



# **CITY OF PITTSBURG**

## **AGENDA**

**MONDAY, MARCH 15, 2004**

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

**WORKSHOP – MID YEAR BUDGET REVIEW  
5:00 P.M. – 6:00 P.M.**

**CLOSED SESSION  
6:00 P.M.**

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

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

### **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**

**FOR HOUSING AUTHORITY:  
Dana Leatherwood, Housing Authority Member  
Cathy Wallen, Housing Authority 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 Pittsburg 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** – 6:00 p.m.

a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Two (2) cases

b. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Section 54956.8)

Property:

1. 1301 Standard Oil Avenue, APN 073-230-007-4
2. 1010 Power Avenue
3. APN's 085-130-006; 085-141-002; 085-141-003; 085-141-004; 085-141-005; 085-141-007; 085-141-009; 085-142-001; 085-142-002; 085-142-003; 085-142-004; 085-142-005; 085-142-006; 085-143-001; 085-143-002; 085-143-003; 085-143-004; 085-143-005; 085-143-006

Agency Negotiator:

1. Les White, Garrett Evans
2. Les White, Garrett Evans
3. Les White, Garrett Evans

Negotiating Parties:

1. Babcock & Brown
2. Micon Real Estate – Michael Condry
3. The Olson Company – Mitch Solomon and Don Reber

Under Negotiation:

1. Both – Price and Terms of Payment
2. Both – Price and Terms of Payment
3. Both – Price and Terms of Payment

c. THREAT TO PUBLIC SERVICES OR FACILITIES (Section 54957)

Consultation with: John Fuller, Public Works Director

d. PUBLIC EMPLOYMENT

Title: City Manager/RDA Executive Director

-----

**RECONVENE IN OPEN SESSION** – 7:00 p.m.

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS**

1. Arbor Day
2. Week of Young Child

**PRESENTATION**

1. 2004 Contra Costa County Youth Summit

**COUNCIL MEMBER REMARKS** – *Council Members may make brief announcements or informal comments at this time. (No Action Required)*

**CITY MANAGER REMARKS** – *The City Manager may make brief announcements or informal comments at this time. (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 HOUSING AUTHORITY MEETING**

**CONSENT**

- a. **DISBURSEMENT LIST**      Period Ending February 29, 2004 (Recommend Approval)
- b. **MINUTES**                      Dated: February 17, 2004 (Recommend Approval)

**ADJOURNMENT OF THE HOUSING AUTHORITY** To: April 19, 2004

## REGULAR REDEVELOPMENT AGENCY MEETING

### **PUBLIC HEARING**

1. **RESOLUTION 04-949**  
Combined w/ CC 04-10024      Establish a Nine Hundred Thousand Dollar (\$900,000) Budget for the Improvements of the Los Medanos College Baseball Field (Recommend Adoption)

The East County Baseball Group, a California non-profit public benefit corporation consists of the Contra Costa County District 5 and the Cities of Antioch, Brentwood, Oakley, and Pittsburg. ECBG was formed to provide funding for the improvements to the Los Medanos College baseball field. ECBG is requesting financial assistance from the Redevelopment Agency of the City of Pittsburg to assist in their efforts to improve the Baseball Field.

**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: February 27, 2004, March 1, 2004 and March 8, 2004 (Recommend Approval)
- b. **RESOLUTION 04-950**  
Combined w/ CC 04-10031      Appropriation of Funds for Planning Intern (Recommend Adoption)

The Agency/Council is requested to appropriate funds for a temporary planning intern associated with the Council-adopted work program for the comprehensive zoning code update.

**ADJOURNMENT OF THE REDEVELOPMENT AGENCY** To: April 5, 2004

## REGULAR CITY COUNCIL MEETING

### PUBLIC HEARING

1.     **RESOLUTION 04-10017**     Certifying the Environmental Impact Report, for “Bailey Estates Project” (Recommend Adoption)  
combined w/ ORD 04-1217  
& CC 04-10018

This is a continued public hearing on an application by John Stremel, Bailey Estates, LLC, requesting that the City Council: (1) certify the Environmental Impact Report for the Bailey Estates project, adopt mitigation measures in the EIR, and adopt overriding considerations for eight significant and unavoidable impacts of the project, (2) prezone 122 acres to RS, and (3) initiate proceedings to annex the 122 acre site into the City and water and sewer district service areas, in order to allow a 319 unit single-family residential development. After considering comments during the public hearing on March 1, 2004, the Council moved to continue the hearing to March 15, 2004, in order to allow staff to prepare written responses to comments received.
  
