



# **CITY OF PITTSBURG AGENDA**

**MONDAY, DECEMBER 5, 2005**

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

**CITY COUNCIL  
PUBLIC FINANCING AUTHORITY**

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

**JOINT MEETING OF  
REDEVELOPMENT AGENCY  
CITY COUNCIL  
PITTSBURG POWER COMPANY  
SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II  
AND  
PUBLIC FINANCING AUTHORITY**

**7:05 P.M.**

## **PRESIDING**

**Nancy Parent, Mayor/Chair  
Michael Kee, Vice-Mayor/Vice-Chair  
Ben Johnson, Council Member/Board Member  
Will Casey, Council Member/Board Member  
William Glynn, Council Member/Board Member**

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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.

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**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 CITY COUNCIL MEETING

### CONSIDERATION

1. **RESOLUTION 05-10440** Approval and Authorization of the City and Public Financing Authority to Issue and Sell Series 2005 Water Revenue New Money and Refunding Bonds (Recommend Adoption)  
**Combined w/PFA 05-019**

The proposed City Council action will authorize staff to move forward with the issuance of the City of Pittsburg Public Financing Authority Water Revenue New Money and Refunding Bonds, Series 2005. The Bonds are expected to be issued in the estimated amount of \$38,500,000. The Bonds will finance \$20 million in Water System capital improvements and will advance refund the outstanding Series 1997 Water Revenue Bonds, providing significant savings. At this time, this refunding generates savings of approximately \$108,000 per year, which total to over \$2,417,000 through fiscal year 2027. In addition, staff is recommending that the City Council establish a policy that strives to obtain a 15% unallocated reserve level by Fiscal Year 2007/2008, to be maintained thereafter, for the Water Enterprise Fund.

**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. **CLAIMS** #1656 Fernando Wilkins Jr.; #1669 Glenda Gomez; #1673 Barry White Jr./Malinda Carroll-Brown (Recommend Denial)

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

- b. **ORDINANCE 05-1255** Adoption of an Ordinance to Rezone 7.5 Acres from CO (Office Commercial) District to PD (Planned Development) District. (East Leland Subdivision II Rezoning. AP-04-179) (Recommend Adoption)

On November 21, 2005, the City Council introduced and waived the second reading of Ordinance No. 05-1255, which would rezone 7.5 acres from CO (Office Commercial) District to PD (Planned Development) District for the East Leland Subdivision II located at the southwest and southeast corners of Gladstone Drive and East Leland Road. The Council must now adopt Ordinance No. 05-1255 to affect this change. APNs 088-521-020, 021, 022, 046, 047 and 048.

- c. **ORDINANCE 05-1256** Adoption of an Ordinance Rezoning the Black Diamond Mixed Use Development Project Site to PD (Planned Development) District (Recommend Adoption)

On November 21, 2005, the Council introduced an ordinance rezoning the Black Diamond project site to PD (Planned Development) District. The Council must now adopt the ordinance to effect the proposed rezone.

- d. **RESOLUTION 05-10441** Declaring Results of the Special Statewide Election Held on November 8, 2005 for Measures N, O and P (Recommend Adoption)

A Special Statewide Election was held and conducted in the City of Pittsburg, California, on Tuesday, November 8, 2005, 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.

## PUBLIC FINANCING AUTHORITY MEETING

### CONSIDERATION

1. **RESOLUTION 05-019**  
**Combined w/CC 05-10440** Approval and Authorization of the City and Public Financing Authority to Issue and Sell Series 2005 Water Revenue New Money and Refunding Bonds (Recommend Adoption)  
  
See Executive Summary for City Council Resolution 05-10440.

