



CITY OF PITTSBURG AGENDA

MONDAY, SEPTEMBER 19, 2005

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

**WORKSHOP – BLACK DIAMOND PROJECT
5:30 P.M.**

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

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

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

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**

**For the Housing Authority:
Jerlean Mixon, 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 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:

Two (2) cases

b. CONFERENCE WITH LABOR NEGOTIATORS (Section 54957.6)

Agency designated representatives:

Marc Grisham, Marc Fox, Bruce Heid

Employee organization:

AFSCME (Miscellaneous A Unit), AFSCME (Management/Professional/Confidential Unit), Teamsters

And

Unrepresented Employees

CONVENE IN OPEN SESSION – 7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATION

1. STAND! Against Domestic Violence

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)*

PITTSBURG HOUSING 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. **DISBURSEMENT LIST** Dated: July 31, 2005 (Recommend Approval)
- b. **MINUTES** Dated: August 15, 2005 (Recommend Approval)

ADJOURNMENT OF THE PITTSBURG HOUSING AUTHORITY To: October 17, 2005

REGULAR REDEVELOPMENT AGENCY MEETING

PUBLIC HEARING

1. **RESOLUTION 05-1073**
Combined w/CC 05-10370 Approval of a Disposition and Development Agreement By and Between the Redevelopment Agency of the City of Pittsburg, the City of Pittsburg and Olson Urban Housing LLC (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg and Olson Urban Housing LLC have negotiated the terms and conditions for the disposition and development of an approximately ten acre site. The Developer shall construct approximately 123 single-family residential units which will include twenty affordable units. In addition, the Developer shall relocate an existing park and complete the construction of the new park.

The Council must consider the environmental analysis prepared for this project, and must adopt the Mitigated Negative Declaration before the Council or Redevelopment Agency can act on the Disposition and Development Agreement (Council Resolution No. 05-10370 and RDA Resolution No. 05-1073), the recommended General Plan Amendment (Council Resolution No. 05-10371), or the recommended Planned Development District zoning (Ordinance No. 05-1249) for the Mariner Walk Residential Development.

2. **RESOLUTION 05-1074**
Combined w/CC 05-10377 Approval of a Disposition, Development and Loan Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Mercy Housing California and Making Certain Findings Herewith (Recommend Adoption)

The Redevelopment Agency of the City of Pittsburg and Mercy Housing California, a California nonprofit public benefit corporation, have negotiated terms for a Disposition, Development and Loan Agreement for the development of 64 rental dwellings and an approximate 4,000-square-foot child care center on a vacant 3-acre parcel of land at 2555 East Leland Road, in the City of Pittsburg.

3. **RESOLUTION 05-1075** Request for an Agency Resolution of Necessity Declaring Certain Property Interests at 2027 Railroad Avenue as Necessary for Public Purposes and Authorizing Agency Counsel to Initiate Condemnation Proceedings for the Acquisition of Said Property Interests for Redevelopment as Part of the Los Medanos Community Development Project Area (Recommend Adoption)

This report recommends that the Redevelopment Agency of the City of Pittsburg adopt an Agency Resolution of Necessity declaring certain property interests at 2027 Railroad Avenue as necessary for public purposes and authorizing Agency special counsel, Goldfarb & Lipman LLP, to initiate condemnation proceedings for the acquisition of the Property for redevelopment as part of the Los Medanos Project Area. The site would be used for redevelopment, including public improvements and landscaping on the east side of Railroad Avenue, between California and Victory Avenues, in the City of Pittsburg.

4. **RESOLUTION 05-1076** Request for an Agency Resolution of Necessity Declaring Certain Property Interests at 2067 Railroad Avenue as Necessary for Public Purposes and Authorizing Agency Counsel to Initiate Condemnation Proceedings for the Acquisition of Said Property Interests for Redevelopment as Part of the Los Medanos Community Development Project Area (Recommend Adoption)

This report recommends that the Redevelopment Agency of the City of Pittsburg adopt an Agency Resolution of Necessity declaring certain property interests at 2067 Railroad Avenue as necessary for public purposes and authorizing Agency special counsel, Goldfarb & Lipman LLP, to initiate condemnation proceedings for the acquisition of the Property for redevelopment as part of the Los Medanos Project Area. The site would be used for redevelopment, including public improvements and landscaping on the east side of Railroad Avenue, between California and Victory Avenues, in the City of Pittsburg.

