

**CITY OF PITTSBURG**  
**Redevelopment Agency Minutes**  
**November 1, 2004**

Chair Aleida Rios called the meeting of the Redevelopment Agency to order at 7:24 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:48 P.M. for Closed Session pursuant to Section 54956.9 of the Government Code regarding Conference with Legal Counsel - Existing Litigation regarding Calpine et al vs. State Board of Equalization, San Diego Superior Court Case No. GIC828751.

Chair Rios advised that there was nothing to report from Closed Session.

**MEMBERS PRESENT:** Beals, Glynn, Kee, Parent, Rios

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Executive Director, Marc Grisham  
Legal Counsel, Ruthann Ziegler  
City Clerk, Lillian Pride  
Deputy City Clerk, Alice Evenson  
Housing and Community Programs Manager, Annette Landry  
Director of the Redevelopment Agency, Garrett Evans  
Director of Development Projects, Randy Jerome  
Director of Economic Development, Brad Nail  
Director of Public Works, John Fuller  
Director of Recreation, Paul Flores  
Director of Finance, Marie Simons  
Planning Director, Melissa Ayres  
City Engineer, Joe Sbranti  
Police Chief Aaron Baker

**CONSENT CALENDAR**

On motion by Member Kee, seconded by Chair Rios, and carried unanimously to adopt the Consent Calendar, as follows:

a. **MINUTES** Dated: October 18, 2004

Approved minutes dated October 18, 2004.

## **ADJOURNMENT**

The meeting of the Redevelopment Agency adjourned at 7:25 P.M. to the Special Meeting set for November 3, 2004.

Respectfully submitted,

Lillian J. Pride, Secretary

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**CITY OF PITTSBURG**  
**City Council Minutes**  
**November 1, 2004**

Mayor Aleida Rios called the meeting of the City Council to order at 7:26 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California after having convened at 6:48 P.M. for Closed Session pursuant to Section 54956.9 of the Government Code regarding Conference with Legal Counsel - Existing Litigation regarding Calpine et al vs. State Board of Equalization, San Diego Superior Court Case No. GIC828751.

Mayor Rios advised that there was nothing to report from Closed Session.

**MEMBERS PRESENT:** Beals, Glynn, Kee, Parent, Rios

**MEMBERS ABSENT:** None

**STAFF PRESENT:** City Manager, Marc Grisham  
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City Engineer, Joe Sbranti  
Police Chief Aaron Baker

Mayor Rios considered the following general City Council items at 7:00 P.M. prior to pursuing the Redevelopment Agency agenda.

**PLEDGE OF ALLEGIANCE**

Annette Landry led the Pledge of Allegiance.

**COUNCILMEMBER REMARKS**

Councilmember Kee highlighted his attendance at the SEMS Training where each City employee had been trained as to what to do in the event of a major emergency. He had also moderated the final debate and forum for the City Council candidates sponsored by the Oak Hills Community Group, at which time awards to members of the community had been presented.

Vice Mayor Parent urged everyone to vote on Election Day on November 2, 2004. She reiterated her support for Proposition 1A to keep local funds local. She reported that she had attended the Senior Center on October 29 as a volunteer. She highlighted the activities of the Fifty Plus Club when the many volunteers at the Center had been honored. She also reported that the Nutcracker would be presented at the Creative Arts Building on December 4 and 5 when the Theater Ballet of San Francisco and the Academy of Arts Ballet of Antioch would be performing.

Mayor Rios congratulated Chief Baker for the appointment of a new Records Manager. She reported that the City had a new supermarket, The Superior that focused on Hispanic produce.

Mayor Rios also advised that she had attended the Tri-Delta, the Library and East Bay League meetings and other meetings in East County. She had also received a fax last week from Zacapu Michoacan, Mexico. She explained that one of the bands that had participated in the Hispanic Heritage Festival had been so impressed with the City of Pittsburg that it had returned to its home in Mexico and had requested a Sister City relationship with Pittsburg. She reported that Zacapu had requested a visit from the City of Pittsburg in the immediate future and would pay for travel and lodging expenses. The Mayor stated that she would make that trip in the near future.

