



CITY OF PITTSBURG AGENDA

MONDAY, NOVEMBER 29, 2004

**CITY HALL COUNCIL CHAMBER
65 CIVIC AVENUE, PITTSBURG, CA**

**CLOSED SESSION
6:30 P.M.**

**REGULAR MEETINGS
7:00 P.M.**

**REDEVELOPMENT AGENCY
PITTSBURG FINANCE AUTHORITY
PITTSBURG POWER COMPANY
CITY COUNCIL**

PRESIDING

**Aleida Rios, Mayor/Chair
Nancy Parent, Vice-Mayor/Vice-Chair
Michael Kee, Council Member/Board Member
William Glynn, Council Member/Board Member
Yvonne Beals, Council Member/Board Member**

Pittsburg City Council meetings are held the first and third Mondays of each month at 7:00 p.m. The Housing Authority meets in conjunction with the City Council on the third Monday of each month. The City Council meets regularly in the Council Chambers at 65 Civic Avenue, unless otherwise noted above.

AUDIENCE REMARKS – *The Audience Remarks period is for the public to comment on any items scheduled to be heard during the Closed Session portion of the meeting, if applicable.*

CONVENE IN CLOSED SESSION – 6:30 p.m.

a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:

One (1) case

CONVENE IN OPEN SESSION – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

COUNCIL MEMBER REPORTS/REMARKS – *Council Members may make brief announcements or informal comments at this time. Council members may ask questions for clarification from City staff, and make a report on their activities, including reports on committee assignments (see attached list of ad hoc committees and other public agencies in which Council members participate). (No Action Required)*

CITY MANAGER REPORTS/REMARKS – *The City Manager may make brief announcements or informal comments at this time and brief the Council on items of interest. (No Action Required)*

CITIZENS REMARKS – *Members of the audience who wish to address the City Council or Agency Boards on issues that are not scheduled for the agenda calendar should complete a Speaker's Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given three minutes to address the Council unless additional time is allowed as provided for spokespersons. Prior to speaking, each member of the public shall state their name and business and City of residence in a clear and audible tone of voice. (No action required.)*

REGULAR REDEVELOPMENT AGENCY MEETING

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a number of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: November 15, 2004 (Recommend Approval)
- b. **RESOLUTION 04-1010** Award of Consultant Agreement by and between the Redevelopment Agency of the City of Pittsburg and David Paul Rosen & Associates (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg is preparing to make significant financial investment in a number of impending development projects. Due to the quantity and complexity of the sophisticated negotiations and agreements forthcoming, staff recommends the Agency Board approve a Consultant Agreement between the Redevelopment Agency and David Paul Rosen & Associates to assist staff by providing professional financial and development advisory and management services.

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: December 6, 2004

REGULAR PITTSBURG FINANCE AUTHORITY MEETING

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a number of the Council or the public prior to the time the Council votes on the motion to adopt.*

a. **MINUTES**

Dated: November 15, 2004 (Recommend Approval)

ADJOURNMENT OF THE PITTSBURG FINANCE AUTHORITY

REGULAR PITTSBURG POWER COMPANY MEETING

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a number of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: November 15, 2004 (Recommend Approval)
- b. **RESOLUTION 04-119** Approving and Authorizing the Executive Director to Execute the Scheduling Procedures and Protocols, Exhibit C Revision 1 to the Base Resource Contract 00-SNR-00340 with the Western Area Power Administration (Recommend Adoption)

Since August 28, 1997, the Pittsburg Power Company, doing business on Mare Island as Island Energy, procures electric power for resale from the Western Area Power Administration under Power Contract 97-SNR-00148. This contract expires on December 31, 2004. On November 20, 2000, the Authority approved a new Base Resource Contract, 00-SNR-00340 with a term of January 1, 2005 through December 31, 2024. WAPA developed a 2004 Power Marketing Plan associated with the new Base Resource Contract in which WAPA will fulfill the responsibilities previously performed by Pacific Gas and Electric Company under a contract that also is set to expire. Together with other contracts, the Scheduling Procedures and Protocols, Exhibit C Revision 1 is necessary to enable the Base Resource Contract's electricity to be properly scheduled for delivery to Island Energy and meet its operational requirements.

ADJOURNMENT OF THE PITTSBURG POWER COMPANY

REGULAR CITY COUNCIL MEETING

PUBLIC HEARING

1. **RESOLUTION 04-10191** Resolution Approving CEQA Findings, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring Plan for the Vista Del Mar Project (Recommend Adoption)

Combined w/04-10192
Combined w/04-1230
Combined w/04-1231

The Planning Commission is recommending that the City Council approve certain general plan amendments, a rezoning request and a development agreement pertaining to the 293 acre property, commonly known as Alves Ranch as follow: 1) that the General Plan Land Use Element be amended to shift the designated Public/Institutional classification area southwest of its current location and designating that area as Medium Density Residential and that the text in General Plan Policy 2-P-88 be amended to reapportion the 1,100 permitted units across the property; 2) that the property south of the West Leland Road extension be rezoned to P-D (Planned Development) District to effect a P-D plan which accommodates 540 single family homes, an 11.3 acre school site and approximately 117 acres of open space; that approximately 15 acres located northwest of the West Leland Road extension be rezoned CO-P (Commercial Office with Master Plan Overlay) District; and that the remaining 40 +/- acres north of the West Leland Road extension be rezoned to RH-P (High Density Residential with Master Plan Overlay) District; and 3) that a development agreement be approved governing development on the site for a period of 18 years.