5. **RESOLUTION 05-1077** Request for an Agency Resolution of Necessity Declaring Certain Property Interests at 2083 Railroad Avenue as Necessary for Public Purposes and Authorizing Agency Counsel to Initiate Condemnation Proceedings for the Acquisition of Said Property Interests for Redevelopment as Part of the Los Medanos Community Development Project Area (Recommend Adoption)

This report recommends that the Redevelopment Agency of the City of Pittsburg adopt an Agency Resolution of Necessity declaring certain property interests at 2083 Railroad Avenue as necessary for public purposes and authorizing Agency special counsel, Goldfarb & Lipman LLP, to initiate condemnation proceedings for the acquisition of the Property for redevelopment as part of the Los Medanos Project Area. The site would be used for redevelopment, including public improvements and landscaping on the east side of Railroad Avenue, between California and Victory Avenues, in the City of Pittsburg.

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: August 15, 2005 (Recommend Approval)
- b. **RESOLUTION 05-1078** Adopt the List of Environmental Consultants (Recommend Adoption)

The Polanco Redevelopment Act, California Health & Safety Code Section 33459 *et seq.* provides specifically in Section 33459.4(a) that a redevelopment agency may recover costs for environmental clean-up provided that the goods and services were procured in accordance with applicable procurement procedures. In compliance with the procurement procedures, a Request for Qualifications was sent to twenty-one environmental consulting companies. The purpose of the RFQ was to identify environmental consultants who have experience with the assessment and clean-up of various types of contaminated properties and the use of the Act.

- c. **RESOLUTION 05-1079** Approval of Donation to County's Housing Trust Fund (Recommend Adoption)

Approval of a \$5,000 donation to the Contra Costa County Housing Trust Fund.

- d. **RESOLUTION 05-1080** Approval of Funds for Civic Center Block Master Plan (Recommend Adoption)

The Agency is being requested to transfer \$60,000 from the approved budget for the Civic Center Parking Lot project to a new Civic Center Block Master Plan project.

- e. **RESOLUTION 05-1081**
Combined w/CC 05-10383 Allocating Additional Funds and Awarding Contract No. 2005-02, Westside Addition Pavement Rehabilitation Project to Ghilotti Bros. Inc. of San Rafael, California for the Rehabilitation of the Westside Addition Subdivision (Recommend Adoption)
- Contract No. 2005-02, Westside Addition Pavement Rehabilitation Project will provide for the rehabilitation of several streets in the Westside Addition Subdivision. Ghilotti Bros Inc. of San Rafael, California was the lowest bidder with a Base Bid of \$569,041.00.
- f. **RESOLUTION 05-1082**
Combined w/CC 05-10386 Authorizing the Transfer of \$236,000 from the Neighborhood Improvement Program to Contract 2005-21, West Boulevard Alley and Fence Rehabilitation Project (Recommend Adoption)
- Contract 2005-21, West Boulevard Alley and Fence Rehabilitation Project, will rehabilitate the pavement along the West Boulevard south and east alleys and repair/reconstruct fences along the south alley. This project is a priority for the Neighborhood Improvement Team and is located within a target neighborhood.
- g. **RESOLUTION 05-1083**
Combined w/RDA 05-10388 Establish the Position and Appropriate the Funding for the Associate Planner for the Redevelopment Agency for the City of Pittsburg (Recommend Adoption)
- The Redevelopment Agency of the City of Pittsburg has been actively working on a multitude of projects and due to the surge of projects, the Agency's activities have impacted the Planning Department's ability to accomplish the tasks necessary for Agency related projects and their responsibilities. The Planning Department will hire an Associate Planner for the term of two years to specifically assist with Agency related projects.

ADJOURNMENT OF THE REDEVELOPMENT AGENCY To: October 3, 2005

PITTSBURG POWER COMPANY MEETING

CONSENT

1. **RESOLUTION 05-136** Approving an Agreement for Attorney Services for the Pittsburg Power Company (Recommend Adoption)

Russell H. Townsend is currently the General Counsel for Pittsburg Power Company and handles all of its matters, including the gas and electric operations on Mare Island. The existing contract with Russell H. Townsend expired on June 30, 2005, and it is necessary to renew his contract for another year in order to continue to receive his attorney services as General Counsel for the Pittsburg Power Company.