MARY ROSAS, Pittsburg, highlighted the visit that the Mayor had announced and stated that the State of Michoacan was potentially the highest represented state in the City of Pittsburg. She commended the Mayor for following up on the request for Sister Cityhood.

Mayor Rios offered a non-agendized Proclamation of Public Recognition to Mary Rosas in thanks for her dedication to the community, her work for the public good and the world of difference that she had made in the City of Pittsburg and other communities.

Mary Rosas expressed her thanks to the Mayor for the Proclamation.

### **CITY MANAGER REPORTS/REMARKS**

There was no report from the City Manager.

### **CITIZENS REMARKS**

RICHARD CONEY, Pittsburg, spoke to the traffic on Gladstone Drive which he characterized as extremely dangerous. He stated that the speed humps that had recently been installed were not working, they were too far apart, and cars were traveling in excess of 60 MPH in the area and passing some residents to get along the road faster. He commented that he had recently called the Police Department to identify his concerns. While he had recently seen a police presence on the street, the problems had not been resolved. He requested that the City Engineer address the concerns.

BEN JOHNSON, Pittsburg, spoke to Mariposa and Calistoga Avenues which had been on the Capital Improvement Program (CIP) list for repair in 1997, although that repair had not yet occurred.

On another matter, Mr. Johnson emphasized the need for the City to pursue available Caltrans grant money for schools, which funds had been extended to 2008, to improve City streets in cooperation with the schools to address such things as speed lights, rehabilitated crosswalks, color coded school crossing signs, creating bicycle lanes, and other improvements.

CHARLES SMITH, Pittsburg, expressed his objection to the fact that Councilmember Beals and Mayor Rios had decided not to seek reelection, and for the Council's actions related to the loss of the Marina Center to Los Medanos College for its Police Academy and for what he characterized as the bad plan for the Kirker Creek Stormwater Project.

BRUCE OHLSON, Pittsburg, representing the East Bay Bicycle Coalition, noted that the Senior Center had recently been opened adjacent to the East Bay Municipal Utility District (EBMUD) right-of-way containing the paved Delta-DeAnza National Historic Trail. He had asked for a mid-block connection to that trail and noted that the trail connection had recently been completed. He thanked the Council for that accomplishment.

The City Council reconvened at 7:24 P.M.

## **PUBLIC HEARING**

1. **ORDINANCE 04-1228** Introduction of an Ordinance Amending Chapter 13.28 of the Municipal Code (Stormwater Management and Discharge Control)

City Manager Marc Grisham presented the introduction of an ordinance amending Chapter 13.28 of Title 13 of the Municipal Code relating to Stormwater Management and Discharge Control. The amended ordinance would carry out conditions that become effective February 15, 2005 and August 15, 2006 in the City's National Pollutant Discharge Elimination System (NPDES) permit related to implementation of appropriate source control, site design measures and stormwater treatment measures for applicable construction projects.

The fiscal impact would be applicable to new and redevelopment projects, including some Capital Improvement Projects (CIP) and private developer projects. There could be additional costs with the enforcement of the new provisions related to plan checking and site inspections.

Mr. Grisham recommended the introduction, waive further reading and pass to second reading the ordinance amending Chapter 13.28 of Title 13 of the Municipal Code relating to Stormwater Management and Discharge Control.

Mayor Rios opened the public hearing for Ordinance 04-1228

CHARLES SMITH, Pittsburg, speaking as a retired environmental scientist with the Department of Energy and the University of California, Berkeley, and with 15 to 20 years experience in stormwater management and implementation plans, acknowledged that a number of City staff had contributed to the document. He commented that he had never liked the way the City had handled the stormwater project affecting the Martin Luther King, Jr. School.

Mr. Smith also noted that the City had never incorporated best management practices, one of which was storm drain cleaning and which he suggested the City had not done. He referred to one storm drain in the City where a tree was growing. He commented that something similar to the document must be passed. He requested that the document be revised to be more precise and that the areas of the ordinance that were vague be specialized. While he suggested that the writing of the plan was good and included a regional aspect he did not find the regional county and City aspect to be totally included in the plan.