2.     **ORDINANCE 04-1217**     Bailey Estates Project. Consideration of Final  
combined w/ CC 04-10017     Environmental Impact Report and Rezoning and  
& CC 04-10018             Annexation (RZ-01-04) (Recommend Introduction and  
Waive Second Reading)

See Executive Summary for Resolution 04-10017.
  
3.     **RESOLUTION 04-10018**     Application by the City of Pittsburg Requesting that  
combined w/ ORD 04-1217     LAFCO Initiate Proceedings to Annex the Bailey  
& CC 04-10017             Estates Property into the City’s Municipal Boundary and  
SOI, and the Service Areas of CCWD and DDSD  
(Recommend Adoption)

See Executive Summary for Resolution 04-10017.
  
4.     **RESOLUTION 04-10023**     Review and Approve the Community Advisory  
Commission Funding Recommendations for the 2004-  
2005 CDBG Program Year (Recommend Adoption)

The Department of Housing and Urban Development has notified the City of Pittsburg of its intention to award the City a Community Development Block Grant in the amount of \$783,000 for program year 2004-2005. As required by HUD, the Community Advisory Commission

has prepared their funding recommendations for Council's review and approval.

5. **RESOLUTION 04-10024** Establish a Nine Hundred Thousand Dollar (\$900,000)  
**Combined w/ RDA 04-949** Budget for the Improvements of the Los Medanos College Baseball Field (Recommend Adoption)

See Executive Summary for RDA Resolution 04-949.

6. **ORDINANCE 04-1218** Adoption of an Ordinance Restructuring City Commissions (Recommend Introduction and Waive Second Reading)

On June 2, 2003, the City Council appointed Council Members Bill Glynn and Michael Kee to serve on an ad hoc committee to review all City commissions and develop recommendations regarding how the commissions could be restructured to improve efficiency and responsiveness. Public workshops were held on August 18, October 20, and November 3, 2003, and March 1, 2004. The City Attorney has prepared for your consideration the attached Ordinance concerning the reorganization of the City Commissions. Pending final adoption of this ordinance, a Resolution concerning the conduct of Commission including implementation procedures will be adopted.

**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: February 27, 2004, March 1, 2004 and March 8, 2004 (Recommend Approval)

- b. **RESOLUTION 04-10011** Acceptance of the Public Improvements within Subdivision 8423, San Marco Unit 5 for Continuous Maintenance (Recommendation Adoption)

The Developer has completed the public improvements with Subdivision 8423 San Marco Unit 5, and they are ready for acceptance and continuous maintenance by the City.

- c. **RESOLUTION 04-10012** Acceptance of the Public Improvements within Subdivision 8393, San Marco Unit 4 for Continuous Maintenance (Recommendation Adoption)

The Developer has completed the public improvements within Subdivision 8393 San Marco Unit 4, and they are

ready for acceptance and continuous maintenance by the City.

- d. **RESOLUTION 04-10013** Acceptance of the Public Improvements within Subdivision 8651, San Marco Unit 2B for Continuous Maintenance (Recommendation Adoption)

The Developer has completed the public improvements within Subdivision 8651 San Marco Unit B, and they are ready for acceptance and continuous maintenance by the City.

- e. **RESOLUTION 04-10025** Acceptance of Public Improvements within Subdivision 8392, San Marco Unit 3, for Continuous Maintenance (Recommend Adoption)

The Developer has completed the public improvements within Subdivision 8392 San Marco Unit 3, and they are ready for acceptance and continuous maintenance by the City.

- f. **RESOLUTION 04-10026** Authorizing Measure C Funds for the Design and Preparation for Bidding of Contract 2001-01, 2004 Citywide Pavement Rehabilitation Project (Recommend Adoption)

Contract 2004-01, Citywide Pavement Rehabilitation Project is for the rehabilitation of selected streets located throughout the City. This resolution will allocate Measure C funds for use in designing the project and preparing it for bidding.