The City Council will need to adopt CEQA findings, a mitigation and monitoring plan and a statement of overriding considerations in conjunction with its approval of these applications. The Council may also discuss the vesting tentative map and P-D plan related to the above applications as part of its deliberations.
2. **RESOLUTION 04-10192** Resolution Amending Figure 2-2 and Policy 2-P-88 of the Land Use Element of the General Plan for the Vista Del Mar Development on the Alves Ranch Site (AP-03-33 (GP)) (APN 097-122-004, 097-160-013, 097-160-014, 097-160-015, 097-160-047, 097-180-004) (Recommend Adoption)

Combined w/04-10191
Combined w/04-1230
Combined w/04-1231

See Executive Summary for Resolution 04-10191.

3. **ORDINANCE 04-1230**
Combined w/04-10191
Combined w/04-10192
Combined w/04-1231
- Introduction of an Ordinance Rezoning the Area South of the West Leland Road Extension to PD (Planned Development) District; Rezoning 14.78 Acres Northwest of the West Leland Road Extension to CO-P (Commercial Office – Master Plan Overlay) District, and Rezoning the Remainder 32 Acres to RH-P (High Density Residential – Master Plan Overlay) District for the Vista Del Mar Development on the Alves Ranch Site (AP-03-33 (PDRZ)) (APN 097-122-004, 097-160-013, 097-160-014, 097-160-015, 097-160-047, 097-180-004) (Recommend Introduction and Waive First Reading)

See Executive Summary for Resolution 04-10191.

4. **ORDINANCE 04-1231**
Combined w/04-10191
Combined w/04-10192
Combined w/04-1230
- Introduction of an Ordinance Approving a Development Agreement for the Vista Del Mar Development on the Alves Ranch Site (AP-03-33 (DA)) (APN 097-122-004, 097-160-013, 097-160-014, 097-160-015, 097-160-047, 097-180-004) (Recommend Introduction and Waive First Reading)

See Executive Summary for Resolution 04-10191.

CONSENT CALENDAR - *All matters listed under Consent Calendar are considered by the Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a number of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: November 15, 2004 (Recommend Approval)
- b. **CLAIMS** #1610 Earnest L. Foreman or Earlean Mercer Foreman (Recommend Denial)

(Claims against the City which may cause expenditure of funds – on file in the Office of the City Clerk)

ADJOURNMENT OF THE CITY COUNCIL To: December 6, 2004

NOTICE TO PUBLIC

SPEAKER'S CARD

Members of the audience who wish to address the City Council on issues that are not scheduled for the agenda and on any items listed as part of the agenda should complete a Speaker's Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given three minutes to address the Council unless additional time is allowed as provided for spokespersons. Prior to speaking, each member of the public shall state their name and business and City residence in a clear and audible tone of voice.

PUBLIC HEARINGS

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to public comment and brought to the Council/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency.

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 take 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.

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Council meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at 925-252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

DISRUPTIVE CONDUCT

The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and pagers, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

City Council Outside Agency/Liaison/ Sub-Committees Assignments - 2004

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Aleida Rios / Nancy Parent Alt.	Standing	Annual	B. Nail
BART Station Specific Plan	Michael Kee / Yvonne Beals Alt.	Ad Hoc	As needed	M. Ayres
Bay Area Water Quality Dist.	William Glynn / Yvonne Beals Alt.	Standing	As needed	M. Ayres
Contra Costa County Fire Dist.	Michael Kee / William Glynn Alt.	Standing	2 nd Monday	Vacant
Delta Diablo Sanitation	Aleida Rios / Nancy Parent Alt.	Standing	2 nd Wednesday	J. Fuller
East County Habitat Conserv.	Michael Kee / Yvonne Beals Alt.	Standing	Monthly	M. Ayres
East County Water Mgt.	William Glynn / Yvonne Beals Alt.	Standing	Annual	J. Fuller
Fee & Finance Authority/TRANSPLAN	William Glynn / Michael Kee Alt.	Standing	2 nd Thursday	Vacant
Tri-Delta Transit	Aleida Rios & Nancy Parent	Standing	Last Wednesday	Vacant
Water Transit Authority Comm.	William Glynn / Yvonne Beals Alt.	Standing	Monthly/Thursdays	J. Fuller
<u>LIAISON TO</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
East Bay League of Calif. Cities	Aleida Rios / Nancy Parent Alt.	Standing	3 rd Thursday	B. Nail
Library Commission	Aleida Rios & Yvonne Beals	Standing	As needed	P. Flores
LMC Foundation Scholarship	Aleida Rios / Nancy Parent Alt.	Standing	As needed	P. Flores
Mayor's Conference	Aleida Rios / Nancy Parent Alt.	Standing	1 st Thursday	M. Grisham
School District Liaison	Nancy Parent & William Glynn	Standing	Quarterly	P. Flores
<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
CAC/CDBG	Nancy Parent & Michael Kee	Standing	As needed	A. Landry
California Theatre Study	William Glynn & Michael Kee	Ad Hoc	As needed	G. Evans
City/County Relations	Nancy Parent / Michael Kee Alt.	Standing	As needed	M. Grisham
Draft ULL Committee	William Glynn / Nancy Parent Alt.	Ad Hoc	As needed	M. Grisham
Economic Development	William Glynn & Yvonne Beals	Standing	Quarterly	B. Nail
Fee & Finance Review	William Glynn & Michael Kee	Ad Hoc	As needed	J. Sbranti
Finance Subcommittee	Aleida Rios & William Glynn	Ad Hoc	As needed	M. Simons
Mallards Commemoration Signage	Michael Kee	Ad Hoc	As needed	P. Flores
Power Company Advisory	William Glynn & Nancy Parent	Standing	As needed	G. Evans
PEHDC	Michael Kee & Yvonne Beals	Standing	1 st Thursday	G. Evans
RDA Subcommittee	Aleida Rios & Michael Kee	Standing	Quarterly	G. Evans
Shaping Our Future	Michael Kee & William Glynn	Ad Hoc	As needed	M. Grisham