2. **RESOLUTION 05-137** Approving the Island Energy Capital Projects and Funding to Assist in the Development of New Infrastructure and Provide Gas and Electric Distribution Metering for the New Residential Units on Mare Island (Recommend Adoption)

The Island Energy Capital Project List covers connections and meters for the new residential developments currently planned and under construction on Mare Island. Island Energy's cost responsibility is for the Developer Refund account and the purchase and installation of new gas and electric meters. This project list covers the first 400 housing units that are forecast to be built and sold for fiscal year 2005-2006, with estimated developer refunds totaling \$194,337 and new gas and electric meters with an estimated cost of \$438,575.

3. **RESOLUTION 05-138** Award the 2005 CAPE/Slurry Seal Contract to Graham Contractors, Inc. (Recommend Adoption)

CAPE and Slurry Seals are preventive maintenance treatments used to extend the life of existing asphalt pavement. The 2005 CAPE/Slurry Seal Contract is funded by the reallocation of Pittsburg Power Company funds previously allocated to the Street Preventive Maintenance Account.

ADJOURNMENT OF THE PITTSBURG POWER COMPANY

REGULAR CITY COUNCIL MEETING

PUBLIC HEARING

1. **RESOLUTION 05-10369** Adopting the Mitigated Negative Declaration and
Combined w/CC 05-10371 Mitigation and Monitoring Program for the Mariner Walk
Combined w/CC 05-1249 Residential Development (Recommend Adoption)

On August 23, 2005, the Planning Commission adopted Resolution Nos. 9580 and 9581 recommending that the City Council amend the General Plan and zoning map in order to allow a 123-unit, single-family residential cluster development on 15.6 acres on an 18.7-acre property located between West Fourth and West Eighth Streets, on west side of Herb White Way.

The Council must consider the environmental analysis prepared for this project, and must adopt the Mitigated Negative Declaration before the Council or Redevelopment Agency can act on the Disposition and Development Agreement (Council Resolution No. 05-10370 and RDA Resolution No. 05-1073), the recommended General Plan Amendment (Council Resolution No. 05-10371), or the recommended Planned Development District zoning (Ordinance No. 05-1249) for the Mariner Walk Residential Development.

2. **RESOLUTION 05-10370** Approval of a Disposition and Development Agreement
Combined w/RDA 05-1073 By and Between the Redevelopment Agency of the City of Pittsburg, the City of Pittsburg and Olson Urban Housing LLC (Recommend Adoption)

See Executive Summary for Redevelopment Agency Resolution No. 05-1073.

3. **RESOLUTION 05-10371** Adopting Amendments to the Land Use, Downtown and
Combined w/CC 05-10369 Open Space, Youth and Recreation Elements of the
Combined w/CC 05-1249 General Plan for the Mariner Walk Residential Development. General Plan Amendment Application No. AP-04-126 (Recommend Adoption)

See Executive Summary for City Council Resolution 05-10369, Item 1, above.

4. **ORDINANCE 05-1249**
Combined w/CC 05-10369
Combined w/CC 05-10371 Introduction of an Ordinance to Zone 15.6 Acres to PD and GQ Districts for the Mariner Walk Residential Development. Planned Development Rezoning Application No. AP-04-126 (Recommend Introduction and Waive First Reading)
- See Executive Summary for City Council Resolution 05-10369, Item 1, above.
5. **REPORT** General Plan – Annual Progress Report FY 2004-05 (Recommend Acceptance)
- Pursuant to State Government Code Section 65400(b), a progress report on the implementation of the General Plan must be submitted to the City Council and responsible State agencies by October of each year.
6. **RESOLUTION 05-10372** Revising the Sewer Facility Reserve Charge for Sewer Sub-basins DS601-621 and SW 109 (Recommend Adoption)
- The Pittsburg City Council directed staff to conduct a complete review of both water and sewer rates to address major issues facing the water and sewer enterprises. The consulting firm of Brown and Caldwell, Engineers, was hired and completed a comprehensive study of water and sewer Facility Reserve Charges (development impact fees). The recommended Facility Reserve Charges (FRC) were first considered at a noticed public hearing on May 16, 2005. At the request of developers, final adoption of new FRCs was postponed to June 20, 2005. Of the 14 FRCs adopted on June 20, there were two FRCs established based on unresolved issues. This action will clarify and resolve one of the unresolved sewer FRCs from June 20.
7. **RESOLUTION 05-10373** Adoption of an Urgency Resolution Extending an Interim Regional Transportation Development Impact Mitigation Fee (Recommend Adoption)
- The City Council adopted an urgency measure that made the Regional Transportation Development Impact Mitigation fees effective immediately, but expired on August 30, 2005. Therefore, the City Council extended the urgency measure on August 29, 2005 to keep the RTDIM fees in effect until September 29, 2005. The proposed action will again extend the RTDIM fees in effect through September 30, 2005, when the RTDIM fees become effective under Resolution No. 05-10344.