Mayor Rios closed the public hearing.

On motion by Councilmember Parent, seconded by Councilmember Glynn and carried unanimously to introduce Ordinance 04-1228 by title only and waive further reading.

2. **ORDINANCE 04-1229** Introduction of an Ordinance Amending Pittsburg Municipal Code, Title 18, in Order to Add Chapter 18.86: Inclusionary Housing

City Manager Grisham advised that on October 26, 2004 the Planning Commission had adopted Resolution No. 9530 recommending that the City Council adopt an Inclusionary Housing Ordinance, as presented in Exhibit A to that resolution. The Commission's recommended ordinance was now being presented to the City Council for action.

Mr. Grisham commended Planning staff for the process where the public had been invited to participate, provide comments and help create a concept that he suggested was one of the most far reaching in Contra Costa County. He also noted that the Inclusionary Housing Ordinance also worked well with the Redevelopment Project Areas where there were issues related to the production of housing.

Planning Director Melissa Ayres reported that Dana Hoggatt of Planning staff had done a tremendous amount of work with the consultants to create the ordinance. She explained that the item had originated in 2003 with the Council's adoption of the latest Housing Element which had included policies regarding supporting and encouraging the development of an Inclusionary Housing Ordinance.

A work program to implement that policy had been presented to the Council in February 2004. In April 2004 funds had been appropriated to hire a consultant to conduct

an inclusionary housing feasibility study. The consultant had developed that study and had spent extensive time with the public, the development community and non-profits. Four public workshops had been held, two of those workshops jointly held with the City Council and the Planning Commission. The feasibility study had determined that the development community could develop affordable housing in Pittsburg in a manner that was financially feasible for Very Low, Low and Moderate Income households.

The Planning Commission had held two public hearings on the ordinance and had recommended approval of the draft Inclusionary Housing Ordinance that was presented to the City Council for approval. It would require that all new projects provide a minimum of 15 percent affordable housing units in a project, 9 percent of which would be Low to Moderate Income units with 6 percent at Very Low Income. Incentives had also been included to make that process more economically viable and closer to market rate by including provisions to reduce the size of the units by 10 percent, potential reduction in bathrooms as long as 1.5 baths for a three bedroom unit and 2 baths for a four bedroom unit were provided, provided opportunities for reduced parking for affordable units, and other types of provisions including smaller lot sizes and different quality of interior finishes. All exterior finishes would remain the same.

Ms. Ayres added that opportunities for equity participation would also be provided in addition to a standard redevelopment rule of 45 year deed restrictions on for sale and 55 year deed restrictions on rental products. The ordinance also provided opportunities for alternative compliance, land dedications in conjunction with in-lieu fees or in-lieu fees in some cases where the property in question might not be suitable for affordable housing if not near parks, schools, commercial services, transit opportunities or freeway access. Further, all affordable housing agreements negotiated would be submitted to the City Council for final adoption.

The fiscal impact of the proposed ordinance would require City staff to conduct ongoing monitoring in order to ensure compliance with the income and occupancy levels for specified affordable units. Those costs had been estimated at approximately \$100 per single-family house and \$50 per rental unit, paid annually. Program administration costs would be reimbursed to the City by an administration fee that would be charged to residential developers, the amount of that fee to be determined by Council resolution.

Ms. Ayres recommended that the City Council move to introduce, waive further reading and move to second reading the Inclusionary Housing Ordinance, adopting the Negative Declaration and amending Pittsburg Municipal Code in order to add Chapter 18.86: Inclusionary Housing, to Part V: General Land Use Regulations of Title 18: Zoning.

Mayor Rios opened the public hearing for Ordinance 04-1229

DAVID REED, East Bay Field Representative for the Greenbelt Alliance, a not for profit organization dedicated to protecting open space and promoting the quality of life throughout the Bay Area, suggested that there was a clear nexus between that goal and the ordinance which would provide for affordability in Pittsburg. He suggested it would not

only improve the quality of life for Pittsburg residents and provide opportunity for home ownership but take pressure off of the natural areas off of the environment in the County.

