



CITY OF PITTSBURG AGENDA

MONDAY, DECEMBER 6, 2004

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

**SPECIAL MEETING
CERTIFYING ELECTION
6:55 P.M.**

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

**REDEVELOPMENT AGENCY
PITTSBURG FINANCE AUTHORITY
PITTSBURG POWER COMPANY
GEOLOGIC HAZARD ABATEMENT DISTRICT II
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.

CONVENE IN OPEN SESSION – 6:55 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.)*

SPECIAL CITY COUNCIL MEETING - ELECTION CERTIFICATION

1. **RESOLUTION 04-10191** Declaring and Certifying Municipal Election Results
(Recommend Adoption)

A general Municipal Election was held and conducted in the City of Pittsburg, California, on Tuesday, November 2, 2004, as required by law. The Contra Costa County Elections Department has prepared the Certified Statement of Votes of the consolidated election. Election Code Sections 10262-10265 requires the City Council to adopt a resolution declaring the results of the election prior to installation of the new officers.

ADJOURNMENT

CONVENE IN OPEN SESSION – 7:00 p.m.

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 member of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: November 29, 2004 (Recommend Approval)
- b. **RESOLUTION 04-1011** Approving a Commercial Rehabilitation Loan by and between the Redevelopment Agency of the City of Pittsburg and Joseph Byrne and Janice Rose Byrne for 4020 Railroad Avenue (APN 087-161-016) (Recommend Adoption)

The Loan Review Committee has recommended approval of Joseph Byrne and Janice Rose Byrne's, husband and wife as joint tenants loan application for Ninety Three Thousand Dollars (\$93,000) to rehabilitate 4020 Railroad Avenue.

- c. **RESOLUTION 04-1012** Approving a Commercial Rehabilitation Loan by and between the Redevelopment Agency of the City of Pittsburg and Yosemite Dental Building LLC (APN 086-061-021) (Recommend Adoption)

The Loan Review Committee has recommended approval of the loan application from Yosemite Dental Building LLC for Two Hundred Thousand Dollars (\$200,000) to rehabilitate 120 Yosemite Drive.

ADJOURNMENT

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 member of the Council or the public prior to the time the Council votes on the motion to adopt.*

a. **MINUTES**

Dated: November 29, 2004 (Recommend Approval)

ADJOURNMENT

REGULAR CITY COUNCIL 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 member of the Council or the public prior to the time the Council votes on the motion to adopt.*

- a. **MINUTES** Dated: November 29, 2004 (Recommend Approval)
- b. **ORDINANCE 04-1230** Adoption 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 Adoption)
- On November 29, 2004 the City Council introduced and waived the first reading of Ordinance No. 04-1230 (rezoning) and Ordinance No. 04-1231 (Development Agreement) for the Vista Del Mar Development on the Alves Ranch property. They are being brought back before the Council for second reading and adoption.
- c. **ORDINANCE 04-1231** Adoption 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 Adoption)
- On November 29, 2004 the City Council introduced and waived the first reading of Ordinance No. 04-1230 (rezoning) and Ordinance No. 04-1231 (Development Agreement) for the Vista Del Mar Development on the Alves Ranch property. They are being brought back before the Council for second reading and adoption.
- d. **ORDINANCE 04-1234** Adoption of an Ordinance Amending Municipal Code, Title 3, Chapter 3.30 Relating to the Fee and Service Charge Revenue/Cost Comparison System (Recommend Adoption)

On November 15, 2004 the City Council introduced and waived the first reading of an Ordinance amending Municipal Code, Title 3, Chapter 3.30. The City of Pittsburg municipal code contains a list of the fees and charges imposed by the City for services provided by the City (e.g. building plan check fees, design review, swim fees, etc.) along with the percentage of fees and service charges that may be lawfully recovered by the City. The proposed amendments to Chapter 3.30 of the municipal code will clarify that the Council will set fees for services by resolution and will streamline the language relating to the City review, revision and establishment of fees for services.

- e. **RESOLUTION 04-10188** Adopt Resolution Approving the Master Fee Schedule Establishing Fees and Charges for Various Municipal Services Provided on a Citywide and Departmental Basis and Revising Established Amounts that will Increase Due to Cost Increases (Recommend Adoption)

On November 15, 2004, the City Council conducted a public hearing to receive public input regarding the Master Fee Schedule. Based on Public Resource Management (PRM) and City staff's review of the various fees and charges, it was determined that an adjustment to some of the fees and charges is necessary to recover the costs of providing the respective services. Staff has prepared a Master Fee Schedule that has incorporated the fee changes based on the findings of the General Fund User Fee Study report prepared by PRM.

- f. **RESOLUTION 04-10189** Award Water System Purchase Contracts (Recommend Adoption)

The City of Pittsburg Public Works Department has a budget of about \$18 million and requires large quantities of supplies to carry out its responsibilities. The Department has requested, and received bids, from vendors for these supplies. Some of the bids exceed the \$50,000 threshold that requires approval of the City Council. These supplies are necessary to maintain operations of the Department and area ready to be awarded.

- g. **RESOLUTION 04-10190** Award 2004/2005 Vehicle/Equipment Purchase Contracts (Recommend Adoption)

The City of Pittsburg Public Works Department maintains a fleet with a replacement value of over \$6 million. The Department has requested, and received, bids from

vendors for replacement of vehicles and equipment that are past their useful life, have lower reliability and are requiring higher maintenance levels. Some of the bids exceeded the \$50,000 threshold that requires approval of the City Council. These vehicles and equipment are necessary to maintain efficient operations of the City and are ready to be awarded.

**CONVENING JOINTLY AS
REDEVELOPMENT AGENCY, PITTSBURG FINANCE AUTHORITY, PITTSBURG
POWER COMPANY, GEOLOGIC HAZARD ABATEMENT DISTRICT II, AND
CITY COUNCIL**

REMARKS FROM PRESENT MAYOR

1. Mayor Aleida Rios

RECOGNITION

1. Mayor Aleida Rios
2. Council Member Yvonne Beals

OATH OF OFFICE

1. Ben Johnson
2. Will Casey

COUNCIL REORGANIZATION

1. Selection of Mayor/Chair
2. Selection of Vice-Mayor/Chair
3. Remarks from New Vice-Mayor
4. Presentations/Comments
5. Remarks from New Mayor/Chair

ADJOURNMENT OF AGENCIES

ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT AGENCY To:
December 20, 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	Quarterly	R. Jerome
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