8. **ORDINANCE 05-1250** Adoption of an Urgency Ordinance Establishing a Moratorium on New Development Within a Portion of the Planned Railroad Avenue BART Station Specific Plan Area (Recommend Adoption)

On June 20, 2005, the City Council (by Minute Order) authorized the Mayor to execute a Memorandum of Understanding with BART, CCTA, the County and other East County cities, which depicts the roles and responsibilities of the City and other participating jurisdictions in developing and implementing ridership development plans and eBART station area plans pertaining to the East Contra Costa BART/eBART extension project. As part of this project, the Planning Department intends to study general plan, specific plan and zoning options within the Railroad Avenue BART Station area over the next twelve months, with related environmental documentation taking an additional 12 months to complete. Staff is requesting the Council establish a moratorium on new development within portions of the study area to ensure that new development will accommodate a new BART/eBART station and transit oriented development consistent with the final approved Specific Plan.

9. **RESOLUTION 05-10374** City Council to Conduct Public Hearing, Adopt a Resolution Establishing Community Facilities District No. 2005-2 (Vista Del Mar), Providing for the Levy of a Special Tax, Calling a Special Election and Establishing an Appropriations Limit; Adopt a Resolution Deeming it Necessary to Incur a Bonded Indebtedness; Conduct Election; Adopt a Resolution Determining the Result of the Special Election; and Introduce an Ordinance Levying a Special Tax (Recommend Adoption)
Combined w/CC 05-10375
Combined w/CC 05-10376
Combined w/CC 05-1251

In accordance with the terms of the Development Agreement between the City of Pittsburg and William Lyon Homes, Inc., a Community Facilities District shall be formed to provide funding for police services in the Vista Del Mar subdivision. In addition to funding police services, it has been determined by the City and Developer that there is a need to finance the construction of certain public improvements by a future bond financing within the boundaries of the proposed CFD 2005-2 (Vista Del Mar). This matter was considered by the City Council at the August 15, 2005 meeting. By Resolution No. 05-10362 the City Council approved a proposed boundary map, declared its intention to establish a Community Facilities District No. 2005-2 (Vista Del Mar) and to levy a special tax therein to finance certain public services and to incur bonded

indebtedness to provide financing for public facilities therein. In addition, the resolution had set the public hearing for September 19, 2005.

10. **RESOLUTION 05-10375** Deeming it Necessary to Incur a Bonded Indebtedness to Finance the Acquisition and Construction of Certain Public Facilities in and for the City of Pittsburg Community Facilities District No. 2005-2 (Vista Del Mar), and Calling a Special Election therein to Submit to the Qualified Electors of such Community Facilities District the Proposition of Incurring such Bonded Indebtedness (Recommend Adoption)

See Executive Summary for City Council Resolution 05-10374, Item 9, above.

11. **RESOLUTION 05-10376** Determining the Results of the Special Mailed-Ballot Election Held in its Community Facilities District No. 2005-2 (Vista Del Mar), on September 19, 2005 (Recommend Adoption)

See Executive Summary for City Council Resolution 05-10374, Item 9, above.

12. **ORDINANCE 05-1251** Levying a Special Tax for the Fiscal Year 2005-2006 and Following Fiscal Years Solely Within and Relating to the City of Pittsburg Community Facilities District No. 2005-2 (Vista Del Mar) (Recommend Introduction and Waive First Reading)

See Executive Summary for City Council Resolution 05-10374, Item 9, above.

13. **RESOLUTION 05-10377** Approval of a Disposition, Development and Loan Agreement By and Between the Redevelopment Agency of the City of Pittsburg and Mercy Housing California and Making Certain Findings Herewith (Recommend Adoption)

See Executive Summary for Redevelopment Agency Resolution No. 05-1074.