Mr. Reed suggested that the ability to purchase off-site covenants might allow a developer to buy existing affordable housing and dedicate that to be affordable for 45 years rather than creating new affordable units, which he suggested the ordinance was intended to do. He also suggested that deed restrictions were more effective for the long term in accomplishing affordability than equity partnership agreements. He emphasized the need that those units remain affordable for as long as possible to ensure that the need for affordability had been met.

EVELYN STIVERS, Campaign Coordinator for the Non-Profit Housing Association of Northern California, a trade association of non-profit developers dedicated to the creation of affordable housing, expressed her pleasure with the preparation of the ordinance and with the final product. She commended all involved. She added that she had especially been encouraged by the strong but flexible language allowing for off-site construction and allowing for land dedication and some of the flexible parts of the ordinance that had shown to be effective in other ordinances in California.

Noting that the goal of the ordinance was to increase the supply of rental houses for very low and low income households, Ms. Stivers stated that the ordinance did not meet that goal if buying covenants although it would create new, clean, safe, and nice housing. Referring to the income targeting and the differentiation of requirements based on density, she suggested that the City's ordinance appeared to be unique in California. As such, she supported the inclusion of monitoring language to review the effectiveness of the ordinance over the long term.

GREGORY OSORIO, Pittsburg, stated that he had also been encouraged by the ordinance. He was otherwise concerned with the fact that there had to be a way of examining preferences for existing residences and the stakeholders in the community. He commented that the City Attorney did not believe that could be done although he noted that other cities had done so. He emphasized that the needs of the Pittsburg community should be addressed. With respect to the shared equity concept, Mr. Osorio commented that at the last Planning Commission meeting it had been noted that concept would create a further deficit in units by not requiring that the units be deed restricted. He supported the creation of a hybrid product to create greater equity preservation. He did not want the dedicated units to be allowed to increase to market rate after only a few years.

THERESA KARR, California Apartment Association, Contra Costa Division, representing 50,000 housing owners responsible for two million rental units in the State stated the Association provided affordable housing. While not in opposition to affordable housing, the owners of multiple housing did not support inclusionary housing ordinances because they did not create enough affordable housing. She referred to a letter that she had submitted to the Council and referenced the statistics that in 33 cities in the Bay Area seven years before and seven years after the introduction of inclusionary housing

ordinances 10,000 housing units that could have been built had been lost.

Ms. Karr noted that Pittsburg had the most affordable housing in Contra Costa County and with 60 to 80 percent of the City in redevelopment, she did not see the need for an inclusionary housing ordinance. She added that in the 30 years that inclusionary housing ordinances existed, only 6,836 affordable units had been produced. She commented that any price reduction, control or restriction was considered to be rent control. She urged the City to listen to the development community since that was the segment that built affordable housing.

There being no one else to speak, Mayor Rios closed the public hearing.

Vice Mayor Parent referred to Section 18.86.060 and noted her understanding that the Planning Commission had stricken the reference to City Manager and replaced it with the Planning Commission. She questioned whether or not all vesting tentative maps were submitted to the Council.

Ms. Ayres stated that vesting tentative maps did not require Council approval, and were solely the responsibility of the Planning Commission to review. She commented that the issue related to design details. The land use decisions would rest with the Planning Commission unless appealed to the City Council. When asked, she stated that the City Council could raise an appeal.

Vice Mayor Parent referenced the buying of covenants and questioned under what circumstances staff would recommend that a covenant be allowed rather than building an additional unit.

Ms. Ayres noted that might be done if a project was in an area that was not suitable for affordable housing, such as away from transit, school facilities, parks or commercial areas. The purchase of land elsewhere or covenants in an existing building might be recommended. Rather than a fee, the preservation of affordable units for a longer period of time might also be recommended.

For the benefit of the audience, Vice Mayor Parent responded to the question as to why an inclusionary housing ordinance would be required where there was a Redevelopment Agency. In the case of Pittsburg, the Agency had some exemptions that others might not have and it was possible that future Councils would want to use those exemptions. The Council was currently trying to require inclusionary zoning.