### ADJOURNMENT

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

**REMARKS FROM PRESENT MAYOR/CHAIR**

**COUNCIL/MEMBER/AUTHORITIES REORGANIZATION**

1. Selection of Mayor/Chair
2. Selection of Vice-Mayor/Vice Chair

**REMARKS FROM NEW VICE MAYOR/CHAIR**

**REMARKS FROM NEW MAYOR/CHAIR**

**AUDIENCE REMARKS**

**ADJOURNMENT OF REDEVELOPMENT AGENCY AND CITY COUNCIL** To: December 12, 2005 (in lieu of December 19, 2005)

## **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 of 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 taken 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 - 2005

Updated September 19, 2005

<u>OUTSIDE AGENCY BOARDS</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
ABAG	Nancy Parent / Michael Kee Alt.	Standing	Annual	B. Nail
BART Station Specific Plan	Michael Kee / William Glynn	Ad Hoc	As needed	M. Ayres
Bay Area Water Quality Dist.	Ben Johnson / Will Casey Alt.	Standing	As needed	M. Ayres
Contra Costa County Fire Dist.	Will Casey / Ben Johnson Alt.	Standing	2 <sup>nd</sup> Monday	M. Rodriguez
Delta Diablo Sanitation	Nancy Parent / Michael Kee Alt.	Standing	2 <sup>nd</sup> Wednesday	J. Fuller
East County Habitat Conserv.	Will Casey / Ben Johnson Alt.	Standing	Monthly	R. Jerome
East County Water Mgt.	Nancy Parent / Michael Kee Alt.	Standing	Annual	J. Fuller
ePPAC	William Glynn / Michael Kee Alt.	Standing	2 <sup>nd</sup> Thursday	J. Sbranti
Fee & Finance Authority/TRANSPLAN	William Glynn / Michael Kee Alt.	Standing	2 <sup>nd</sup> Thursday	J. Sbranti
Tri-Delta Transit	Nancy Parent & Michael Kee	Standing	Last Wednesday	M. Rodriguez
Water Transit Authority Comm.	Will Casey / Ben Johnson 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	Nancy Parent / Michael Kee Alt.	Standing	3 <sup>rd</sup> Thursday	B. Nail
Library Commission	Nancy Parent / William Glynn	Standing	As needed	P. Flores
Mayor's Conference	Nancy Parent / Michael Kee Alt.	Standing	1 <sup>st</sup> Thursday	M. Grisham
School District Liaison	Nancy Parent & William Glynn/Ben Johnson Alt.	Standing	Quarterly	P. Flores

<u>SUBCOMMITTEE</u>	<u>COUNCIL MEMBER(S)</u>	<u>TYPE</u>	<u>MEETS</u>	<u>STAFF</u>
CAC/CDBG	Ben Johnson & Will Casey	Standing	As needed	A. Landry
California Theatre Study	William Glynn & Will Casey	Ad Hoc	As needed	G. Evans
City/County Relations	Michael Kee / Ben Johnson Alt.	Standing	As needed	M. Grisham
Concord Naval Weapons Station	William Glynn & Ben Johnson	Ad Hoc	As needed	M. Rodriguez
Draft ULL Committee	Michael Kee & William Glynn	Ad Hoc	As needed	M. Grisham
Economic Development	Ben Johnson & Will Casey/Nancy Parent Alt.	Standing	Quarterly	B. Nail
Fee & Finance Review	William Glynn & Michael Kee	Ad Hoc	As needed	J. Sbranti
Finance Subcommittee	Ben Johnson & Will Casey	Ad Hoc	As needed	M. Simons
Land Use Subcommittee	Michael Kee & William Glynn	Ad Hoc	As needed	M. Ayres
Mallards Commemoration Signage	Michael Kee	Ad Hoc	As needed	P. Flores
Power Company Advisory	Nancy Parent & William Glynn	Standing	As needed	G. Evans
PEHDC	Will Casey & Bill Glynn	Standing	1 <sup>st</sup> Thursday	G. Evans
RDA Subcommittee	Nancy Parent & Michael Kee/William Glynn Alt.	Standing	Quarterly	G. Evans