- g. **RESOLUTION 04-10027** Accept the 2003/2004 CDBG Handicap Ramp Installation Project as Complete (Recommend Adoption)

The City was awarded funding by the Community Development Block Grant Program for the 2003/2004 CDBG Handicap Ramp Installation Project. AJW Construction has completed the installation of 41 ADA compliant curb ramps at intersections throughout the city.

- h. **RESOLUTION 04-10028** Approving 2004/2005 Transportation Development Act Project Application for Installing a Class II Bicycle Facility on Stoneman Avenue (Recommend Adoption)

The Metropolitan Transportation Commission provides Transportation Development Act Article 3 Funds to fund projects exclusively for the benefit and/or use of



pedestrians and bicyclists. The City Council must approve a request to MTC for the allocation of TDA. The attached resolution approves the application for 2004-2005 TDA Article 3 Funds to sign and stripe a Class II bicycle facility on Stoneman Avenue from Harbor Street to Loveridge Road.

- i. **RESOLUTION 04-10029** Determining and Declaring Prima Facie Speed Limits for Various City Streets Based on an Engineering and Traffic Survey (Recommend Adoption)

Provisions of the California Vehicle Code and the City of Pittsburg Municipal Code require that a local agency justify their declared prima facie speed limits by an Engineering and Traffic Survey every five, seven, or ten years. The street segments updated in this report are those that have an Engineering and Traffic Survey set to expire soon or that have experienced significant changes in the roadway.

- j. **RESOLUTION 04-10030** Acceptance of Public Improvements within Subdivision 8175 Marina Walk, for Continuous Maintenance (Recommend Adoption)

The Developer has completed the public improvements within Subdivision 8175 Marina Walk, and they are ready for acceptance and continuous maintenance by the City.

- k. **RESOLUTION 04-10032** Allocating Park Dedication Funds for Contract 2004-04, City Park Ball Field Lighting Rehabilitation Project, to Upgrade Ball Field Lighting at City Park, Field 1, and Authorize the City Engineer to Solicit Design-Build Proposals for the Improvements. (Recommend Adoption)

Contract 2004-04, City Park Field Lighting Rehabilitation Project, will upgrade the existing lighting for Field Number 1 at City Park. The current lighting does not provide coverage and intensity that meets current safety requirements for night games. This project will provide for upgrading and replacement as required to improve lighting for night games.

- l. **RESOLUTION 04-10031** Appropriation of Funds for Planning Intern (Recommend Adoption)  
**Combined w/ RDA 04-950**

See Executive Summary for RDA Resolution 04-950.

**COUNCIL REPORTS** - *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 REPORT** - *City Manager may brief the Council on items of interest. (No Action.)*

**ADJOURNMENT OF THE CITY COUNCIL** To: April 5, 2004

**PITTSBURG POWER COMPANY MEETING**

**CONSENT**

a. **MINUTES**

Dated: March 1, 2004 (Recommend Approval)

**ADJOURNMENT OF THE PITTSBURG POWER COMPANY**

## **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	R. Jerome
Bay Area Water Quality Dist.	William Glynn / Yvonne Beals Alt.	Standing	As needed	R. Jerome
Contra Costa County Fire Dist.	Michael Kee / William Glynn Alt.	Standing	2 <sup>nd</sup> Monday	N. Shirazi
Delta Diablo Sanitation	Aleida Rios / Nancy Parent Alt.	Standing	2 <sup>nd</sup> Wednesday	J. Fuller
East County Habitat Conserv.	Michael Kee / Yvonne Beals Alt.	Standing	Monthly	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 <sup>nd</sup> Thursday	N. Shirazi
Tri-Delta Transit	Aleida Rios & Nancy Parent	Standing	Last Wednesday	N. Shirazi
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 <sup>rd</sup> 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 <sup>st</sup> Thursday	L. White
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	L. White
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
Power Company Advisory	William Glynn & Nancy Parent	Standing	As needed	G. Evans
PEHDC	Michael Kee & Yvonne Beals	Standing	1 <sup>st</sup> Thursday	G. Evans
RDA Subcommittee	Aleida Rios & Michael Kee	Standing	Quarterly	G. Evans
Shaping Our Future	Michael Kee & William Glynn	Ad Hoc	As needed	L. White