Ms. Ayres commented that 66 percent of the City's land was within the Redevelopment Project Area and there remained a significant amount of land outside the Redevelopment Project Area that was residential. Having the requirement only in the Redevelopment Area would create something contradictory to smart growth in that it would encourage development outside of the project area as opposed to infill projects. She suggested that the Inclusionary Housing Ordinance would eliminate the disincentive to build on vacant underdeveloped land.

Vice Mayor Parent stressed that the City Council was serious about providing affordable housing.

Councilmember Kee thanked staff for providing a list of other communities with affordable housing. As to how the City's proposed policy compared with other communities, he noted that the City's proposal related to 15 percent of affordable housing while others ranged from 10 to 35 percent. He suggested that the City was in the middle road of that range. He commented that one of the concerns he had was making certain that the development community had every opportunity to participate in the process. He stated that had been done. He questioned staff whether or not Discovery Builders or Seecon had participated in the process.

Ms. Ayres stated that those developers had been involved. When the consultant firm had first started its research, all developers building within the community had been contacted. She listed a number of firms that had been invited to special appointments with the consultant to obtain input on the cost of building. She noted that Seecon had offered extensive information related to construction costs in the City. She added that the list of all those contacted about the Housing Element had been contacted with respect to the Inclusionary Housing Ordinance.

Councilmember Kee referred to Section 18.86.090, Time Performance, which required that affordable units be built and receive completion prior to any other units. He questioned how that would affect the developers of small developments, to which Ms. Ayres noted that the proposal had been set up so that if developing in phases, all could be built at the same time although the Certificate of Occupancy would be held up pending the completion of the other units.

Councilmember Kee referred to the revenue sharing and while he understood the 45 year requirement he stated that the intent was to help people change their lives. As a result, he suggested there was a need to allow the homeowners of the affordable unit to recoup as much equity as possible in the hope that affordable housing for that party would no longer be needed.

Ms. Ayres highlighted the two options, where the developer could opt for a 45 year deed restriction and the other where the developer could opt for the equity participation program. Each option would be presented to the City Council for approval. She noted the need to create a generally even option. She emphasized that the Council could participate in the structure of those options.

Mr. Grisham stated with respect to shared equity that the process could be programmed to avoid a quick profit and to offer housing opportunities for the working poor. He emphasized the need that because of shared equity, the Redevelopment Agency or the Housing Authority would utilize those funds for further affordable housing opportunities. He suggested that shared equity would work well as long as it was structured properly. He emphasized that the Council would have the opportunity for input in that regard.

Councilmember Kee recommended an annual or biannual review of the ordinance to determine how well the program was working.

Vice Mayor Parent stated that while in agreement on the concept for review, she did not feel it would be appropriate to include that review in the ordinance. She could accept an understanding that the Housing and Planning Departments would review the ordinance for a couple of years without requiring a specific requirement for that review.

Councilmember Kee requested an annual report from staff on how well the program was working.

On motion by Councilmember Glynn, seconded by Vice Mayor Parent and carried unanimously to introduce Ordinance 04-1229 by title only and waive further reading.

3.     **ORDINANCE 04-1230**     Introduction of an Ordinance to Rezone Portions of the Alves Ranch Property to CO-P (Commercial Office – Master Plan Overlay) District, RH-P (High Density Residential – Master Plan Overlay) District and P-D (Planned Development) District; Vista Del Mar Project – (AP -03-33)
  
4.     **ORDINANCE 04-1231**     Adoption of an Ordinance Approving the Vista Del Mar Development Agreement (AP-03-33)

City Manager Grisham stated that on October 26, 2004 the Planning Commission held a public hearing to consider a development agreement for the Vista Del Mar development proposal on 293 acres commonly known as the Alves Ranch property. The Planning Commission continued the item to the November 9, 2004 Planning Commission meeting for further consideration. As a result, Council's consideration of the item must be continued to the December 20, 2004 City Council meeting.

Mayor Rios opened the public hearing for Ordinance 04-1230 and Ordinance 04-1231.

