently use the service. It was determined that Code Publishing Company of Seattle, Washington met all the codification requirements of the City of Concord and would host and post the Municipal Code on the City's website for an annual cost of \$350.

Staff is recommending that the Council introduce Ordinance No. 14-2 (Uncodified) by reading of the title only and waiving further readings, adopting and enacting a newly formatted and renumbered Code for the City of Concord.

Background

The City's current Municipal Code was adopted in 2002 and has not been comprehensively revised since. The current numbering system and organization is obsolete and the full page format made it difficult to repaginate codifications without extensive work. The recodified Code reorganizes the Code in a logical and coherent manner and contains a numbering system that is infinitely expandable. There are reserved chapters to add new subject matter as future needs arise.

On October 29, 2013, the City Clerk's office issued a purchase order to Code Publishing Company in the amount of \$7,000 to reformat, renumber and reorganize the Concord Municipal Code, excluding the Development Code. On January 22, 2014, the City Clerk rolled out the newly formatted Code to the Executive Team for feedback, and shortly thereafter had Code Publishing post the newly formatted code on the City's website for community feedback.

During the recodification of the Municipal Code, the Planning Manager and Director of Community and Economic Development decided that Code Publishing should also reformat the Development Code and incorporate it back into the Municipal Code. To that end, Code Publishing reserved Title 18 to allow incorporation of the Development Code back into the Municipal Code. The Planning Division is in its final stages of review prior to that incorporation.

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REPUBLICSED CONCORD MUNICIPAL CODE**

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Discussion

Code Publishing Company has completed the recodification of the Municipal Code, and is significantly complete with the Development Code which will be reincorporated back into the newly formatted Municipal Code as Title 18. The Code itself does not contain any substantive changes but is reorganized in a manner that should make using the Code more logical and easier to understand. There is a comparative table index that the reader may refer to and check old Code sections with new sections. The historical references to the Ordinance adoptions remain in the Municipal Code sections, however were removed in the Development Code which was completely rewritten and adopted in 2012. Future updates to the Development Code will be annotated with historical references once incorporated back into the Municipal Code as Title 18.

The new Code will be hosted on Code Publishing's website and linked to the City of Concord's website making it accessible to staff and the public from our home page. Code Publishing will maintain the City's Code which will be fully searchable and uses software that will instantly locate references to a word, phrase or combination thereof throughout the entire document.

Fiscal Impact

Under the City's agreement with Code Publishing, there are recurring service costs to maintain and update the Code after adoption of each City ordinance. There will also be an annual \$350 per year for Internet hosting, and printing costs of \$.10 per page for copies of all pages which are revised following an amending Ordinance adoption.

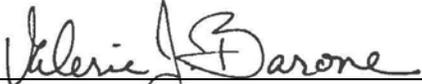
Public Contact

Posting of agenda as required by law.

Recommendation for Action

Staff recommends the City Council introduce Ordinance 14-2 (Uncodified) by reading of the title only and waiving further readings, adopting and enacting a newly formatted and renumbered Code for the City of Concord.

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ORDINANCE NO. 14-2 (UNCODIFIED)

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF CONCORD, CALIFORNIA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE

THE CITY COUNCIL OF THE CITY OF CONCORD DOES ORDAIN AS FOLLOWS:

Section 1. The code entitled “Concord Municipal Code,” published by Code Publishing Company, consisting of Titles 1 through 19, each inclusive, and including Tables and Chapter 122 entitled Development Code which will be incorporated in a version renumbered and reformatted as Title 18, is adopted.

Section 2. Additions or amendments to the Code, when passed in such form as to indicate the intention of the City Council to make the same a part of the Code, shall be deemed to be incorporated in the Code through the adoption of this ordinance, so that reference to the Code includes all current additions and amendments.

Section 3. This Ordinance No. 14-2 shall become effective thirty (30) days following its passage and adoption. In the event a summary of said Ordinance is published in lieu of the entire Ordinance, a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to its adoption and within fifteen (15) days after its adoption, including the vote of the Councilmembers. Additionally, a summary prepared by the City Attorney’s Office shall be published once at least five (5) days prior to the date of adoption of this Ordinance and once within fifteen (15) days after its passage and adoption, including the vote of the Councilmembers, in the Contra Costa Times, a newspaper of general circulation in the City of Concord.

Timothy S. Grayson
Mayor

1 ATTEST:

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4 Mary Rae Lehman, CMC
City Clerk (Seal)

5 Ordinance No. 14-2 (Uncodified) was duly and regularly introduced at a regular joint meeting
6 of the City Council and Redevelopment Agency held on July 22, 2014, and was thereafter duly and
7 regularly passed and adopted at a regular joint meeting of the City Council and Redevelopment
8 Agency held on September 9, 2014, by the following vote:

9 **AYES:** Councilmembers -

10 **NOES:** Councilmembers -

11 **ABSTAIN:** Councilmembers -

12 **ABSENT:** Councilmembers -

13 **I HEREBY CERTIFY** that the foregoing is a true and correct copy of an ordinance duly and
14 regularly introduced, passed, and adopted by the City Council of the City of Concord, California.

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Mary Rae Lehman, CMC
18 City Clerk

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