14. **RESOLUTION 05-10378** Authorizing the Permanent Closure of the Union Pacific Railroad Crossing at Pace Boulevard (PCUC Crossing No. 001B-51.58C) and Other Actions Related to the Closure (Recommend Adoption)

A new public Union Pacific Railroad crossing was constructed at Markstein Road as part of Contract 99-03, Century Boulevard Connector Road. This construction has made it unnecessary to maintain the former public crossing at Pace Boulevard as a private crossing. Staff

has received permission from the property owner to permanently close the railroad crossing. This Resolution will authorize the permanent closure of the crossing at Pace Boulevard and other actions related to the closure.

15. **ORDINANCE 05-1252**
Combined w/CC 05-10382

Adopting a Zoning Ordinance Amendment for Chapter 18.36 Design Review (Recommend Introduction and Waive First Reading)

Planning and Redevelopment staff, in conjunction with Main Street Property Services, developed the Old Town Pittsburg Design Guidelines and Principles to preserve and enhance Old Town Pittsburg's character. In order to implement the Guidelines, sections of the Zoning Ordinance need to be amended and a resolution adopting the Guidelines needs to be approved. Staff is submitting the Guidelines document and the recommended changes to the Zoning Ordinance for Council approval.

16. **RESOLUTION 05-10382**
Combined w/CC 05-1252

Adopting the Old Town Pittsburg Design Guidelines and Principles (Recommend Adoption)

See Executive Summary for Ordinance 1252, Item 14, above.

CONSIDERATION

1. **MINUTE ORDER**

Council Subcommittee Formation and Appointment for Concord Naval Weapons Station (Recommend Adoption)

A City Council Subcommittee is hereby requested to work with the City Manager on addressing the following issues concerning the Concord Naval Weapons Station: 1) Long-term impacts to the City of Pittsburg regarding the recommended closure of the Concord Naval Weapons Station by the U.S. Base and Realignment and Closure (BRAC) Commission, and 2) City of Concord's subsequent economic development of the Concord Naval Weapons Station Reuse Plan which includes the potential development of, but not limited to: community center facilities, library or schools, residential housing, jobs, open space, and park and recreational facilities within the 5,170 acre "inland area" of the Concord Naval Weapons Station, and 3) Establishment of a National Memorial Cemetery on a portion of the base; and 4) Potential consolidation and relocation of existing California National Guard Armory facilities, in both the Cities of Concord and Pittsburg, to an appropriate site designated on the Concord Naval Weapons Station.

2. **MINUTE ORDER** Requesting Direction on Truck Access Issues for State Route 4 Harbor Street Exit Ramp (Recommend Adoption)

In order to insure public safety, it has been suggested to prohibit trucks from using the State Route 4 Harbor Street exit ramp until adequate improvements are made to accommodate them. Staff has previously analyzed current and future plans for this exit ramp and recommended against such a prohibition. Staff is seeking Council direction for further action.

3. **RESOLUTION 05-10379** City Council Allocation: Hurricane Katrina Disaster and Humanitarian Relief Efforts (Recommend Adoption)

Federal Emergency Management Agency, U.S. Department of Homeland Security for Emergency Preparedness and Response, the American Red Cross and other disaster service organizations have launched an immense emergency relief effort to meet unprecedented humanitarian needs in the wake of Hurricane Katrina by mobilizing workers and supplies to address the urgent, critical needs of disaster victims, which include providing emergency shelter, food, water, clothing, counseling and other assistance. Additional resources are needed by these organizations to address the ongoing critical needs of disaster victims.

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: August 15, 2005 and August 29, 2005 (Recommend Approval)

- b. **CLAIMS** #1663 Bobbieter J. Lackland; #1642 Amended, Rosland Sampson (Recommend Denial)

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

- c. **ORDINANCE 05-1248** Amendment to Chapters 15.84 and 19.20 of the Municipal Code Pertaining to Historic Resources and the Historic Resources Commission (Recommend Adoption)

On August 15, 2005, the Council introduced an ordinance amending the City Historic Resource regulations in the Municipal Code. The Council must now adopt the ordinance to effect the proposed changes.