DOUGLAS EIKENBARY, William Lyon Homes, San Ramon, speaking on behalf of Ordinance 04-1230 and Ordinance 04-1231, requested an earlier period of review than December 20. He took this opportunity to thank staff for all their help in the project.

Vice Mayor Parent urged the Council to leave as many options open as possible. She requested a continuance to November 15, to then re-continue the item, if necessary.

Ms. Ayres stated that it would not be possible for staff to prepare the staff report for the November 15 meeting since the staff report would have to be completed by November 3 to meet the deadline for that meeting.

Councilmember Beals questioned whether or not any issues had been raised by the

Planning Commission. She suggested that the Council had sufficient time to review the issue.

Ms. Ayres stated that the Planning Commission had received the packets late and it was the first time that the development agreement had been submitted to the Commission for review, at which time three members had been ill. As such, the Commission had not been fully prepared to review the item at that time.

Councilmember Beals agreed with the Vice Mayor's recommendation to defer the matter to November 15 to determine whether or not the item could be reviewed by the Council at that time.

On motion by Vice Mayor Parent, seconded by Councilmember Beals and carried unanimously to continue Ordinance 04-1230 to the November 15, 2004 meeting at 7:00 P.M.

On motion by Vice Mayor Parent, seconded by Councilmember Glynn and carried unanimously to continue Ordinance 04-1231 to November 15, 2004 at 7:00 P.M.

5. **RESOLUTION 04-10174** Adoption of a Resolution Amending the Housing Element of the General Plan

Mr. Grisham stated that on January 5, 2004 the City Council initiated a General Plan amendment to bring the City's Housing Element into compliance with State Law and referred the matter to the Planning Commission. The State Department of Housing and Community Development (HCD) had determined that approval of the June 4, 2004 draft Housing Element, as recommended for approval by the Planning Commission, and with three supplemental programs requested by HCD, would bring the City's Housing Element into compliance with State Law.

Mr. Grisham emphasized the fact that the Housing Element had been in process for some time, was an important tool for inclusionary housing and for the Redevelopment Agency in carrying out its housing programs. There would be no direct fiscal impact to the City. Minor changes required to the draft element to incorporate recommended changes would be paid for out of the Planning Department's operating budget.

Mr. Grisham recommended that the City Council adopt the resolution adopting the Negative Declaration and amending the Housing Element of the General Plan.

Mayor Rios opened the public hearing for Resolution 04-10174.

GREGORY OSORIO, Pittsburg, commented that staff had done a great job with the document and complimented the City in that regard.

Mayor Rios closed the public hearing.

Mayor Rios also commended staff for a well done document.

On motion by Councilmember Kee, seconded by Vice Mayor Parent and carried unanimously to adopt Resolution 04-10174.

6. **ORDINANCE 04-1232** Introduction of an Ordinance Amending the Community Development Plan for the Los Medanos Community Development Project to Extend by One Year the Time Limits on Redevelopment Activities

City Manager Grisham stated that pursuant to SB 1045 the City Council may adopt an ordinance to amend the Los Medanos Community Development Plan in order to extend the ability of the Redevelopment Agency to undertake redevelopment activities to pay indebtedness and receive tax increment by one year. SB 1045 was legislation that resulted from the Education Revenue Augmentation Fund (ERAF) transfers which were put in place in 2003. If the City did not amend the Plan as allowed by SB 1045, it would not receive the additional tax increment revenues it was entitled to receive under the law. He characterized the item as a housekeeping item and noted it would allow the City to recapture some of the funds taken by the State.

The extension of the effective dates of the Redevelopment Plans for the Project Areas and Amendments, and the time to receive tax increment, would enable the Agency to recover all or a portion of the tax revenues lost as a result of the ERAF shift in 2003-04, which based on current tax increment revenues could approach \$34 million.

Mayor Rios opened the public hearing for Ordinance 04-1232. There was no one to speak. The public hearing was closed.

On motion by Vice Mayor Parent, seconded by Councilmember Glynn and carried unanimously to introduce Ordinance 04-1232 by title only and waive further reading.

