

REGULAR JOINT MEETING OF THE  
CONCORD CITY COUNCIL AND  
REDEVELOPMENT AGENCY  
CITY COUNCIL CONFERENCE ROOM  
COUNCIL CHAMBER  
1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA  
OCTOBER 26, 2010

The Concord City Council met in the City Council Conference Room located at 1950 Parkside Drive at 5:30 p.m. on Tuesday, October 26, 2010 with Councilmember Shinn absent. Mayor Guy Bjerke presided and there were no public comments. At 5:35 p.m. the meeting adjourned to reconvene in closed session to confer regarding personnel matters pursuant to Government Code Section 54957 concerning the Public Employee Appointment of a Chief of Police. The meeting adjourned at 6:30 p.m. to reconvene in the Council Chambers.

The Concord City Council and Redevelopment Agency reconvened in a regular joint meeting of the Concord City Council and Redevelopment Agency in the City Council Chamber located at 1950 Parkside Drive at 6:40 p.m. with Mayor/Agencymember Guy Bjerke presiding. Councilmember Shinn was absent and Mayor Bjerke led the pledge to the flag. Minutes follow in abbreviated form per Resolution 3361 and Council Minutes of September 26, 1966.

**ROLL CALL**

COUNCILMEMBERS PRESENT: Helen Allen, Laura Hoffmeister, Mark Peterson, Guy Bjerke

COUNCILMEMBERS ABSENT: Bill Shinn

STAFF PRESENT: Daniel E. Keen, City Manager; Craig Labadie, City Attorney; Valerie Barone, Assistant City Manager; Mary Rae Lehman, City Clerk; Michael Wright, Reuse Project Director; Kathy Ito, Director of Human Resources; Danae Gemmell, Acting City Engineer; Ray Kuzbari, Transportation Manager

MEMBERS OF THE AUDIENCE WHO ADDRESSED COUNCIL: Art Quarry, Concord; Jack Biller, Concord

**PUBLIC COMMENT PERIOD**

Jack Biller, Concord, shared his observations over the operation of taxi cabs and the enforcement of applicable ordinances.

Art Quarry, Concord, stated his opinions about the traffic on Hickory Drive.

ANNOUNCEMENTS – None

CITY COUNCIL  
MATTERS

ADOPTION OF RESOLUTION NO. 10-98 – Asset Forfeiture Funds for Audio/Video Equipment

Motion was made by Allen and seconded by Peterson to adopt Resolution No. 10-98, entitled “A RESOLUTION TO RELEASE \$25,000 IN ASSET FORFEITURE FUND MONIES TO HELP FUND THE REPLACEMENT OF OBSOLETE ANALOGUE VIDEO/AUDIO RECORDING EQUIPMENT FOR THE POLICE DEPARTMENT INTERVIEW ROOMS.” Motion passed by the following vote of the Council:

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

ADOPTION OF ORDINANCE NO. 10-4 (UNCODIFIED)– Amendment of Contract with California Public Employees Retirement System (CalPERS)

Motion was made by Allen and seconded by Peterson to adopt Ordinance No. 10-4, entitled “AN ORDINANCE (UNCODIFIED) OF THE CITY COUNCIL OF THE CITY OF CONCORD AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF CONCORD AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM TO PROVIDE THE “2.0% AT AGE 55” BENEFIT FORMULA FOR MISCELLANEOUS MEMBERS ENTERING MEMBERSHIP FOR THE FIRST TIME IN THE MISCELLANEOUS CLASSIFICATION AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THE CONTRACT” to add Section 20475, creating a new tier in the retirement program for Miscellaneous New Hire Employees Only with a 2% @ 55 formula. This Ordinance amendment was introduced on September 28, 2010. Motion passed by the following vote of the Council:

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

AGREEMENT WITH BROWN AND CALDWELL – General Engineering Services

Motion was made by Allen and seconded by Peterson to approve a Master Agreement with Brown and Caldwell in the not-to exceed amount of \$250,000 for general engineering services for capital projects; and to authorize the City Manager to execute the Agreement. Motion passed by the following vote of the Council:

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

AWARD OF CONTRACT TO McNABB CONSTRUCTION, INC. – Project No. 2177, Bocce Courts at Baldwin Park

This matter was pulled from the agenda by Mayor Bjerke who advised that Bond funds approved by the voters were being used for this project, with the balance of funding coming from the Park In-Lieu fund. He concluded his comments by stating that General Fund money was being loaned to initiate the project, but would be paid back.

Motion was made by Bjerke and seconded by Hoffmeister to award a construction contract in the total amount of \$366,450 for the base bid and alternate bid to McNabb Construction, Inc. of Lafayette for Project No. 2177, Bocce Courts at Baldwin Park. Motion passed by the following vote of the Council:

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

JOINT CITY COUNCIL/  
REDEVELOPMENT AGENCY

AGREEMENT WITH ARUP, INC. – Environmental Compliance Documents

Motion was made by Allen and seconded by Hoffmeister to approve a Professional Services Agreement with ARUP, Inc. in an amount not-to-exceed \$26,800 for services associated with preparation of supplemental environmental compliance documents for the Redevelopment Plan for the Concord Community Reuse Redevelopment Project. Motion passed by the following vote of the Council/Agency:

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

CITY COUNCIL  
MATTERS

CONTINUATION OF PUBLIC HEARING – Proposed Redevelopment Plan

The City Council confirmed the staff recommendation to continue the consideration of the proposed Redevelopment Plan (the "Redevelopment Plan") for the Concord Community Reuse Redevelopment Project (the "Project") and consideration of all evidence and testimony for or against the approval and adoption of the proposed Redevelopment Plan to a date uncertain with proper notification when rescheduled.

CANCELLATION OF PUBLIC HEARING – Appeal by Wieslaw J. Pisula

This Public Hearing had been previously continued from the meetings of September 14, 2010 and October 12, 2010 at the request of Mr. Pisula and/or his attorney Roni Rothholz. The appeal submitted by Wieslaw J. Pisula over the Concord Police Department's denial of an application for a Taxi Driver Permit was withdrawn by the Appellant, cancelling the public hearing.

CONTINUATION OF PUBLIC HEARING – General Plan Amendment

The consideration of a proposed General Plan Amendment to update the City's Housing Element which includes a revised statement of goals, policies, quantified objectives, land inventory, and a schedule of programs for the preservation, improvement and development of housing on a Citywide basis, was continued to November 16, 2010 at the recommendation of staff who was awaiting additional input from outside agencies.

CORRESPONDENCE

- a. Treasurer's Report for the month of August, 2010.
- b. E-mail received from Rich Valencia expressing concern over the traffic on Hickory Drive.
- c. Facsimile from Attorney Roni Rothholz representing Wieslaw J. Pisula requesting withdrawal of appeal (Item #3.b).
- d. Two letters submitted by Jack Biller supporting his comments made during Public Comment.

COUNCIL AND STAFF REPORTS

Mayor Bjerke reminded the audience of the Election being held on November 2, 2010 and encouraged them to vote.

By order of the Mayor, the meeting was adjourned at 7:00 p.m.

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GUY S. BJERKE  
MAYOR/AGENCYMEMBER

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MARK A. PETERSON  
COUNCILMEMBER/AGENCY CHAIR

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MARY RAE LEHMAN, CMC  
CITY CLERK/AGENCY SECRETARY