- d. **RESOLUTION 05-10380** Adoption of a Resolution Upholding an Appeal and Denying Use Permit/Design Review Application No. 05-200 (RK Sunrise Inn) (Recommend Adoption)

On August 15, 2005 the City Council voted 3 to 2 to uphold an appeal of Planning Commission Resolution No. 9573 approving a use permit and design review application to construct and operate a 39-room motel at 2301 Harbor Street. The Council requested staff prepare a draft resolution upholding the appeal and denying the project. It is now being brought back for formal adoption.

- e. **RESOLUTION 05-10381** Authorization to Enter into an Agreement Authorizing MIG Consulting Firm to Prepare Specific Plan, Focused Area Master Plan and Ridership Development Plan for Future Railroad Avenue eBART Station (Recommend Adoption)

The City has entered into a Memorandum of Understanding (MOU) with BART, CCTA, Contra Costa County, Tri Delta Transit and the cities of Oakley, Brentwood and Antioch that depicts each party's roles and responsibilities pertaining to the State Route 4 East Corridor Transit Project. Pittsburg is responsible for creating a new Ridership Development Plan for the Railroad Avenue eBART station and implementing that plan through the preparation and adoption of a new specific plan and related general plan and zoning amendments during the next two years. The Council is requested to authorize staff to enter into an agreement authorizing MIG consultants to prepare the Ridership Development Plan, the Railroad Avenue Specific Plan and a focused area (Civic Center block) Master Plan to comply with Pittsburg's obligations under the MOU.

- f. **RESOLUTION 05-10383**
Combined w/RDA 05-1081 Allocating Additional Funds and Awarding Contract No. 2005-02, Westside Addition Pavement Rehabilitation Project to Ghilotti Bros. Inc. of San Rafael, California for the Rehabilitation of the Westside Addition Subdivision (Recommend Adoption)

See Executive Summary for Redevelopment Agency Resolution No. 05-1081.

- g. **RESOLUTION 05-10384** Accept Stoneman Sewer Main Rehabilitation Project as Complete (Recommend Adoption)
- An existing sewer line near Stoneman Avenue, which was near failure, needed rehabilitation or replacement to prevent a possible future health hazard. Pacific Liners of Vacaville, California has completed all the contract work and the project is ready to be accepted.
- h. **RESOLUTION 05-10385** Authorizing the City Manager to Extend the Consultant Agreement By and Between the City of Pittsburg and Lamphier-Gregory to Provide Environmental and Planning Services for the Trans Bay Cable Project (Recommend Adoption)
- Lamphier-Gregory is an urban planning and environmental consultant firm hired by the City to assist in environmental review and planning activities related to the Trans Bay Cable Project. Complexities of the process and delays in the commencement of the environmental review have required the initial estimated budget of the consultant agreement to be increased.
- i. **RESOLUTION 05-10386** Authorizing the Transfer of \$236,000 from the Neighborhood Improvement Program to Contract 2005-21 West Boulevard Alley and Fence Rehabilitation Project (Recommend Adoption)
Combined w/RDA 05-1082
- See Executive Summary for Redevelopment Agency Resolution 05-1082.
- j. **RESOLUTION 05-10387** Contra Costa County Keller Canyon Landfill Mitigation Grant (Recommend Adoption)
- The Pittsburg Police Department is seeking City Council authorization to accept and appropriate funds in the amount of \$25,000 from the Contra Costa County Keller Canyon Landfill Mitigation Grant for Fiscal Year 2005-2006.
- k. **RESOLUTION 05-10388** Establish the Position and Appropriate the Funding for the Associate Planner for the Redevelopment Agency for the City of Pittsburg (Recommend Adoption)
Combined w/RDA 05-1083
- See Executive Summary for Redevelopment Agency Resolution No. 05-1083.

ADJOURNMENT To: October 3, 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 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 - 2005

Updated April 4, 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 nd Monday	M. Rodriguez
Delta Diablo Sanitation	Nancy Parent / Michael Kee Alt.	Standing	2 nd 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 nd Thursday	J. Sbranti
Fee & Finance Authority/TRANSPLAN	William Glynn / Michael Kee Alt.	Standing	2 nd 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 rd Thursday	B. Nail
Library Commission	Nancy Parent / William Glynn	Standing	As needed	P. Flores
Mayor's Conference	Nancy Parent / Michael Kee Alt.	Standing	1 st 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
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 st Thursday	G. Evans
RDA Subcommittee	Nancy Parent & Michael Kee/William Glynn Alt.	Standing	Quarterly	G. Evans