## **CONSIDERATION**

1. **RESOLUTION 04-10175** Adoption of a Resolution in Support of Maintaining the Current Urban Limit Line Through 2011

Mr. Grisham reported that an East County Task Force studying the Urban Limit Line (ULL) had been charged with the task of recommending a new ULL through 2011. Supervisor Glover, who headed the task force, had requested that each East County City Council submit a formal recommendation on where it believed the line should be through 2011. There was no fiscal impact.

Rather than taking final action, Mr. Grisham requested that the item be continued to the next meeting given the mixed signals from the Advisory Committee working on the matter. He also noted an action taking place in Central County related to the City of Concord where Concord was expected to conduct a large movement of the ULL, which

merited additional review by the City prior to making a final decision to adopt the resolution.

DAVID REED, East Bay Field Representative for the Greenbelt Alliance, emphasized the importance of the decision to the future of Contra Costa County and for future generations since thousands of acres could be added to the ULL affecting all aspects of the quality of life of area residents. He emphasized the need to protect open space, quality of life and the infrastructure investments. He suggested it was past time to approach growth differently in Contra Costa County. He noted that the Alliance was working hard to convince the City of Concord to withdraw its request for an increase in the ULL representing several thousand acres. With respect to the City of Antioch, he commented that the Alliance had been fighting the City for two years for four square miles in that City. He suggested that was holding the ULL hostage elsewhere. He urged the Council to consider the resolution at this time to hold the ULL as is.

Councilmember Glynn noted at the last meeting with the various stakeholders in East County that major rethinking of the participants was taking place in the nature of four thousand acres of expansion of the ULL from Brentwood, Antioch, Concord and others. He suggested that the timing was unfortunate and he suggested that it would be foolish for the City of Pittsburg to take a position pending a clarification of the situation.

Vice Mayor Parent agreed with the concerns expressed by Councilmember Glynn, particularly with the City of Concord's proposal to expand the ULL through the Naval Weapons Station. She supported a continuation of the item to the next meeting of the Council during which time the situation might be better clarified. Noting the discussion at the meeting related to guidelines for review, Vice Mayor Parent requested an update for the next meeting of the status of the draft guidelines for review to allow the Council to comment on that aspect of the issue.

Mr. Grisham commented that the City of Concord had been concerned with the City of Pittsburg's proposal to clarify its ULL and there had been much publicity in that regard. He suggested that the effort to stop Concord was weak and he explained why. He also suggested that Pittsburg was being dealt away because of Central County power.

On motion by Councilmember Beals, seconded by Councilmember Glynn and carried unanimously to continue Resolution 04-10175 to the November 15, 2004 meeting.

### **CONSENT CALENDAR**

On motion by Councilmember Beals, seconded by Councilmember Glynn and carried unanimously to adopt the Consent Calendar, as follows:

- a. **MINUTES** Dated: October 18, 2004  
Approved minutes dated October 18, 2004.
- b. **ORDINANCE 04-1227** Adoption of an Ordinance to Rezone 7.4 Acres at 1055 North Parkside Drive from IL District to PD District

(Willow Brook Residential Development. AP-03-79)

Adopted Ordinance 04-1227.

- c. **RESOLUTION 04-10176** Approval of the Final Map, Improvement Plans, and Subdivision Improvement Agreement for St. Vincent de Paul, Subdivision 8785

Adopted Resolution 04-10176.

- d. **RESOLUTION 04-10177** Updating the City's Conflict of Interest Code and Rescinding Resolution No. 02-9721

Adopted Resolution 04-10177.

- e. **REPORT** Receive and File the Quarterly Investment Report as of September 30, 2004

Received and Filed Quarterly Investment Report as of September 30, 2004.

- f. **RESOLUTION 04-10179** Accepting Contract 2003-03, Traffic Signal Installation, San Marco Boulevard and West Leland Road Extension as Complete

Adopted Resolution 04-10179.

### **ADJOURNMENT**

The meeting of the City Council adjourned at 8:34 P.M. to the Special Meeting on November 3, 2004.

Respectfully submitted,

Lillian J. Pride, City Clerk